



**STUDENT  
HANDBOOK**

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Accessibility Statement: The University of Mount Union is committed to creating a learning environment that meets the needs of its diverse student body. Fonts, font sizes and contrast of text and page color of this handbook have been considered to allow for greater accessibility. This handbook is available in hard copy and various modified formats upon request. Individuals with accessibility needs should reach out to [StudentAccessibility@mountunion.edu](mailto:StudentAccessibility@mountunion.edu) for assistance in accessing the information in this handbook.

If you need, or are aware of someone who needs, additional assistance in accessing this handbook, please reach out to the Office of Student Accessibility Services. You can find more information about the Office of Student Accessibility Services, including contact information [here](#).

## A Message from the Dean

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Welcome and Welcome Back!

As the Dean of Students, it is my pleasure to be able to assist you in your personal, academic, and professional pursuits! Our staff in the Office of Student Affairs is at your disposal and ready to help you develop and grow both inside and outside of the classroom.

Mount Union's community is diverse and vibrant. Our diversity is composed of both seen and unseen differences. Meeting with our students, I have enjoyed learning about the unique experience and ideas they bring to our community. As a community, like a family, we celebrate our individual and collective experiences and ideas – and this makes us stronger together. Another important part of being a community and family is supporting each other through challenging times. The staff in the Office of Student Affairs is here to support you and celebrate with you throughout your collegiate experience.



This Student Handbook is designed to serve as a resource and guide for a variety of topics and includes information regarding our institutional expectations for appropriate conduct and behavior. All students are expected to be familiar with the rules and regulations of Mount Union—that information is provided herein.

The Student Handbook is a dynamic document and changes are sometimes necessary. A current version of the Student Handbook is always available at [mountunion.edu/campus-life/safety-and-parking/student-conduct](http://mountunion.edu/campus-life/safety-and-parking/student-conduct) for your convenience.

Please be sure to visit the Office of Student Affairs if we can provide information, service, or support for you—we are located in the Hoover-Price Campus Center. Best wishes for a wonderful and rewarding year!

Sincerely,

John Frazier

Vice President for Student Affairs and Dean of Students



# About Mount Union

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## Mission Statement

The mission of the University of Mount Union is to prepare students for fulfilling lives, meaningful work, and responsible citizenship.

## Undergraduate Learning Goals

To accomplish the mission, the University faculty has established guidelines to help students:

### I. Demonstrate Core Abilities

- A. Demonstrate ability to acquire and assess information.
- B. Demonstrate research skills (both quantitative and qualitative).
- C. Develop ability to think critically.
- D. Develop ability to think creatively.
- E. Develop communication skills.

### II. Foundational Knowledge and Integration

- A. Acquire knowledge in humanities, arts and sciences.
- B. Demonstrate the use of concepts and methods in humanities, arts, and sciences.
- C. Develop the ability to view the world from multiple disciplinary perspectives.
- D. Integrate knowledge and techniques across multiple disciplines.

### III. Preparation for Fulfilling Lives

- A. Acquire the tools for self-development in order to assess and improve physical, social, emotional, intellectual, and spiritual growth and wellness.
- B. Find and cultivate intellectual pursuits.
- C. Find and cultivate pursuits for personal enrichment.

### IV. Preparation for Meaningful Work

- A. Acquire discipline specific knowledge and skills needed at a professional level.
- B. Demonstrate use of discipline specific knowledge and skills.
- C. Integrate discipline specific knowledge and abilities with multiple disciplinary perspectives.
- D. Develop ability to collaborate with others to solve problems.

### V. Preparation for Responsible Citizenship

- A. Develop knowledge and appreciation of the individual's culture and other cultures in a global context.
- B. Understand and employ ethics within diverse cultural, social, professional, environmental and personal settings.
- C. Demonstrate civic engagement by active involvement in and beyond the classroom.

## History of the University of Mount Union

The University of Mount Union is the outgrowth of a town meeting held by forward-looking citizens of the village of Mount Union on October 4, 1846. At that time, the people gathered to hear Orville Nelson Hartshorn outline the need for a new institution in the area, where men and women could be educated with equal opportunity, where science would parallel the humanities, where laboratory and experimental subjects would receive proper emphasis, and where there would be no distinction due to race, color, sex, or position. On October 20, 1846, this young man organized and taught on the third floor of the “Old Carding Mill” a “select school” of six students.

The school grew rapidly under his inspired leadership and, in 1849, became known as “Mount Union Seminary.”

In 1853 a “normal department” was added for the training of teachers. On January 9, 1858, the institution was chartered and incorporated under the laws of the State of Ohio as “Mount Union College.”

In September 1911, Scio College, located at Scio, Ohio, was united with Mount Union. By the articles of consolidation, the liberal arts alumni of the former institution were made alumni of the latter.

Scio was established in 1857 at Harlem Springs, Ohio, as “The Rural Seminary.” In 1867, the school was moved to New Market, where it was known variously as New Market College, the One-Study University, and finally, Scio College in 1878.

For many years Mount Union has claimed the distinction of being one of the first institutions to have a summer school. Started in 1870, this first summer school was actually a fourth term in the school year. Since that time, summer instruction has been offered each year at the institution.

On August 1, 2010, the institution officially became known as the University of Mount Union. The change to a “university” designation was made in an effort to better describe what Mount Union is today and more effectively communicate all that the institution has to offer. This decision, unanimously approved by the Board of Trustees, came after careful review of data gathered through numerous research efforts and thoughtful consideration and discussion.

From 1846 to present, the administration of the University has been under the leadership of 13 presidents: Orville Nelson Hartshorn, 1846-1887; Tamerlane Pliny Marsh, 1888-1898; Albert Birdsall Riker, 1898-1908; William Henry McMaster 1899, 1908-1938; Charles Burgess Ketcham, 1938-1953; Carl Cluster Bracy, 1954-1967; Ronald Gilbert Weber '38, 1967-1980; G. Benjamin Lantz Jr., 1980-85; Harold M. Kolenbrander, 1986-2000; John L. Ewing Jr. 2000-2005; Richard F. Giese, 2005-2015; W. Richard Merriman, Jr., 2015-2020; Dr. Thomas J. Botzman, 2020-2022; Dr. Robert Gervasi, 2022-2023. During the 2023-2024 academic year, the University will be under the leadership of President Gregory L. King.

## University Heritage Statement

The University of Mount Union has roots in two traditions. The first of these is the Christian tradition as expressed in the American Methodist movement of the 19th Century. An important part of this movement was an effort to advance social progress through the establishment of academically rigorous institutions, which were non-sectarian, as well as racially, ethnically, and gender inclusive. This rich, church-related legacy informs the present spirit in which Mount Union maintains a historical and philosophical relationship with the Methodist tradition and foundational beliefs inherent in the Wesleyan ethos.

The University of Mount Union affirms the spiritual center of all persons and acknowledges the deep impact that spiritual and religious experience has on both cultures and individuals. In light of this, the University takes seriously its dual responsibility to foster the academic study of religious experience and to provide resources that nurture and enrich the spiritual life of our students and all members of the Mount Union community. As a university of higher education, we neither advocate a particular spiritual heritage nor proselytize on behalf of any religious or sectarian orthodoxy.

The other significant tradition of the University of Mount Union is rooted in an historic understanding of the liberal arts. A liberal arts education provides students with a broad base of knowledge in addition to training in a specific field of study. At its heart, a liberal arts course of study does not teach a single point of view but equips and empowers students to form their own conclusions based on critical reasoning. This tradition of learning continues at the University of Mount Union.

These aspects of our heritage reinforce each other in the striving for excellence, concern for the inherent dignity and worth of each individual, and the emphasis on the spiritual as well as the intellectual achievements of humanity. We embrace the global nature of our student body, recognizing that diversity serves as a resource for learning as we develop and prepare our students for “fulfilling lives, meaningful work, and responsible citizenship.





## University Diversity Statement

At the University of Mount Union, we continuously strive to welcome, accept, and respect all people. We believe that through the union of disparate perspectives, we strengthen our community, facilitate global enlightenment, and enable collective self-discovery. As such, we embrace diversity and inclusiveness to facilitate the development of ideas, the advancement of global perspectives, and to create a greater understanding and acceptance of all people. We actively promote a diverse and inclusive environment that obliges mutual respect and positive engagement to effectively enrich learning and living for our students, faculty, staff, administration, and community.

As members of the University of Mount Union community, we pledge to:

- Acknowledge, respect, honor, and celebrate diversity.
- Work together to create an environment that is both diverse and inclusive.
- Take these inclusive attitudes with us as we continue our life journeys.

## University Definition of Anti-Racism

To ground its work, the Anti-Racism Task Force developed a working definition of anti-racism, spearheaded by the Marketing & Messaging Working Group and informed by their reading of Ibram X. Kendi's text, *How to Be an Antiracist* (New York: One World, 2019):

Anti-racism is the conscious acknowledgment and examination of perceptions, beliefs, narratives, policies, and practices that contribute to racial inequities, and which negatively impact outcomes for individuals and racial minority groups. As a process, anti-racism leads to intentional, proactive engagement in behaviors and activities for preventing and eliminating racism.





## Alma Mater

Hark! From mountain, hill, and valley,  
Rings the music as they rally,  
Sons and daughters of Mount Union,  
Singing songs of praise.  
See! They come unceasing,  
Care and toil releasing,  
Shouting in a mighty chorus,  
More and more increasing.

(Chorus)

Wake the echoes loud with cheering,  
Shout again! The day is nearing,  
Night is gone without doubt and fearing,  
Dear old M.U.C.  
Rouse your souls from sloth and slumber,  
Gird yourselves and join our number,

Loyal to Mount Union College,  
Rally round her now!  
On her worth relying,  
Keep her colors flying,  
Crown the heroes of her battles,  
Each with name undying.

(Chorus)

Nobly stands the grand old College,  
Home of honor, shrine of knowledge,  
Storm and stress and time but prove her,  
Constant, brave and true.  
Mark! Each new endeavor,  
Makes her stronger ever,  
Hearts and hands for toil and battle,  
May they fail her never!  
(Chorus)

## Fight Song

On, Mount To Victory!  
On Mount to victory,  
Onward to the goal.  
Cheer for our team today,  
Make the echoes roll.  
Hail to our colors true,  
The Purple and White.  
On Mount to vict'ry,  
So let's Fight! Fight! Fight



# Quick Resources

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## Academic Resources

- The Center for Student Success (CSS) provides academic support, search-for-a-major support, accessibility services and many other programs to assist in a student's academic career. Located in the KHIC; for information, call the Center for Student Success; at (330) 823-8685 or visit [mountunion.edu/academics/student-success](http://mountunion.edu/academics/student-success).
- Tutoring is coordinated through the CSS. You can access tutoring through [mywco.com/mount](http://mywco.com/mount). Step-by-step instructions will be available as you schedule and again in confirmation emails of scheduled appointments. Students can also find the online tutoring schedule on the Academic Support page.
- The Digital, Written, and Oral Communication Studio (DWOC) provides a space, technologies, and peer consultations to Mount Union students who are working on writing, oral presentations, and multimedia projects. The DWOC is located in the Mount Union Library, across from the circulation desk. Online consultations are available to graduate and undergraduate students. See the [DWOC Studio website](#) for more details.

## Alcohol/Drug Resources

- Mount Union offers a comprehensive alcohol and other drug counseling and education program to all students through the Office of Alcohol, Drug, and Wellness Education. Self-referrals, supervisory, and departmental referrals and consultations are welcome. This resource can be accessed at (330) 829-6660 or [adwe@mountunion.edu](mailto:adwe@mountunion.edu).
- Off Campus Treatment Resources can be found [here](#).
- Support Group information can be found [here](#).

\*Resources in this section were compiled by Kelleen Weber, director, Alcohol, Drug, and Wellness Education

## Assistance with Food and Other Needs

- Raiders Cove is a resource center focused on helping students with needs including food, hygiene items, clothing, and more. Non-perishable food and hygiene items are available on a weekly points system at no charge to students and clothing is for sale at minimal cost. All current Mount Union students are eligible to become a member of Raiders Cove and can do so by filling out the membership form. Members receive a key tag and can visit Raiders Cove as often as they like. The membership form, hours, and other details can be found at [mountunion.edu/raiders-cove](http://mountunion.edu/raiders-cove)
- 2-1-1 can be used for assistance with food, housing, or other needs. This is the fastest way to find out about the services closest to your home address. Dial 2-1-1, text your zip code to 898-211 or visit [uwstark.org/our-work/community-programs/2-1-1/](http://uwstark.org/our-work/community-programs/2-1-1/) for other ways to connect. You can watch a guide to 2-1-1 [here](#).
- If you need additional assistance, please reach out to Student Affairs at 330-823-2243.

\*Resources in this section were compiled by Abby Honaker-Schroeder, director, Regula Center for Public Service and Civic Engagement.

## Counseling Resources

In the Office of Counseling Services, state licensed counselors help Mount Union students move toward life goals, while teaching students the coping skills needed for the future. The aim of counseling at Mount Union is to assist students in becoming socially and emotionally healthy. Counseling is a partnership between the client and the counselor, meant to help students find solutions and possibilities in life. All enrolled Mount Union students have access to free and confidential counseling on campus.

Counseling is available by appointment, either in person or via telehealth, through the Office of Counseling Services, Monday through Friday 8:00am.-5:00pm. Consultation walk-in hours, when students experience unexpected stress and do not have an appointment, are offered M, W, F 2:00pm. -4:00pm., and T, TH 11:00am.-1:00pm. Additionally, consultation services are also available for those students studying abroad, completing clinicals, or taking classes remotely. To schedule an appointment, call (330) 823-2886 or email [CounselingServices@mountunion.edu](mailto:CounselingServices@mountunion.edu). All counseling services are offered in the Student Affairs suite located in HPCC behind the information desk.

Pastoral counseling is offered to people of all faiths or non-faiths and traditions through the Office of the Chaplain. To schedule a time to speak with the chaplain, please call 330-823-2838 or email [chapel@mountunion.edu](mailto:chapel@mountunion.edu).

Alcohol and Other Drug Counseling services are offered through the Office of Alcohol Drug, and Wellness Education. [adwe@mountunion.edu](mailto:adwe@mountunion.edu)

If students need assistance outside of regular office hours, there are a variety of resources both on-campus and in the local area. The following is a list of resources that may be used in situations in which a more immediate response is needed:

### *For After Hours Emergencies:*

Resident Director on Duty	330-428-3500
Campus Security	330-428-1344
Alliance Police Department	330-821-3131 or 911 if emergency services are needed
Alliance EMS (Fire Dept)	330-821-1212 or 911 if emergency services are needed

### *National and Local Crisis Resources:*

Stark County Crisis Hotline	330-452-6000
Crisis Text Line	Text 4hope to 741741
Trevor Lifeline for LGBTQ Youth	866-488-7386
National Suicide and Crisis Lifeline	988 <a href="https://suicidepreventionlifeline.org/">suicidepreventionlifeline.org/</a>
Stark County Sexual Assault Hotline	330-452-1111
Alliance Domestic Violence Shelter	330-823-7223

\*Resources in this section were compiled with the assistance of Dr. Francine Packard, Director, Office of Counseling Services.

## Housing Resources

- The Office of Residence Life provides housing to students on a first come, first-served basis. If students have concerns about their housing assignment, they should reach out to [reslife@mountunion.edu](mailto:reslife@mountunion.edu) or (330) 823-7288.
- If you lose a key, it should be immediately reported to the Office of Residence Life and arrangements will be made to issue a temporary key or have the lock changed on the student's room door depending on the situation. A student may get a temporary key from the Physical Plant Key Room.
- If you have a residence hall emergency, please contact the RA on Duty or the RD Duty phone at 330-428-3500.
- If you have an emergency that needs additional assistance, please call Campus Security at 330-428-1344.

\*Resources in this section were compiled with the assistance of Sara Sherer, Director, Office of Residence Life.

## Sexual Assault/Harassment Resources

- If you or someone you know has experienced any type of sexual misconduct, you can reach out to either Title IX co-coordinator to report and gain assistance:
  - Michelle Gaffney, associate dean of students & Title IX co-coordinator  
Hoover Price Campus Center, Office of Student Affairs  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-2496  
E-mail: [gaffnemi@mountunion.edu](mailto:gaffnemi@mountunion.edu)
  - Andrew Boothe, Jr., associate diversity officer & Title IX co-coordinator  
Beeghly Hall, DEIB Office  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-6500  
E-mail: [bootheac@mountunion.edu](mailto:bootheac@mountunion.edu)
- For confidential reporting of an experience of sexual misconduct, you can reach out to [Counseling Services](mailto:counselingservices@mountunion.edu) at [counselingservices@mountunion.edu](mailto:counselingservices@mountunion.edu) or [The Office of Alcohol, Drug, and Wellness Education](mailto:adwe@mountunion.edu) at [adwe@mountunion.edu](mailto:adwe@mountunion.edu).
- Mount Union trains faculty and staff as Sexual Misconduct Responders. These reporters can help a student understand their options, find resources, assist as the student addresses counseling, medical, and legal issues, and help address any other concerns a student may have. The list of Sexual Misconduct Responders can be found [here](#).
- Contact information for counseling resources, including 24-hour hotlines, can be found [here](#).

# Campus Facilities Hours of Operation

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## Dining Services

### Kresege Commons

Students must have their Purple Plu\$ Cards to use their meal plan in the dining room. Meal plans are not transferable. Weekly menus can be viewed [here](#).

Monday - Friday		7 am - 7:30 pm Continuous Service
	Hot Breakfast	7 am - 9:00 am
	Continental Breakfast	9:00 am - 10:30 am
	Lunch	10:30 am - 1:30 pm
	Light Lunch	1:30 pm - 4:30 pm
	Dinner	4:30 pm - 7:30 pm
	Late Night Snack	Monday - Thursday 9 pm - 10:30 pm
Saturday		
	Breakfast	8 am - 9 am
	Lunch	11:30 am - 1:30 pm
	Dinner	4:30 pm - 6:30 pm
Sunday		
	No Breakfast	
	Brunch	11:30 am - 1:30 pm
	Dinner	4:30 pm - 6:30 pm

### B&B Café

Monday - Friday	8 am - 10 pm
Saturday	9 am - 2 pm

### KHIC Start Café

Monday - Friday	7 am - 2 pm
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### Market C

24 hours convenience store adjacent from KHIC Café

## Digital, Written, and Oral Communication Studio (DWOC)

Located across from the Circulation Desk in the Kolenbrander-Harter Information Center (KHIC). During the year, typical hours are:

Sunday	6 pm - 10 pm
Monday-Thursday	9 am - 10 pm
Friday	9 am - 3 pm
Saturday	Closed

During the summer months, students who are enrolled in classes can make real-time online (synchronous) appointments. Please check the [DWOC Studio](#) website details.

## IT Helpdesk and Computer Labs

Mount Union offers virtual desktop (VDI) environment, so that lab software can be used on your own device. There are also a variety of departmental computer labs for student use. Students needing general computer assistance can also contact the helpdesk by calling HELP (ext. 4357) from any on-campus phone. The off-campus phone number is (330) 829-8726. Students' personal computer

support is free of charge at the Helpdesk. Departmental computer labs are available and subject to the building hours.

### Computer Lab Hours

KHIC 057 CS Lab 57:	Open 24 hours
T-H 200B Lab:	Open during building hours
Bracy 304 Lab:	Open during building hours
Department Labs:	Check with the individual department
Residence Hall PC/Printer:	Open 24 hours for residence (located in various residence halls)

### IT Helpdesk Hours (subject to change)

Monday-Thursday	7 am – 9 pm
Friday	7 am – 5 pm
Sunday	6 pm – 9 pm
<i>Summer Hours</i>	
Monday-Friday	8 am – 5 pm

### Library

#### Main Library Hours

Monday – Thursday	8:00 am – 12:00 am
Friday	8:00 am – 5:00 pm
Saturday	9:00 am - 5:00 pm
Sunday	12:00 pm – 12:00 am

The Main Library will announce its final exam hours of operation close to the end of the semester.

#### Sturgeon Music Library Hours

Monday – Friday	9:00 am – 6:00 pm
Saturday – Sunday	Closed

#### Curriculum Resource Center

Monday – Thursday	8:00 am – 8:00 pm
Friday	8:00 am – 5:00 pm
Saturday	9:00 am – 5:00pm
Sunday	12:00pm – 5:00pm

### McPherson Academic and Athletic Center (MAAC)

Monday - Thursday	6 am – 11pm
Friday	6 am – 10 pm
Saturday	9 am – 8 pm
Sunday	11 am – 11 pm

#### Pool Hours

Monday - Friday	11:15 am – 1:15 pm
Monday - Friday	7:30 pm – 10 pm
Saturday	Closed
Sunday	3 pm – 6 pm



## University Store

### Normal Store Hours:

Monday - Friday	9 am – 4 pm
Saturday	10 am – 2 pm*
Sunday	Closed

*\*During home football games, the University Store will be open from 10 a.m. until 4 p.m.*

### Hours of Operation during summer and breaks

Monday - Friday	9 am - 4 pm
Saturday - Sunday	Closed

*\*Listed hours are subject to change.*





# Campus Resources

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## Academic Resources

### Center for Student Success

The [Center for Student Success](#) (CSS) empowers students in the strategic pursuit of their goals as they relate to personal transition, self-discovery, academic progress and success, and career planning. We strive to provide a variety of programs and services to help students reach these goals, including the following:

#### *Academic Support*

Helping students reach their full potential is the primary goal of Academic Support. Through individual meetings, success workshops, the Raider Rise program, academic peer mentoring programs, Structured Study, the tutoring program, and other academic support-related opportunities, Academic Support strives to assist students in developing the skills, habits, and behaviors for success necessary in university-level coursework. All resources and programs come at no additional cost to students, and all students are welcome and encouraged to visit the office for assistance with academic success strategies.

#### *Career Development*

Deciding on a career to pursue and having the tools to navigate the job or graduate school search process are critical to all students. This process actually begins much earlier than the senior year, and the Office of Career Development is there to assist all students with this. We help prepare students to research careers, identify and secure experiential learning opportunities (internships), and develop and implement job search strategies, which include creating a resumé, networking and interviewing with employers, and targeting job leads. Preparing for graduate school applications and admission tests is also supported by Career Development in addition to the other events we facilitate, including job and internship fairs, graduate and professional school fairs, mock interviews, on-campus recruiting, and a variety of networking events.

#### *First Year Initiatives*

The first year of college is a pivotal one, and through intentional programming and services as well as meaningful relationship-building, First Year Initiatives encourages academic excellence through cocurricular learning, fosters the development of the whole student, and provides a supportive community to learn and grow as students make a successful transition from high school to college.

First Year Initiatives' offerings include the summer Preview and fall and spring Orientation programs as well as the year-long Exceptional Beginnings program. Exceptional Beginnings immerses first year students in a living-learning culture from their first day on campus. As a part of a small Exceptional Beginnings group with an upper-class raider guide mentor, first year students will be provided opportunities to get involved and gain essential skills for learning and success, preparing them for an exceptional beginning and a successful collegiate experience at the University.

#### *Search-for-a-major Support*

Did you know that many students start college not knowing what major they want to pursue and that many change their major at least once during the pursuit of their degree? If you aren't sure of your major or are considering changing it, the Center for Student Success can help. Come meet with our staff who will help you explore your interests and skills to identify the courses, major(s), and/or minor(s) that might be a good fit for your academic strengths and future career and life goals.

### *Sophomore Initiatives*

While starting the second year of college is much different than coming as a first-year student, many students are still finding their way. Our sophomore initiatives provide support throughout that second year of college through individual appointments with the CSS staff as well as the Sophomore Halfway There Fair.

### *Student Accessibility Services*

The Office of Student Accessibility Services (SAS) supports Mount Union's commitment to diversity and student success by providing services and accommodations for qualified persons with disabilities and unique physical or academic challenges. Students who wish to apply for accommodations in academics or housing must complete an application for accommodations and must provide supporting documentation of their unique needs. Requests for accommodation will be determined based upon factors including the nature of the request, the specific needs of the student, and the reasonableness of the requested accommodations. Students are encouraged to make their request for accommodations in a timely manner, allowing time to arrange necessary accommodations, by contacting the office at (330) 823- 7372 or by email at [studentaccessibility@mountunion.edu](mailto:studentaccessibility@mountunion.edu).

The Center for Student Success is in KHIC. For information, call the Center for Student Success, at (330) 823-8685, email us at [studentsuccess@mountunion.edu](mailto:studentsuccess@mountunion.edu), or visit [mountunion.edu/academics/student-success](http://mountunion.edu/academics/student-success).

### Digital, Written, and Oral Communication Studio

The Digital, Written and Oral Communication (DWOC) Studio is located in the Mount Union Library, across from the circulation desk. Its mission is to provide space, technologies, and peer consultations to Mount Union students who are working on writing, oral presentations, and multimedia projects. Consultants provide help with critical thinking at the beginning stages of a project and with support through the writing, speaking, and production process. Consultants can help with essays, reports, employment and graduate school documents, public speeches, PowerPoints, videos, audio projects, and with the Raider Foundation Portfolio (RFP) required of all second-year students as part of the Integrative Core. Students can make face-to-face or synchronous, real-time online appointments. During the year, typical hours are:

Sunday	6 pm - 10 pm
Monday-Thursday	9 am - 10 pm
Friday	9 am - 3 pm
Saturday	Closed

During the summer months, students who are enrolled in classes can make synchronous, real-time online appointments. Please check the [DWOC Studio](#) website for details.

### Library

The [Main Library](#) is housed in the Kolenbrander Harter Information Center. Library services are located on the first floor of the south wing. The library service desk is at the top of the main stairs and provides patrons with reference assistance, book circulation, interlibrary loan, and course reserves. Located on the third floor of the Main Library, the Curriculum Resource Center provides access to books and realia to support the teaching and learning for the School of Education. The Sturgeon Music Library located in Cope Hall provides access to music and theatre reference collections and reserve materials as well as musical scores, recordings, and current journals to support the Department of Performing Arts.

The library is committed to fostering an inclusive environment in its practices and the library collection. We work with other campus entities to ensure students are successful in their academic and co-curricular endeavors. Through our reference consultations and information literacy sessions, we want to empower students to use library resources effectively and develop all students into lifelong learners. To facilitate ease of access to connect with library staff, we offer the ability to chat with a librarian through the [LibAnswers](#) platform that also includes several frequently asked questions.

The library is home to a large collection of books, electronic resources, and streaming video that align with the university's majors and minors as well as graduate programs. Through our growing collection of [LibGuides](#), we aim to connect the campus community with books, [databases](#), videos, and open educational resources to supplement the teaching and learning as well as personal interests. The university library provides students with several spaces throughout the building to study and extend their learning outside of the classroom that include a 24-hour space on the first and second floor.

### *Circulation Policies*

Loan policies for the library are liberal and student centered, ensuring that students will have access to library materials when and where they are needed. Most library materials circulate for a 30 day loan period with renewals available in person or electronically through "[My Account](#)" on the library [home page](#). Course Reserve materials have shorter loan periods, set by the faculty who place the reserves. Students, faculty, and staff also have access to library materials from 88 institutions and the State Library of Ohio through the [OhioLINK](#) consortium whose catalogs include more than 44 million volumes. Over 16 million more items are available from a network of Ohio public libraries through the [SearchOhio](#) system. When library resources are unavailable in-state, our [interlibrary loan](#) service offers access to library resources from across the country and around the world.

For assistance in accessing these materials contact library staff through the following numbers:

Circulation Desk	330-823-3890
Reference Desk	330-823-3796
Surgeon Music Library	330-829-6505

### *University Store*

The [University Store](#) is found in the Hoover-Price Campus Center (HPCC) across from the information booth. Hours can be found [here](#).

### *Textbook return policy:*

- A full refund will be given in your original form of payment if textbooks are returned during the first week of classes with original receipt.
- With proof of a schedule change and original receipt, a full refund will be given in your original form of payment during the first 30 days of classes.
- No refunds on unwrapped loose-leaf books or shrink-wrapped titles which do not have the wrapping intact.
- No refunds on Digital Content once accessed.
- Textbooks must be in original condition.
- No refunds or exchanges without original receipt.

### *GM return policy:*

- A full refund will be given in your original form of payment with original receipt.
- Without a receipt, a store credit will be issued at the current selling price.

- Cash back on merchandise credits or gift cards will not exceed \$1.
- No refunds on gift cards, prepaid cards, phone cards, newspapers, or magazines.
- Merchandise must be in original condition.

## Beyond Ourselves

### Student Diversity Programs

The [Office of Student Diversity Programs](#) resides within the Office of Student Affairs, and reports to the vice president for student affairs/dean of students. As a resource, support, and advocating entity for issues of race, ethnicity, anti-racism, gender identity, sexual orientation, religion and ability matters, the office offers its services to all. The Office of Student Diversity Programs fulfills the responsibility to serve as a resource for American minority students in matters of academic, social, cultural, and personal well-being. Mount Union believes that an appreciation of diversity among campus constituencies creates a welcoming campus environment that is crucial to the success of all students. For this reason, the office sponsors a variety of diversity-oriented programs to meet these needs including our Kaleidoscope Orientation Program, Diversity Tailgate, EXPLORaider Spring Break trip and various other events.

While students' needs are the primary objective, diversity-focused programming, resources, and training are available to the entire Mount Union community throughout the year. The Office of Student Diversity Programs also oversees the operation of the Diversity Center. To contact the office, call (330) 823-3196 or email [diversity@mountunion.edu](mailto:diversity@mountunion.edu).

### Diversity Resources

- LGBTQ+ online resources can be found [here](#). For on campus resources please reach out to the [Office of Student Diversity Programs](#).
- If you are in crisis, the Trevor Lifeline for LGBTQ Youth can be reached at 1-866-488-7386.
- If you have seen an incident of bias or concern on campus, you can report it [here](#). These reports can be submitted anonymously if you are uncomfortable submitting them with your name.
- Students starting to explore racial diversity issues can reach out to the [Office of Student Diversity Programs](#).

### Global Education

The [Center for Global Education](#) offers a variety of international opportunities for living and learning abroad. The Center advises students during the study abroad process and assists faculty with travel seminars and visiting professorships.

The Center for Global Education is located in Chapman. For more information, contact Dr. Jennifer Hall, director at the center for global education at [gloaled@mountunion.edu](mailto:gloaled@mountunion.edu).

### International Student Services

The [Office of International Student Services](#) resides within the Office of Student Affairs, and reports to the vice president for student affairs/dean of students. The main function of the office is to assist international students as they adapt to all aspects of campus life, acting as a liaison and an advocate in dealings with the U.S. government, Mount Union, academic departments, and administrative offices. The office is responsible for new international student and exchange visitor orientation upon arrival, plans cultural programs, and organizes monthly social activities. In addition to semester long programs, the office also coordinates the Raider Pal program, and Community Friend Program which are designed to match international students with current Mount Union students and local families to gain an authentic American cultural perspective. The office serves as

a resource to assist all students, faculty, and staff who are interested in or concerned with global issues. To contact the office, call (330) 823-2574 or [iss@mountunion.edu](mailto:iss@mountunion.edu).

## **Regula Center for Public Service and Civic Engagement**

The [Regula Center for Public Service and Civic Engagement](#) in van den Eynden Hall is a center of resources for students interested in learning opportunities revolving around careers in public and community service. The Center coordinates a variety of events and programs providing extracurricular opportunities. These include promotion of voter registration, leadership and mentoring programs, campus-wide community service events and much more. The Center strives to serve as the link between students and the community.

Students who would like more information about the Regula Center can contact the center at (330) 829-8168 or email [schroedal@mountunion.edu](mailto:schroedal@mountunion.edu).

## **Campus Basics**

### **Business Affairs**

#### *Financial Responsibility*

Prior to each academic semester the [Office of Business Affairs](#) sends an email to each student. Payments for the full-payment plan are due on July 31 for fall semester and December 31 for spring semester. Payments for the monthly payment plan option are due on the 15th of the month. Failure to pay by the due date may result in registration and housing being withheld until satisfactory financial arrangements have been made. Transcripts will not be released until all financial obligations to the University have been met. All questions should be referred to the Office of Business Affairs.

#### *Cashier*

The cashier's window is open from 9:00 a.m. to 4:00 p.m., Monday through Friday and located on the second floor of Beeghly Hall. Cash or check payments can be made at the window.

#### *Refund Checks*

When a student's account reflects a credit balance from financial aid or loan credits, student refunds will be processed the third week of each semester and biweekly thereafter. The student will need to set up direct deposit information through their Colleague Self Service site; otherwise, a check will be processed and held at the Cashier's Window for pick up.

#### *Student Employment Forms*

All students who will be working at the University must complete the following forms before actual work begins to receive a payment from payroll: Form I-9, Form W-4, and Form IT-4, all obtained from the Payroll Office located in the basement of Beeghly Hall. Additionally, students must bring to the Payroll Office the originals of a photo ID (driver's license or state ID card), verification of a bank account (MUST have either a voided check or something from the bank with the routing and account numbers on it) for direct deposit, and either their social security card or birth certificate; in lieu of all these a passport alone will suffice. Finally, a Work Authorization must be completed by the student's supervisor via the on-line form.

## **Withdrawal Process and Refund Policy**

A student who wants to withdraw after classes have started for the semester initiates the process with the Office of Student Affairs to indicate that they are withdrawing. The official date of withdrawal is the date the student contacted the Office of Student Affairs or the student's last date of attendance at a documented academically related activity. This policy applies to students who

withdraw from all their classes for the semester or are suspended. Students who participate in activities on campus prior to the first day of classes and then submit written notice of withdrawal prior to the first day of classes shall be assessed an early withdrawal fee of \$150.

The charges for tuition, fees, room, and meal plan are based on a weekly schedule listed in the University Catalogue. The student who withdraws after those dates will be charged for the whole semester and will be eligible for financial aid based on the semester costs. Notification of withdrawal and requests for refunds must be done in writing. The process is initiated with a withdrawal form which is available in the Office of Student Affairs in the Hoover-Price Campus Center. The Mount Union Refund Policy can be found in its entirety in the University Catalogue.

## Campus Safety and Security

Mount Union is committed to providing a safe living environment for its students, faculty, staff, and visitors. The University of Mount Union [Campus Safety and Security Office](#) is housed at 405 W Simpson St. Our Security Officers are trained professional employees of Mount Union. These officers are not authorized to carry firearms while on duty. When police assistance is needed, they contact the Alliance Police Department for assistance.

The department has three basic purposes. They are, to protect members of the community and their visitors; to protect university property and the property of community members; and to maintain order in the university community. They provide security and patrol services to the University, 24 hours a day, seven days a week, 52 weeks a year.

As members of a campus community, each individual shares in the responsibility of helping to preserve a safe and civil community and are expected to cooperate with the department. Students must comply with the Code of Student Conduct when interacting with security officers; including but not limited to providing identification or their Purple Plu\$ Card when asked. Each person needs to take preventative measures for their own safety and the safety of others. This includes not allowing others into residence halls without them using their ID to swipe in, locking residence hall doors, locking car doors, and reporting suspicious or concerning activity to Campus Safety and Security. All reports to Campus Safety and Security are given an appropriate response and will be treated in a respectful manner.

If assistance is needed, or in the event of an emergency, students should call Campus Safety and Security at (330) 428-1344 (or by dialing "SAFE" from any campus phone) or the Alliance Police Department at (330) 821-3131 (or 2255 from any campus phone). When calling for assistance, the caller should clearly state the nature of the problem and their location.

In addition, Blue Light Phones are located strategically across campus for emergencies. Students need only to push a button on these phones to alert the Alliance Police Department and Campus Safety and Security of an emergency situation. It is important to speak clearly and state the nature of the problem and location. Please note these phones are only to be used in cases of an actual emergency as they connect directly to the Alliance Police Department.

## Facility Scheduling

All facilities on campus must be scheduled through the Office of the University Registrar, which maintains an accurate schedule of all classes and activities occurring on campus and other events of interest related to Mount Union wherever they may take place. This provides one central location where an event can be scheduled, and details arranged for use of any facility on campus. Faculty or staff can reserve facilities online by creating an EMS account located on the Reserve a Room Feature. Once a room is requested, the director of camps and conferences will review the request for approval. A confirmation or denial e-mail will be sent to the faculty or staff member requesting the



reservation. Student organizations can also reserve facility space. The calendar of events can be viewed from the Mount Union home page at [calendar.mountunion.edu/mastercalendar/](http://calendar.mountunion.edu/mastercalendar/).

## Dining Services

### Meal Plans

A full-service meal plan is required for any student who lives in the residence halls or campus houses. Block plans do not meet this requirement.

All first-year students at the University who are living on campus are required to be on either the unlimited meal plan or the 16 meals per week plan. The unlimited meal plan allows for unlimited access to the Kresge Dining Commons from 7 a.m. to 7:30 p.m. on Monday through Friday, as well as for late-night snacks Monday through Thursday from 10:00 p.m. to 11:30 p.m. and designated mealtimes on the weekend. The unlimited meal plan now includes 10 bonus meals per semester that can be used ONLY at the B&B café. The 16 meals per week option provides students with 16 meals of their choosing per week in the dining hall and \$100 in dining dollars per semester to use at on-campus dining venues for food and beverage purchases only.

Returning or transfer students living in a residence hall or campus house are required to have a full-service meal plan. They have the option of the above-mentioned unlimited meal plan or 16 meals per week with \$100 dining dollars per semester, or they can choose an 11 meals per week with \$300 in dining dollars per semester, or 7 meals per week with \$400 in dining dollars per semester plan.

If a meal plan is not selected for any student living in a residence hall or campus house, the student's meal plan will default to the unlimited plan. Plans may not be changed during the semester. The last date to make changes to your meal plan selection is the Friday at the end of the first week of class in either semester. If you wish to change your meal plan before that date, you may be able to do that by logging into MyHousing. Otherwise, please contact the Office of Residence Life at (330) 823-7288 or visit the Office of Residence Life in the Hoover-Price Campus Center. Absolutely no meal plan changes will occur after the first week of classes.

All students not living in a residence hall or traditional campus house (apartment or townhouse, fraternity or sorority house, off-campus, or commuter students), have the opportunity of selecting from any of the six meal plans described above or from one of three Block Plan options should they desire to have one. Meals may also be purchased with the Purple Plu\$ Debit Card. If you live in housing that does not require a meal plan and wish to participate in one of the meals plans, you may make a selection. If MyHousing is closed for changes, then please see the Office of Residence Life. Block plans may be purchased more than once by contacting the Office of Residence Life.

Dining dollars and unused meals on any of the traditional meal plans as well as the block plans will not carry over between semesters or at year-end and if they are not used before the end of the semester, they are removed from the student's Purple Plu\$ card. Students will not be reimbursed for any remaining dining dollars at the end of the semester.





## Other Dining Venues

The B&B Café in the Hoover-Price Campus Center offers a full breakfast menu as well as a variety of both hot and cold menu options throughout the day which includes, but is not limited to, salads, burgers, sandwiches, wraps, pizzas, and other snack and dessert items as well as a wide array of hot and cold drinks including smoothies and specialty coffee drinks.

The KHIC Café has quick grab-and-go items such as muffins and pastries, wraps, sandwiches, salads, and beverages.

## Purple Plu\$ Cards

A Mount Union Purple Plu\$ Card is the official University of Mount Union identification card. All students are required to have their ID cards for identification, security, and access to university buildings and services. The card must always be carried on the UMU Campus. The card is valuable and should be treated like cash, a credit card, or a key. In addition to identification, the card provides access to restricted areas (i.e., residence halls or restricted labs or classrooms, etc.), meal plans, library materials, cultural and athletic events and may additionally allow for purchases to be made in dining venues and the University Store if funds are made available through the GET app.

You must present your Purple Plu\$ Card for identification if requested by a university official. Additional identification or signature may be required for certain purposes.

Access privileges of the Card will be deactivated when student status is terminated. Access privileges will also be deactivated for students who are not registered for courses and not charged tuition and relevant ID card-related fees (i.e., meals or housing).

The Purple Plu\$ Card is to be used only by the person to whom it is issued. Only the cardholder can present the card for Purple Plu\$ or Dining Dollars and other privileges. The card will be confiscated if presented by someone other than the cardholder.

Lost or stolen cards must be reported immediately by visiting the GET app and deactivating it. You are responsible for any loss due to a lost or stolen card. In order to receive a replacement card, you must go to the Office of Residence Life in the Hoover-Price Campus Center during business hours to have a new card printed. A \$25 replacement fee applies for all lost cards. Once a new card has been created, your old card will be invalid, and if found can only be reactivated by the Office of Academic Systems. Refunds for new cards already printed, however, will not be issued. Temporary cards are available in the Office of Residence Life for residence hall access for a period of up to 72 hours prior to getting a new card should you want more time to locate your lost or misplaced card. Temporary cards not returned, however, will also result in a \$25 charge.

You must not damage or alter the ID Card in any manner. This includes, but is not limited to, punching holes in or affixing stickers to the card. Keep your card away from computers, cell phones, TVs, stereo or gaming equipment, microwaves, and other magnetic devices. Do not store your card where it may bend or come in direct contact with other magnetized cards. Damage or misuse of the card may render it unusable.

## Purple Plu\$ Dollars (Declining Balance) or Credit Terms of Use

Utilizing the Purple Plu\$ Dollars (declining balance) feature of the ID card is optional. The Purple Plu\$ Plan will be activated upon initial deposit by the cardholder through the mobile GET app or [get.Cboard.com/mountunion/](http://get.Cboard.com/mountunion/).

You must present your own ID card in order to purchase products or services; it must be presented at the time of purchase and shall be the only means of accessing the cardholder's account. The card can be used at all participating locations on campus. The Card is the property of the University of Mount Union and is non-transferable. The cardholder may be required to sign a receipt for goods. The card may be deactivated and retained by a University of Mount Union official when presented by any cardholder making inappropriate or illegal use of it. Misuse, alteration, or destruction of the Purple Plu\$ Card may result in disciplinary action.

Purple Plu\$ Dollars cannot be used to pay for items listed on the student's University of Mount Union student account invoice (i.e., tuition).

Purple Plu\$ Dollars enable you to use your ID Card at all participating locations. Funds on this account are deposited at your discretion. There is no annual fee or minimum balance required. Having Purple Plu\$ Dollars on your card is akin to using it as a debit card, thereby providing you with a declining balance; it is not a credit card. There are no limitations on the number of times a card may be used for purchases if the cardholder maintains an adequate balance in the cardholder's account. Restitution is required for overdrafts on your account resulting from off-line transactions.

Once funds are deposited into your Purple Plu\$ account, any remaining balance will carry over from semester to semester and year to year, as long as you are actively affiliated with the University of Mount Union. The University accepts and holds funds prepaid by you for your sole benefit. The University shall apply these funds to any purchase of goods made through the use of Purple Plu\$ Dollars. No funds may be transferred from your Purple Plu\$ account to the Dining Services Meal Plans or vice versa. Purple Plu\$ Dollars may not be used to obtain cash or cash advances under any circumstances. No interest or other earnings will be paid to you or credited by the University. Funds cannot be withdrawn from the account prior to the account being closed.

The Purple Plu\$ Plan will be closed at the time when a cardholder ceases to be a University student; for a student that is upon graduation or withdrawal from the University. This occurs automatically, generally about 30 days after separation from the University takes place, so there is no need to apply for or request a refund in these circumstances. However, the participant may request at any time to have their account closed; this request must be made in writing to the Office of Academic Systems. In addition, the Office of Academic Systems reserves the right to close any Purple Plu\$ Plan that has been inactive for a period of twelve (12) months. Refunds on closed accounts will be made to the full value of the unused balance; except no refunds will be made for balances of less than \$10.00. Refunds for students will be credited to their student billing account and made via the same method as utilized for all other student refunds. All debts on the cardholder's account must be satisfied prior to a check being processed for a refund. Any negative Purple Plu\$ Plan balances will be charged to the student's billing account.

Point-of-sale terminals are equipped to provide a receipt for each transaction. It is your responsibility to ensure that the receipt is correct and secure the receipt. You may view detailed account transactions for the declining balance account activity by visiting the GET App.

Merchandise may be accepted for return, in accordance with the refund policy in effect, at the time of purchase of the product(s) or service(s). Any refund(s) shall be credited to your Purple Plu\$ Plan account. No cash refund(s) will be made for any purchases made with the ID card.

If you believe your account has been charged in error, either due to an error on a receipt or activity statement, or if you would like specific transaction information you must contact the Business Office within 30 days of the error, either in person or via email at [businessoffice@mountunion.edu](mailto:businessoffice@mountunion.edu). The Business Office will investigate the request and provide a written response within 20 business days. If the error is validated, the Business Office will make the necessary adjustments to your Purple Plu\$ Plan account.

*University of Mount Union reserves the right to change these Terms and Conditions regulating the use of the Purple Plu\$ Card*

## Hoover-Price Campus Center

### *Rules and Regulations*

Mount Union expects that, in consideration of the rights of others, all students will observe reasonable standards of good taste in the matter of dress in all public areas. The following standards should be observed:

- All persons entering the Campus Center will wear clothing to appropriately cover the body, including shoes and shirt.
- Gambling is prohibited in any part of the Campus Center.
- Rollerblades, skateboards, scooters, and bicycles are not permitted inside.
- Furnishings and audio-visual equipment may not be removed from the Campus Center.
- A Purple Plu\$ card must be left at the Information Desk before a student can use any game equipment or obtain meeting room keys. Only Mount Union students and employees are permitted to use the game equipment.
- Students are not permitted to use the phone at the Information Desk, except in emergency situations.
- Student organizations can submit online facility requests to reserve rooms in the Hoover-Price Campus Center or elsewhere on campus by using the online form located on i-Raider/Student Life/Student Organizations/Forms.
- Animals (except service animals) are not permitted in the building.

### *Posting Policy*

Any department, club, or organization affiliated with Mount Union may post materials in the Campus Center. All signs for clubs or organizations must have received prior approval per the Student Organization [Posting Policy](#). In order to ensure that materials are posted appropriately, the following policies must be observed.

- Signs may only be posted on general posting bulletin boards.
- General posting space is on a first-come, first-served basis.

- Materials posted on reserved office or student organization boards that are not affiliated with that office or organization will be removed.
- Signs with no event date will be marked by Campus Center staff and removed after one week.
- The removal or covering of previously posted materials is prohibited unless the event's date has passed.
- Materials may be posted on bulletin boards with pushpins, thumbtacks, or staples only.
- Materials may not be posted on any of the Campus Center walls, doors, floors, or windows. Wall clocks, fire alarms, fire extinguishers, and electrical outlets are not to be covered.
- Materials may be posted in the restrooms provided they are limited to one per stall or one above each urinal only.
- Signs placed on bulletin boards or in bathrooms must be smaller than 17" x 22".
- Banners, limited to four feet in length, may only be hung in designated areas. Banners must be removed by the organization responsible for hanging the banner within two hours after the event. Banner space in the Campus Center must be reserved in advance with the Office of Student Involvement & Leadership. Space is reserved on a first-come, first-served basis.
- Materials must not promote the use of alcohol or tobacco products in any way or display any alcohol/tobacco manufacturer or bar location or name.
- Materials must be consistent with the University policies regarding sexist, racist, and other discriminatory behavior.
- The Campus Center staff will remove all outdated signs and signs in violation of this policy.

## Mail Center

The Mail Center of the University of Mount Union is operated out of the Physical Plant Department located at 906 S. Union Ave across from the Glamorgan Castle. During the academic school year, hours are Monday through Friday, 8 am to 4:30 pm.

The Mail Center coordinates the delivery of incoming and outgoing mail, and packages, as well as inter-campus letters, notes, and information from campus organizations, friends, faculty, and staff. The following policies and procedures are established to provide an efficient and effective Mail Center.

### Receiving your Mount Union Mailbox

Each incoming student who lives on campus will receive an email with your on-campus mailbox number and combination. The student mailboxes are found in the west hallway of the HPCC. Should you forget your CMB number or combination, you can find it by going to [myhousing.mountunion.edu](http://myhousing.mountunion.edu).

1. This box number will be part of your new mailing address. Please use the below mailing address with your box number on all mail and package correspondence while you are attending the University of Mount Union.

Student 1212 unknown Here, USA 98765	Student Name - <b>CMB 123</b> University of Mount Union 1972 Clark Ave. Alliance, OH 44601
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*\* Mail that does not have your box number takes longer to process, which could cause a delay in receiving your mail. \**

2. You are encouraged to check your mailbox and empty it at least once a week, if not daily.
3. Please tear up and put your discarded mail into the recycling bin.
4. If there is a problem with your mailbox, you can call the Mail Center at (330) 829-6654.

If you no longer live in campus housing and wish discontinue mail services, you must contact the Mail Center at [mailroom@mountunion.edu](mailto:mailroom@mountunion.edu) or (330) 829-6654 with the following information:

- Your full name and your box number.
- Your new address where mail can be forwarded.
- A phone number or email where we can contact you if a package should arrive for you.

### *How to Work the Combination for your Campus Mailbox*

Please Follow These 4 Steps:

1. Turn LEFT at least 3 turns, and then stop at the FIRST number of your combination.
2. Turn RIGHT, passing first number of your combination one time, and stopping at the SECOND number of your combination.
3. Turn LEFT, stopping at the THIRD number of your combination.
4. Turn RIGHT until it stops and pull open.

### *Receiving a Package*

1. Please order all packages using your Mount Union mail address with your campus mailbox number.

Student- CMB 0123  
University of Mount Union  
1972 Clark Ave.  
Alliance, OH 44601

2. You will receive an email once your package has been scanned into the system and again after your package has been delivered to the addressee. All packages no matter how big or small with a barcode, must be scanned and picked up by the addressee at the Physical Plant Mail Center and/or in the purple smart lockers at HPCC.
3. You must bring “Purple Plus” identification card to pick up your package.
4. You are expected to pick up your package within one week of receiving your email notification.
5. It is important to note that after 6 weeks unclaimed packages will be returned to sender.
6. If for some reason you are unable to get your package, you may make arrangements with us to hold your mail and packages. To do so contact us at (330) 829-6654 or by email [mailroom@mountunion.edu](mailto:mailroom@mountunion.edu).
7. Any unclaimed nonreturnable packages or items will be disposed of or donated.

### *Not Your Mail*

If you receive mail in your mailbox that is not yours, please place it in the “Campus Mail” (left side) of the large brown mail receptacle in the HPCC.

### *Mail for Students over the Summer or Studying Abroad*

1. At the end of spring semester or if you will be away for a semester to study abroad, all first-class mail will be forwarded to the permanent home address on file with the University of Mount Union, unless otherwise directed by you. The Mail Room is not able to forward magazines, catalogs, bulk mail, or other similar items.
2. If you are remaining on campus for the summer, please contact the Mail Center so we can keep putting your mail in your mailbox. If not, all your first-class mail and checks will be forwarded to the permanent address you have on file.

3. Contact any magazine subscriptions you may have and change your address with them personally by the end of April.
4. Any package that arrives from UPS or FedEx cannot be forwarded.
5. Inter-campus mail of known origin will be returned to the source.

### *Sending Mail*

1. You can mail your stamped letters by placing them in the right side of the brown campus mail receptacle in HPCC marked "U.S. Mail."
2. Pre-labeled USPS, UPS, and FedEx packages can be shipped from the Mail Center.

USPS: <a href="https://usps.com">usps.com</a>	Alliance Post Office (330)-821-3560
UPS: <a href="https://ups.com">ups.com</a>	UPS Alliance (330) 823-1502
	UPS Canton (330) 478-0655
FedEx: <a href="https://fedex.com">fedex.com</a>	FedEx 800-463-3339

### **Student Conduct**

The University of Mount Union community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The mission of the student conduct program is to educate students, reinforce the values of Mount Union, and to uphold and educationally enforce the Code of Student Conduct. All conduct officers foster the development of the whole student through an educational dialogue reflecting on behavioral choices, academic progress, learning, and ultimately student success. In addition, the conduct process encourages the preparation of students for fulfilling lives, meaningful work, and responsible citizenship.

The Office of Student Conduct is responsible for the Code of Student Conduct and the enforcement of those regulations. Information regarding the Code of Student Conduct and the conduct process can be found on [here](#). The Office of Student Conduct is located in the Student Affairs suite in the Hoover-Price Campus Center and can be reached at [studentconduct@mountunion.edu](mailto:studentconduct@mountunion.edu) or (330) 823-7288.



## Campus Living

### Esports

[Mount Union Esports](#) is the official, university ran competitive video game organization on campus. 'Varsity' level teams are currently fielded in five games. Those games are League of Legends, Overwatch 2, Rocket League, VALORANT, and Super Smash Bros. Ultimate. Students participating in esports should expect to gain experience and values afforded by traditional sports, in a non-traditional environment. These values might include, but are not limited to, communication, teamwork, decision-making, and grit.

#### *Eligibility to Compete*

- 2.5 Cumulative GPA and must be in good standing with the University
- Participation in at least one other campus activity or organization
- Active participation in practice, film and strategy sessions
- Must be a full-time student at the University of Mount Union

#### *Mount Union Esports Code of Conduct*

- No 'toxicity' of any form is allowed. This includes things such as 'raging', 'flaming', 'inting', or anything equivalent. This behavior will not be tolerated.
- No cheating whatsoever; play honest, play fair.
- Harassment based on a person's identity is prohibited. Treat others as you wish to be treated.
- See something, say something.

For more information, visit [mountunion.edu/esports](http://mountunion.edu/esports) or contact AJ Digby, Director of Esports at [digbyaj@mountunion.edu](mailto:digbyaj@mountunion.edu) or (330)-829-6623.

### Residence Life

About 1,400 students live on the campus of Mount Union in 9 residence halls, 11 apartment/townhouse style buildings, and up to 4 houses making it a largely residential campus. The administration at Mount Union believes that the residential experience can significantly contribute to a student's overall collegiate experience. Indeed, much of the learning on any college or university campus occurs outside of the classroom. Therefore, the Office of Residence Life staff strives to create residence halls and house communities that focus on the living and learning process of our university mission: to prepare students for fulfilling lives, meaningful work, and responsible citizenship. Housing is available to all students on a first-come, first-served basis. Campus housing is at a premium and students may be placed on a waiting list until space becomes available.

#### *Residence Life Staff*

The Office of Residence Life is a part of the Office of Student Affairs and is in the Hoover-Price Campus Center. The professional staff consists of the director, a housing coordinator, and 6 resident directors (RDs), most of whom also serve the University in other collateral roles. These RDs are professional staff members who reside on campus in the residence halls. In most cases, they are working toward or possess master's degrees in Higher Education Administration or related fields. This prepares them for residence hall management and provides them with an understanding of college student development. In addition to ensuring that the halls meet the physical needs of residents, they provide programs and activities designed to enrich the total educational experience of Mount Union students. Also on staff is an administrative assistant who is shared among the offices in student affairs.

There is a resident director on call (RD on Duty) 24-hours a day. The RD on Duty is available to assist students with any residence hall emergencies or after-hour situations that may occur. The RD on Duty carries a cellular phone (330-428-3500) to be always accessible to students.

The Office of Residence Life also employs approximately 55 student staff members called resident assistants (RAs), assistant resident directors (ARDs), and assistant resident managers (ARMs). Our student staff members are returning students who have distinguished themselves through their leadership abilities, interpersonal skills, and desire to assist their fellow students. As peers, these students not only provide a source of basic information, referral help, and a model of successful adjustment to college living but also serve as sensitive, motivating forces to provide the structure and experience that will promote student development. To that end, staff members participate in an extensive and continuous training program that prepares them for the many different roles and responsibilities they hold: helper, problem-solver, program planner, campus liaison, policy enforcer, mediator, and role model. RAs live on the floors and will work to promote a positive living-learning environment in the halls and campus houses, develop a sense of community amongst their residents, and respond to the various collective and individual needs, issues, or concerns of their community members. Their efforts target the developmental needs and transitional issues of their residents. ARDs are students with prior residence life staff experience who have accepted a leadership role within the staff and work closely with an RD to run a residence hall. ARMs are available to assist students living in our apartment and townhouse-style housing as necessary.

## Student Involvement and Leadership

The [Office of Student Involvement & Leadership](#) is directly responsible for the coordination of campus programming, advising fraternity and sorority life, coordinating, and implementing leadership programs, providing support to student organizations, advising the Mount Union Student Senate, and offering the Student Involvement Record.

### *Campus Programming*

The staff in the Office of Student Involvement & Leadership advise the Raider Programming Board (RPB). RPB is responsible for most of the student-initiated campus entertainment, including events that occur during Week of Welcome, Family Day, Homecoming, Sibs Day, and Springfest. RPB also sponsors Friday night programs that highlight the talents of our own Mount Union Students through our Coffeehouse series and helps build a fun, welcoming on-campus community.

### *Fraternity and Sorority Life*

Fraternity and Sorority Life at Mount Union has a long, rich tradition of fostering student involvement and development. Since before 1882, students have chosen to join members of fraternities and sororities at Mount Union because of the advantages these organizations provide, specifically the ideals of leadership, scholarship, community service, and friendship.

Many opportunities compose the experience of what is commonly referred to as "the fraternity and sorority community." Leadership training, monetary scholarships, academic assistance, civic engagement, tradition, teambuilding opportunities, networking capabilities, and more await the person who elects to join. Many students feel when they join a fraternity or sorority, they are giving a part of themselves to something greater. They agree to live by the values of not only their selected organization, but the ones which they personally espouse. When deciding if fraternity or sorority membership is for you, we highly encourage you to seek out the one that best fits your personality, outlook, and beliefs!

To join, or “affiliate” with a fraternity or sorority at Mount Union, interested students participate in the process called recruitment. The Office of Student Involvement & Leadership encourages all students to consider membership at any point during their collegiate experience. We strongly encourage you to look at each individual organization for the unique opportunity that it could provide for you. Think of each recruitment event as a way to learn much about the members of each organization, the values and purpose of each chapter, the benefits of joining a fraternity or sorority, and the commitments required for membership.

To join a fraternity or sorority at the University, students must attain the minimum grade point average of the chapter they wish to join, as each one has a different requirement. A student must also be enrolled as a full-time student at the University of Mount Union. First year students may participate in fraternity or sorority recruitment in their first semester on campus, so long as they are signed up with the Office of Student Involvement & Leadership.

### *Leadership Programs*

Much of what the office does is viewed through the lens of student leadership development. Our leadership programs provide students, at a variety of abilities and engagement levels, with appropriately designed leadership opportunities to further enhance their learning and engagement on campus. Workshops and seminars are available throughout the year to meet the needs of student leaders and organizations.

### *Student Organizations*

In support of the leadership development that takes place in student organizations, the Office of Student Involvement & Leadership serves as a resource center and clearinghouse for the approximately 80 active student organizations on campus. All student organizations are required to register with the Office of Student Involvement & Leadership each semester and maintain current contact information and accurate constitutions. Students interested in starting a new student organization can learn more by contacting the director of student involvement and leadership.

### *Raiderfest*

Students can learn about becoming involved in these student organizations by participating in the Raiderfest Student Involvement Fair held during the first week of classes in the fall.

### *Student Involvement Record*

The Student Involvement Record (SIR) is a chronological record of a student’s participation in cocurricular activities, intended to complement the University of Mount Union academic transcript. By providing a chronology of the student’s accomplishments while a student at the University, the Student Involvement Record provides a comprehensive attempt to provide data and information regarding student involvement in cocurricular and related non-classroom activities.

The SIR was developed to provide statistical information regarding student involvement, provide useful services to student organizations, and provide students with a chronology of their involvement. The information submitted is kept on file in the Office of Student Involvement & Leadership. Many departments on campus request student involvement information throughout the year for various reasons. This information is often used when students are being considered for academic or leadership honors and awards. Additionally, this information can be used in support of the academic transcript during the job search process.

The SIR needs to be updated each semester so that a student’s record is as accurate as possible. Each semester, presidents, advisors, and coaches are asked to update information regarding their organization. Information can be updated at any time by contacting the Office of Student Involvement & Leadership. Students are provided the opportunity to adjust information on their

activity record. The Student Involvement Record is requested in the same way academic transcripts are, through the Office of the Registrar, but at no additional cost to students.

### *Student Senate*

The Mount Union Student Senate is the chief avenue for students to maintain an effective voice in the affairs of the University by serving as the link between the student body and the administration. Through Student Senate, students can express concerns or make suggestions (either directly or through their representatives) about any issue on campus, be it academics or campus life. In addition, any student organization may petition Student Senate for funding for projects and endeavors.

Student Senate meetings occur bi-weekly on Tuesdays at 6:30 p.m. when school is in session. All Student Senate meetings are open to any member of the University Community.

## Wellness

### Alcohol, Drug and Wellness Education

The [Office of Alcohol, Drug and Wellness Education](#) serves to provide a 3-tiered approach to education, programming, and student growth and development: (1) individuals; (2) student body as a whole; and (3) university and the greater community. Through holistic education, prevention, and counseling, the Office underscores the University's mission to prepare students for meaningful work, fulfilling lives, and responsible citizenship. By focusing on making healthy choices including responsible drinking, sexual education, drug prevention, and other addictive behavioral concerns the office works collaboratively with faculty, staff, and students to develop proactive programming, education, and counseling opportunities.

The Office of Alcohol, Drug and Wellness Education provides programming and outreach in the form of campus-wide "awareness" events (e.g., National Collegiate Alcohol Awareness Week, Great American Smoke Out, and Safe Spring Break), hall and floor programs and individual/group counseling sessions. The office provides education and counseling for students concerned about alcohol, drug and other wellness related issues. Additionally, the Office of Alcohol, Drug and Wellness Education is a campus-wide resource, providing wellness-related information and referrals for students, whether for a class project or personal use

Two student organizations work in conjunction with the Office of Alcohol, Drug, and Wellness Education: C.H.O.I.C.E.S. (Choosing Healthy Options in Celebration of Educational Success) and GAMMA (Greeks Advocating Mature Management of Alcohol). C.H.O.I.C.E.S. provides information and opportunities for students interested in health and wellness issues. C.H.O.I.C.E.S. offers programs on stress management, healthy decision making, responsible alcohol use, sexual responsibility, and many others. GAMMA is composed of and works with students participating in fraternity and sorority life. GAMMA offers programs designed to improve risk-management and promote responsible attitudes toward alcohol use. In addition, a student led committee sponsored by the office of Alcohol, Drug & Wellness Education, YOUNG People Matter (YPM), functions to address safe medication practice and safe medication disposal.

The Office of Alcohol, Drug and Wellness Education is located in the Office of Student Affairs behind the Information Desk in the Hoover-Price Campus Center and welcomes any and all visitors.

For more information, please contact the office of Alcohol, Drug, & Wellness Education at 330.829.6660 or [adwe@mountunion.edu](mailto:adwe@mountunion.edu).

### Available Services

Assessment, Individual and Group Counseling, & Education

Assessment, counseling, and education/resources are available in the areas of:

- Alcohol or Drug Misuse/Abuse/Dependency
- Recovery Support
- Tobacco Use/Cessation
- Behavioral Addictions:
  - Gambling
  - Sex/Porn
  - Shopping
  - Gaming/Internet
- Sexual Responsibility
- Stress Management
- Healthy Relationships
- Body Image/Eating Disorders
- Time Management
- Other Wellness Related Concerns

Students wanting to know more about responsible drinking, smoking cessation, living alcohol/drug free, or other drug and alcohol or wellness issues can schedule an individual appointment by contacting the office of Alcohol, Drug & Wellness Education at (330) 829-6660 or email [adwe@mountunion.edu](mailto:adwe@mountunion.edu).

### *Consultation/Referral Service*

Often, staff or faculty will be one of the first persons to discover that a student is having personal problems that are interfering with their academic success or daily lives. In these situations, the office of Alcohol, Drug & Wellness Education is available for consultation. The office also can provide referrals for services available in the community.

Consultation is also available by professional staff members for assistance in program planning, and referral questions.

Family members and loved ones of students may also utilize the consultation services of this office.

### *Outreach*

The Office of Alcohol, Drug & Wellness Education responds to students in need of outreach services. In addition to delivering services, the office outreach program has an educational role, and raises the awareness of existing services available to students.

### *Crisis Response*

Alcohol, Drug & Wellness Education offers crisis intervention services to all enrolled students. Crisis response is immediate and short-term psychological care to help students through a crisis situation to restore balance to their life and to minimize the potential for long-term psychological trauma.

### *Group Education Classes/Support Groups*

Groups are designed to help students gain insight and self-awareness regarding their current concerns. Students must meet with an Alcohol, Drug & Wellness Education staff member before enrolling in group or class.

Current available groups include:

- Sexual Assault Survivor Support Group
- Recovery Group
- Smoking Cessation Group

- Children of Adult Alcoholics Support Group
- Alcohol Education Group

For programmatic offerings, please contact the office of Alcohol, Drug, & Wellness Education at 330.829.6660 or [adwe@mountunion.edu](mailto:adwe@mountunion.edu).

## Counseling Services

In the Office of Counseling Services, state licensed counselors help Mount Union students move toward life goals, while teaching students the coping skills needed for the future. The aim of counseling at Mount Union is to assist students in becoming socially and emotionally healthy. Counseling is a partnership between the client and the counselor, meant to help students find solutions and possibilities in life. All enrolled Mount Union students have access to free and confidential counseling on campus.

Counseling is available by appointment, either in person or via telehealth, through the Office of Counseling Services, Monday through Friday 8:00am.-5:00pm. Consultation walk-in hours, when students experience unexpected stress and do not have an appointment, are offered M, W, F 2:00pm. -4:00pm., and T, TH 11:00am.-1:00pm. Additionally, consultation services are also available for those students studying abroad, completing clinicals, or taking classes remotely. To schedule an appointment, call (330) 823-2886 or email [CounselingServices@mountunion.edu](mailto:CounselingServices@mountunion.edu). All counseling services are offered in the Student Affairs suite located in HPCC behind the information desk.

Pastoral counseling is offered to people of all faiths or non-faiths and traditions through the Office of the Chaplain. To schedule a time to speak with the chaplain, please call 330-823-2838 or email [chapel@mountunion.edu](mailto:chapel@mountunion.edu).

Alcohol and Other Drug Counseling services are offered through the Office of Alcohol Drug, and Wellness Education [adwe@mountunion.edu](mailto:adwe@mountunion.edu).

If students need assistance outside of regular office hours, there are a variety of resources both on-campus and in the local area. The following is a list of resources that may be used in situations in which a more immediate response is needed:

### *For After Hours Emergencies:*

Resident Director on Duty	330-428-3500
Campus Security	330-428-1344
Alliance Police Department	330-821-3131 or 911 if emergency services are needed
Alliance EMS (Fire Dept)	330-821-1212 or 911 if emergency services are needed

### *National and Local Crisis Resources:*

Stark County Crisis Hotline	330-452-6000
Crisis Text Line	Text 4hope to 741741
Trevor Lifeline for LGBTQ Youth	866-488-7386
National Suicide and Crisis Lifeline	988 <a href="https://suicidepreventionlifeline.org/">suicidepreventionlifeline.org/</a>
Stark County Sexual Assault Hotline	330-452-1111
Alliance Domestic Violence Shelter	330-823-7223



## Health Services

### *Location and Hours*

The [Student Health Center](#) is located within Suite 200 of the Aultman Alliance Community Hospital Professional Office Building located at 270 East State Street. Services are available Monday through Friday with nurses on duty from 8 am until 4 pm during the academic year when classes are in session. The University contracted physician is available for students between 10:45 am and 12:15 pm. A physician assistant or nurse practitioner is available 12 pm – 4 pm. Summer hours are 8 am until noon with nurses on duty. Students must call 330-596-7995 for an appointment.

### *Services*

The Health Center functions as an ambulatory care center. Services include health promotion, health protection, disease prevention, and clinical care. Preliminary diagnostic work, preventative medicine and the care of short-term illness and injuries are services provided. The Health Center staff provides students with opportunities for learning outside the classroom. The staff teaches students about healthy lifestyles, health promotion, disease prevention, safety, and self-care issues. There is no charge to see a nurse or physician, however if a diagnostic test is ordered, the student will be responsible for any amount not covered by their insurance. Some prescription medicines are available for a fee of \$5 when ordered by and dispensed at the Student Health Center. This is payable by credit card using a QR code that will be available for students to scan at the Student Health Center.

A student may also choose to have the prescription called in to a local pharmacy through which their insurance may be used.

### *Emergency and After Hours*

Students who have minor illness or injury after Health Center hours or are experiencing a major medical emergency at any time should go to the nearest stat/urgent care facility or to the emergency room at the nearest hospital as appropriate. In Alliance, these options include:

WellNow Urgent Care  
1939 W. State Street  
Alliance, OH 44601  
330-238-4455

Aultman Alliance Community Hospital  
Emergency Room – Open: 24 hours a day, seven days a week  
200 E. State Street  
Alliance, OH 44601  
(330) 596-6100

Students will be liable for expenses incurred unless the care is covered by insurance. Students who need assistance in making arrangements for emergency or after-hours care should contact their Residence Life staff or Campus Safety and Security. Students should contact the Health Center the next day to follow up with the physician and complete any insurance forms if applicable.

### *Class Absenteeism*

A student who misses class for health reasons is required to contact the Health Center for either treatment, release or referral. The medical staff will determine the seriousness of health problems and inform the vice president for student affairs/dean of students when absence is legitimate; however, in all cases, the student is responsible to notify the faculty member and make up missed class work. In cases of prolonged illness or off-campus emergency, the student must notify the vice

president for student affairs/dean of students who will verify the circumstances and issue notifications when warranted.

### *Policy Statement for Follow-Up Care*

It is the policy of the Health Center that students who obtain diagnostic tests, medical consultation, or other treatments receive appropriate follow-up care. If a student has an x-ray, diagnostic test, or medical consultation, the results will be provided to the students during his or her follow-up appointment at the Health Center. It is the student's responsibility to return to the Health Center to receive test results and follow-up care. Unless the x-ray, diagnostic test, or medical consultation indicates a serious and/or emergency medical condition, the staff will make one telephone call to the student to remind him or her of the need to return to the Health Center to follow up with any treatments or other care. If a student is not available when a telephone call is made, the staff will contact the student by e-mail.

### *Health Requirements Prior to Arrival on Campus*

All students are required to have health information on file prior to their arrival. This includes health history, emergency contacts, a tuberculosis screening, and an immunization record. A physical exam is recommended for all students; however, it is mandatory for anyone who plans to participate in athletics at the University of Mount Union. The forms are available on the University website at [mountunion.edu/health-center-forms](http://mountunion.edu/health-center-forms).

The following immunizations are mandatory: Two doses of MMR (Measles, Mumps and Rubella vaccine) and a Tetanus-Diphtheria or Tdap booster within the past 10 years.

To reduce and eliminate vaccine preventable diseases on campus the Health Center staff supports the recommendations of the American College Health Association Vaccine Preventable Disease Task Force based on guidelines consistent with the Advisory Committee on Immunization Practices recommendations. Those recommendations include Varicella, Hepatitis B, Meningococcal, and other vaccines as indicated and when appropriate. Information about vaccine preventable diseases and vaccines can be found on the CDC web page, [cdc.gov/vaccines](http://cdc.gov/vaccines).

On February 10, 2005, the U.S. Centers for Disease Control and Prevention's (CDC) Advisory Committee on Immunization Practices (ACIP) issued new meningococcal immunization recommendations. The recommendations state young adolescents at the pre-adolescent visit (11-12-year-old), adolescents at high school entry (15 year old), and college freshmen living in dormitories should be immunized against meningococcal meningitis. The ACHA and ACIP's new recommendations further state that other college students under 25 years of age may choose to receive meningococcal vaccination to reduce their risk for the disease (Source: National Meningitis Association and the ACHA.)

Due to Ohio law, which took effect July 1, 2005, college and university students who apply for on-campus housing must complete a Meningococcal and Hepatitis B Vaccine Status Statement Form to indicate they received, read, and understand information about the diseases and the benefits and risks of being vaccinated to prevent them. In addition, students must disclose to their college or university if they have or if they have not been vaccinated against the diseases. Immunization dates are required for students who have been immunized. Students must sign the required forms, or they will not be permitted to reside on campus.

### *Student Accident Insurance*

All full-time undergraduate students will be enrolled in an Accident-Only plan at no cost to the student. The plan provides a maximum benefit of \$1,000 per covered injury. This may be used in conjunction with other plans and with the intercollegiate athletic insurance provided by the University

of Mount Union. More information on the Accident-Only plan can be obtained by contacting the Health Center.

## Recreation and Wellness

Recreation and Wellness Campus Recreation contributes to the Mount Union experience by providing quality facilities, programs, and services to all members of the campus community. Throughout the year the recreation staff offers a variety of fitness programs and intramural sport activities. The McPherson Academic Athletic Complex (MAAC) consists of cardio machines, free weights, nautilus equipment, a multipurpose room, pool, and auxiliary gymnasium. The Peterson Field house has a 200-meter track, two basketball courts, four tennis courts, and four volleyball courts. During the academic year students, faculty and staff may participate in intramural sports such as flag football, sand night volleyball, inner tube water polo, basketball, indoor soccer, and many more. Fitness programs such as yoga, and tabata bootcamp are offered as well. The wide variety of programs allows members of the Mount Union community to be physically active in a safe and fun environment.

## Spiritual Life

Spiritual life programming and scheduling is handled through the [Office of the Chaplain](#) located in Dewald Chapel. The coordinating body of student spiritual life organizations is Spiritual Life Leadership (SLL), which is advised by the Chaplain. Each of the member organizations of SLL is student-led with a faculty, staff or approved off-campus advisor. SLL sponsors a number of events and activities throughout the academic year. In addition to meetings, the annual calendar includes retreats, bible studies, small groups, vocation workshops, alternative break mission trips, and special holy day services and activities.

Worship and meetings take place in Meyers Sanctuary or in one of three meeting spaces in Dewald Chapel throughout the week. Weekly services include: Catholic Mass on Sundays at 4:00 p.m. and nondenominational Chapel on Tuesdays from 11:30 a.m. to 12:00 noon. Mindfulness Moments, non-religious programming aimed at connecting to self and destressing, is available Thursdays from 11:30 a.m. to 12:00 noon. There is also a 24-hour meditation room available on campus adjacent to Meyers Sanctuary. Additionally, there is a Muslim prayer room and a meditation room for other traditions located at 205 W. Simpson St. that is available throughout the week. To access this Interfaith House, please register by following this link: [cm.maxient.com/reportingform.php?MountUnion&layout\\_id=6](http://cm.maxient.com/reportingform.php?MountUnion&layout_id=6)

The Office of the Chaplain promotes many other activities, small groups, support groups and programs as well as provides spiritual guidance, vocational discernment, and pastoral counseling to people of all faiths or non-faiths and traditions. Students, faculty, and staff are always welcome to be a part of spiritual life activities, worship, or other Chapel sponsored programs and events.

For more information about spiritual life on campus, contact the Office of the Chaplain at (330) 823-2838 or go to [mountunion.edu/campus-life/spiritual-life](http://mountunion.edu/campus-life/spiritual-life).



# Code of Student Conduct

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## Preface

### Core Values of Student Conduct at the University of Mount Union

The University of Mount Union's community obligates each member to a Code of Conduct. Mount Union's student conduct system supports the University community by providing and maintaining behavioral standards and expectations for students that promote:

- **Integrity:** Mount Union students exemplify honesty, honor, and a respect for the truth in all of their dealings.
- **Community:** Mount Union students build and enhance their community.
- **Social Justice:** Mount Union students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- **Respect:** Mount Union students show positive regard for each other, for property, and for the community.
- **Responsibility:** Mount Union students are given and accept a high level of responsibility to self, to others, and to the community.

These core values serve to create an environment that allows our students to enhance their academic and social growth by preparing them for fulfilling lives, meaningful work, and responsible citizenship.

## Section 1: Philosophy Statement

The Mount Union community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The student conduct program is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community.

A community exists on the basis of shared values and principles. At Mount Union, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Code of Student Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of the University community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by engaging in violation of the rules below, campus conduct proceedings are used to assert and uphold the Code of Student Conduct.

The student conduct process at Mount Union is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions/interventions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in the student conduct process are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and case resolution before an

objective decision-maker. No student will be found in violation of University policy without information showing that it is more likely than not that a policy violation occurred and any sanctions/interventions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

## Section 2: Jurisdiction

Students at Mount Union are provided a copy of the Code of Student Conduct annually in the form of a link on the University website. Hard copies are available upon request from the Office of Student Conduct. Students are responsible for reading and abiding by the provisions of the Code of Student Conduct.

The Code of Student Conduct and the student conduct process apply to the conduct of individual students, both undergraduate and graduate, and all University-affiliated student organizations. For the purposes of student conduct, the University considers an individual to be a student who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with the University of Mount Union.

Mount Union retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or who have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll and all sanctions/interventions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree.

The Code of Student Conduct applies to behaviors that take place on the campus, at university-sponsored events and may also apply off-campus when the vice president for student affairs/dean of students or designee determines that the off-campus conduct affects a substantial University interest. A substantial University interest is defined to include:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others; and/or
- Any situation that significantly impinges upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University.

The Code of Student Conduct may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings, including video and photographs, such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action, if and when, such information is brought to the attention of university officials. However, most online speech by students not involving Mount Union networks or technology will be protected as free expression and not subject to the Code of Student Conduct, with two notable exceptions:

- A true threat, defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals";
- Speech posted online about the University or its community members that causes a significant on-campus disruption.

The Code of Student Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of Mount Union may seek resolution of violations of the Code of Student Conduct committed against them by members of the University community.

There is no time limit on reporting violations of the Code of Student Conduct; however, the longer someone waits to report an offense, the harder it becomes for university officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Student Conduct and/or the Office of Campus Safety and Security. Reports can be made online at [mountunion.edu/campus-life/safety-and-parking/student-conduct](http://mountunion.edu/campus-life/safety-and-parking/student-conduct).

The student's assigned Mount Union email is the University's primary means of communication with students. Students are responsible for all communication delivered to their university email address.

### Section 3: Violations of the Law

Alleged violations of federal, state, and local laws may be investigated and addressed under the Code of Student Conduct. When an offense occurs over which the University has jurisdiction, the university conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

The University reserves the right to exercise its authority of interim action upon notification that a student is facing criminal investigation and/or conduct complaint (additional grounds for interim action are [outlined here](#)). Interim actions are imposed until a hearing can be held, typically within 10 business days. Within that time, the interrimly acted upon student may request an immediate hearing from the director of student conduct or designee to show cause why the interim action should be lifted. This hearing may resolve the allegation or may be held to determine if the interim action should be continued. The interim action may be continued if a danger to the community is posed and the University may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay will typically be no longer than 10 business days from notice of the incident unless a longer delay is requested in writing by the reporting party to allow the criminal investigation to proceed before the University process.

Students accused of crimes may request to take a leave from the University until the criminal charges are resolved. In such situations, the University procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.



## Section 4: Core Values and Behavioral Expectations

Mount Union considers the behavior described in the following sub-sections as inappropriate for the University community and in opposition to the core values set forth in this document. These expectations and rules apply to all students. The University encourages community members to report to University officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following prohibited behaviors are subject to the sanctions outlined in [Section 8K: Conduct Sanctions](#). Any violations of the below policies that violates Title IX as determined by the Title IX co-coordinator or discrimination will follow the conduct process outlined in the [Equal Opportunity, Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties Policy and Procedures](#).

### **Integrity:**

University of Mount Union students exemplify honesty, honor, and a respect for the truth in all of their dealings.

1. *Collusion*. Action or inaction with another or others to violate the Code of Student Conduct;
2. *Election Tampering*: Tampering with the election of any University-recognized student organization (minor election code violations are addressed by the Student Senate);
3. *Falsification*: Knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments;
4. *Invasion of Privacy*: Making, attempting to make, transmitting, or attempting to transmit audio, video, or images of any person(s) or viewing or spying on a person(s) where there is an explicit expectation of privacy (such as in a residence, bathroom, locker room, university employee's office, etc.) without knowledge and prior consent of all participants;
5. *Taking of Property*: Intentional and unauthorized taking or attempted taking of University property or the property of another, including goods, services, and other valuables;
6. *Trust*: Violations of positions of trust within the community.

### **Community:**

University students build and enhance their community.

7. *Animals*: Animals, with the exception of animals that provide assistance (e.g., emotional support animals previously approved by the Office of Student Accessibility or service animals), and pets as outlined in the [Residence Life Rights and Responsibilities](#), are not permitted on campus except as permitted by law;
8. *Disruptive Behavior*: Substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities which occur on campus;
9. *Disturbance*: Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property;
10. *Damage and Destruction*: Intentional, reckless, and/or unauthorized damage to, or destruction of University property or the personal property of another;
11. *Drones*: Drones, UAVs, and VASs; with the exception of use in approved academic settings or for marketing purposes, may not be flown on or above campus. Drones may only be used in the direct supervision of an authorized user, approved by the provost/vice president for academic affairs. Drones are permitted to be stored on university premises.
12. *Environmental Disrespect*: Excessive noise, amplified sound, music, or any other mechanism that produces noise that disrupts other students. Hosting large open parties, littering, unearthing plants, disturbing the aesthetics of the University, and/or any behavior that

- causes damage to the University grounds or facilities. Damage to University property or improper disposal of waste in relation to an approved registered animal;
13. *Fire Safety*: Violation of local, state, federal, or campus fire policies including, but not limited to:
    - Intentionally or recklessly causing a fire which damages University or personal property or which causes injury;
    - Failure to evacuate a University-controlled building or to not do so in a timely manner during a fire alarm;
    - Improper use of University fire safety equipment;
    - Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property; or
    - Causing, making, or circulating a false report or warning of fire, explosion, or other crisis or emergency;
  14. *Gambling*: Gambling as prohibited by the laws of the State of Ohio (Gambling may include raffles, lotteries, sports pools, and online betting activities. For more information, See Student Handbook, [Community Standards](#));
  15. *Ineligible Pledging or Association*: Pledging or associating with a student organization without having met eligibility requirements established by the University or acting as an organization or organization member when an organization has not been appropriately approved or has been removed from campus;
  16. *IT and Acceptable Use*: Misuse or abuse of any computer, computer system, service, hardware, software, program, data, network, cable television network, or communication network as defined by the [Technology Resources Acceptable Use Policy](#);
  17. *Tobacco*: Smoking or tobacco use in any area of campus, including the use of smokeless tobacco, vaporizers and e-cigarettes. For more information, See Student Handbook, "[Community Standards](#)";
  18. *Trademark*: Unauthorized use (including misuse) of University or organizational names and images;
  19. *Unauthorized Entry*: Misuse of access privileges to University premises or property of any person or business or unauthorized entry to or use of buildings, including trespassing, propping, or unauthorized use of locked or alarmed doors for entry into or exit from a University building;
  20. *Weapons*: University of Mount Union prohibits the possession, use, or storage of weapons or dangerous materials of any type or description anywhere on University of Mount Union property. This includes, but is not limited to: firearms, compressed-air guns, pellet guns, BB guns, illegal knives, swords, explosive devices, fireworks, ammunition, tasers, stun guns, brass (or other metal) knuckles, replica weapons, toy (including Nerf and water guns) weapons, or any other dangerous "ordnance" as defined by Ohio law. While state legislation authorizes county sheriffs to issue licenses to carry concealed handguns, these firearms are still prohibited on University property. Exceptions to this policy for educational purposes (e.g. theater productions) must be granted by the vice president for student affairs/dean of students.
  21. *Wheeled Devices*: Use of skateboards, roller blades, roller skates, bicycles, scooters, and similar wheeled devices are not permitted inside University buildings, residence halls, or on tennis courts. Skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities. Additionally, hoverboards, self-balancing scooters, battery powered two-wheeled scooters, and other similar devices may not be used, possessed, charged, or stored on campus grounds or any campus building;

## Social Justice:

Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing university community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others.

22. *Abuse of Conduct Process*: Abuse or interference with, or failure to comply in, University processes including conduct and academic dishonesty hearings including, but not limited to:
  - Falsification, distortion, or misrepresentation of information;
  - Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation;
  - Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
  - Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
  - Failure to comply with the sanction(s) imposed by the campus conduct system; or
  - Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system;
23. *Complicity*:
  - Complicity with or failure of any student to appropriately address known or obvious violations of the Code of Student Conduct or law; or
  - Complicity with or failure of any organized group to appropriately address known or obvious violations of the Code of Student Conduct or law by its members;
24. *Discrimination*: Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, gender expression, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation, or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the University's educational program or activities;
25. *Harassment*: Any unwelcome conduct based on actual or perceived status including: sex, gender, gender expression, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation, or other protected status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the individual and community.
26. *Hostile Environment*. Sanctions can and will be imposed for the creation of a hostile environment only when harassment is sufficiently severe, pervasive (or persistent) and objectively offensive that it unreasonably interferes with, limits, or denies the ability to participate in or benefit from the University's educational or employment program or activities;
27. *Retaliatory Discrimination or Harassment*: Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against complainant, a staff member, a participant, or supporter of a participant in a grievance proceeding, a conduct proceeding, or other protected hearing or process;

## Respect:

University of Mount Union students show positive regard for each other and for the community.

28. *Bullying and Cyberbullying*: Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression;

29. *Harm to Persons*: Intentionally or recklessly causing mental or physical harm or endangering the health or safety of any person;
30. *Hazing*: An act that endangers the mental, emotional, or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy. (See the [Hazing Statement in Community Standards](#) for further information);
31. *Intimate Partner Violence*: Violence or abuse by a person in an intimate relationship with another;
32. *Public Exposure*: Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts;
33. *Sexual Misconduct*: Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation (See [Equal Opportunity, Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties Policy and Procedures](#) for further information);
34. *Stalking*: Stalking is a course of conduct that is repetitive and menacing and includes pursuit, following, harassing, and/or interfering with the peace and/or safety of another;
35. *Threatening Behaviors*:
  - *Threat*. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property;
  - *Intimidation*. Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another;

## Responsibility:

University students are given and accept a high level of responsibility to self, to others, and to the community.

36. *Alcohol*: Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the University's Alcohol Policy (See [Community Standards](#) for further information);
37. *Drugs*: Use, possession, or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the University's Drug Policy (See [Community Standards](#) for further information);
38. *Failure to Comply*: Failure to comply with the reasonable directives of University officials (including resident assistants or other students acting on behalf of the university), campus safety and security officers or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so with a valid student ID;
39. *Financial Responsibilities*: Failure to promptly meet financial responsibilities to the institution, including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity;
40. *Guest Responsibility*: Failure to inform guests, student and non-student of university policies. Students assume responsibility for the conduct of their guests on or in university property and at functions sponsored by the University or any recognized student organization;
41. *Health and Safety*: Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.);
42. *Prescription Medications*: Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;

43. *Violations of Law*: Evidence of violation of local, state, or federal laws, when substantiated through the University's conduct process;
44. *Violation of Other Policies*: Violating other published University of Mount Union policies or rules, including all Residence Life policies, and Student Organization policies.

## Section 5: Residence Life Rights and Responsibilities

The Office of Residence Life at the University of Mount Union creates inclusive living-learning environments. We strive to create an environment that enhances their academic and social growth to achieve the goals of fulfilling lives, meaningful work, and responsible citizenship.

Although the University has set [standards of behavior for all students](#), some additional guidelines are necessary for those who live in the Residence Halls and university-owned housing. Students residing in residence halls and university-owned housing are responsible for adhering to the policies outlined below and the Code of Student Conduct. Students are responsible for all violations occurring in their residence. If a violation occurs in a common space and a resident knows or should have known about the violation and has not reported to their resident assistant, they will be held accountable for that violation. Violations of University policies will be addressed by the Office of Student Conduct.

The behavior described in the following sub-sections is considered inappropriate for the residence life community. These expectations and rules apply to all students and their guests. Community members are encouraged to report to residence life staff all incidents that involve the following prohibited behaviors. Any student found to have committed or to have attempted to commit the following prohibited behaviors is subject to the educational consequences outlined in [Section 8K: Educational Consequences](#).

1. *Abandoned Property*: Failure to remove all items brought into the space by the resident or someone admitted into the space upon check out. If items are left past check out, they shall be declared abandoned and held for 7 calendar days and then discarded. The University shall not be liable for any damage to or loss of such property that occurs during the course of such removal, storage, delivery, or disposal. There is a fee for removal of and storage of abandoned items that is assessed to a student's university account. If the items are abandoned due to improper checkout, there will be an improper checkout fee assessed as well.
2. *Alcohol*: Possession or consumption of alcoholic beverages except under circumstances authorized by the Mount Union Alcohol Policy is prohibited in university-owned housing. (See [Community Standards](#) for further information);
3. *Active Sports*: Engaging in any sports activity in any university-owned housing. This includes, but is not limited to, the use of balls, frisbees, Nerf guns, water guns, and water balloons.
4. *Appliance Usage*: Use or possession of any appliance on the unapproved appliance list.
5. The unapproved appliance list includes, but is not limited to:
  - Air conditioners (installed or free standing)
  - Air fryers, electric frying pans or woks
  - Any appliance with an open heating element
  - Any type of fog or smoke machine
  - Bread makers
  - Ceiling fans
  - Electric or outdoor grills
  - Halogen lamps
  - Hot dog cooker
  - Hot plates

- Hot pots
- Hoverboards
- Microwaves more than 1,000 watts
- Oil-based popcorn poppers
- Refrigerators larger than 45.5 cubic feet and or 36 inches high
- Rice Cookers\*
- Slow cookers/Crock-Pots\*
- Space heaters
- Sun lamps
- Toaster ovens
- Toasters\*

\*Items that are allowed in the Kitchens of the Townhouses and Apartments  
For additional information please see [mountunion.edu/housing](http://mountunion.edu/housing).

6. *Bed Requirements:* Tampering with or altering the bed provided in the residence without permission from Residence Life. All beds must remain in the room in which they are registered on a Room Condition Report. Should a student want a bed lofted or bunked, they must submit a work order to Physical Plant at [portal.mountunion.edu/forms/Pages/Work-Orders.aspx](http://portal.mountunion.edu/forms/Pages/Work-Orders.aspx). Waterbeds are not permitted in university-owned housing.
7. *Bicycles:* Storing a bicycle (for any amount of time) in an entryway, stairwell, or other public area. All bicycles must be kept either outside the buildings (on appropriate racks) or in individual student rooms. Students living in the apartments may request a key to the bicycle storage closet from the Office of Residence Life.
8. *Cleanliness:* Failure to keep residences (individual bedrooms and common spaces) clean and orderly at all times. Other residents should not be impacted by a resident's level of cleanliness or any smells associated with cleanliness. Residence life and/or physical plant staff may conduct periodic room inspections to ensure health and safety standards are adhered to. 24-hours' notice will be given in advance of inspections, unless staff deems there is an immediate concern. Additionally, inspections may be conducted prior to winter break to ensure closing procedures have been adhered to. Please note that excessive damages upon checkout can result in housing prohibition for future terms, in addition to being charged for the repair of damages.
9. *Courtesy Hours:* Exceeding a courteous level of sound at any time.
10. *Decorations:* Permanently altering a room or use or possession of decorations on the prohibited decoration list.

The prohibited decoration list includes:

- Decorations hindering the use or restricting access to hallways, doorways, stairs, corridors, or fire related equipment;
- Cardboard, aluminum foil, flags, signs, bottles, or other items hung or displayed in windows, excluding fire-retardant cloth curtains;
- Displaying alcohol/drug signs, or other related alcohol/drug memorabilia so they are visible from outside a student residence (such as in windows or on doors);
- Attaching items to or tampering with light fixtures, ceiling tiles, fire safety equipment, or exit signs;
- Use of tape, decals, nails, double-sided foam mounting tape, etc. on walls, ceilings, doors, and floors that result in patching or repainting of the room;



- Cut/live evergreen trees, pine roping, garland, cotton batting, straw, vines, leaves, shrubbery, foam plastic, or other flammable items;
  - Displaying material that is generally accepted as offensive or that is biased against any person or groups so it is visible from outside a student residence (such as in windows or on doors);
  - Decorative hangings and draperies placed over doors or entryways;
  - Street signs;
  - No more than 50% of the wall/ceiling space may be covered. No paper may be hung within 1 foot of an electrical outlet.
11. *Elevator Operations:* Sounding the elevator alarm bell without cause or interfering with the normal operation of an elevator.
  12. *Entrance to Buildings:* Propping, forcing, or attempting to force an exterior building door open. Use of a fire safety door unless authorized by an appropriate residence life or campus safety and security staff member or having appropriate card access.
  13. *Guests:* Failing to escort guests at all times while in university owned housing. A specific host must be immediately present in public areas and residences. Additionally, residents must have prior permission from their room and suite-mates to host a guest. Guests must have valid photo ID on their person. Guests may not stay more than 72 hours (3 nights) in any university-owned housing in a four-week period.
  14. *Open Flames:* Possession and/or use of candles, candles warmers, oil burners, incense, fireworks (including sparklers), or other open flame apparatus is prohibited within university-operated housing.
  15. *Guests under the age of 18:* Hosting a guest under the age of 18 without meeting the following exceptions:
    - Underage guests who are accompanied by their parent(s) or guardian(s) may visit from 11 a.m. to midnight. For emergency situations, the director of residence life may allow extended visitation.
    - In some circumstances, underage guests may stay overnight if proper authorization is given. This must occur within the parameter of the guest policy. The director of residence life must grant permission in advance of the visit. Parents/guardians must complete the University of Mount Union Release, Hold Harmless and Indemnification Agreement and submit it to the appropriate university official prior to the visit.
    - Members of a resident's immediate family who are not 18 may visit from 11a.m. to midnight. Residents wishing to have a sibling stay overnight should request from the director of residence life permission in advance of the visit. Parents/guardians must complete the University of Mount Union Release, Hold Harmless and Indemnification Agreement and submit it to the appropriate university official prior to the visit. Residents wishing to have their children visit the residence halls outside of 11a.m. to midnight should consult with the director of residence life. Consistent overnight visits are not permitted.
    - Roommate permission must be obtained for all guest visitation.
  16. *Mandatory Hall Meetings:* Failure to attend floor/building/house meetings that are designated as mandatory by Residence Life staff and will result in a \$25 fee. Students with scheduling conflicts must make arrangements to meet with appropriate staff members prior to the scheduled meeting.
  17. *Pet Possession:* Possessing animals with the exception of fish and animals registered through the Office of Student Accessibility Services as service animals or emotional support animals (all approvals must be received and paperwork completed for the animal to be in a residence hall). Aquariums are limited to 10 gallons or less. If unregistered animals are

- found, they may be removed and turned over to the Stark County Humane Society or other appropriate animal rescue organization if an alternate home is not available within 24 hours.
18. *Power Strips:* Using multiple-outlet connections unless they are a power strip with a built-in circuit breaker that is clearly marked, carries an Underwriter's Laboratory (U.L.) approval, has a maximum load of 15 amps and is plugged directly into a wall electrical outlet. Plug-mounted surge protectors are allowed but must meet the same requirements as power strips. Extension cords must be heavy duty (no less than 12 gauge) extension cords and used properly. No extension cords or other electrical wire can be run under any carpet or rug.
  19. *Quiet Hours:* Failure to adhere to minimum mandatory quiet hours in and around the residence halls. Quiet hours are 11:00 pm to 11:00 am, seven days a week.
  20. *Quiet Hours for Finals:* Failure to adhere to 24-hour quiet hours during reading day and finals. 24-hour quiet hours begin each semester at 9:00 pm on the last day of normally scheduled classes and ending after the completion of the final University exam period. Students who violate this policy may be immediately removed from University Housing.
  21. *Removal of University Property:* Moving University property from its designated position without prior approval from Residence Life. This includes, but is not limited to, removing furniture from student rooms, lounges, lobbies, or any public space and detaching furniture that is attached to the wall.
  22. *Solicitation:* Soliciting in any Residence Hall or University-owned housing. If a student or recognized student organization wishes to conduct any type of door to door activity, they must receive prior permission from the director of residence life.
  23. *Syringe Disposal:* Residents and guests may only have syringes for medically prescribed usage, such as using injected medication or testing blood. They may not place exposed hypodermic needles and/or lancets directly in trash containers, and must utilize approved sharps containers. Sharps containers may be obtained by placing a work order to [portal.mountunion.edu/forms/Pages/Work-Orders.aspx](http://portal.mountunion.edu/forms/Pages/Work-Orders.aspx). Once a sharps container is 2/3 full or rise to the FULL level marker, Housekeeping or Physical Plant must be contacted for proper disposal.
  24. *Windows:* A screen may not be removed from its window casing. If the screen is missing from a window, students may not use the window for egress or to hang or display items. The plane of the window may not be broken.

## Section 6: Student Conduct Authority

### A. Authority

The vice president for student affairs/dean of students is vested with the authority over student conduct by the president. The vice president for student affairs/dean of students appoints a director of student conduct and community standards to oversee and manage the student conduct process. The vice president for student affairs/dean of students and director of student conduct and community standards may appoint resolution coordinators as deemed necessary to efficiently and effectively supervise the student conduct process.

The director of student conduct and community standards or designee will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

### B. Gatekeeping

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a reporting party's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.

### C. Composition of the Student Conduct Board Hearing Panel

The director of student conduct and community standards or designee will be responsible for assembling the Student Conduct Board Hearing Panel according to the following guidelines:

- The Board is comprised of a pool of at least 4 students selected through an interview process coordinated by the director of student conduct and community standards or designee, faculty members from the Academic Policies Committee, and staff members nominated and trained by the director of student conduct and community standards or designee with approval from the vice president for student affairs/dean of students.
- For each complaint, as appropriate, a Student Conduct Board Hearing Panel will be chosen from the available pool, and is usually comprised of three students, one faculty members, one staff member, and the director of student conduct and community standards or designee. The director of student conduct and community standards or designee serves as an advisor to the board and is a non-voting panelist. Availability may determine a different composition for the Student Conduct Board Hearing Panel.

### D. Resolution Coordinators

Resolution coordinators (RC) are chosen from a pool of annually trained administrators or staff members selected by the director of student conduct and community standards to conduct investigations and facilitate the student conduct process. The director of student conduct and community standards also serves in the role of an RC.

### E. Student Conduct Board Pool and the Appeal Panel

Student Conduct Board and Appeal Panels are drawn from the Student Conduct Board pool. Those chosen for an appeal panel must not have served on the initial Student Conduct Board Hearing Panel. Appeal Panels review appeal requests submitted by the appeal review officer.

1. To serve in the Student Conduct Board pool, students must:
2. Undergraduate students must have at least a sophomore standing. Graduate student members must be in at least the second semester of their program.
3. Students must have and maintain a minimum 2.5 GPA, be full-time students, and be making satisfactory academic progress.
4. Students must be and remain in good standing with the University.
5. Student members of the board shall be selected through the following process
  - An application and interview.
  - The applications will be reviewed by the Office of Student Affairs to verify the applicant's eligibility.

The advisor to the Student Conduct Board is the director of student conduct and community standards with responsibility for training the Student Conduct Board, conducting preliminary investigations, and ensuring a fair process. Decisions made, and sanctions/interventions imposed, by the Student Conduct Board will be final and implemented, pending the normal appeal process.

### F. Interpretation and Revision

The director of student conduct and community standards will develop procedural rules for the administration of hearings that are consistent with provisions of the Code of Student Conduct. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The director of student conduct may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in

the Code of Student Conduct. The director of student conduct and community standards may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the Code of Student Conduct will be referred to the vice president for student affairs/dean of students, whose interpretation is final. The Code of Student Conduct will be updated annually under the direction of the director of student conduct with a comprehensive revision process being conducted every 3 years.

## [Section 7: Overview of the Conduct Process](#)

This overview gives a general idea of how the University's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of University rules. In all conduct meetings, the responding student may have a support person present. A support person present for any meeting in the conduct process must follow the [guidelines](#) found in Section 8. For conduct issues that are deemed violations of the [Equal Opportunity, Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties Policy and Procedures](#), see the resolution process found in the appendix of the Student Handbook.

Any member of the University community, visitor, or guest may allege or report a policy violation(s) by any student for misconduct under this Code at [mountunion.edu/campus-life/safety-and-parking/student-conduct](http://mountunion.edu/campus-life/safety-and-parking/student-conduct).

Notice may also be given to the director of student conduct and community standards, the director of campus safety and security, and/or to the Title IX Coordinator, when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party and should be submitted as soon as possible after the offending event occurs. The University has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process.

NOTICE. Once notice is received from any source (security, RA, 3rd party, online, etc.), the University may proceed with a preliminary investigation and/or may schedule an initial educational conference with the responding student.

### **A. Preliminary Inquiry**

University conducts a preliminary inquiry into the nature of the incident, complaint, or notice, the evidence available, and the parties involved. The preliminary inquiry may lead to:

1. A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Code of Student Conduct, (e.g.: for reasons such as mistaken identity or allegations of behavior that falls outside the code);
2. A more comprehensive investigation, when it is clear more information must be gathered (see detailed procedures in Section 8);
3. Initiating the resolution process with the responding student.
4. A determination that the case is an eligible for a diversion program in lieu of the resolution process (see details in Section 7, subsection C5)

## B. Notification

Students accused of a possible violation of the code of conduct will be notified via email to the University account. Students are responsible for maintaining their student-issued email account. Notification will include the date of the incident in question, the specific code(s) in question, and instructions on how to resolve the matter. The notification will also include the name of the Resolution Coordinator the student is to meet with or details pertaining to a possible diversion program.

Any further communications pertaining to the case resolution or the forwarding to a hearing will also be sent to a student's University email account.

## C. Resolution Process

The Resolution Coordinator (RC) will meet with the responding student to explain the possible violation(s) and the resolution process. This meeting is called an Educational Conference. The student will inform the responding student (1) that statements the student makes to the RC may be reviewed and considered at a formal hearing, (2) that the student does not have to make a statement at the initial meeting, (3) that all Office of Student Conduct and Community Standards records are confidential to the extent permitted by law, (4) that students have the right to know the potential sanctions/interventions they may be facing.

The RC is able to find a student Not Responsible or Complicit after an initial review and weighing of the evidence otherwise the responding student has a choice of the following methods of dispute resolution:

### 1. Acceptance of Responsibility and Entering into an Agreement

If the responding student is in general agreement with the allegations of the possible violation(s) and is in general agreement with the harmed party and/or community (as represented by the RC) about how to resolve the harm and restore the community, the responding student has the option of entering into an agreement. In resolution by agreement, the responding student accepts responsibility for the possible code violation(s) and agrees to complete sanctions/interventions that are developed with the input of the responding party and the RC. The responding student has the right to discuss potential sanctions/interventions before entering into an agreement. Once an agreement has been reached, it may not be appealed. The respondent also has the option of entering into an agreement by accepting responsibility for the alleged code violation(s) and request a Sanctions/Interventions Only Hearing (see Hearing section)

If the RC conducting the Educational Conference determines that it is more likely than not that the responding student is in violation, and the responding student rejects that finding the case is forwarded to a Hearing. Additionally depending on the egregiousness of the case or if the case involves a student organization, the case may be forwarded to a Hearing regardless of the acceptance of responsibility.

### 2. Adaptive Conflict Resolution

Adaptive conflict resolution (ACR) processes such as conflict coaching, mediation, facilitated dialogue, and restorative justice circles allow individuals in a conflict to have significant influence over the resolution process and control of any outcome.

If (1) all persons personally and directly affected by the conflict agree to attempt resolution through one of these processes, and (2) the RC believes the process in an appropriate form of resolution, then the director of student conduct and community standards will make arrangements for the

chosen ACR pathway. The nature of some conflicts, especially those involving violence, may render ACR inappropriate.

Participation in an ACR process is voluntary and may or may not result in an agreement or resolution. When mutually satisfactory resolution is reached by the parties, the case is resolved and parties are encouraged to use the RC as a resource for future questions. Resolution reached through ACR may not be appealed and the student disciplinary record for the case will be non-reportable.

If a resolution is not achieved through an attempt at ACR and the matter involves a pending code of conduct violation, the responding student has the choice of accepting responsibility and entering into an agreement or proceeding to a hearing.

### **3. Hearing**

**NOTICE:** The burden of proof utilized is Preponderance of evidence. The respondent is presumed not responsible unless the evidence presented demonstrates that it is more likely than not that violation of the code of conduct has occurred.

The director of student conduct and community standards will determine if the case will be heard by a Resolution Coordinator or the Student Conduct Board. In cases which involve more than one responding student, the students will have the option of choosing whether they have the same or separate hearings. If students cannot agree, the hearings will be separate. Hearings are not made public to the University community.

All participating parties may have access to a case packet prior to and during the hearing. The case packet will include the incident report, relevant meeting notes, supporting evidence, written statement(s), and/or witness statement(s). More information regarding case packets can be found in Section 8 subsection J. The director of student conduct and community standards will prepare and distribute this case packet prior to the hearing. The distributed copy will be redacted of names, specific locations, and identifiable characteristics for privacy purposes.

During the hearing, the RC or Student Conduct Board members have the right to question the responding student if they choose to participate and any potential witnesses or harmed parties. Witnesses or harmed parties may only be present in the hearing when they are presenting information through questioning. In order to serve as a witness, an individual must submit a written witness statement prior to the convening of the hearing. Additionally, any witnesses that the responding party wishes to be made available must be invited by the responding party. The RC or Student Conduct Board does not need to call upon a witness if they believe they will not get additional information and the questioning would be redundant. In addition to questions being asked, the responding party will have the opportunity to provide an opening and closing statement. At any time during the hearing, the responding party may request a recess to consult with their support person if they brought one.

An audio recording will be made of Hearings as a part of the record of the case to aid in deliberations. No other recordings are permitted. Upon request, the responding party can also listen to the recording in the Office of Student Conduct and Community Standards.

The RC or Student Conduct Board will have access to a student or student organization's disciplinary file to ensure fairness and equity with any potential sanctions/interventions.

In hearings facilitated by an RC, the responding party will receive a finding from the RC at the conclusion of the hearing and receive information regarding a potential appeal. In hearings facilitated by the Student Conduct Board, the Board will move into closed door deliberations after the responding party has departed. Findings by the Student Conduct Board are voted and approved by a



majority vote. The decision made by the Student Conduct Board will be shared with the responding party by the director of student conduct and community standards one business day after the hearing. At this results meeting, the director of student conduct and community standards will share the Student Conduct Board's rationale and review the process for any potential appeal.

#### **4. Appealing Process**

An appeal process is an essential safeguard for an imperfect human process that attempts very hard to be fair, reasonable, and equitable. Appeals may be filed for the following reasons: (1) a procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantial bias, material deviation from established procedures, etc.), (2) to consider new evidence, unavailable during the original hearing or investigation that could substantially impact the original finding or sanction/intervention. A summary of this new evidence and explanation for why it was not available at the time of the original hearing and its potential impact must be included, (3) the sanctions imposed are excessive or substantially outside the parameters or guidelines set by the University for this type of offense or the cumulative conduct record of the responding student, (4) a suspension or expulsion was issued. A summary of why this sanction/intervention is not appropriate from the responding party's perspective.

Appeals must be filed via the Appeal form (found at [cm.maxient.com/reportingform.php?MountUnion&layout\\_id=9](http://cm.maxient.com/reportingform.php?MountUnion&layout_id=9) or in the outcome letter to the student) within five (5) business days of the notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the associate dean of students.

The director of student conduct and community standards or designee will refer the request(s) to the University's designated appeal review coordinator, the associate dean of students. The director of student conduct and community standards or designee will also draft a response memorandum to the appeal request(s), based on the appeal review coordinator's determination that the request(s) will be granted or denied, and why.

The appeal review coordinator will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the director of student conduct and community standards or designee on any procedural or substantive questions that arise.

If the appeal is not timely or substantively eligible, the original finding and educational sanctions/interventions will stand, and the decision is final. If the appeal has standing, the appeal review coordinator determines whether to refer the appeal to the vice president for student affairs/dean of students, an Appeal Panel comprised of the vice president for student affairs/dean of students, a student board member who did not serve on the hearing, and a faculty member from the APC who did not serve on the hearing, or remand it to the original decision-maker(s), typically within 3-5 business days.

On reconsideration, vice president for student affairs/dean of students or designee, Appeal Panel, or original decision-maker may affirm or change the findings and/or educational sanctions/interventions of the original hearing body according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and educational sanctions/interventions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions are to be made within five (5) days of submission by the appeal review coordinator and are final.

## 5. Diversion Programs

There are two types of diversion programs offered to students who choose to participate. The first is the TIPS Program, designed for low-level offenses, and the second is the Medical Amnesty Program, which gives the student access to resources while receiving medical assistance related to substance use. These programs are offered as a courtesy to students and are intended to provide certain types of possible code violations with an educational intervention without the student incurring a conduct record reflecting a violation. The student must be invited to participate in one of these programs in order to participate. Invitations to diversion programs are offered in cases where the content of the original report meets the criteria for the program, and the director of student conduct and community standards believes that if the behavior occurred, it could be best remediated with education provided through the appropriate diversion program.

Students whose cases meet the criteria to participate in one of the two diversion programs are offered the opportunity to have the adjudication of the case withheld as long as they complete the program as specified. The offer comes with an expiration date. Students who do not attend/participate as directed after choosing to attend a diversion program will be forwarded through the Student Conduct System and will not be given a second opportunity to attend the program. The University is not obligated to offer diversion to any particular case and has the right to determine if a situation meets the criteria of a diversion program. The following are criteria for invitation:

### 1) TIPS Program

The TIPS Program is an alternative to the Student Conduct System for first-time incidents of a minor nature. The program covers the Student Conduct System, the Code of Conduct, substance education, and other relevant codes. To receive an invitation to participate in TIPS Program, the following criteria must be met:

- a. It must be the first time the student has been reported for a possible violation of the Code of Conduct.
- b. Accused violations must be of a minor nature and cannot involve a complainant, a victim, or behavior that the University has determined to be egregious.
- c. The individual cannot be in possession of an open or unopened container of alcohol, possession of marijuana or marijuana paraphrenia, or noted in the report with descriptions indicate consumption/intoxication (e.g., slurred speech, bloodshot eyes, strong smell of alcohol on or about the person, vomiting, erratic behavior, swaying, or difficulty following or keeping up with conversations).
- d. The individual must have complied and been respectful with the documenting party.

Requirements: Students who are invited to choose and attend the program must:

- a. Respond to their notification by indicating they would like to participate in the program rather than have the case resolved in the Student Conduct System.
- b. Follow the instructions provided by the Resolution Coordinator found in the notification.
- c. Successfully complete all steps related to the program.

The invitation to attend the TIPS Program expires as indicated in the student's notification or invitation. Failure to attend (even with good reason) will push the case back to the Student Conduct System.

## 2) Medical Amnesty Program

The University encourages students to seek medical attention for themselves and others when needed and recognizes that the potential for disciplinary action may be a barrier to seeking medical assistance for issues involving the use of alcohol or drugs. It is for this reason the Office of Student Conduct and Community Standards offers the Medical Amnesty Program as a form of diversion.

Students who gain access to medical attention for substance usage due to peer intervention are eligible to receive an invitation to the program. Additionally, students who call for themselves are also eligible for the program. It should be noted that a history of alcohol or drug related medical transport remains of concern to the University. Any student who becomes a danger to themselves with regard to the use and abuse of these substances may require ongoing medical attention and could disqualify themselves from amnesty for habitual medical transport at the discretion of the director of student conduct and community standards and the associate dean of students.

Requirements: Students who are invited and choose to participate in the Medical Amnesty Program must:

- a. Respond to the invitation by indicating that they would like to accept the invitation to the program. This invitation will be offered in an Educational Conference.
- b. Agree to the terms set forth in the Education Conference to participate in the program rather than have the case resolved in the Student Conduct System.
- c. Follow instructions for the action steps in the program and complete all expectation set forth.

The invitation to enroll in the Medical Amnesty Program expires as indicated in the student's invitation. Failure to attend or complete requirements (even with good reason) will push the case back to the Student Conduct System.

## [Section 8: Related Procedures, Programs, and Information](#)

### A. University as Convener

The University is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The reporting party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to participate in the process as a witness, unless the case falls under the [Equal Opportunity, Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties Policy and Procedures](#). Witnesses may offer information regarding the allegation. The University is represented by the director of student conduct or designee in all student conduct board hearings. In administrative hearings, the university may be represented by documentation provided to the AHO and responding party.

### B. Group Violations

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

The director of student conduct and community standards has the discretion to forward an organizational hearing to the appropriate organizational hearing board, based on the circumstances of the violation. When retained in student conduct, hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and educational consequences may be assigned collectively and individually and will be proportionate to the involvement of each individual and/or the organization.

In all such conduct matters, the president of the student group or organization as documented in the Office of Student Involvement & Leadership will represent the student group or organization. The student group or organization's president may be accompanied by an additional member and/or an organization advisor.

### C. Amnesty

1. *For Reporting Parties:* The University provides amnesty to victims who may be hesitant to report to University officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.
2. *For Those Who Offer Assistance:* To encourage students to offer help and assistance to others, Mount Union pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the director of student conduct or designee, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result. In situations where the student needing assistance is at an event being hosted by a student organization, the organization's efforts to seek medical assistance will likewise be taken into account with regard to this protocol and a similar educational response will result. The organization involved in the incident must agree to take recommended steps to address the concerns that contributed to the situation in order to remain in good standing.
3. *For Those Who Report Serious Violations:* Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.
4. *Safe Harbor:* The University has a Safe Harbor rule for students. The University believes that students who have a drug and/or addiction problem deserve help. If any University student brings their own use, addiction, or dependency to the attention of University officials outside the threat of drug tests or educational consequences and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes may be initiated.

Abuse of amnesty requests can result in a decision by the director of student conduct or designee not to extend amnesty to the same person repeatedly.

### D. Investigation

The director of student conduct and community standards or designee will appoint a trained investigator for allegations under this Code. The investigator will take the following steps, if not already completed:

1. Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;

- Preliminary investigation usually takes between 1-7 business days to complete;
2. If indicated by the preliminary investigation and authorized by the director of student conduct, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated University policy, and to determine what specific policy violations should serve as the basis for the complaint;
    - If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;
    - A comprehensive investigation usually takes between one day and two weeks.

## E. Findings

Only findings of *Responsible* are reportable violations to those outside the University. See Records Retention subsection N for more information.

Findings: The final outcomes with regard to responsibility or lack thereof for violations of the Code of Conduct are as follows:

- a) **Not responsible:** There is not enough evidence/information to indicate that the student or student organization is/was in violation of the Code.
- b) **Responsible:** The evidence/information available to the University indicates a violation of the code or the student accepted responsibility for a violation of the code.
- c) **Complicit:** While a student was initially suspected of being in direct violation, it is now clear that the student witnessed, was present at, or was determined to be responsible for hosting/encouraging violations.
- d) **Adjudication Withheld:** The case was resolved through adaptive conflict resolution or a diversion program.

## F. Special Hearing Provisions for Title IX Violations, Discrimination, and Other Complaints of a Sensitive Nature

These investigations, hearings, and appeals follow the process outlined in the [Equal Opportunity, Harassment and Nondiscrimination for all Faculty, Students, Employees, and Third-Parties Policy and Procedures](#) found as an appendix to the Student Handbook.

## G. Special Hearing Provisions for Academic Dishonesty Complaints.

These investigations, hearings and appeals follow the process outlined in the [Academic Honesty Section](#) in the Student Handbook.

## H. Interim Action

Under the Code of Student Conduct, the vice president for student affairs/dean of students or designee may impose restrictions and/or separate a student from the community pending the scheduling of the student conduct process for alleged violation(s) of the Code of Student Conduct when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve University property, and/or to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a campus hearing on alleged violation(s) of the Code of Student Conduct.

During an interim suspension period, the student is banned from university property, functions, events, and activities without prior written approval from the director of student conduct and community standards or designee. As determined appropriate by the vice president for student affairs/dean of students or designee, this restriction may include classes and/or all other University

activities or privileges for which the student might otherwise be eligible. At the discretion of the vice president for student affairs/dean of students or designee and with the approval of, and in collaboration with, the appropriate dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

1. If a responding student fails to attend their initial meeting as scheduled by the director of student conduct and community standards or designee, the director of student conduct and community standards or designee may initiate a complaint against the student for failure to comply with the directives of a university official and give notice of this offense. The director of student conduct and community standards or designee will schedule a formal hearing for the student and/or the student may be administratively withdrawn from attending classes or a disciplinary hold may be placed on their university account, deeming them ineligible to register for courses or university housing until such time as the student responds to the initial complaint.
2. At least two (2) days before any scheduled formal hearing, the following will occur:
  - The responding student will deliver (via [studentconduct@mountunion.edu](mailto:studentconduct@mountunion.edu)) to the director of student conduct and community standards or designee a written response to the complaint (failure to deliver this response will not delay a scheduled hearing – it will go forward without the response);
  - The responding student will deliver (via [studentconduct@mountunion.edu](mailto:studentconduct@mountunion.edu)) to the director of student conduct and community standards or designee a written list of all witnesses they will call at the hearing (the student is responsible for ensuring the presence of their witnesses at the hearing);
  - The responding student will deliver (via [studentconduct@mountunion.edu](mailto:studentconduct@mountunion.edu)) to the director of student conduct and community standards or designee a list of all physical evidence the student intends to use or needs to have present at the hearing and if the University has possession of this evidence, the student will indicate that and the director of student conduct or designee will provide the evidence or pictures of the evidence, as appropriate;
  - The responding student will deliver (via [studentconduct@mountunion.edu](mailto:studentconduct@mountunion.edu)) to the director of student conduct and community standards or designee the name of their anticipated support person, should they choose to have one (this can change up to the start of the hearing).
3. that their bias precludes an impartial hearing of the complaint. Additionally, any administrative hearing officer or student conduct board hearing panelist who feels they cannot make an objective determination must recuse themselves from the proceedings.

## I. Support Person

In all conduct related meetings, students have the right to a support person of their own choosing. A support person can be anyone other than a lawyer or attorney. They may confer quietly with their advisee, exchange notes, clarify procedural questions, and suggest questions to their advisee. Should the advisor disrupt the orderly progression of the meeting, they will be given one (1) warning. A second disruption, by the advisor, will result in the removal of the advisor from the meeting or the discontinuation of the meeting.

## J. Hearing/Appeal Document Submission

Students are able to submit the following documents to be included as part of the case packet for a hearing:

1. Written Account: A detailed account/description of the incident. This can include relevant events leading up to or occurring immediately after the incident.



2. **Witness Statement(s):** The witness described what they witnessed from start to finish. This should not include what they “understand” to have occurred, but rather what they observed.
3. **Character Letters:** Introduction of who they are to the student and a detailed description of their understand of the student’s character.
4. **Personal Impact Statement:** Detailed description of how the incident under review has affected you since it occurred, what you have reflected on since, and content concerning how your decision-making or behavior has changed since the incident. Consider including concrete actions you have taken to benefit yourself moving forward.

In addition to the previously listed documents, students are able to submit the following additional documents to be included as a part of the case packet for an appeal:

1. **Appeal Request:** A detailed description of why you believe the issued outcome is not appropriate.

## K. Educational Sanctions/Interventions

In cases involving discrimination, recommended educational consequences will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the University community.

One or more of following educational sanctions/interventions may be imposed upon any student for any single violation of the Code of Student Conduct:

1. **Warning:** An official written notice that the student or organization has violated the Code of Student Conduct, that such behavior is unacceptable, and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
2. **Restitution:** Compensation for damage caused to the University or any person’s property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen. This may take the form of appropriate service and/or monetary replacement.
3. **Fines:** Reasonable fines may be imposed.
4. **Community Service Requirements:** For a student or organization to complete a specific supervised university and/or community service.
5. **Loss of Privileges:** The student or organization will be denied specified privileges for a designated period of time.
6. **Confiscation of Prohibited Property:** Items whose presence is in violation of University policy will be confiscated and will generally become the property of the University. Prohibited items may be returned to the owner at the discretion of the appropriate university administrator or designee. For more information see the [Confiscation Policy](#) in the Student Handbook.
7. **Other Educational Sanctions:** This includes, but is not limited to, required activities such as seeking counseling or substance abuse screening, writing a letter of apology, etc.
8. **Educational Program:** Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
9. **Restriction of Visitation Privileges:** May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.

10. *Housing Probation*: Official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
11. *Housing Reassignment*: Reassignment to another University housing facility. Residential Life personnel will decide on the reassignment details in collaboration with the director of student conduct or designee. When a student is reassigned within University housing, they are banned from the building or hall they were reassigned from for the rest of the academic year unless otherwise noted in their decision letter.
12. *Housing Suspension*: Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. When assigned this educational consequence, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of residence life. This educational consequence may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the director of residence life or designee. When a student is suspended from University housing, they are banned from all housing facilities until they have received permission from the director of residence life to return to University housing.
13. *Housing Expulsion*: The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This educational consequence may be enforced with a trespass action if deemed necessary.
14. *University Probation*: The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face more severe educational sanctions/interventions, including suspension or expulsion. Regular probationary meetings may also be imposed. A student on University probation is deemed "not in good standing" with the institution.
15. *Suspension*: Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of student conduct or designee. During the suspension period, the student is banned from university property, functions, events, and activities without prior written approval from the director of student conduct or designee. This educational consequence may be enforced with a trespass action as necessary.
16. *Expulsion*: Permanent separation from the University. The student is banned from all university property and the student's presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.
17. *Degree revocation or Withholding*: the termination of a student's degree based on a violation that the University becomes aware of after a student graduates or the withholding of a degree due to a violation that occurs prior to graduation as the conduct process proceeds and/or until educational consequences are completed.
18. *Other educational sanctions/interventions*: Additional or alternate educational sanctions/interventions may be created and designed as deemed appropriate to the offense with the approval of the director of student conduct and community standards or designee.

The following educational sanctions/interventions may be imposed upon groups or organizations found to have violated the Code of Student Conduct:

1. One or more of the educational sanctions/interventions listed above; and/or

2. Deactivation, loss of recognition, and/or loss of all privileges (including status as a University registered group/organization), for a specified period of time.

### *Parental /Guardian Notification*

The University may notify the parents/guardians of students who are under the age of 21 of alcohol and/or other drug violations when the student is found responsible for an alcohol or other drug related offense and/or an educational consequence of university probation or a more severe conduct educational consequence is imposed. Parental notification may also be utilized discretionarily by administrators when permitted by the Federal Education Rights and Privacy Act (FERPA) or consent of the student. Students who are under 18 are treated, in most cases, no differently than any other student in the conduct process.

### L. Notification of Outcomes

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. In cases where FERPA allows for release of decisions to reporting parties, the University may release this information as it deems appropriate. Such release of information may only include the responding student's name, the alleged violation, the rationale for the outcome and the educational consequences assigned (if applicable).

### M. Failure to Complete Educational Consequences

All students, as members of the University community, are expected to comply with conduct educational consequences within the timeframe specified by the director of student conduct and community standards or designee, Resolution Coordinator, Student Conduct Board Chair or the Appeal Chair. Failure to follow through on conduct educational sanctions/intervention by the date specified, whether by refusal, neglect, or any other reason, may result in additional educational sanctions/interventions and/or suspension from the University. In such situations, residential students may be required to vacate University housing within 24-hours of notification by the director of student conduct and community standards or designee, though this deadline may be extended upon application to, and at the discretion of, the director of residence life and/or the director of student conduct and community standards. A suspension will only be lifted when compliance with conduct educational sanctions/interventions is satisfactorily achieved. This determination will be made by the director of student conduct or designee.

### N. Records Retention For Student Conduct

Upon a student's graduation or permanent separation from the University, it is the practice of the Office of Student Conduct and Community Standards to seal the record of any disciplinary action that did not result in suspension or expulsion. Information contained in sealed records is not disclosed and/or reportable beyond graduation unless the University has a legal obligation to do so. However, the record will be maintained by the University to a) be in compliance with federal law, b) be used for the purposes of institutional research and c) be used as institutional knowledge should the student choose to return to the Mount Union community. Records that include suspension or expulsion will not be sealed but will not be disclosed without the student's signed request for disclosure outside the University (barring a legal mandate of disclosure). After 7 years from the date of the last incident, post-graduation, it is the practice of the University of Mount Union to expunge all disciplinary records that did not result in suspension or expulsion. Student conduct files that include a case that ended in suspension or expulsion will be maintained indefinitely. Lastly, this practice only applies to records held and maintained in the Office of Student Conduct and Community Standards.

*Note- Please see the Shield Program for more details in subsection O.*

## O. The Shield Program

This program allows a student to have their student conduct record become non-reportable prior to graduation. This means that the University will maintain the record as required by law or other compliance requirements, but it will be kept for internal purposes only. When requested to provide a student conduct record to outside parties (e.g. graduate schools, employers), the Office of Student Conduct and Community Standards response would be *No Reportable Record*. The record(s) in question cannot contain any cases that ended in suspension or expulsion. The record(s) in question also cannot include cases where a victim was notified of an outcome of ‘responsible’ (ex. Nondiscrimination/Anti-Harassment cases). The student making the request must complete all portions of the Shield Program to the approval of the director of student conduct and community standards. Any student who has a violation following the approval of the Shield Program will nullify participation, and the record will return to a *Reportable* status. The Shield Program is not repeatable; therefore, a student cannot participate again if there is a violation, and the process was nullified. Students wishing to enroll in the program must begin by schedule a meeting with the director of student conduct and community.

## P. The Restorative Raider Program

This program is designed to help students mitigate the length of a yearlong University disciplinary probation. Participation in the Restorative Raider Program is a choice, not a requirement. Students will return to good disciplinary standing with Mount Union upon completion of all requirements of the program, which must be reviewed and approved. In order to participate in Restorative Raider, the student must have completed no less than six months of the probationary period. Students are not eligible for Restorative Raider in cases that involve acts of violence (harm to persons) or violations of the Nondiscrimination and Anti-Harassment policy. Additionally, the director of student conduct and community students and the associate dean of students have the authority to disallow participation in the program.

## Q. The Raider Legacy Program

The Raider Legacy program is designed to welcome students back to the University of Mount Union after a separation from the community as a result of a disciplinary suspension. The goal of the program is to give participants a well-rounded educational program, which focuses not on the students’ past, but rather future successes and providing them with campus resources to set them up for success.

## R. Approval and Implementation

This Code of Student Conduct was approved on July 11, 2023, by the vice president of student affairs/dean of students and implemented on August 18, 2023. It is reviewed and updated yearly, the most recent date being August 21,2023.

## Section 9: Academic Honesty Conduct Process

### Policy on Academic Honesty

The University views the moral and ethical education of its students as being equal in importance to their intellectual development. The codes of conduct and ethical habits individuals practice as students are likely to guide them for their entire lives. Consequently, a significant part of the University’s mission is to support in its students a belief in the importance of personal honesty and integrity and a strong commitment to high standards in those areas. In all their academic pursuits, Mount Union students are expected to be responsible members of the academic community.

## *Community Responsibility for Promoting Academic Honesty*

### A. Administrative responsibility

All department chairs, supervisors, and deans are expected to make sure that the employees under their supervision understand and carry out the responsibilities for developing, supporting, and maintaining academic honesty in the Mount Union Community.

### B. Faculty responsibility

It is the responsibility of all faculty to remind their students about the University's academic honesty policy, to help their students develop documentation and cooperative learning skills appropriate to the faculty's disciplines and subject matter. In this effort, all faculty should tell students when it is appropriate for them to collaborate on an assignment and when it is not, carefully explaining the reasons for the distinctions and the penalties for inappropriate cooperation. They should also provide the students with models for documentation that are based upon the newest revision of the chosen style guide and are consistent with current usage within the discipline.

### C. Staff Responsibility

All staff persons are responsible for supporting the faculty's teaching and assessment of academic honesty in student work. Staff should help to explain to students why academic honest is important in academic life and the workplace and should refer students back to their professors or to the DWOC for any additional instruction that the students need.

### D. Student Responsibility

It is the students' responsibility to pay attention to the instruction in class, to learn the principles and mechanics of academic honesty, and to apply that knowledge in all their work across the curriculum and outside the classroom. Students are expected to understand and comply with the limits of collaboration imposed by each faculty member, and to know when to document appropriately in the assigned style for each course. Students who are unclear about the rules and mechanics of documentation are expected to seek clarification for their professors or from the DWOC.

## *Academic Honesty Violations*

Unless clearly documented with citations indicating otherwise, all academic work is expected to be the student's own. Plagiarism and/or any other form of cheating or dishonesty will subject the student involved to sanctions ranging from failure of an assignment to possible suspension or dismissal from the University.

Academic work comprises all activities including, but not limited to, examinations, tests, assignments, group work, projects, and presentations. Academic work also incorporates timeframes of before, during and after an academic activity. Any students found to have committed or attempted to engage in the following misconduct is subject to intervention and conduct action. Below are types of academic misconduct with examples of each. Please note that this list is not exhaustive.<sup>2</sup>

## *Alteration or attempted alteration of University Documents*

- Entering a University building or office for the purpose of obtaining an administered or non-administered test
- Any unauthorized action taken for the purpose of changing a grade or grade record
- Changing, altering, or being an accessory to the changing and/or altering of a grade in a grade book, on a test, a "change of grade" form, or other official academic record of the University that relates to grades
- Forgery of an instructor's signature on a letter of recommendation or any other document
- Submitting an altered transcript of grades to or from another institution or employer
- Putting your name on another person's exam or assignment

- Altering a previously graded exam or assignment for purposes of a grade appeal or of gaining points in a re-grading process

### *Cheating*

An act or an attempted act of deception by which a student seeks to misrepresent that one has mastered information or a skill on an academic evaluation instrument, such as (by example, not limitation) a test, exam, or quiz, that has not, in fact, been mastered. Below are some examples:

- Copying or attempting to copy from another student's examination paper or assignment
- Communicating answers with another person during an exam.
- Allowing another student to copy from your examination paper, text, quiz, or similar evaluation instrument
- Unauthorized use of a course textbook or other materials, such as (by example, not limitation) a notebook, to complete an examination or other assignment
- Collaborating on an examination, test, quiz, or other project with any other person(s) without authorization
- Using or processing specifically prepared materials during an examination such as (by example, not limitation) notes, formula lists, notes written on the students clothing, calculators, and/or smart devices, that are not authorized
- Taking an examination for someone else or permitting someone else to take an examination for you
- Submission of the same assignment for more than one course without prior approval of all the instructors involved
- Stealing, buying, or otherwise obtaining all or part of an administered or non-administered examination

### *Collusion*

Action or inaction with another or others to submit academic work as your own that is not solely yours. Below are some examples:

- Unsanctioned collaboration with another person or persons in preparing any academic work offered for credit
- Bribing a person to obtain an administered or non-administered test or any information about the test
- Lending your assignment to another student(s)
- Copying and/or sharing of individual reports among group members associated with group projects (except for instructor-approved assignments)
- Allowing others to copy your work or share your answer to an assessment task
- Allowing someone else to write or edit your work (except for the use of a scribe approved by the Office of Student Accessibility Services or instructor-approved tasks including DWOC and peer review)
- Writing or editing work for another student (except for instructor approved tasks including DWOC and peer review)
- Offering to complete work or seek payment for completing academic work for other students
- Selling or distributing all or part of an administered or non-administered test, including questions and/or answers
- Buying or otherwise acquiring in any way a theme, report, term paper, essay, computer software, other written work, painting, drawing, sculpture, or other scholastic artwork, and submitting it as your own work to fulfill academic requirements



- Selling, distributing, or otherwise supplying in any way a theme, report, term paper, essay, computer software, other written work, painting, drawing, sculpture, or other scholastic artwork to another

### *Plagiarism*

Plagiarism occurs when you represent the work or ideas of another person as your own. Below are some examples:

- Quoting verbatim another person's words (published or unpublished) without acknowledgement of the source
- Paraphrasing another person's idea(s), opinions, or theory(ies) without giving sufficient reference
- Including facts, statistics, or other illustrative materials that are not common knowledge without acknowledgement of the source; students are expected to clarify with their instructor appropriate criteria for "common knowledge"
- Submitting another person's assignment, paper, essay, test answer, computer program, and/or project as one's own
- The presenting of one's own previously published work as though it were new, referring to your work from previous classes or assignments without appropriate citation

### *Sabotage*

The unauthorized interference with, modification of, or destruction of the work of others. Below are some examples:

- Acts that deny others access to scholarly resources or deliberately impede the progress of another student or scholar
- Tampering with laboratory experiments or research
- Giving misleading information
- Knowingly deceiving other members of a project team or group
- Disrupting class work
- Making library material unavailable to others
- Altering the computer files of another

## Process for Adjudicating Academic Honesty Violations

This overview gives a general idea of how the University's Academic Conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority.

### *A. Step 1: Preliminary Inquiry*

The faculty member who becomes aware of the potential violation will conduct a preliminary inquiry into the nature of the incident, complaint, or notice, the evidence available, and the parties involved. This preliminary investigation need not be in depth, but just enough to determine if there is a potential violation. Identification of a potential violation will result in initiation of an Academic Honesty Incident Form and notification of the director of student conduct and community standards or their designee.

The director of student conduct will determine the academic honesty background of a responding student and whether the incident should be addressed by the faculty member and, in the case of a previous academic honesty violation, referred to the Academic Policy Committee (APC) Chair.

## *B. Step 2: Educational Conference*

When the faculty member deems that a potential violation has occurred, the faculty member will meet with the responding student within a week of determining there is a potential violation. The possible outcomes include:

- A decision on the allegation, also known as an “informal” or “administrative” resolution to an uncontested allegation (see immediately below); or
- A decision to proceed with additional investigation and/or referral for a “formal” resolution.

If the faculty member’s finding is that the responding student is in violation, and the responding student accepts this finding (the responding student can have up to 48 hours to decide if they accept or reject this finding), the University considers this an “uncontested allegation.” The faculty member conducting the initial educational conference will then determine the sanction(s) for the misconduct. The professor will assign course sanctions and forward the Academic Honesty Incident Report to the director of student conduct and community standards or their designee in Student Affairs and the process ends. There is no appeal for the student should they accept responsibility for the violation.

If the responding student rejects that an academic honesty violation has occurred in whole or in part, then it is considered a contested allegation and the process moves to [Step 3](#).

Prior to forwarding the Academic Honesty Incident Report to the APC Chair, the faculty member will assign a grade for the assignment that triggered the Academic Honesty Incident Report. That grade will be the grade of record until the process is complete. The Faculty member always decides the grade given on an assignment or in a course. Sanctions regarding grades are solely recommendations of the APC Hearing Panel or Appeal Panel. Incompletes may not be given or withdraws taken in any class where the responding student has an Academic Honesty Incident Report started.

## *C. Step 3: Formal Hearing*

In a contested allegation, additional investigation may then be commenced, and/or a hearing may be held when there is reasonable cause to believe that a rule or rules have been violated. A formal notice of the complaint will be issued, and a hearing will be held before an APC Hearing Panel. A finding will be determined. If the finding is that the responding student is not responsible, the process ends. Applicable appeal options are described in the Appeal Review Procedures.

### **Composition of the APC Hearing Panel**

The APC Chair will be responsible for assembling the APC Hearing Panel according to the following guidelines:

- The APC Hearing Panel pool consists of the members of the Academic Policies Committee, and, when needed, members of the Student Conduct Board.
- For each complaint, the APC Hearing Panel will be chosen from the available pools, and it will comprise of at least one student, two faculty members, and the director of student conduct and community standards, who serves as a convener with no vote.

## *D. Notice of Hearing*

Once a determination is made that severity of the incident or the responding student’s conduct history requires a hearing, notice will be given to the responding student. Notice will be in writing and may be delivered by one or more of the following methods: emailed to the student’s University-issued email account (primary form of notification); in person by the director of student conduct and community standards or designee; mailed to the Mount Union campus box, local, or permanent

address of the student as indicated in official University records; or hand delivered to the student's university residence. Once emailed, mailed, delivered, and/or received in-person, such notice will be presumptively delivered. The letter of notice will:

- Include the alleged violation and notification of where to locate the Academic Honesty Policy and University procedures for resolution of the complaint;
- Include the time, date, and place of the formal hearing (with at least three business days notice); and
- Include the names of all hearing panel members and directions for the responding student to contest bias.

### *E. Formal Hearing Procedures*

For an APC Hearing, the APC Chair will select the APC Hearing Panel from the pool and appoint one APC hearing panelist as the APC Hearing Panel Chair for the hearing (generally the faculty member most experienced with academic hearing procedures). The responding student has the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to notify the APC Chair no fewer than two business days prior to the scheduled hearing to arrange for another date, time, and location. Generally, APC hearings will only be rescheduled for academic or health reasons with documentation. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum two (2) day notice with required documentation, or if the responding student fails to appear, the hearing will proceed as scheduled.

The APC Hearing Panel will conduct formal hearings according to the following guidelines:

1. Hearings will be closed to the public.
2. In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the APC Chair may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.
3. The responding student has the right to an advisor/advocate of their own choosing. Typically, advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor. The advisor may not make a presentation or represent the responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the APC Hearing Panel Chair and suggest questions to their advisee. Should the advisor disrupt the orderly progression of the hearing, the APC Hearing Panel Chair or assistant dean or designee will give them one (1) warning. A second disruption, by the advisor, will result in the removal of the advisor from the hearing or the discontinuation of the hearing.
4. The responding student and the APC hearing panel members will have the privilege of questioning all present witnesses and questioning all present parties. Unduly repetitive witnesses can be limited at the discretion of the APC Hearing Panel Chair and/or the assistant dean or designee.
5. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the APC Hearing Panel. Formal rules of evidence are not observed. Character references will not be accepted for consideration.
6. All procedural questions are subject to the final decision of the assistant dean or designee.
7. After an APC Hearing, the APC Hearing Panel will deliberate and determine, by majority vote, whether it is more likely than not that the responding student has violated the Academic Honesty Policy. The assistant dean or designee will be present and/or available as a resource during all deliberations. Once a finding is determined, if the finding is that of a

policy violation, the APC Hearing panel will determine appropriate sanction(s). The director of student conduct and community standards or designee is responsible for informing the APC Hearing Panel of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student. The APC Hearing Panel Chair will prepare a written deliberation report, detailing the recommended finding, how each member voted, the information cited by the APC Hearing Panel in support of its recommendation, and any information the APC Panel excluded from its consideration and why. This report should conclude with sanctions, including grade recommendations. This report should not exceed two pages in length and must be submitted to the director of student conduct and community standards or designee at the end of deliberations.

8. The director of student conduct and community standards or designee will inform the responding student of the final determination within five (5) days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: emailed to the student's University-issued email account (primary form of notification); in person by the assistant dean or designee; mailed to the Mount Union campus box, local, or permanent address of the student as indicated in official University records; or hand delivered to the student's university residence. Once emailed, mailed, delivered, and/or received in-person, such notice will be presumptively delivered.
9. There will be a single verbatim record, such as an audio recording, for all formal hearings. Deliberations will not be recorded. The record will be the property of the University and maintained by the assistant dean or designee. Recordings will be erased sixty (60) days after the hearing unless an appeal is still pending. In this case, recordings will be erased thirty days after the final appeal decision.

#### *F. Grounds for Appeal*

Both the faculty member who submitted the Academic Honesty Incident Report and the responding student can appeal the APC Hearing Panel decision.

Student appeal requests are limited to the following grounds:

- A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence, an explanation for why it was not available at the time of the original hearing, and its potential impact must be included.
- The sanctions imposed are excessive or substantially outside the parameters or guidelines set by the University for this type of offense or the cumulative conduct record of the responding student.

Faculty appeal requests are limited to the following grounds:

- A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence, an explanation for why it was not available at the time of the original hearing, and its potential impact must be included.

Appeals must be filed from the faculty member or responding student using the form found at [cm.maxient.com/reportingform.php?MountUnion&layout\\_id=9](http://cm.maxient.com/reportingform.php?MountUnion&layout_id=9) within five (5) business days of the

notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the assistant dean or designee.

The director of student conduct and community standards or designee will refer the request(s) to the University's designated academic appeal review officer, the provost/vice president for academic affairs. The director of student conduct and community standards or designee will also draft a response memorandum to the appeal request(s), based on the appeal review officer's determination that the request(s) will be granted or denied, and why.

The appeal review officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the assistant dean or designee on any procedural or substantive questions that arise.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand, and the decision is final. If the appeal has standing, the appeal review officer determines whether to refer the appeal to the Appeal Panel or to remand it to the original decision-maker(s), typically within 3-5 business days. Efforts should be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new APC Hearing Panel will be constituted to reconsider the matter, which can in turn be appealed, once. Full re-hearings by the Appeal Panel are not permitted. Where new evidence is presented or the sanction is challenged, the appeal review officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the Appeal Panel with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party to show clear error. The Appeal Panel must limit its review to the challenges presented.

On reconsideration, the Appeal Panel or original decision-maker may affirm or change the findings and/or sanctions of the original hearing panel according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the Appeal Panel are to be made within five (5) days of submission by the appeal review officer and are final, as are any decisions made by the original hearing body as the result of reconsideration consistent with instructions from the appeal review officer.

Decisions made by the Appeal Panel are final.

### The Appeal Panel

The Appeal Panel is comprised of the Dean's Council. Should any member of the Dean's Council have a bias in a case, they will recuse themselves and appoint an appropriate replacement for the appeal hearing.

The presumptive stance of the University is that all decisions made, and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the assistant dean or designee, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the appeal review officer and assistant dean or designee, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

The University of Mount Union Code of Student Conduct is adapted from TNG Model Developmental Code of Student Conduct and is used here with permission. Sections of the Code of Conduct are also adapted from the University of

Michigan and University of Dayton. Sections of the Academic Honesty Policy were adapted from the Baldwin Wallace University Academic Honesty Policy and the Capital University Academic Honesty Policy.



# University and Community Standards

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## Acts of Intolerance and Harassment

### Principles Against Intolerance

The University of Mount Union's mission and values support diversity and civility. Discrimination has no place in the Mount Union community.

In a community of learners, teachers, and knowledge-seekers, Mount Union is best served when its leaders and community members challenge speech and action reflecting bias, stereotypes, and/or intolerance.

The mission of the University of Mount Union is to prepare students for fulfilling lives, meaningful work, and responsible citizenship. Mount Union, therefore, strives to foster an environment in which all are included, all have equal opportunity to learn and explore, where differences and commonalities are celebrated, and we are committed to free and uninhibited debate and deliberation. However, the University may restrict expression that violates law, that falsely defames a specific individual, that constitutes a threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning or success of the University. Debate or deliberation may not be suppressed because the ideas put forth are thought by some members of the University to be offensive, unwise, or immoral. Acts of hatred and other intolerant conduct and acts of discrimination that demean our differences are antithetical to the values of Mount Union and serve to undermine its purpose.

The University of Mount Union prohibits discrimination on the basis of race, gender, gender identity or expression, sex, sexual orientation, religion, age, color, creed, national or ethnic origin, veteran status, marital or parental status, pregnancy, disability, or genetic information, in student admissions, financial aid, educational or athletic programs, or employment as now, or may hereafter be, required by university policy and federal or state law. Prohibited discrimination arising from historical biases, stereotypes, and prejudices endangers the University from meeting its mission. This mission is met when members of the University community collaborate to foster a learning environment where all members of the community are welcomed and confident of their physical and emotional safety.

Each member of the University community is entitled to speak, to be heard, and to engage, based on their views; unburdened by historical biases, stereotypes, and prejudice. Mount Union fully respects and supports the freedom of all members of the University community to discuss any problems, issues or concerns, and has a responsibility to promote a lively and fearless freedom of debate and deliberation, and protect that freedom when others attempt to restrict it.

Intellectual and creative expression that is only intended for shock value or to be provocative and challenging may have a place in our community. Nevertheless, mutual respect and civility within debate and dialogue more positively advances the mission of Mount Union, each of us as learners and teachers, and as a democratic society.

Harassment, threats, assaults, vandalism, and destruction of property, as defined by University policy, will not be tolerated at Mount Union and will be subject to discipline. Where investigation establishes that such unlawful conduct was targeted at an individual or individuals based on discrimination prohibited by University policy, the appropriate University administrators should consider discipline that includes enhanced sanctions to appropriately reflect the foundation for such conduct. In addition to discipline, and consistent with the University's mission to educate members

of our community, University administrators should use all available tools, to address such unlawful conduct, to foster learning and mutual respect.

\*This statement was modeled after the University of California Regents Policy: Principles Against Intolerance Statement.

## Resolution Process

### 4 Steps from Reporting to Resolution

- **Report the Issue.** Fill out the [Bias Concern/Acts of Intolerance \(AOI\) Form](#) if one wants to report an incident. This can be done anonymously.
- **Curated Response.** A Student Affairs or Human Resources staff member will review the report and analyze it to give a personalized response and options for next steps depending on circumstances and the reporter's wishes. If clear inappropriate behavior is reported, the University has an obligation to act, whether or not the reporting party wants action taken. The reporter will be given the option for next steps, depending on circumstances.
- **Initial Meeting.** Often an initial meeting with Student Affairs or Human Resources staff and/or campus partners will be scheduled with the informing party.
- **Path to Resolution.** The Student Affairs or Human Resources member managing AOI will work with campus partners and students to help bring resolution to a report. Information is shared with the person who was documented for the concern, if applicable and if the informing party so chooses.
  - If the person who was documented for the concern does not want to participate in this voluntary process, the team of staff members will work with the informing party to develop a resolution that allows them to feel heard and supported.
  - If the incident rises to the level of community harm, the resolution will involve support to the community.

## Alcohol and Other Drug Policy

To comply with the Drug Free Schools and Communities Act of 1989 (DFSCA) and subsequent amendments, students and employees of the University of Mount Union are informed that strictly enforced policies are in place which prohibit the possession, use, or distribution of any illicit drugs, including alcohol, on University property or as part of any University-sponsored activity, with the exception for of-age students to consume alcohol moderately as specified below. Students and employees are also subject to all applicable legal sanctions under local, state, and federal law for any offenses involving illicit drugs on University property or at University-sponsored activities.

The University of Mount Union affirms that illegal drug use is unlawful and harmful. The use of illegal drugs and alcohol misuse by students and employees could result in cognitive deficits, loss of productivity, and other health risks. These risks include an increased risk of accidents, which may result in death or permanent injury. Free, confidential counseling for alcohol and other drug misuse issues is available to students through the Office of Alcohol, Drug, and Wellness Education and Health Services. Other resources and referrals may include assessment, individual counseling, educational programs, materials, and referral and case management through community agencies, all of which might include a fee.

Students exhibiting signs of excessive alcohol consumption will be transported via Emergency Medical Services (EMS) at the student's expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest by the Alliance Police Department in order to ensure the student's health and safety and/or a conduct complaint for disruptive behavior and/or failure to comply.

## Parental/Guardian Notification

The University of Mount Union is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships, and, ultimately, their future.

Mount Union's alcohol policy expressly forbids possession and/or consumption of alcohol by students, employees, or guests who are under the minimum legal drinking age of 21 years. Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is also prohibited. In accordance with the Family Educational Rights and Privacy Act (FERPA), the director of student conduct (or designee) reserves the right to notify the parents/guardians of students under 21 years of age of any incident in which the student is found responsible for violating the University Alcohol and Other Drug Policy. While the University may notify the parents/guardians of students under 21 years of age in any alcohol or drug violation, it is generally only done in cases where a student has been found to have violated the University's Alcohol or Other Drug Policy and/or are placed on university probation. See the Code of Student Conduct for more information.

## Alcohol Policy

The following sections describe Mount Union's policy regarding the sale, service, distribution, and consumption of alcoholic beverages on university property or at university-sponsored events in accordance with federal, state, and local laws.

### *Basic Guidelines*

Students who are 21 years of age or older are permitted to possess and consume alcohol only in University housing per the parameters below. Alcohol may not be possessed,\* served or consumed in any public place on Mount Union's campus or at any athletic event. Students who are of legal drinking age may not share or provide alcohol to any students, employees, or guests who are under 21 years of age. Those under the minimum legal drinking age of 21 years are not permitted to possess or consume alcohol anywhere on University property or at University-sponsored events. Drinking games and simulated drinking games (e.g., water pong) are prohibited on campus.

Advertisements and promotional materials posted or distributed on campus may not make any direct or implied reference to or depict in any manner alcoholic beverages, alcoholic beverage company logos, or symbols, the consumption of alcoholic beverages, drugs, or drug paraphernalia or the use of illicit drugs. Exceptions to this policy may be made for advertisements for educational programs and events; however, these materials must be approved in advance by the associate dean of students or the director of alcohol, drug, and wellness education. No campus activity may be co-sponsored by a bar, liquor establishment, or other alcoholic beverage manufacturer or distributor. Alcohol may not be sold on the Mount Union Campus.

### *Residence Hall/University Owned Housing Alcohol Guidelines*

Persons who are 21 years of age or older may possess\* and consume alcoholic beverages in the residence halls, university apartments and campus houses according to the following standards:

- a. Students who are 21 or older may possess\* or consume alcoholic beverages in the privacy of their individual student rooms or university apartments. Room/apartment doors must be shut when consumption is occurring.
- b. An individual who is of legal drinking age may not consume alcohol in the presence of any one under the age of 21, with the exception of their roommate(s)/apartment mate(s).
- c. Alcohol may only be consumed in residence hall or campus house individual rooms. No one shall consume or possess\* open containers of any alcoholic beverage in any other area of

the residence halls or campus houses (e.g., lounges, hallways, restrooms, laundry rooms, etc.). In townhouses and apartments, students are permitted to drink in their living rooms/kitchens provided no one present is under the age of 21.

- d. Kegs of beer, taps, beer balls, and beer funnels are not permitted in or on University of Mount Union property or on the property of organizations affiliated with the University. These items will be confiscated by University officials if discovered on campus.
- e. Drinking games or contests involving alcoholic beverages may not be played on University of Mount Union property.

\* PLEASE NOTE: The presence of alcohol may be interpreted as possession of alcohol. Students encountered in locations where alcohol is present may be considered to be in violation of the Alcohol Policy, even if they do not have alcohol on their person at the time they are encountered.

### Examples of Violations of the University Alcohol Policy

- Purchasing alcohol by a person under the age of 21;
- Selling or providing alcohol to a person under the age of 21;
- Possessing either full or empty alcohol containers by a person under the age of 21;
- Consuming alcohol by a person under the age of 21;
- Showing physical or mental impairment following or resulting from alcohol use;
- Using or possessing common sources of alcohol including, but not limited to kegs, party balls, punch bowls, wine boxes, etc.;
- Participating in or being present during the occurrence of any drinking game;
- Possessing an open container of alcohol in a common area including, but not limited to bathrooms, hallways, lounges, elevators, lobbies or outdoor spaces;
- Driving under the influence of alcohol.

As stated in [Section 4 of the Code of Student Conduct](#), “failure to comply with the reasonable directives of university officials, campus safety and security officers, or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so”, is considered unacceptable behavior for a university student. An example of such behavior includes refusing to submit to a breath test when requested by a police officer, whether on or off-campus, which is considered a violation of the University Code of Student Conduct and may result in conduct sanctions.

Sanctions for alcohol violations are dependent upon a number of factors including, but not limited to: hearing officer discretion, the nature and severity of the incident, a student’s conduct history, and a student’s cooperation throughout the conduct process.

### Illegal Drug Policy

The following sections describe the University’s policy regarding the sale, manufacture, distribution, possession,\* and use of illegal drugs on or off University property or at University-sponsored events or programs in accordance with federal, state, and local laws. Examples of violations include:

- Misuse of over-the-counter drugs;
- Misuse or sharing of prescription drugs;
- Possessing, using, being under the influence of, distributing, or manufacturing any form of illegal drug;
- Possessing paraphernalia for intended or implied use of any form of illegal drug;
- Possessing paraphernalia that contains or appears to contain illegal drug residue;
- Purchasing or passing illegal drugs from one person to another;
- Using mail services to purchase, pass, or distribute illegal drugs.

Paraphernalia includes, but is not limited to, bongos, hookahs, water pipes, rolling papers, vapes/vaporizers, and rigs.

This policy provides flexibility for the University in addressing drug-related offenses which occur on- or off-campus. Moreover, it permits the University to address its fundamental mission of holistic education and the development of human potential. While recognizing that there is a need to address violations related to the use or possession of controlled substances, the University must address the education and well-being of all its students and employees. In addition to University imposed sanctions, students and employees are subject to all legal sanctions under federal, state, and local law for any offenses involving illegal drugs on University property or at University activities.

\* PLEASE NOTE: The presence of drugs may be interpreted as possession of drugs. Students encountered in locations where drugs are present may be considered to be in violation of the Drug Policy, even if they do not have drugs on their person at the time they are encountered.

### *Safe Harbor*

The University has a Safe Harbor option for students. The University believes that students who have a self-identified drug and/or addiction concern or problem deserve help. If any University student brings their own use, addiction, or dependency to the attention of University officials outside the threat of drug tests or imposition of the conduct process and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and the campus conduct process will be initiated. Please see the [Code of Student Conduct Section C](#) for more information.

## Alcohol and Other Drug Procedures for Student Organizations

All student organizations must abide by the following guidelines:

1. All state, local, and University laws and policies concerning the use of alcohol and other drugs must be observed. In addition, all student organizations must abide by their governing bodies rules and regulations, as well as, policies set forth by their national organizations.
2. In order for alcoholic beverages to be allowed at a student organization event, organizations must comply with the Social Event Risk Management Policies. Compliance with these policies must be coordinated with the Office of Student Involvement & Leadership and approval must be given by this office before the event can occur.
3. If an off-campus activity includes the sale of alcoholic beverages, organizations will be required to use a licensed third-party vendor to manage this sale.
4. Promotional materials (including, but not limited to, advertisements in any form, t-shirts, cups, or any other item to be displayed, given away or sold before, during, or after an event) shall not make any direct or implied reference to or depict in any manner alcoholic beverages, alcoholic beverage company logos, or symbols, the consumption of alcoholic beverages, drugs or drug paraphernalia, or the use of illicit drugs.
5. No activity may be co-sponsored by a bar, liquor establishment, or other alcoholic beverage manufacturer or distributor. Advertisement for such establishments, manufacturers, or distributors may not occur at any activity.
6. No student organization shall allow alcoholic beverages or drugs to be present at its membership recruitment activities or initiation activities.
7. The officers of the student organization sponsoring the activity are responsible for enforcing the above guidelines and for the behavior of the guests at their events.
8. Drinking games or contests involving alcoholic beverages may not be played at any event sponsored by a University of Mount Union student organization.

## Alcohol and Drug Policy Educational Consequences

1. An individual involved in a violation of alcohol or other drug related policies will be referred for conduct action and may receive any of the educational consequences outlined in the student conduct process. Please see [Section 8:N](#) in the Conduct Process for a full list of educational consequences.
2. If a recognized student organization violates the alcohol or other drug policies, the group will be referred for conduct action. The following minimum sanctions will apply:
  - a. A two hundred dollar fine and a period of probation for a first offense. Possible conditions of this probation include, but are not limited to, restrictions of activities such as recruitment, sponsoring of social activities, or participation in campus events.
  - b. Subsequent offenses may result in suspension of the group from campus.
  - c. Other penalties may be assessed depending upon the nature of the violation.

## State and Federal Laws Pertaining to Alcohol and Other Drugs

Ohio law prohibits the purchase, consumption, or possession of alcoholic beverages by persons under 21 years of age, with a fine up to \$1,000 and/or six months imprisonment for the first offense. Possession or display of a fictitious operator's license is a first-degree misdemeanor. The offense includes mere possession of a fictitious license or display of someone else's valid operator's license. The maximum penalty for this offense is six months imprisonment and/or a \$1,000 fine. If the fictitious operator's license is used to purchase alcohol or enter an establishment that serves alcohol the minimum fine is \$250.

A person who furnishes alcohol to an underage person is guilty of a first-degree misdemeanor. The maximum penalty associated with this offense is six months imprisonment and/or a \$1,000 fine. Therefore, a social host risks being fined and imprisoned. It is a minor misdemeanor to possess an open alcoholic container in public. A first conviction for driving under the influence of alcohol or drugs has a penalty of up to \$1,075 fine, forfeiture of driving privileges for six months, and a mandatory three days in jail and/or Driving Intervention Program.

Criminal penalties in Ohio for the illicit use of controlled substances ("drugs") vary with the type of drug and quantity. For example, possession of less than 100 grams of marijuana is a minor misdemeanor; possessing more than 201 grams is a felony. Possessing cocaine even in small amounts such as 5 grams is a felony.

Possession of drugs is illegal without valid authorization (i.e. a valid doctor's prescription). While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Penalties for conviction of the sale or attempted distribution of drugs vary according to the amount and type of controlled substance in possession. Penalties can range between second degree misdemeanors and first-degree felony. For more information see the Ohio Revised Code 2929.13.

Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many of these laws dictate mandatory prison terms and require that the full minimum term be served.

In compliance with the Drug Free Schools Act, the University Mount Union does not allow the possession, use, or sale of marijuana or marijuana products, including but not limited to oils, edibles, etc. and, while Ohio has recently approved the use of medical marijuana, it is not permitted on campus.

Sale and possession of drug paraphernalia is illegal in Ohio. Drug paraphernalia can be classified as any equipment, product or material of any kind that is designed, intended or used for producing,



processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled substance in violation of Ohio drug law. For more information see the Ohio Revised Code 2925.141.

The exact legal wording can be found in the Ohio Revised Code, Sections 4301.63.2, 4301.63.3, 4301.63.4, 4301.69: [codes.ohio.gov/orc/4301](http://codes.ohio.gov/orc/4301).

A student who is convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any federal grant, loan, or work assistance shall not be eligible to receive any federal grant loan or work assistance from the date of that conviction for the period of time specified in the following table:

If convicted of an offense involving the possession of a controlled substance the ineligibility period is:

First offense	1 year
Second offense	2 years
Third offense	Indefinite

If convicted of an offense involving the sale of a controlled substance the ineligibility period is:

First offense	2 years
Second offense	Indefinite.

A student whose eligibility has been suspended may resume eligibility before the end of the ineligibility period if:

1. The student satisfactorily completes a drug rehabilitation program that complies with criteria set by federal regulations and includes two unannounced drug tests.  
or
2. The student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria set by federal regulations.  
or
3. The conviction is reversed, set aside, or otherwise rendered nugatory.

## Information Regarding the Impact of Alcohol and Other Drug Use

### *Alcohol*

Alcohol consumption causes several changes in behavior and physiology. Low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in most of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

Possible long-term effects: Bleeding from the intestinal tract, damage to nerves and the brain, psychotic behavior, loss of memory and coordination, damage to the liver often resulting in cirrhosis impotence, severe inflammation of the pancreas, and damage to the bone marrow, heart, testes, ovaries, and muscles.

### *Cannabis (Marijuana, Hashish)*

The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 – 30 days.

Possible long-term effects: Regular use can lead to physical dependence and withdrawal following discontinuation, as well as mental addiction or dependence.

### *Hallucinogens (Lysergic acid /LSD, mescaline, and psilocybin/mushrooms)*

The use of Hallucinogens may cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

Possible long-term effects: Respiratory depression, coma, convulsions, seizures, flashbacks, and death.

### *Cocaine/Crack*

Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pains, muscle spasms, convulsions and even death.

Possible long-term effects: Agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations.

### *Amphetamines (Speed, Methamphetamine, and some diet pills)*

Amphetamine use can cause a rapid or irregular heartbeat, tremors, and loss of coordination, reduced appetite, irritability, panic and paranoia. Heavy users are prone to violence, and psychotic behavior.

Possible long-term effects: Agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations.

### *Opiates (Codeine, Heroin, Morphine, and other opioid pain relievers)*

Opiate use can cause the body to have diminished pain reactions, drowsiness, respiratory depression and arrest, nausea, confusion, constipation, and possibly coma or death.

Possible long-term effects: Restlessness, irritability, loss of appetite, nausea, tremors, drug craving, severe depression, vomiting, blood pressure, and chills alternating with increased heart rate, and flushing and excessive sweating.

### *MDMA (Ecstasy)*

Short term use of MDMA can cause increased tactile sensitivity, enhanced self-confidence, energy bursts feelings of peacefulness, acceptance and closeness with others, loss of inhibition, confusion, hallucinations, muscle tension, increased heart rate, increased blood pressure, increased body temperature, dehydration, involuntary teeth clenching, nausea, blurred vision, rapid eye movement, faintness, chills and sweating, impaired memory, and learning. While long-term use of MDMA can lead to depression, sleep problems, liver & kidney damage drug cravings, severe anxiety, paranoia, permanently impaired memory, and ability to learn.

Possible long-term effects: Agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations.

### *Anabolic Steroids*

Steroid users often experience hypertension, cholesterol changes, liver cysts and cancer, kidney cancer, hostility and aggression, acne, premature stoppage of growth and reproductive side effects for both sexes.

Possible long-term effects: High cholesterol levels, which may increase the risk of coronary artery disease, strokes, and heart attacks.

The information above should not be used as a substitute for talking with a professional in the field of alcohol and drugs or for consulting a medical professional. Individual differences often influence the body's reaction to a drug and should always be considered. Although every effort is made to keep the information on these pages current, new findings are made frequently, so checking the latest research is recommended. The legal information provided is of a general nature and should not be used in place of speaking with an attorney if the case warrants.

\*Resources in this section were compiled by Kelleen Weber, Director, Alcohol, Drug, and Wellness Education Source: Drugs of Abuse: A DEA resource guide 2020 edition.

## Alcohol and Other Drug Treatment Options and Referrals

### *On Campus*

Mount Union offers a comprehensive alcohol and other drug counseling and education program to all students. Self-referrals, supervisory, and departmental referrals and consultations are welcome.

Office of Alcohol, Drug and Wellness Education  
Hoover-Price Campus Center, 1972 Clark Ave., Alliance, Ohio  
(330) 829-6660      [adwe@mountunion.edu](mailto:adwe@mountunion.edu)

### *Stark County*

The following locations offer programs for those with alcohol or drug related concerns. These agencies can provide counseling, treatment, rehabilitation, re-entry and referral for Mount Union faculty, staff, and students.

### Treatment

#### Coleman Behavioral Health

Alliance Office: 1410 W. State St., Alliance, OH 44601, (330) 823-6932  
Canton Office: 400 W. Tuscarawas St, Suite 200, Canton, OH, 44702, (330) 438-2400  
[colemanservices.org/](http://colemanservices.org/)

#### CommQuest

Main Office: 625 Cleveland Ave NW, Canton, OH 44702, (330) 445-2677  
Alliance Office: 1207 West State St., Suite M, Alliance, OH 44601, (330) 821-8407  
Massillon Office (Driver Intervention Program): 1660 Nave Road SE, Massillon, OH 44646, (330) 834-1934  
[commquest.org](http://commquest.org)

#### Child and Adolescent Behavioral Health

1207 West State Street, Suite G, Alliance, Ohio 44601, (330) 823-5335  
[childandadolescent.org](http://childandadolescent.org)

#### Stark County TASC (Only for those with current legal involvement)

624 N. Market St. Canton, OH 44702, 330-479-1912  
[starktasc.org](http://starktasc.org)

### Summit Psychological Associates

832 McKinley Ave NW, Canton, OH 44703, 330-493-2554

[summit-psychological.org](http://summit-psychological.org)

### Glenbeigh

Intensive outpatient services and support for loved ones.

4661 Belpar St. NW, Canton, OH 44718, (330) 492-2600

[glenbeigh.com/canton](http://glenbeigh.com/canton)

### Phoenix Rising Behavioral Health & Recovery of Alliance

Education, counseling, psychiatry and support for children, adolescents, and adults.

1844 W. State St., Alliance, OH 44601, (330) 493-4553

[phoenixrisingbhr.org/alliance/](http://phoenixrisingbhr.org/alliance/)

### CommQuest Detox at Aultman Hospital

Sub-acute detoxification refers to detoxification services provided with twenty-four-hour medical monitoring.

2600 6<sup>th</sup> St. SW, Canton, OH 44710

330-830-3393

[commquest.org/withdrawal-management](http://commquest.org/withdrawal-management)

### Support Groups

#### Alcoholics Anonymous Intergroup Office

4306 Avondale Ln NW, Canton, OH 44708

(330) 491-1989 (24/7)

[cantonaa.com/](http://cantonaa.com/)

#### Al-Anon, Ala-Teen

[al-anon.alateen.org](http://al-anon.alateen.org)

#### Narcotics Anonymous for Northeast Ohio

Ohio Regional Help line, (800) 587-4232

[naohio.org/](http://naohio.org/)

#### Cocaine Anonymous

Hotline (330) 327-4090 or [ca.org/](http://ca.org/)

#### Dual Recovery Anonymous

[draonline.org](http://draonline.org)

#### Foundations, A Place for Education & Recovery

Peer Recovery support

116 Cleveland Avenue N.W. Suite 200, Canton, OH 44702

330-454-2888

[foundationscanton.org](http://foundationscanton.org)

#### Gam-Anon

For spouses and families of gamblers. Monday: 7:30p.m.

Hope House, 5901 Market Ave. N., Canton, OH 49714

Hotline (718) 352-1671 or [gam-anon.org/](http://gam-anon.org/)

#### Gamblers Anonymous

[gamblersanonymous.org/](http://gamblersanonymous.org/)

Sex Addicts Anonymous  
[saa-recovery.org/](http://saa-recovery.org/)

### *Crisis Numbers*

If you or someone you know are in crisis, please immediately contact:

- Call 9-1-1 if emergency services are needed. If requesting law enforcement, you can ask for a CIT-trained officer
- Call (330) 452-6000, the Stark County Crisis Hotline anytime
- Text 4hope to 741 741, the Crisis Text Line anytime
- Call National Suicide and Crisis Lifeline at 988
- Call the Domestic Violence Help Line anytime at (330) 453-SAFE (7233) or the National Domestic Violence Hotline (800) 799-7233
- Trevor Lifeline for LGBTQ youth 866-488-7386
- Trans Lifeline at 877-565-8860
- Homeless Hotline at 330-452-4363 for all Stark County homeless housing requests
- Military & Veterans Crisis Line 988, press 1 anytime
- Military & Veterans Crisis Text Line 838255

## Animals on Campus Policy

### **General Policy Guidelines**

The University of Mount Union (UMU), realizing both its responsibility to provide safe and clean premises for students, faculty, staff, volunteers, and guests as well as the affection and connection that community members can have with animals or pets, has established this policy and its guidelines for the presence of animals on UMU Campus and properties.

In locations where UMU owns and/or controls the grounds and facilities, leashed or caged animals are permitted to be present outside of buildings, on university grounds, apart from any athletic competition or practice fields, for short periods of time as they are passing through or in the area for other reasons. Recreational walking or transporting an animal through university-owned property will not be restricted on public access sidewalks, streets, green spaces, etc. All animals must be leashed or caged/controlled unless there is an exception made for a service animal through the Office of Student Accessibility Services or Human Resources. The companion of any animal on campus is responsible for cleaning up after any waste an animal leaves behind.

Animals are not permitted inside any University buildings, or any other indoor spaces owned and/or controlled by UMU, with the following exceptions:

- **Emotional Support Animals (ESA)** – A category of animals that may provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual’s disability; but which are not considered Service Animals under the ADA or UMU’s Service Animal Policy. Any animal may serve a person with a disability as an Emotional Support Animal, but a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal (that is traditionally kept in the home for pleasure rather than for commercial purposes) are

identified by HUD as most reasonable for confined residential spaces. See below for complete details.

- **Service Animals** – A service animal is defined as dogs or miniature horses, when reasonable, that are individually trained to do work or perform tasks for people with disabilities. Such animals, as defined here and being consistent with UMU’s service animal policies as well as the Americans with Disabilities Act, are permitted in UMU facilities. Please also note that service animals are not pets, and other than the person for whom the service animal works, UMU community members should not touch or interact with a service animal. See below for complete details.
- **Service Animals in Training**– A service animal in training is a dog or miniature horse that is being trained to do work or perform tasks for people with disabilities. Such animals, as defined here and being consistent with UMU’s service animal policies as well as the Americans with Disabilities Act, are permitted in UMU facilities.
- **Program or Therapy Animal** – A program or therapy animal can be any type of animal (typically a dog) that has been screened to behave appropriately when interacting with people in places where animals are traditionally not allowed (such as University facilities) and are participating in a university service program (such as Destress Fest, or Therapy Dogs during finals). These are typically approved for standalone events and not for ongoing programming and must be approved when reserving space for the event through the facility scheduling process.
- **Pets in Residence Halls or other university-owned housing** – Fish in aquariums (10 gallons or less) are allowed to reside in university-owned housing.
- **Residence Life Staff Member Exceptions** – Professional Residence Life staff members that are required to reside on campus as part of their employment can have a small pet with the approval of the Director of Residence Life.
- **Faculty or Staff member pets** – Pets may visit a faculty or staff member in their workspace for no more than 10 minutes in any given 24-hour period.
- **Instructional Use of Animals** – Faculty who desire to utilize animals for instructional purposes as they relate to course materials should seek the expressed permission of the Institutional Research Board or its designated committee in advance of an individual instance or the start of a course where such use will occur at various points throughout the curriculum. Frequency should be minimal, and care should be given in relation to those colleagues and students who may have fears or allergies relative to the animal.

### Owner Responsibilities and Removal of Animals

For purposes of this policy, the owner is the individual or student who has requested the accommodation and has received approval to bring the animal to campus. UMU is not responsible for the custody or care of a service animal, service animal in training, emotional support animal, program or therapy Animal, or any pet residing on or visiting campus or any other UMU facility.

Handlers/Companions, which are defined as the individual who has brought the animal to campus, or to whom a reasonable person would assume the animal accompanies, must:

- Be in control of their animal at all times, e.g. not allow the animal to run at large, bark, growl, snap, lunge, or bite.
- Animals must be controlled by a leash or harness or kept in a carrier or appropriate habitat with the following exceptions:
  - When it is an emotional support animal, and the owner is present in its residence



- If an individual's disability precludes the use of a restraint
- If a service animal needs to be off leash to do its job
- Clean up after and properly dispose of animal waste in a safe and sanitary manner. Dog bags are available in various green spaces on campus.
- Be responsible for the cost of any damages caused by the animal.
- Ensure that all animals are fully vaccinated and be able to provide proof of vaccination upon request.
- Ensure that all animals are treated with preventative care for any bug, such as fleas. If an infestation occurs in a space that has been occupied by an animal, the handler/companion will be responsible for the cost of extermination.
- Follow city, county, and state ordinances/laws or regulations pertaining to licensing, vaccination, and other requirements for animals.

Handlers/companions may be required to follow additional requirements in particular settings, e.g., residence halls, classrooms, or the work environment.

University staff may ask that animals be removed from campus under the following circumstances:

- The animal is in a building and does not meet the exceptions above.
- The animal poses a direct threat to the health or safety of others or causes substantial property damage.
- The animal, its behavior, or its presence creates an unmanageable disturbance or interference with the University community.
- The animal's presence results in a fundamental alteration of a university program.
- A handler/companion does not comply with the responsibilities listed above.

Depending on the circumstances, an animal may be excluded from campus on a permanent basis. For service animals, unless there is a threat to health or safety, University staff should provide the individual an opportunity to bring the animals under control. If a handler/companion refuses to remove an animal from a university building or authorized event, University staff may request assistance from the individual(s) in charge of the event or Campus Safety and Security (330-428-1344).

Handlers/companions are responsible for adhering to the above policies. Any student handler/companion that potentially violates the above listed guidelines and responsibilities will be referred to the Office of Student Conduct & Community Standards (330-823-7288). Any faculty/staff handler/companion that potentially violates the above listed guidelines and responsibilities will be referred to the Office of Human Resources (330-829-6560).

If there is an issue concerning safety due to an animal, contact Campus Safety and Security (330-428-1344).

### **Specific Policies regarding Emotional Support Animals and Service Animals**

This policy governs the rights and responsibilities of students and the University as they pertain to Emotional Support Animals ("ESA") in campus residential housing. The policy defines differences between an ESA and service animal, establishes procedures for requesting an ESA, lists criteria that may be used to decide upon an ESA request, outlines an Owner's responsibilities for care and

maintenance of an ESA, and summarizes the University's standards for approval and continued allowance of ESAs.

### **Emotional Support Animals - Policy Details for Students**

The University of Mount Union recognizes the importance of Emotional Support Animals, as defined by the Fair Housing Act, that provide physical and/or emotional support to individuals with disabilities. Mount Union is committed to allowing students with disabilities an accommodation of an Emotional Support Animal, as necessary to provide individuals with disabilities an opportunity to use and enjoy University housing. This policy explains the specific requirements applicable to a student's use of an Emotional Support Animal in University housing. Mount Union reserves the right to amend this policy as circumstances require. This section of the policy applies solely to Emotional Support Animals which may be necessary in University housing.

Although it is the policy of the University that students are generally prohibited from having animals in University housing, Mount Union will consider a request by a student with a disability for reasonable accommodation to allow an Emotional Support Animal that is necessary because of a disability and reasonable. However, no Emotional Support Animal may be kept in University housing at any time prior to the student receiving approval as an accommodation pursuant to this policy.

### **Decision-Making Procedures**

#### ***Procedures for Requesting Emotional Support Animals in University-Owned Student Housing***

A student seeking to keep an Emotional Support Animal in University housing must make a formal request to Student Accessibility Services. To do so, the student must submit an online Housing Accommodation Request Form (available at [www.mountunion.edu/accessibility-request](http://www.mountunion.edu/accessibility-request)). Student Accessibility Services will then provide the student with an ESA Medical Documentation Form, which must also be completed by an appropriately licensed medical professional. It should be noted that medical professionals often take several days to weeks to complete and return their documentation to the University.

The documentation from a licensed medical professional must include (1) verification of the student's diagnosis, including severity of condition, and impact on major life activities; (2) statement on how the animal serves as an accommodation for the documented disability; and (3) statement on how the need for the Emotional Support Animal relates to the ability of the student to use and gain benefit from University housing. The documentation should be a comprehensive reflection of the student's current level of functioning, must be dated within the last 12 months, and must include the date of initial appointment with the mental health professional as well as the date of the most recent visit. The documentation should substantiate that the need for an Emotional Support Animal is part of a comprehensive treatment plan and indicate any wraparound services the student is currently receiving. All information must be submitted on the Medical Documentation form and/or official letterhead of the licensed medical professional.

If a student has been actively involved with the University of Mount Union Counseling Services, they may conduct and complete the necessary assessment and forms to verify if a student would benefit from an Emotional Support Animal. Such an assessment will be made at the discretion of the Director of Counseling Services and may consider factors such as the treating relationship of the student and the Counseling Services Office. Mount Union Counseling Services will not provide a letter of support for an ESA for off-campus housing. If a student is interested in seeking an evaluation for an Emotional Support Animal and has not been actively engaged with Mount Union Counseling Services, it is recommended the student first contact either their treating

medical professional or their health insurance provider for a list of eligible medical professionals who may offer this type of evaluation. In general, certificates or letters provided by for-profit websites or medical professionals will not be acceptable forms of documentation, especially when there exists a short history of a treating relationship with the student. Note that Mount Union Accessibility Services, not Counseling Services is the department that will approve or deny the request for an ESA.

It is the student's responsibility to make the request for housing accommodations and submit required paperwork in a timely manner. The student is subject to the interactive process in determining if the requested animal is an appropriate accommodation for the student's documented disability. The student making the request for an Emotional Support Animal should initiate the process as soon as practicably possible and preferably before moving into University housing. Students may also make a request for an Emotional Support Animal at any point during their term of occupancy. If the request for accommodation is made fewer than 30 days before the individual intends to move into University housing, the University of Mount Union cannot guarantee that it will be able to meet the student's request for an Emotional Support Animal prior to the start of the term of occupancy. Similarly, requests made during the term of occupancy may take significant time before an approval decision can be reached due to the time required for the Medical Documentation to be returned. Housing accommodations are determined on a case-by-case basis and must be requested on an annual basis.

The Emotional Support Animal may not be in residence prior to approval. Students and their roommates who have an unapproved animal in University housing will be asked to remove the animal immediately and will be referred to Student Conduct. The student must also acquire the signature approval of any applicable roommate(s) prior to the move-in of the animal, and fill out a registration form for the animal, including providing a photo. Students and their roommates will also agree to display University-provided fire safety and awareness stickers to residence space windows and/or doorways upon request.

The University may also require a vaccination record and/or statement of health from a veterinarian before the animal is permitted in University housing. This may vary by species and may be required to be submitted or re-submitted at any point during the term of occupancy as conditions may require.

### *Criteria for Determining if Presence of the Emotional Support Animal is Reasonable*

For all requests for Emotional Support Animals, Student Accessibility Services shall consult with Residence Life in deciding on a case-by-case basis whether the presence of an Emotional Support Animal is reasonable. A request for an Emotional Support Animal is unreasonable if the presence of the animal: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters University housing policies; and/or (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property.

The University of Mount Union may consider the following factors, among others, as evidence in determining whether the presence of an Emotional Support Animal is reasonable or in the making of housing assignments for students with disabilities.

The size of the animal is too large for available assigned housing space.

1. The animal's presence would force another individual from assigned housing (severe allergies).

2. The animal's presence otherwise violates an individual's right to peace and quiet enjoyment, including roommates and neighbors.
3. The animal is too young to be, or is not yet, housebroken or is unable to live with others in a reasonable manner.
4. The animal's vaccinations and license are not up-to-date.
5. The animal poses health risks from zoonotic diseases or safety concerns regarding containment that cannot be sufficiently mitigated for inclusion in the communal living setting.
6. The animal is not permitted under local and/or state ordinances.
7. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behaviors toward or injuring the individual or others.
8. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear; or
9. The animal is not the first Emotional Support Animal requested by the Owner. Generally, students may only request to have one Emotional Support Animal on campus.

### *Approved Accommodations*

Student Accessibility Services and Residence Life will review the Owner's request, information gathered in the interview, documentation and applicable forms to determine if the request is reasonable, and the documentation supports the request. If Student Accessibility Services and Residence Life determine the request for an Emotional Support Animal accommodation is approved:

1. The Owner will be advised in writing of the approval of an Emotional Support Animal.
2. The Owner will complete the Emotional Support Animal Registration Form and submit it to Student Accessibility Services along with any required copies of appropriate vaccination documentation and/or current veterinary health statement and a current photo of the animal.
3. Where applicable, the Owner's roommate(s) will be required to complete an Emotional Support Animal Roommate Agreement.
4. The Owner will be given any applicable fire and safety stickers to display on residential windows and/or doorways in consultation with Student Accessibility Services.

### *Approved Animal and Housing*

If Student Accessibility Services and Residence Life determine requested Emotional Support Animal accommodation is necessary and reasonable:

1. The Resident Director where the Owner/Emotional Support Animal will reside will be notified of the accommodation.
2. Residence Life staff, Campus Security and Physical Plant staff and other University personnel will be notified of the presence of the Emotional Support Animal as an accommodation.
3. Neighbors, where applicable in residence halls, may be notified of the presence of the Emotional Support Animal.
4. Should changes in housing assignments for the Owner or roommates be required, Residence Life will meet with the individuals to discuss room change options.

### *Denial of Accommodation/Appeal*

1. If Student Accessibility Services and Residence Life determine the request for an Emotional Support Animal is denied, Student Accessibility Services will contact the student and Residence Life in writing with reasons for the denial.
2. If the Owner is unwilling to accept the denial, they may use the University Grievance Procedure to appeal the decision.
3. All appeals are reviewed by the University of Mount Union's Dean of Students. If the appeal is denied, the University shall provide written notification of the denial to the student and a written explanation of the reason for denial.

## Rights and Responsibilities

### *Conflicting Disabilities*

If a third-party requests that an Emotional Support Animal be removed due to a medical condition, such as a respiratory disease, asthma, or severe allergy, that is affected by the Emotional Support Animal, the University will engage in an individualized assessment of the situation and consider the needs of all parties in meeting its obligation to provide reasonable accommodations. The third-party making such a request may be required to provide medical documentation that will allow determination to be made as to whether the conflicting condition is a disability or only an impairment and if there is a need to provide accommodation to the third party.

### *Access to University Facilities by Emotional Support Animals*

An Emotional Support Animal must be contained within the assigned individual University housing (e.g. residence room, suite, apartment, townhouse) except to the extent the Owner is taking the animal out for natural relief. When an Emotional Support Animal is outside of the individual's University housing assignment, it must be in an animal carrier or controlled by a leash or harness. Emotional Support Animals are not allowed in any University facilities other than the assigned individual's University housing (e.g. residence halls, apartments, townhouses, fraternity and sorority houses, etc.).

### *Dominion and Control*

The Emotional Support Animal must be properly housed and restrained or otherwise under the dominion or control of the Owner at all times. No Owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from University housing. The Owner is responsible for ensuring that the Emotional Support Animal is contained, as appropriate, when the Owner is not present while attending classes or other activities. The Emotional Support Animal may not be left in the student's residence during breaks or between semesters. Emotional Support Animals may not be left overnight in housing without the presence of the Owner or a roommate who agrees to take responsibility for the animal while the Owner is absent.

### *Individual's Responsibilities for Emotional Support Animals*

If the University approves an Owner's request for an accommodation of an Emotional Support Animal, the Owner is solely responsible for the custody and care of the Emotional Support Animal and must meet the following requirements:

1. The Owner must abide by current city, county, and state ordinances, laws and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The University reserves the right to request documentation showing that the animal has been licensed.
2. The Owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use a designated animal relief area. In order to ensure proper cleanup, ALL of the Emotional Support Animal's waste (e.g. urine, excrement, fur, litter, cage shavings, etc.) should be disposed of in a tightly sealed bag before placed into trash receptacles. No loose animal waste may be placed in trash receptacles. The Owner is required to comply with all University policies regarding waste removal and odor within their residential space.
3. The Owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment, abuse, or poor health may result in immediate removal of the Emotional Support Animal and/or discipline for the Owner.
4. The University of Mount Union will not ask for or require an individual with a disability to pay a fee or surcharge for an approved Emotional Support Animal.
5. The Owner is financially responsible for the Emotional Support Animal, including for any bodily injury or property damage caused by the Emotional Support Animal.
6. The Owner may be charged for any damage caused by their Emotional Support Animal beyond reasonable wear and tear to the same extent that the University charges other individuals for damages beyond reasonable wear and tear. This may include the cost of commercial carpet cleaning services to mitigate lingering animal odor in the residence. Any such damages will be assessed after the Owner and Emotional Support Animal vacate housing. The University shall have the right to bill the Owner's account for unmet obligations under this provision.
7. An Emotional Support Animal must be clean and well groomed, and measures should be taken at all times for flea, tick, pest and odor control (if applicable to the species). The Owner's living accommodations may also be inspected for fleas, ticks, or other pests as part of the University's standard or routine inspections. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management. The University shall have the right to bill the Owner's account for unmet obligations under this provision.
8. The Owner must fully cooperate with University personnel with regard to meeting the terms of this policy and developing procedures for care of the animal (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, proper disposal of deceased animals, etc.).
9. The Owner agrees to abide by all equally applicable residential policies that are unrelated to the Owner's disability such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
10. The Emotional Support Animal is allowed in University housing only as long as it is necessary because of the Owner's disability. The Owner must notify Student Accessibility Services in writing if the Emotional Support Animal is no longer needed or is no longer in residence. To replace an Emotional Support Animal, the new animal must be necessary because of the Owner's disability and the Owner must follow procedures in this policy when requesting a different animal.



11. University of Mount Union shall not be required to provide care or food for an Emotional Support Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal.
12. The Owner is responsible for identifying an Emergency Contact for the Emotional Support Animal and providing Residence Life staff current contact information for that Emergency Contact. It is preferred that the Emergency Contact not reside in University housing or be a student at the University.
13. The Owner provides herein written consent for Student Accessibility Services to disclose information regarding the request for and presence of the Emotional Support Animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life staff and potential and/or actual roommate(s)/neighbor(s), Campus Security, and Physical Plant, and other University personnel. Such information shall be limited to the information related to the animal being an approved Emotional Support Animal and shall not include information related to the Owner's disability.
14. The Owner must provide a current photo of the Emotional Support Animal to Student Accessibility Services along with the Emotional Support Animal Registration Form.

### *Removal of Emotional Support Animal*

The University may require the Owner to remove the Emotional Support Animal from University housing if:

1. The animal poses a direct threat to the health or safety of others or causes substantial damage to University property or the property of others.
2. The animal's presence results in a fundamental alteration of University housing policies.
3. The Owner does not comply with the Owner's Responsibilities set forth above; or
4. The animal or its presence creates an unmanageable disturbance or interference with the University community, including excessive barking or noise.

The University will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damage an animal may cause. Any removal of the animal will be done in consultation with the Director of Student Accessibility Services and the Director of Residence Life and may be appealed to the Dean of Students.

Should the Emotional Support Animal be removed from the premises for any reason, the Owner is expected to fulfill their housing obligations for the remainder of the housing contract. The Owner will be responsible for any fees associated with removal of the animal.

### Disclaimers

#### *Non-Retaliation Provision*

University of Mount Union will not retaliate against any person because that individual has requested or received a reasonable accommodation in University housing, including a request for an Emotional Support Animal.

## *Hold Harmless Provision*

From time to time, the University may use pesticides, pest control devices, de-icing materials, cleaning supplies, and other materials for the maintenance and operation of University housing, sidewalks, roadways, or outdoor areas. The University is not responsible for any harm to Emotional Support Animals or Service Animals caused by such materials.

## **Service Animals - Policy Details for Faculty, Staff and Students**

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The Americans with Disabilities Act as Amended (ADAAA, 2008) defines Service Animals as “dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities.” Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. If a dog or miniature horse meets this definition, it is considered a Service Animal regardless of whether it has been licensed or certified by a state or local government or a training program. Species of animals other than dogs or miniature horses, whether wild or domestic, trained or untrained, are not Service Animals. Service Animals are working animals, not pets.

The University of Mount Union, under the Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008 (ADAAA) allows Service Animals accompanying persons with disabilities to be on the campus. A Service Animal must be permitted to accompany a person with a disability everywhere on campus except in situations where safety may be compromised or where the Service Animal may interfere with the fundamental nature of the activities being conducted. Allergies or fear of dogs does not limit access of a Service Animal to facilities.

A Service Animal can be any breed or size of dogs or miniature horse. It might wear specialized equipment, such as a backpack, harness, or special collar or leash, but this is not a legal requirement. Federal law pertaining to Service Animals (ADAAA) overrides any conflicting regulations in the Ohio Revised Code.

The person a Service Animal assists is referred to as a Partner. The Partner’s disability may not be visible. If an individual is not sure whether a dog or miniature horse is a pet or a Service Animal, they may ask two questions: (1) is the dog or miniature horse a Service Animal required because of a disability, and (2) what work or task the dog or miniature horse has been trained to perform. Individuals, including faculty and staff, cannot ask about the Partner’s disability, require medical documentation, require a special identification card or training documentation for the dog or miniature horse, or ask that the dog or miniature horse demonstrate its ability to perform the work or task.

Non-residential students, faculty, staff, or visitors on campus with Service Animals are not required to register the animal on campus.

Students who require a Service Animal on-campus are requested, but not required, to self-identify as a person with a disability to the Office of Student Accessibility Services (SAS) as soon as possible after deciding to enroll at the University. This will allow the SAS and the student to initiate a conversation about the Service Animal and other accommodations.

The following are requirements of Service Animals and their partners:

1. The Service Animal cannot pose a direct threat to the health and safety of persons on the University campus.

2. Local ordinances regarding animals apply to Service Animals, including requirements for immunization, licensing, noise, restraint, at-large animals, and dangerous animals. Dogs must wear a license tag and a current rabies vaccination tag.
3. The partner must be in full control of the Service Animal at all times. Service Animals must be harnessed, leashed, or tethered, unless these devices interfere with the Service Animal's work or the partner's disability prevents using these devices. In that case, the partner must maintain control of the Service Animal through voice, signal, or other effective controls.
4. The partner is responsible for cleaning up the animal's waste. The partner should always carry equipment and bags sufficient to clean up and properly dispose of the animal's waste. Partners who are not physically able to pick up and dispose of waste are responsible for making all necessary arrangements for assistance. The University is not responsible for these services.
5. In keeping with appropriate University policies and procedures, the partner may be charged for damage caused by the partner or the Service Animal.

Faculty, staff, and students should follow these guidelines for partners and Service Animals:

1. Allow a Service Animal to accompany the partner at all times and everywhere on campus, except where Service Animals are specifically prohibited. The courts have upheld the rights of Service Animal Partners to take Service Animals into food service locations.
2. Speak to the Partner first. The Service Animal and Partner are a service team. Remember the Service Animal is working, and the Partner's life could depend on the Service Animal staying focused on the job.
3. Treat the Partner with respect and sensitivity. Assume the service team can handle themselves. Do not ask personal questions about the Partner's disability or the Service Animal.
4. Do not pet a Service Animal without asking the Partner first.
5. Do not assume a sleeping Service Animal is off duty.
6. Do not deliberately startle a Service Animal.
7. Do not feed a Service Animal. Food is the ultimate distraction for a working Service Animal.
8. Do not separate or attempt to separate a Partner from their Service Animal.
9. In case of an emergency, every effort should be made to keep the Service Animal with its partner.
10. Keep your distance from a Service Animal if you happen to have a dog or other animal with you when you encounter the service team.
11. Inform the partner if a Service Animal approaches you to sniff or nudge, as this is not appropriate working behavior.

### **Service Animals in University Student Housing**

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Students with disabilities who require a Service Animal on campus and plan to live in University housing are requested to self-identify to the director of student accessibility services (SAS), as soon as possible after deciding to enroll at the University. Providing as much advance notice as possible prior to the desired move-in date assures that the University can best accommodate the student and the Service Animal in the residential setting.

Prior to moving into University housing, the student with a Service Animal is required to meet with the SAS director and will be provided information on expectations for the Service Animal and student partner.

The University of Mount Union will not limit room assignments for individuals with Service Animals to any particular building or buildings because the individual needs a Service Animal or because of disability.

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## Expectations for the Campus Community Regarding Service and/or Emotional Support Animals

Members of the University community are required to abide by the following practices:

1. While a Service Animal is allowed to accompany its owner at all times and in all places on campus, except where specifically prohibited, Emotional Support Animals must remain in the assigned residential space.
2. Do not touch or pet a Service or Emotional Support Animal unless invited to do so.
3. Do not feed a Service or Emotional Support Animal.
4. Do not deliberately startle a Service or Emotional Support Animal.
5. Do not inquire for details about a person's disabilities or ask a person with a qualifying disability to demonstrate the work or task performed by their Service Animal.

## Accordance with Applicable Policies and Laws

This policy is intended to be in accordance with applicable state and city ordinances, as well as the [United States Housing and Urban Development \(HUD\) Guidance](#) on Emotional Support Animals as amended under the Fair Housing Act (2020). Certain University staff are mandated reporters for suspected animal abuse and neglect per their professional guidelines and licensures.

## Policy Questions

Questions or concerns pertaining to Emotional Support or Service Animals for students should be directed to the Office of Student Accessibility Services at [studentaccessibility@mountunion.edu](mailto:studentaccessibility@mountunion.edu).

## Campus Lakes Policy

The campus lakes are for campus beautification only. No one is permitted to be in or on the lakes. Boating, swimming, ice skating, and all other activities taking place in or on the campus lakes are strictly prohibited.

## Campus Security Act of 1990

The Student Right to Know and Campus Security Act of 1990 (now known as the Clery Act) is a federal mandate which requires that all current students and employees be provided with information on policies and procedures involving campus security, the reporting of criminal action or other emergencies, and the enforcement authority of security personnel. This information must also include descriptions of programs for students and employees about campus security and crime prevention, as well as statistics on the occurrence of specific crimes. Notification of the annual security report is made by the University's director of student conduct and the full report is posted on the University website annually, by the first of October at [mountunion.edu/consumer-information](http://mountunion.edu/consumer-information). Hard copies are available from the director of student conduct upon request.

## Confiscation Policy

If prohibited items are found in a student's possession on campus, these items will be confiscated by a University staff member. A list of items prohibited in the residence halls can be found in the

[Residence Life Rights and Responsibilities](#) section the Student Handbook. In addition to having the item(s) confiscated, students in possession of prohibited items will be referred to the Office of Student Conduct for adjudication.

Items confiscated from students will be returned as follows:

- **Alcoholic beverages, containers, and paraphernalia (kegs, taps, beer balls, beer funnels, or bongs, etc.)** – Unless these items are necessary for the conduct process, they will be disposed of immediately. If they are retained pending a conduct hearing, they will be disposed of when the hearing process has been completed. These items will not be returned to the student.
- **Drugs, drug paraphernalia, and items addressed in the Weapons portion of the Code of Student Conduct** – These items will typically be turned over to the Alliance Police Department. Exceptions to this policy will be made only after consultation with the Alliance Police Department and upon completion of the conduct hearing process. These items will not be returned to the student.
- **Animals** – Animals that are not permitted will be removed and turned over to the Stark County Humane Society or other appropriate animal rescue organization if an alternate home is not available within 24 hours.
- **Other prohibited items (appliances, candles, etc.)** – These items will be stored in a secured location. At the end of each semester, residents may make arrangements with the appropriate residence hall director to retrieve confiscated items. Students will have one week after the end of the spring semester to claim their items. After that time, the University will dispose of all remaining confiscated items.

## [Educational Records Policy](#)

In accordance with the Family Educational Rights and Privacy Act (commonly referred to as FERPA, or the “Buckley Amendment”), Mount Union has adopted the following policies and procedures to protect the privacy of educational records. Students will be notified of their FERPA rights annually by publication in the Catalog and on the University’s website.

### Definitions

The University of Mount Union uses the following definitions in this policy:

**Student:** any person who attends or has attended the University.

**Education records:** any record in whatever form (handwritten, taped, print, film or other medium) which is maintained by the University and is directly related to a student, with the following exceptions:

- personal records kept by a University staff member if the record is not revealed to others and is kept in the sole possession of the staff member;
- student employment records that relate exclusively to the student in the capacity of an employee;
- records maintained separately from educational records solely for law enforcement agencies of the same jurisdiction;
- counseling records maintained by the University chaplain or the University counselor;
- medical records maintained by the University solely for treatment and made available only to those persons providing treatment; and
- Office of Alumni Activities records.

## Rights Under FERPA

A student shall have the right and parents of a dependent student may have the right to do the following:

- inspect and review the student's education records;
- request that the student's education records be amended to ensure the records are not inaccurate, misleading or otherwise in violation of a student's privacy or other rights;
- consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent;
- file a complaint with the U.S. Department of Education concerning the failure of the University to comply with the requirements of FERPA

## Procedure to Inspect Education Records

Students may inspect and review their education records upon request to the appropriate record custodian(s). Students must submit a written request that identifies as precisely as possible the record(s) the student wishes to inspect.

Access will be provided within 45 days of the written request. Information contained in educational records will be fully explained and interpreted to students by University personnel assigned to, and designated by, the appropriate office.

Student records are maintained in the following offices:

- admissions and academic records in the Office of the University Registrar;
- financial aid records in the Office of Student Financial Services;
- financial records in the Office of Business Affairs;
- progress and advising records in the departmental offices and faculty offices;
- disability-related records in the Office of Student Affairs;
- counseling records in the Office of the Chaplain, the Office of Counseling Services and the Office of Alcohol, Drug, and Wellness Education;
- academic dishonesty records in the Office of Academic Affairs;
- disciplinary and student conduct records in the Office of Student Affairs.

## Right of the University to Refuse Access

The University reserves the right to refuse to permit a student to inspect the following information:

- the financial statement of the student's parents;
- letters of recommendation for which the student has waived right of access;
- records of applicants who were neither admitted to nor attended the University of Mount Union;
- records containing information about more than one student, in which case the University will permit access only to that part of the record which pertains to the inquiring student; and
- records which are excluded from the FERPA definition of educational records.

## Right to Challenge Information in Records

Students have the right to challenge the content of their education records if they consider the information contained therein to be inaccurate, misleading or inappropriate. This includes an opportunity to amend the records or insert written explanations by the student into such records. The student may not initiate a FERPA challenge of a grade awarded unless it was inaccurately recorded; in such cases the correct grade will be recorded.



## Procedures for Hearings to Challenge Records

Students wishing to challenge the content of their education records must submit, in writing to the appropriate office, a request for a hearing which includes the specific information in question and the reasons for the challenge.

Hearings will be conducted by a University official who does not have a direct interest in the outcome of the hearing. Students will be afforded a full and fair opportunity to present evidence relevant to the reasons for the challenge. The hearing officer will render a decision in writing, within a reasonable period of time, noting the reason and summarizing all evidence presented.

If the hearing results are in favor of the student, the record shall be amended. Should the request be denied, an appeal may be made, in writing, and submitted to the University Registrar within 10 days of the student's notification by the hearing officer. The appeal shall be heard by an Appeals Board of three disinterested senior University officials. The board will render a decision, in writing, within a reasonable period of time.

Should the appeal decision be in favor of the student, the record shall be amended accordingly. Should the appeal be denied, the student may choose to place a statement with the record commenting on the accuracy of the information in the record and/or setting forth any basis for inaccuracy. As long as the student's record is maintained by the University, when disclosed to an authorized party, the record will always include the student's statement and the board's decision.

## Disclosure of Education Records

The University may disclose "non-directory" information contained in a student's educational record only with the written consent of the student, with the following exceptions:

to school officials, including teachers, who have a legitimate educational interest in the record;

- to officials of another school in which the student seeks or intends to enroll;
- to federal, state and local agencies and authorities as provided under law;
- to the parents of an eligible student if the student is claimed as a dependent for income tax purposes;
- accrediting organizations;
- to comply with a judicial order or lawfully issued subpoena;
- emergencies affecting the health or safety of the student or other persons; and
- as otherwise permitted by FERPA.

Any student who wishes to authorize release of grades to one or both parents should complete a disclosure form in the Office of the University Registrar.

## FERPA Annual Notice to Reflect Possible Federal and State Data Collection and Use

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records – including your Social Security Number, grades, or other private information – may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow

access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

## Disclosure of Directory Information

Disclosure of directory information normally may be made without the student's consent. Directory information includes:

- the student's name
- school and permanent addresses
- school, permanent and cellular telephone numbers
- school mailbox address
- school e-mail address
- place of birth
- majors and minors
- dates of attendance; enrollment status
- class level
- degree(s) received and dates of conferral
- honors and awards earned
- previous institutions attended
- weight, height, and age of athletes
- participation in officially recognized activities and sports
- photograph.

A student who wishes to have all directory information withheld must submit an "Authorization to Withhold Directory Information" form to the University Registrar. The hold will become effective the first day of class in the next regular semester (fall or spring). Once filed this request becomes a permanent part of the student's record until the student instructs the University Registrar in writing to have the request removed. Because the University's computer system is unable to put a "hold" on selective directory information, all directory information will be placed on hold or all directory information except name and e-mail address will be placed on hold. Moreover, this request does not restrict the release of this information to individuals and agencies list in "Disclosure of Educational Records" above.

## FERPA Release of Academic Information of Those Deceased

The protections offered by the Family Educational Rights and Privacy Act (FERPA; Buckley Amendment) generally cease upon the death of a student who was otherwise protected by the Act. The Office of the University Registrar will evaluate each request for the release of a transcript or other academic records of a deceased student on the individual merits of that request. The University of Mount Union reserves the right to deny the request in whole or to release only part of the academic records that are requested. The decision will be based on what is deemed to be in the best interest of the University.

Minimum requirements for any release of academic information of a deceased student include: confirmation of the student's death proved to the satisfaction of the University and the Office of the University Registrar and a written request indicating what academic records are being requested, why they are being requested, and from whom it is being requested (news media, family, researcher, etc.). The requester assumes the burden of proof regarding who they are and what their interest is in the academic records of the deceased student. Requests for academic records using descriptions of 'all', 'entire', or other similar words or phrases will be interpreted as requests for the academic transcript. Charges such as official transcript request fees, diploma fees, shipping, and postage will apply per the Office of the University Registrar policies and procedures.

## Gambling Policy

Students are expected to abide by federal laws and the laws of Ohio prohibiting illegal gambling, including online gaming. Gambling for money or other things of value on campus or at University-sponsored activities is prohibited except as permitted by law. Such prohibited activity includes, but is not limited to: betting on, wagering on, or selling pools on any University athletic event; possessing on one's person or premises (e.g., room, residence unit, car) any card, book, or other device for registering bets; knowingly permitting the use of one's premises or one's phone or other electronic communications device for illegal gambling; knowingly receiving or delivering a letter, package or parcel related to illegal gambling; offering, soliciting, or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to athletic events.

## Resources

Students who have concerns about their gambling habits, or another person's gambling habits can utilize the following resources.

### Office of Alcohol, Drug and Wellness Education

Hoover-Price Campus Center, 1972 Clark Ave., Alliance, Ohio  
(330) 829-6660      [adwe@mountunion.edu](mailto:adwe@mountunion.edu)

### Addiction Center

[addictioncenter.com/drugs/gambling-addiction/](http://addictioncenter.com/drugs/gambling-addiction/)

### Ohio for Responsible Gambling

[org.ohio.gov](http://org.ohio.gov)

### Help Guide

[helpguide.org/articles/addictions/gambling-addiction-and-problem-gambling.htm](http://helpguide.org/articles/addictions/gambling-addiction-and-problem-gambling.htm)

\*Resources in this section were compiled by Kelleen Weber, director, Alcohol, Drug, and Wellness Education

## Hazing Statement

The University of Mount Union strictly prohibits hazing. Hazing is defined under Ohio Revised Code as “doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.”

Ohio is one of 44 states with laws against hazing. Collin's Law: The Ohio Anti-Hazing Act, effective October 7, 2021, makes acts of hazing a second-degree misdemeanor and acts of hazing that

include coerced consumption of alcohol or drugs or abuse that result in serious physical harm a felony of the third degree. Collin's Law also requires reporting to law enforcement and prevention education offered from the university to students, employees and advisors.

Hazing typically involves behavior that is seen by a reasonable person to endanger the physical health of an individual or cause mental distress. Hazing includes any planned/executed action or activity, by or against any active member, associate member, new member, pledge or potential member of a student organization or a University affiliated group that inflicts (whether intentionally, unintentionally, forcefully or recklessly) physical or mental harm, distress, anxiety, or which may demean, degrade, endanger, embarrass or disgrace any person, regardless of location, consent or intention of participants.

Examples of hazing include but are not limited to forced consumption of food, alcohol, drugs or any other substance; forced physical activity; deprivation of food or sleep; physical acts of violence such as hitting, branding or paddling; head shaving; extended isolation or setting a group apart; creation of excessive fatigue; physical and psychological shocks; using activities, such as quests, treasure hunts, scavenger hunts, road trips, interviews or signature books, as a means to exclude those who do not participate from admission to the organization or University affiliated group; wearing apparel that is conspicuous or lewd; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and late work sessions that interfere with scholastic activities.

Students may not imply that a person be shunned, removed, or unable to join/participate or maintain affiliation or membership in any student organization or University affiliated group for failing or refusing to partake in or submit to any form of a hazing activity.

This policy applies to behavior that occurs on or off campus and at University sponsored or approved activities as well as non-University activities.

The hazing policy can be found in the [Code of Student Conduct](#).

If a member of the University community becomes aware of incidents of hazing or suspicious behavior, they should contact the director of student conduct at (330) 823-7288.

## [Inclement Weather Policy](#)

In the event of severe weather, the decision to totally or partially close the University will be communicated to the campus community by the Administrative Council, via the following steps:

- The vice president for marketing will notify the University's Information line at (330) 829-2806.
- The vice president for student affairs will notify the Office of Campus Safety and Security.
- The vice president for marketing will make every effort to notify local television and radio stations by 7 a.m. on the day of the closing.
- The vice president of marketing will send a message to the campus community via the emergency alert system.

## [Non-Discrimination Statement](#)

The University of Mount Union prohibits discrimination on the basis of race, gender, gender identity or expression, sex, sexual orientation, religion, age, color, creed, national or ethnic origin, veteran status, marital or parental status, pregnancy, disability, or genetic information, in student admissions, financial aid, educational or athletic programs, or employment as now, or may hereafter be, required by university policy and federal or state law. Inquiries regarding compliance may be

directed to Marci Craig, director of human resources, Beeghly Hall, (330) 829-6560, [craigml@mountunion.edu](mailto:craigml@mountunion.edu).

## Parking Policies

All drivers will be assigned a particular parking area based upon their status (residential, graduate, commuter, faculty/staff). Faculty and staff spaces are reserved from 10 p.m. on Sunday until 6 p.m. on Friday. Detailed information on parking areas can be found in the parking policies handout that is distributed to all individuals who register a vehicle and is also available at the Office of Campus Safety and Security or on its webpage. Mount Union assumes no responsibility or liability for a motor vehicle or its contents while parked or operated on the property of the University.

## Registration

1. All student, faculty, and staff vehicles at the University of Mount Union must be registered and identified with a parking permit obtained from the Office of Campus Safety and Security. There is a \$100 fee for any graduate or undergraduate student parking permit. Vehicle must be registered online through [My Parking](#). The information needed is the license plate number, make, model, year, color, and owner of the vehicle.
2. Student permits will be assigned based upon student status (resident, graduate, or commuter). If student status changes at any point during the academic year, the student is responsible for contacting the Office of Campus Safety and Security to obtain a new parking permit.
3. Student parking registrations remain in place unless the student changes status or when a student ceases to be enrolled with Mount Union. Registration also terminates when ownership of the registered vehicle is transferred.

## Permits

1. Acceptance of a Mount Union parking permit is an acknowledgement by the registrant that these parking policies have been read and understood and constitutes an agreement by the registrant to abide by the parking policies.
2. The permit must be placed on the rearview mirror of the vehicle and must be completely visible from the outside at all times.
3. If a new vehicle is purchased (even if the vehicle still has 30-day tags) or any vehicle information should change, a new permit must be obtained from the Office of Campus Safety and Security.
4. Theft, vandalism, or trading of permits is strictly prohibited and will result in referral to the Office of Student Conduct for adjudication.
5. Issuance of a parking permit does not assure the driver of an open parking space. Lack of a space is not considered a valid excuse for violation of the policies.

## Schedule of Fines

First ticket	\$ 50
Second ticket	\$100 and the vehicle will be immobilized (\$50 for towing service to remove)
Third ticket	\$200 and the vehicle will be towed and the parking permit is revoked (charges from towing service may vary)

Failure to register the vehicle will result in a \$100 fine.

An exception to this schedule of fines is when a vehicle is inappropriately parked in a handicapped parking space. In this instance, the owner of the vehicle will be issued a \$50 parking ticket and the

vehicle will be towed immediately. Parking fines will also be assessed to faculty, staff, and all students for parking violations in dedicated Visitor spaces.

If a vehicle has been booted, a towing service must be contacted to remove the restraint from the vehicle. If the restraint is not removed within 24 hours, the vehicle will be towed at the owner's expense. Excessive parking violations may also result in a referral to the Office of Student Conduct for adjudication.

Ticket fines will be billed to the student or employee's account and must be paid in a timely manner at the Business Office.

## Violations

All parking lots are patrolled daily and fines will be assessed for a variety of violations; including but not limited to:

- parking in an area for which you are not designated
- unregistered vehicle
- parking in yellow-painted areas
- blocking driveway or access
- parking on a sidewalk or grass
- parking in a handicap space without appropriate permit
- parking in a visitor's space

The registrant is responsible for all violations regardless of who is operating the vehicle at the time the violation occurs. Having four-way flashers on does not make it acceptable to park in a restricted area (service vehicle, fire lane, handicap, etc.). Every attempt is made to maintain parking signs, but vehicle operators are expected to park appropriately, even in the absence of signs.

## Appeals

If the recipient of a ticket believes that it was issued in error, the recipient can file an appeal to have the ticket voided. Appeals must be filed within seven calendar days of the infraction date. Appeal forms are available through the Campus Safety and Security webpage. They are also available in the Office of Campus Safety and Security lobby. Appeals filed after seven (7) calendar days will not be accepted, and the fine must be paid at the Office of Business Affairs.

## Visitors

Visitor parking is available at designated areas across campus. Visitor spaces are reserved 24 hours a day, seven days a week.

## Handicapped Parking Spaces

Anyone parking in a handicapped parking space without a valid state issued handicap pass or a valid Mount Union issued temporary handicap pass will be charged \$50 (it increases with each violation) and their vehicle may be towed immediately.

## Special Passes

Temporary parking passes are available upon request from the director of campus safety and security for the following conditions:

- **Temporary Pass:** Available for one to five days for students who will temporarily have a different car on campus.
- **Temporary Handicap Pass:** Available to students who have been injured or have a condition that makes walking difficult. A written doctor's excuse may be required.



- **Visitor Pass:** Available for departmental use for special guests, speakers, etc.
- Street parking is available as permitted by the City of Alliance.

## Posting

The University supports the freedom to publicize activities and distribute materials by internal or external entities relating to functions on- and off-campus that benefit the University community and are consistent with the University's values.

### General Posting Policy

Approval must be obtained prior to making use of the residence halls or campus facilities for the sale, promotion, posting, or distribution of any type of material. All material must have a sponsor responsible for the material stated directly on each piece and adhere to all policies that apply. All printed materials posted or distributed on campus by students and guests must receive approval from the director of student involvement & leadership or designee. Printed materials include flyers, posters, banners, announcements, and advertisements. Bring one sample to the Office of Student Affairs for marked approval and make copies from that sample. Allow 24 hours turnaround time for approval.

### Additional Approvals

The director of career development or designee must also approve announcements advertising employment opportunities for students.

The promoting group must obtain permission of the appropriate department to post on bulletin boards in Academic/Administrative areas for non-departmental ads.

### Literature Distribution

Literature distribution must be supervised by a student member of the sponsoring registered student organization. Non-students may not distribute literature on campus without specific approval of the associate dean of students or designee.

Each sponsoring organization will be held responsible for the conduct of the distribution activity, including the behavior of any non-student participant.

**On Campus:** The distribution must be made only in designated areas. Using non-courteous sound and/or harassing people to facilitate the distribution of literature is not permitted.

**Off Campus:** Posting or distribution of materials at an off-campus location requires permission of the proprietor.

### Posting Guidelines

A maximum of 50 posters, 150 flyers or announcements (not posted), and up to one banner is permitted per organization at any given time, excluding advertisements for residence halls. Requests for more advertisements can be made to the director of student involvement & leadership or designee.

Masking tape or push pins (in bulletin boards only) are suitable for posting. Posting of print materials, other than by the University administration, is not permitted on glass windows or doors. You may get permission to paint the KHIC windows by contacting the Library Office prior to painting. Persons posting are responsible for providing all materials and any physical damage done by the posting.

Materials may remain posted for a maximum of 30 days or until the day after the announced event, whichever is sooner. The sponsoring group is responsible for removal. Groups may be fined if materials are not removed the day after an event.

Absolutely no printed materials may be placed on automobiles parked on University property.

### *Posting Violations*

- Posting materials without proper approval(s).
- Posters that do not comply with the alcohol policy.
- Use of two-sided, electrical or duct tape.
- Covering another announcement or impairing an individual's line of sight.
- Posting on glass doors or windows.
- Posting on painted, or varnished surfaces.
- Distribution on cars parked on campus.
- Posters that depict alcohol, drugs, or weapons and associated paraphernalia (not including academic or administrative office postings)

Failure to adhere to this policy may result in losing the privilege to distribute or post printed materials on campus for a period of time to be specified by the director of the office of student involvement & leadership or designee.

### *Building Specific Posting Policies*

- Chapel: All posting in the chapel must be approved and initialed by the University Chaplain prior to being posted. All posts will be removed the day after the event. Posting is typically done on the hallway bulletin boards (North, South, East) only, however, exceptions can exist when so approved by University Chaplain.
- Chapman Hall: Students may post on the bulletin board on the first floor of Chapman. General posting guidelines apply.
- Gartner Welcome Center: Students wishing to post any materials in the Welcome Center may drop them off at the front desk for posting consideration.
- Giese Center: Any materials outside of Theatre, Art, and Music activities would need to be turned into the Visual and Performing Arts Administrative Assistant in the Cope VPA office and then it will be decided on by the facilities manager, and the chair of the Visual and Performing Arts.
- HPCC: Any department, club, or organization affiliated with Mount Union may post materials in the Campus Center. All signs for clubs or organizations must have received prior approval per the Student Organization [Posting Policy](#). In order to ensure that materials are posted appropriately, the following policies must be observed.
  - Signs may only be posted on general posting bulletin boards.
  - General posting space is on a first-come, first-served basis.
  - Materials posted on reserved office or student organization boards that are not affiliated with that office or organization will be removed.
  - Signs with no event date will be marked by Campus Center staff and removed after one week.
  - The removal or covering of previously posted materials is prohibited unless the event's date has passed.
  - Materials may be posted on bulletin boards with pushpins, thumbtacks, or staples only.
  - Materials may not be posted on any of the Campus Center walls, doors, floors, or windows. Wall clocks, fire alarms, fire extinguishers, and electrical outlets are not to be covered.

- Materials may be posted in the restrooms provided they are limited to one per stall or one above each urinal only.
- Signs placed on bulletin boards or in bathrooms must be smaller than 17" x 22".
- Banners, limited to four feet in length, may only be hung in designated areas. Banners must be removed by the organization responsible for hanging the banner within two hours after the event. Banner space in the Campus Center must be reserved in advance with the Office of Student Involvement & Leadership. Space is reserved on a first-come, first-served basis.
- Materials must not promote the use of alcohol or tobacco products in any way or display any alcohol/tobacco manufacturer or bar location or name.
- Materials must be consistent with the University policies regarding sexist, racist, and other discriminatory behavior.
- The Campus Center staff will remove all outdated signs and signs in violation of this policy.
- KHIC: To ensure that materials are posted appropriately, the following policies must be observed.
  - Any items in violation of the posting policy will be removed. Violations may be reported to the Office of Student Affairs.
  - Any department, club, or organization affiliated with Mount Union may post materials in KHIC
  - Materials must be consistent with university policies regarding sexist, racist, and other discriminatory behavior.
  - Materials that depict alcohol, drugs, or weapons and associated paraphernalia will not be permitted.
  - Signs/ flyers may only be posted on bulletin boards marked "General Posting". General posting bulletin boards are located throughout the building. Please see a staff member if you need help finding one.
  - Availability is on a first come, first served basis. Do not remove or cover other postings to make room for your own.
  - Posting of print materials, other than by the University administration, is not permitted on glass windows or doors, painted, varnished, or upholstered surfaces (walls, doors, benches, tables, chairs, etc.) in KHIC. Wall clocks, fire alarms, fire escapes, fire extinguishers, AED units, and electrical outlets are not to be covered.
  - Materials may be attached to bulletin boards with pushpins or thumb tacks only. No staples, tape or mounting putty will be permitted.
  - Signs with no event date will be marked by Library Staff and removed after one week.
  - Signs placed on bulletin boards must be no larger than 12 x 18.
  - All materials must have a sponsor responsible for the material stated directly on each piece.
  - Only designated KHIC staff will determine when and which materials may be removed.
- MAAC: To ensure that materials are posted appropriately, the following policies must be observed.
  - Any items in violation of the posting policy will be removed. Violations may be reported to the Office of Student Affairs.
  - Any department, club, or organization affiliated with Mount Union may post materials in the MAAC.
  - Materials must be consistent with university policies regarding sexist, racist, and other discriminatory behavior.
  - Materials that depict alcohol, drugs, or weapons and associated paraphernalia will not be permitted.

- Signs/ flyers may only be posted on bulletin boards marked “General Posting”. General posting bulletin boards are located throughout the building. Please see a staff member if you need help finding one.
- Availability is on a first come, first served basis. Do not remove or cover other postings to make room for your own.
- Posting of print materials, other than by the University administration, is not permitted on glass windows or doors, painted, varnished, or upholstered surfaces (walls, doors, benches, tables, chairs, etc.) in the MAAC. Wall clocks, fire alarms, fire escapes, fire extinguishers, AED units, and electrical outlets are not to be covered.
- Materials may be attached to bulletin boards with pushpins or thumb tacks only. No staples, tape or mounting putty will be permitted.
- Signs with no event date will be marked by the building coordinator and removed after one week.
- Signs placed on bulletin boards must be no larger than 12 x 18.
- All materials must have a sponsor responsible for the material stated directly on each piece.
- All materials will be removed at the end of the semester, except for materials posted by UMU Administration.
- Only designated MAAC staff will determine when and which materials may be removed.
- Regula Center (Van Den Eynden Hall): Once materials have been approved by the Office of Student Involvement & Leadership, students may post materials in the Regula Center.

Tolerton & Hood: Bulletin boards for student posting are located outside of T &H 200a and T&H 200b. General posting guidelines apply.

## Residence Life Policies and Procedures

### Room Assignment and Change Policies

#### *Room Assignment and Change Policies*

All full-time students are required to live on campus for two years unless commuting from home or a University of Mount Union Petition for Off-Campus Residency is submitted via [MyHousing](#) and approved by the Office of Residence Life. Exceptions will be made for the following reasons:

1. Live with parent/guardian: Students who are living exclusively in the permanent, primary residence of parent(s)/guardian(s) within 30 driving miles of Mount Union.
2. Lived on campus for four semesters but lack the requisite 60 hours for junior standing
3. Married, divorced, widowed, or custodial parent (documentation required)
4. Will be 22 years of age or older, prior to the first day of classes for that academic term
5. Possession of a baccalaureate degree from an accredited four-year college or university (documentation required)
6. Served and honorably discharged from the Armed Forces (documentation required)
7. Extraordinary medical, mental/emotional, or financial hardship (explanation required)

Permission to live off campus is only valid if the reason for the exemption exists. The University reserves the right to revoke the permission granted for off-campus residency when the University deems it necessary or appropriate. The student's local address and phone number must be maintained through the Office of the University Registrar for off-campus approval to remain valid. Any student who does not provide an accurate address and phone number by July 1 may be charged for a room.

Any student supplying false information on a request for off-campus/commuter residency or failing to immediately notify the Office of Residence Life upon a change in exemption status, with intent to deceive, will be charged for the semester or year and be subject to conduct action. In addition, no refunds for rooms will be issued after the student has checked into the residence hall. Students are reminded that they are responsible for the rules, regulations, and policies of Mount Union whether living on or off campus.

Any requests submitted for medical or mental/emotional reasons must be approved through the Office of Student Accessibility Services, Office of Health Services, and/or Office of Counseling Services. The appropriate verification from one of these offices should be submitted along with the request form.

In addition, all students living in campus housing (except for the townhouses and apartments) are required to be on the full-service meal plans (please see the Meal Plans section in the Student Handbook).

The Office of Residence Life assigns new students to rooms. Each new student should submit a housing form indicating their personal interests, living habits, and hall preference. Mutual roommate preference requests are honored whenever possible. An attempt is made to assign students to a roommate who has similar living habits and common interests. The assignment of roommates is a very difficult task, and the success of the pairings varies. Consideration for others and the ability to adjust to new situations are two important requirements for a successful room situation. These qualities are difficult to determine from housing forms, but patience, effort, communication, and understanding usually resolve any initial difficulties after students live together for a short time. Room and roommate assignments are completed without regard to race, gender, gender identity or expression, sex, sexual orientation, religion, age, color, creed, national or ethnic origin, veteran status, marital or parental status, pregnancy, disability, or genetic information.

Returning students select their own roommates and rooms during spring semester for the coming academic year. This process is referred to as “room lottery.” Once a student signs up for a room for the next academic year, they have until April 1 in apartments or townhouses and June 1 in halls and houses to cancel their housing contract for the fall semester in writing. Students canceling their housing contract for the spring semester must do so by December 1 in writing. After those dates, students who cancel their housing will be assessed a \$150 late cancellation fee.

Every semester several students assigned to rooms in the residence facilities do not report to their campus housing assignments. In anticipation of a certain number of these “no-shows” and attrition, and in order to accommodate as many students as possible, it is the University’s practice to assign some students to temporary living spaces when necessary. There can be no guarantee as to specifically when during the academic year a permanent space will be identified for each student assigned to an overbooked space. Students temporarily assigned to overbooked rooms or lounges are required to relocate to a permanent space when one becomes available.

The University reserves the right to make changes in room and residence hall/house assignments whenever it deems necessary. This includes consolidating persons in rooms where the occupancy is less than the designated capacity and closing campus houses or floors if enrollment decreases to an extent where such a move would be in the best interest of the University. In addition, an administrative move or removal may occur when there is strong evidence to suggest that a student has been or may be a danger to themselves, to other residents, or to the facility.

Once a student has been assigned to a room, the student may not move to another room in any residential facility without first meeting with their resident director, completing a room change request form, and receiving approval from the Office of Residence Life. The Room Change Request form is available in [MyHousing](#). Filling out this online request will prompt an email from [reslife@mountunion.edu](mailto:reslife@mountunion.edu) telling students how to proceed and describing the current open spaces in the various housing options. There is a “room freeze” during the first two weeks of each semester during which room changes are not permitted. Approval for room changes requires the signatures of both current and prospective roommates, as well as residence hall staff in the current and prospective housing.



All changes must be properly approved by the Office of Residence Life prior to any move taking place. Once a move has been approved, the student will have three days (72 hours) to meet with a residence hall staff member to complete the Room Condition Report of their old room and new room, move into their new room, and return the key to their old room to the Office of Residence Life in the HPCC. Failure to complete a Room Condition Report of the old and new room will result in a \$25 charge for improper check-out. Failure to return the key to the student's old room will result in a \$60 charge to cover the cost of changing the locks on the student's former room. Any student making an unauthorized move at any time during the semester will be required to move back to their original room assignment and face disciplinary action.

The University reserves the right to reassign individuals to different rooms at any time (including emergencies or temporary assignments pending conduct action) if such reassignment is deemed necessary.

A student living alone in a standard double room may be offered the opportunity to buy out that room as a "super single." If that opportunity is either not made available (due to space constraints) or that student does not want to pay the additional price for a single room, they may either be moved into a double room with another student who does not want to pay the additional cost or may have another student moved in with them.

Students living in the townhouses and apartments will be asked to consolidate should space become available in their units. If there are students on a waiting list to get into the apartments or townhouses, the office will work to fill those vacancies. The Office of Residence Life reserves the right to move any student on the waiting list for the townhouses and apartments into a vacant space within a unit. Apartment and townhouse residents will first be asked to choose a student off the waiting list, however, should no one be chosen to move into the vacancy, the Office of Residence Life will choose and fill the open space. The Office of Residence Life may also ask residents in the apartments or townhouses to move to another unit to consolidate. Should three spaces become available in one unit of an apartment or townhouse, the only remaining resident will be asked to move to another unit. They cannot bring in three other students to that unit. Students living in the apartments or townhouses on campus may be offered the opportunity to buy out a room in their unit if no other student is available to move into that space. Apartment and townhouse residents can only buy out a room in their unit if there are no students on a waiting list for the units. All students must be eligible to live in the apartments or townhouses in order to be on the waiting list. Eligibility is based on a junior status of four full semesters (either at the University of Mount Union or at another accredited institution – documentation required), a minimum of 60 earned credit hours, or 22 years of age or older.

## Check-In/Check-Out and Room Condition Report Procedures

Upon checking into a room, all occupants of the room must review and sign a Room Condition Report (RCR) for their room verifying that the information on the RCR regarding the condition of their room and its furnishings at the time of check-in is accurate. The Room Condition Report is a very important document for both the student and the Office of Residence Life. It is a record of the inventory and condition of the room. It is each resident's responsibility to make sure their RCR is accurate at the time they check-in. If pre-existing damages are not noted on the RCR at check-in, the occupant will not be able to dispute the charges for that damage at the end of the year. After any discrepancies are noted and the RCR is signed by both the occupant and a residence life staff member, it will be kept on file in the hall until check-out.

Should a student complete a room change or move out of the residence halls at any point during the academic year, it is their responsibility to have the room inspected by a staff member, using the same RCR completed during check-in. All residents are required to participate in this procedure during check-out at the end of the academic year. After checking the condition of the room against the RCR, any changes in condition are noted on the form. Both the resident and the residence life staff member sign the form, and the student is given a copy of the RCR, and the original is turned in to the Office of Residence Life.

The Mount Union Physical Plant or a designated contractor will make all repairs. Students should not attempt to repair broken items as those attempts often result in further damage. If an individual fails to complete a proper check-out with a residence life staff member, they will be assessed a \$25 improper check-out fee and may forfeit their right to appeal assessed damage charges. Failure to return any house or hall keys at the time of check-out will result in a minimum \$60 per key charge. Entrance keys to campus houses and apartments will be assessed at a higher rate.

Upon checking out of a room, the occupants of the room should leave the room in the same good order and condition as when they checked in, with reasonable wear and tear excepted. If it is determined that a room has been damaged beyond normal wear, the resident(s) of that room will be billed for the damage. Final inspections of the rooms, as well as all common areas in the halls and houses, will be conducted by the professional hall staff and members of the physical plant staff after all the residents have checked out at the end of the spring semester.

Residents will be charged whenever their use of tape, adhesive holders, nails, thumb tacks, decals, glow-in-the-dark solutions, etc. causes damage to walls, ceilings, floors, windows, and other surfaces in student rooms and common areas. In addition, if a room is not returned to its original clean condition, an excessive cleaning fee of no less than \$25 will be assessed. In suite-style residence halls, students may be charged an additional \$25 for excessive cleaning required in the connecting bathroom.

Removal of furniture, lofts, carpets, or any other large items from a student room or hallway will also result in a minimum of \$25 per item removal fee. If students have questions about where to dispose of these items, they should inquire of their resident director. Dumpsters are available in a variety of campus locations at the end of the year.

Students are required to leave the residence halls and houses within 24 hours after their last final exam is completed in both the fall and spring semesters. Students wishing to remain in their halls or houses beyond that 24-hour time period must obtain written permission from the Office of Residence Life by the deadline indicated in the Hall Closing Memo that is sent to each resident prior to the end of the semester. A substantial reason must be given for an extension to be granted. All students must leave the hall by the announced closing time, even if 24 hours have not passed since their last final. Students who do not leave by the announced hall closing time will be billed an improper check-out fee of \$25 and may be billed at a daily rate of \$25 or the weekly summer housing rate if the unauthorized stay exceeds four days.

Residence halls and houses do not officially close during fall break, Thanksgiving break, or spring break; however, there is no food service available during those periods. Halls and houses are closed over winter break. Notification of hall closing dates and times, as well as when the halls will reopen, will be communicated to all residents in the Hall Closing Memo that will be distributed to all students at least one week prior to the start of final exams. Only residents granted permission by the Office of Residence Life will be permitted to remain in campus housing during winter break. Students who are given permission will be required to sign a winter break housing contract and may be required to pay for winter break housing.

Upon checking into a room and unit in the apartments and townhouses, all residents of the room and unit must review and sign a Facility Condition Form (FCF) for their room and unit verifying that the information on the FCF regarding the condition of their room, unit, and its furnishings at the time of check-in is accurate. The FCF is a very important document for both the students and the Office of Residence Life. It is a record of the inventory and condition of the room and unit. It is each resident's responsibility to make sure their FCF is accurate at the time they check-in with their residence life staff member. A residence life staff member will meet with each unit (all four residents must be present for check-in meeting) within the first two weeks of fall semester to discuss the FCF and pre-existing damages in the unit upon move-in. If pre-existing damages are not noted on the FCF at check-in, the occupant will not be able to dispute the charges for that damage at the end of the year. After any discrepancies are noted and the FCF is signed by both the occupants and a residence life staff member, it will be kept on file in the Office of Residence Life until check-out.

Should a student complete a room change or move out of the apartment or townhouse unit at any point during the academic year, it is their responsibility to have the room inspected by a staff member, using the same FCF completed during check-in. All residents are required to participate in this procedure during check-out at the end of the academic year. After checking the condition of the room against the FCF, any changes in condition are noted on the form. Both the residents and the residence life staff member sign the form, and the student is given a copy of the FCF, and the original is turned in to the Office of Residence Life.

If an individual fails to complete a proper check-out with a residence life staff member, they will be assessed a \$25 improper check-out fee and may forfeit their right to appeal assessed damage charges. Keys must be returned in drop boxes. Failure to return keys at the time of check-out will result in a minimum \$60 per key charge. Entrance keys to townhouses and apartments will be assessed at a higher rate.

Upon checking out of a room, the occupants of the room and unit should leave the room and unit in the same good order and condition as when they checked in, reasonable wear and tear excepted. If it is determined that a room and/or unit has been damaged beyond normal wear, the resident(s) of that room and/or unit will be billed for the damage. Final inspections of the rooms and units, as well as all common areas in the unit, will be conducted by the professional hall staff and members of the physical plant staff after all the residents have checked out at the end of spring semester.

Residents will be charged whenever their use of tape, adhesive holders, nails, thumb tacks, decals, glow-in-the-dark solutions, etc. causes damage to walls, ceilings, floors, windows, and other surfaces in student rooms and common areas in the units. In addition, if a room or unit is not returned to its original clean condition, an excessive cleaning fee of no less than \$25 will be assessed. In the apartments and townhouses, students may be charged an additional \$25 for excessive cleaning required in each of the bathrooms, kitchen, living room, closets, stairway, entryway and laundry facilities.

Removal of furniture, lofts, carpets, trash, or any other large items from a room or unit will also result in a \$25 per item removal fee. If students have questions about where to dispose of these items, they should inquire with the resident director. Dumpsters are available in a variety of campus locations at the end of each year.

When residents of the apartments and townhouses are preparing for leaving their unit, they need to meet with a Residence Life staff member designated for their area prior to checking-out. This “pre-departure meeting” will occur at the end of spring semester with all four residents present. During this meeting, the Residence Life staff member will discuss the Facility Condition Form addressing the condition of the unit at check-in and comparing it to the condition of the unit at that time. The Residence Life staff member will also discuss proper check-out procedures and other important closing information. If a student is leaving mid-semester or mid-year from an apartment or townhouse unit, it is their responsibility for contacting the Residence Life staff member in their area to set up a “pre-departure meeting” separately prior to their departure.

Students are required to leave the apartments and townhouses by the Sunday after finals in the spring semester. If a resident is leaving at the end of fall semester and not returning, they should be checked out by the Sunday after finals have been completed in December. Students wishing to remain in their unit beyond this time period must obtain written permission from the Office of Residence Life by the deadline indicated in the Campus Villages Closing Memo that is sent to each resident prior to the end of the spring semester. Substantial reason must be given for an extension to be granted. All students must leave their unit by the announced closing time. Students who do not leave by the announced closing time will be billed an improper check-out fee of \$25 and may be billed at the weekly summer housing rate if the unauthorized stay exceeds two days.

When residents of the apartments and townhouses are checking out, a Residence Life staff member will not be available to meet with them. They will be required to complete the following steps:

1. Ensure their room, bathroom, kitchen, living room, and any other room that was lived in are empty of belongings.
2. Take any trash to the trash room or dumpster located in the designated areas.
3. Turn out all lights in unit. Do not leave any lights on.
4. Lock and close the entrance door.
5. Email [reslife@mountunion.edu](mailto:reslife@mountunion.edu) with their full name, unit address, room number, date, where they returned their key, and time of check-out and a number where they can be reached should the office need to reach them.

(Example: My name is Jane Doe. I am checking out of 1401 S. Union, Unit A, Room 1. It is May 05, 2022, around 3 p.m. and I'm leaving my key in the dropbox at 1445 S Union, Unit I. - You can reach me at (555)555-5555).

6. Place keys in a drop box.

Apartments and townhouses do not officially close during fall break, Thanksgiving break, winter break, or spring break; however, there is no food service available during those periods if residents have purchased a meal plan or block plan. Notification of closing dates and times, as well as when the units will reopen, will be communicated to all residents in the Campus Villages Closing Memo that will be distributed to all students at least one week prior to the start of final exams. Only residents granted permission by the Office of Residence Life will be permitted to remain in the apartments and townhouses during summer break. Students who are given permission will be required to sign a summer break housing contract and will be required to pay for summer break housing. If students wish to remain in the apartments and townhouses during summer break, they will need to apply through the Office of Residence Life by the designated date. (See [Housing for Official Breaks](#).)

Residents will be billed for damages, lost or stolen university property, or unnecessary service or maintenance costs caused by residents and/or their guests within the residence halls or campus houses. The University retains the right to determine whether repair or replacement of the damaged item is necessary, the amount of the damage charge, and the amount of the conduct fine, if any. Failure to pay assessed fees may result in a hold on the student's registration, graduation, or issuance of a transcript. The Mount Union Physical Plant or a designated contractor will make all repairs. Students should not attempt to repair broken items as those attempts often result in further damage. Notification of damage billing will be emailed to the student's Mount Union email account. Students will have 30 days from notification of damage charges in which to appeal those charges. Appeals must be made in writing and must be submitted via e-mail as a reply to the notification email.

The method outlined above under check-out procedures will be utilized in assessing individual room damages. Rooms will be checked by professional residence life and physical plant staff after students have checked out. Therefore, damage charges may be assessed that were not noted by the student staff member on the Room Condition Report or Facility Condition Form at the time of check-out. In cases where two or more students occupy the same room and the residents of the room do not report the name of the person responsible for the damage, the charges will be divided and assessed equally between the residents of the room. Students may also be assessed individual damage charges in situations where their actions or involvement were determined by the University to be the cause of property damage or necessary cleaning elsewhere on campus.

Residents of a floor, residence hall, campus house, townhouse, or apartment may be required to share the expense of repair or replacement of any property in areas commonly used by residents and their guests, if the individual(s) responsible for the damage cannot be determined. The common areas include all public areas, such as hallways, restrooms, lounges, stairwells, kitchens, living rooms, etc. in a specific building, apartment, or townhouse. Charges for damages and/or cleaning will be assessed against residents at the conclusion of the academic year. Determination of the amount of such loss or damage will be made at the sole discretion of the University. Students are responsible for damages done to common areas even if they are not present at the time of the damage.

Mount Union assumes no financial responsibility for the loss of personal property by theft, fire, flood, or other causes. Students should check their parents' homeowners' or tenants' insurance policy to ensure adequate coverage of their personal belongings. Keeping track of the room key and securing the room door are two of the easiest ways to safeguard property.

Lost keys should be reported to the Office of Residence Life as soon as possible and arrangements will be made to issue a temporary key or have the lock changed on the student's room door depending on the situation. A student may get a temporary key from the Physical Plant Key Room. They have three days (or 72 hours) to find their lost keys. If the key(s) is not found in those three days, the lock will be re-cored, and the student will be charged a \$60 re-core charge. This charge will not be removed if the student finds the key after three days or the re-core has already been completed. Entrance keys to campus houses and apartments will be assessed at a higher rate.

Lost ID cards should be replaced as soon as possible at the Office of Camps and Conference or the Office of Residence Life in HPCC. The charge to replace a lost ID card is \$25. There is a variable fee for broken/damaged cards. Replacement for the first broken/damaged card is \$5, the second card is \$10, and the third card is \$15. Replacement of broken/damaged cards requires that the recognizable pieces be presented to the Office of Camps and Conferences. If the pieces are not recognizable, a \$25 fee will be charged for the replacement. In order to protect personal funds and maintain residence hall security, students should deactivate their cards on the GET app under settings as soon as the ID card is discovered to be missing.

If a student is locked out of their room (but has not lost their keys), they will need to contact Campus Safety and Security to be keyed into their rooms. Fees will be assessed for repeated lockouts during an academic year. The first-time security must let a student in a room will be free, the second and third time will cost \$2 and additional key-ins will cost \$5 each. Please note that this is a privilege that is not to be abused in order to avoid paying for a new room key. The offending student may be charged \$25 if they cannot produce their key upon request.

Students have the option of choosing to leave their beds on the floor, to bunk their beds (in doubles,) or to loft their beds at the standard lofting height. There may be other lofting heights available with the different types of beds provided; however, Mount Union will not honor lofting requests for these intermediate heights. Mount Union will not be responsible for injury to persons or property with the use of either standard or non-standard lofting heights.

Ladders are provided in each room for use with bunked beds or a standard loft. These ladders are not designed for safe use at intermediate heights. If these heights are used, the end of the bed will serve as the ladder. Ladders must remain in the room whether utilized or not.

It is the goal of Mount Union to complete room set-up requests on-campus before the arrival of students in the fall semester. Most beds will be in traditional halls and Hoiles-Peterson the lofted position upon arrival to campus unless otherwise requested by the residents of the room. In Miller Hall doubles, one bed will be lofted and one bed will be on the ground. In Bica Ross and Shields students can loft their own beds. Bed Configuration requests are made through an online link provided along with the room assignment. Students who choose to bunk or loft their beds in their residence hall/house rooms must follow the Mount Union Lofting Policy.

- Furnishings provided in each room must remain in the room. No existing University furniture may be stored outside of the assigned room and may not be removed from the University premises. Occupants will be responsible for complete replacement costs of items missing from their rooms at check-out. Furniture found abandoned in hallways, basements, lounges, etc. will be removed and full replacement costs will be charged to students at check-out.
- Due to varied ceiling heights, campus house ceilings may not allow for the proper installation of a standard loft. In this case, please contact the Office of Residence Life to discuss lofting options.
- Lofts must be positioned in a manner that will not hamper proper exit from the room. Due to fire regulations, lofts may not obstruct access to any room window, heating unit, or doors. Two feet of clearance/access is preferred between loft and window. Room entry doors must be able to swing fully open.
- In order to loft beds in Elliott, Miller, Hoiles-Peterson, McCready, King, McMaster, Cunningham, Ketcham Halls, as well as all of the apartments/townhouses, and the campus houses, students must contact the Mount Union Physical Plant and submit a work order.
- In Bica Ross and Shields Halls, students are permitted to loft their own beds. Students are responsible for structurally safe lofts. Regardless how a loft is assembled, students are fully responsible for any injury that occurs as a result of lofting their beds.



## Rock Painting Policy

Painting the rock (located outside of the HPCC), is limited to the rock only. The painting of trees, grass, buildings, sidewalks, etc. is a violation of the damage to property policy found in the Code of Student Conduct and subjects the painter and/or their organization to restitution for any damages. A 24-hour courtesy rule is requested to allow for adequate time to share the rock painting before re-painting occurs. All policies regarding harassment, discrimination, etc. should be followed when painting the rock. Any violation of these policies will result in the rock being repainted and be an exception to the 24-hour courtesy rule.

## Sales and Solicitation

Mount Union believes that its students while on University property, should be free from attempts to solicit the sale or distribution of products or other materials to them, and that they should not be repeatedly approached for donations to charitable causes.

Likewise, the University does not wish to have its supplies or services used for unrelated commercial activities or for fund-raising efforts it has not specifically approved. On the other hand, since the University is a large organization and open to the public, solicitations for charity, and the offering of goods or other materials for sale to our students may be acceptable at proper times and places. In an effort to balance these interests, the University has established the following guidelines.

## Policy

### *For University Students*

1. No individual student of the University may engage in the organized sale of products or services at the University except through the means open to other vendors and as approved by the appropriate vice president. University stationery, campus mail, or other University materials or supplies may not be used to promote the sale of such products or services. Only the approved general announcement bulletin boards or the University announcement process (UMU Today) may be used for advertising such products or services.
2. All students must receive approval from the appropriate vice president and the vice president for University Advancement to solicit donations for a charitable cause or distribute products or materials to other students, faculty, or staff members at the University. Unless specifically approved, no University materials, funds, or services may be used to accomplish such solicitations and/or distributions.

### *By Registered Student or University-Sponsored Organizations*

1. University-sponsored organizations and registered student organizations that have active status with the University may solicit donations or conduct sales or raffles to support their operations or to make donations to charitable causes, provided that the solicitation, sale, or raffle is conducted in accordance with all other University policies.

### *Solicitation of Area Businesses*

2. Advertisements and Event Sponsorships  
A request of a local business to purchase an advertisement in a campus or campus-related publication or to sponsor an event is not considered the same as an outright request for funding. The Office of Marketing should clear all requests for advertisements.
3. Outright gift  
A request of a local business to make an outright gift of cash, merchandise, product or service to a campus organization should be cleared by the Office of University Advancement. Many local businesses support the University's Annual Fund and some also provide other

forms of support. Regardless, the Office of University Advancement maintains responsibility for overseeing the overall charitable relationship between the University and local businesses.

### *Conclusion*

Any approval of solicitations and/or distributions referred to in this policy may be conditioned by limitations on the time, place, and manner of such solicitations, sales promotions, and distributions. The University reserves the right to deny any and all solicitations, sales promotions or distributions on the campus and to remove advertisements, notices, or other signs if they are deemed to be inappropriate or offensive. Exceptions to any portion of this policy must be approved by the vice president for business affairs, the vice president for student affairs, or director of human resources, or their designee, as appropriate.

## Sex/Gender Discrimination Statement

The University of Mount Union is committed to creating an environment free of discrimination, harassment and sexual misconduct as well as complying with all requirements as set forth by Title IX of the Education Amendments of 1972 (Title IX) and the rule promulgated on May 19, 2020 by the U.S. Department of Education and entitled Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance. Discrimination on the basis of sex or gender will not be tolerated by any of the University's education programs or activities. This includes, but is not limited to sexual harassment; sexual violence; sex or gender-based bullying; hazing; stalking; relationship violence (including domestic violence and dating violence) as well as failure to provide equal opportunity in admissions, activities, employment, or athletics. Sex and gender violations will be addressed by our Civil Rights Equity complaint protocols which are jointly coordinated by the Offices of Human Resources and Student Affairs.

University of Mount Union's Equal Opportunity, Harassment, and Nondiscrimination for All Faculty, Student, Employees, and Third-Parties Policy and Procedures are available [here](#), and includes how to report or file a formal complaint of sex discrimination, harassment or misconduct (including sexual orientation, gender identity or expression), how the University will respond to reports and formal complaints and the University's grievance process and procedures. The University Title IX co-coordinators will be informed of, and oversee, all complaints of discrimination and any questions regarding the University's Title IX policies or procedures may be directed to them.

Any person may report or file a formal complaint of sex discrimination, harassment or misconduct at any time, including during non-business hours, by contacting one of the Title IX co-coordinators by telephone, email or U.S. mail utilizing the contact information listed below, or by utilizing the reporting function on the University's [Title IX webpage](#).

Michelle Gaffney, associate dean of students & Title IX co-coordinator  
Hoover Price Campus Center, Office of Student Affairs  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-2496  
E-mail: [gaffnemi@mountunion.edu](mailto:gaffnemi@mountunion.edu)

Andrew Boothe, Jr., associate diversity officer & Title IX co-coordinator  
Beeghly Hall, DEIB Office  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-6500  
E-mail: [bootheac@mountunion.edu](mailto:bootheac@mountunion.edu)

Inquires may be made externally to:

Office of Civil Rights (OCR)  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington DC 20202-1100  
Customer Service Hotline: (800) 421-3481  
Fax: (202) 453-6012  
TDD: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: [ed.gov/ocr](http://ed.gov/ocr)

To read more about Title IX of the Education Amendments of 1972, please visit:  
[www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html).

## Non-Discrimination Regarding Disability

For questions and complaints involving discrimination on the basis of physical or mental disability, you should contact:

Marci Craig, director of human resources  
Beeghly Hall, Office of Human Resources  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 829-6560  
E-mail: [craigml@mountunion.edu](mailto:craigml@mountunion.edu)

## Other Non-Discrimination Reporting Options

For questions and complaints involving all forms of discrimination you may contact either of the following:

Andrew Boothe, Jr., associate diversity officer & Title IX co-coordinator  
Beeghly Hall, DEIB Office  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-6500  
E-mail: [bootheac@mountunion.edu](mailto:bootheac@mountunion.edu)

Michelle Gaffney, associate dean of students & Title IX co-coordinator  
Hoover Price Campus Center, Office of Student Affairs  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-2496  
E-mail: [gaffnemi@mountunion.edu](mailto:gaffnemi@mountunion.edu)

You may also direct any discrimination questions and complaints to:

U.S. Department of Education, Office of Civil Rights  
(800) 421-3481  
[ocr@ed.gov](mailto:ocr@ed.gov)

## Sexual Misconduct Responder Program

Often when people hear about sexual misconduct or sexual violence, they automatically think about rape. However, sexual misconduct occurs on a continuum. Sexual misconduct could include verbal

harassment, unwanted touching, stalking or other predatory behaviors, interpersonal violence, as well as non-consensual sex. If both individuals do not freely give consent to engage in specific sexual activities or if an individual is tricked, coerced, or pressured into the behavior, it is sexual misconduct. It is also sexual misconduct when sexual behavior occurs when a person is incapacitated due to being under the influence of alcohol or other drugs and therefore unable to give consent.

There are many decisions a person must make during their recovery after experiencing any type of sexual misconduct/violence. University of Mount Union provides services that can assist the student with this process. The Sexual Misconduct Responder Program is designed for this purpose.

### What is a sexual misconduct responder?

Sexual misconduct responders are Mount Union faculty and staff members who are trained to help a student who has experienced sexual misconduct understand their options. The sexual misconduct responder will not make decisions for the person, but will provide them with the knowledge they need to make decisions. The responder who is contacted either goes to the person who calls or makes arrangements to meet them. The responder assists the person as they address the need for counseling, medical and legal issues, and helps with any other concerns the person may have. The most up-to-date list of responders can be found [here](#).

### Why should someone who has experienced sexual misconduct/violence call a Sexual Misconduct Responder?

By contacting a responder, the person can gain valuable assistance and information to help them make the many decisions ahead. They will also have someone to support them during this challenging time. The responder will provide written materials to the student that explains their many options. It is important to note that if a member of the Mount Union community informs a responder about an act of sexual misconduct, the sexual misconduct responder may be required, depending on the specifics of the situation, by University policy and by law to report the act to the police and to the Title IX co-coordinator in the Office of Student Affairs. This report does not mean that the student has to make a statement or pursue prosecution; just that the police will be informed of what happened. If the student is unwilling to make a statement, they will need to tell the police this directly. The student should be aware that they will not be able to control the progress or outcome of a legal investigation, but that their wishes will be given serious consideration.

### What if someone who has experienced sexual misconduct doesn't want to call a responder?

There are decisions that the person needs to make with or without a responder. The person should give serious consideration to getting assistance from a responder or other trained sexual assault advocate. In case the student who has experienced sexual misconduct decides to work through this process without the benefit of a responder's assistance, there is additional information below that focuses on the major issues the person will need to address during their recovery from this experience.

### Who else can someone call for help?

Whether or not the person contacts a responder, in cases of sexual assault or sexual violence, it is strongly recommended that they call a *Rape Crisis Hotline*. Workers at such a hotline can answer their questions and provide support, hospital advocacy and counseling, as well as, referral to longer-term treatment and help with health, legal, and financial issues.

## Why should someone who has experienced sexual misconduct/violence seek counseling?

It is important for someone in this circumstance to speak to a counselor, not because there is something wrong with them, but because they have been hurt. Having someone who can listen and help the student sort through their feelings is an important step toward regaining control of their life.

One way to receive this kind of counseling is through a *Rape Crisis Hotline*. Their counseling services are free and can be long-term, if necessary. There are also usually support groups available through these organizations which can be very beneficial for someone who has been through such an experience.

The [Office of Counseling Services](#) is also an excellent way for a student to receive free, confidential assistance. The Office of Counseling Services has counselors who can talk with the student and help in the process of emotional healing. If long-term counseling is needed they will help the student get additional assistance.

Additionally, the [Office of Alcohol, Drug & Wellness Education](#), which is another free and confidential resource for individual counseling, also provides an on-going support group for those individuals who have experienced any kind of trauma related to sexual misconduct.

The [Office of the Chaplain](#) is another option for emotional support. The chaplain can offer spiritual guidance during this challenging time.

Contact Information for the counseling resources described above are:

Alliance Area Domestic Violence Shelter (24-Hour Hotline)	(330) 823-7223
COMPASS Rape Crisis Services of Stark County (24-Hr Hotline)	(330) 452-1111
CommQuest Services of Stark County 1207 W. State Street, Suite M, Alliance	(330) 821-8407
Domestic Violence Project (24-Hr Hotline)	(330) 453-SAFE (7233)
Stark County Sexual Assault Hotline	(330) 452-1111
UMU Office of Counseling Services	(330) 823-2886
UMU Office of Alcohol, Drug & Wellness Education	(330) 829-6660
UMU Office of the Chaplain	(330) 823-2838

## Should someone who has experienced sexual violence seek medical care?

Receiving medical care as soon as possible following a sexual assault or attempted sexual assault is extremely important for two reasons. First, the victim/survivor may have suffered injuries of which they are unaware or unable to determine. Testing, treatment, and information regarding sexually transmitted diseases or pregnancy may also be needed.

Second, if the victim/survivor thinks that there may be any possibility that they will wish to pursue prosecuting the offender, a medical/legal examination for the collection of evidence is vital. Having evidence collected does not mean prosecution. The forensic evidence will be stored until there has been an investigation. While certain medical assistance can be received from a number of locations, the only locations where evidence necessary for medical and forensic evaluation can be collected by a Sexual Assault Nurse Examiner (S.A.N.E. program) and secured for legal purposes are at a hospital emergency room. Currently, the only locations where that is possible are both in Canton; at either Aultman Hospital in Canton or Mercy Medical Center.

For physical evidence to be present and useful, it is best collected as soon after the assault as possible; preferably within 12-24 hours and no later than 48-72 hours. It is best if the sexual assault

victim/survivor does not shower, bathe, douche, brush their teeth, eat or drink, or change clothing prior to going to the Emergency Room. Doing so will destroy important physical evidence. If the person does take any of the above actions, it does not mean they should not go to the hospital. However, evidence collection may not be as productive. If the person changed clothes, they should take all articles of clothing worn at the time of the assault to the hospital. These items will need to be retained as evidence.

Since the crime of rape/sexual assault is a felony offense, hospital personnel are required by law to report the assault to a law enforcement officer. If the victim/survivor has not already spoken to a law enforcement officer, hospital personnel will notify the police that an assault has occurred. A law enforcement officer will come to the hospital to speak with the victim/survivor. It is always the victim/survivor's right to decide whether or not to talk to law enforcement, but the police officer will want to hear directly from the victim/survivor if they are unwilling to make a report.

There is no charge for the examination at the hospital if the victim/survivor cooperates with evidence collection. The victim/survivor does not have to request prosecution in order to have the exam for free. If too much time has passed for a hospital exam to be useful, the victim/survivor can also go to their own doctor or the Mount Union Student Health Center for an exam and testing for STDs and pregnancy. In addition, STD testing can be conducted at the Alliance City Health Department or Planned Parenthood of Stark County in Canton; Planned Parenthood also conducts pregnancy tests. The cost of tests at these facilities is based on a sliding scale. Most college students can expect free or extremely reduced costs.,

S.A.N.E. (Sexual Assault Nurse Examiner) Services available at the following 2 locations:

Aultman Hospital	(330) 363-6203
2600 6 <sup>th</sup> Street SW, Canton, OH 44710	
HAVEN at Mercy Medical Center	(330) 489-1111 ext. 2170
1320 Mercy Drive, NW, Canton, OH 44708	

Other Resources for medical care include:

Alliance City Health Department	(330) 821-7373
537 E. Market	
Planned Parenthood of Greater Ohio, Canton Health Center	(330) 456-7191
2663 Cleveland Ave. NW., Canton, OH	
University of Mount Union Health Center	(330) 596-7995

### Should someone who has been sexually violated report the assault?

Mount Union encourages those that have experienced sexual misconduct/violence to file a report about the incident. By providing the Alliance Police Department and the Office of Student Affairs Title IX co-coordinator with information, the student may be able to prevent future such acts against themselves and others. It is vital that a report is made as soon as possible, particularly if it was a stranger assault. The potential danger to the victim/survivor and the community is higher with stranger assaults. Reporting is not the same as prosecuting. While the investigation and charges placed are not under the control of the victim/survivor, they have the opportunity to make their wishes regarding prosecution known.

In order to report to the police, the student can call the police department and an officer will meet them to take a statement. If the student would rather not have the officer come to them, the student can also go to the police department to make a report. If the student goes to the hospital for an examination, hospital personnel will contact the police and they can make a report there.



Some students may be reluctant to make a report if they were drinking at the time of the assault, particularly if they are under the legal age for alcohol consumption. Please be aware that University of Mount Union and the Alliance Police Department are more concerned about sexual misconduct than underage drinking.

Alliance Police Department  
470 E Market

911 or (330) 821-3131

University of Mount Union Campus Safety and Security  
405 W Simpson Street

(330) 428-1344

If someone experienced an act of sexual misconduct by a Mount Union student, on or off campus, the accused student may be charged under the Mount Union Code of Student Conduct. Details of this process can be discussed with the director of student conduct, the vice president for student affairs/dean of students, or associate dean of students/Title IX co-coordinator. The decision to place charges is made by the director of student conduct, but the reporting student's wishes are given serious consideration. The University conduct process is an administrative process, not a legal one; therefore, situations that the city prosecutor chooses not to pursue may be able to be addressed through the conduct process. Additionally, remedial and supportive actions can be provided regardless of whether the student chooses to pursue conduct action. For more information regarding campus policies and protocols please click [here](#) or for assistance contact one of the following:

- Associate Dean of Students & Title IX Co-Coordinator, Michelle Gaffney (330) 823-2496
- Director of Student Conduct and Community Standards, Max Sullivan (330) 823-7288

### Who are the Sexual Misconduct Responders and how do I contact one?

Faculty and staff are asked each year if they would like to volunteer to serve in this role. Those that volunteer for the upcoming year are required to attend an annual training to be on the list as an active responder. Therefore, that list changes from year to year based on who has volunteered and been able to complete the required training. A current list of responders and their contact information can be found [here](#).

## Student Health Care Privacy Statement

During the academic year, a student may be treated at the Student Health Center operated by Alliance Community Hospital or, if appropriate, in the Department of Human Performance and Sport Management. Other students may receive counselling by the Office of Counseling Services or the Office of Alcohol, Drug and Wellness Education. On occasion, a student may also be seen at a local hospital or by a private physician for tests, x-rays, or treatment. In those cases, the hospital or physician generally sends a copy of those test results or medical records to the University, which maintains them in the student's health record.

The confidentiality of a student's health care information is important to the University. Students should know what laws apply and how the University and Aultman Alliance Community Hospital protect the privacy of student health information. The two main laws governing the confidentiality of student health information are the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Family Educational Rights and Privacy Act (FERPA).

### HIPAA

Hospitals, and private physicians must comply with HIPAA, which controls the use and disclosure of a patient's protected health information. If a student goes to the hospital or a private physician's office, it will not be necessary, under HIPAA, for the student (or parent, if the student is a minor) to sign an authorization in order for the hospital or doctor to send a copy of that student's test results

or medical record to a nurse, physician, or other health care provider at the University if the University is treating the student at issue.

It also will not be necessary for the student (or parent) to sign an authorization for the hospital or physician to submit a claim for payment to the student's or parent's health insurance plan. HIPAA defers to Ohio law in dealing with the rights of parents and children. A student, who has reached the age of 18, may request the hospital or private physician not to disclose medical information to their parents. That decision is strictly between the student and physician in private practice and said physician in private practice is not connected with the University of Mount Union.

## FERPA

The Department of Human Performance and Sport Management, Office of Counseling Services, and Office of Alcohol, Drug, and Wellness Education, though they may provide treatment and health-related services, are not covered by HIPAA. Records that are created when the student receives treatment at the Department of Human Performance and Sport Management, Office of Counseling Services, or Office of Alcohol, Drug, and Wellness Education are considered "Treatment Records," which are protected by FERPA. The Department of Human Performance and Sport Management, Office of Counseling Services, and the Office of Alcohol, Drug and Wellness Education may disclose needed treatment records to appropriate medical or health professionals involved in treating the student without requiring the student to sign a FERPA Release form.

If the student wishes to allow another party to examine, inspect, know the content, or receive a copy of, their records as maintained by the Department of Human Performance and Sports Management, Office of Counseling Services, or Office of Alcohol, Drug, and Wellness Education, then the student must first sign a FERPA Release Form.

If students or parents have questions about the application of these privacy laws as regarding healthcare, please call the director of human resources at (330) 829-6560.

## Student Organization Policies

For a full list and updated list of Student Organization Policies, please contact the Office of Student Involvement and Leadership at (330) 823-2885 or [leadership@mountunion.edu](mailto:leadership@mountunion.edu). Any alleged violation of the student organization policies will be referred to the Director of Student Conduct and Community Standards.

## Establishment of a Student Organization

To ensure that student organizations or program is aligned with the University's mission, and in compliance with all federal, state, and University regulations, the University reserves the right to review and approve all proposed student organizations seeking University recognition.

### *Student Organizations Standards*

1. A full-time member of the faculty, staff, or administration must serve as the student organization's campus advisor. An advisor must be maintained at all times to continually be recognized by the university.
2. The organization must demonstrate the ability to be a viable, functioning organization by having at least four (4) students interested in actively supporting the purpose and goals of the organization.
3. The purpose, goals, and mission of the organization must be defined and support the educational mission of the University. These items must be articulated in the student organization's constitution.
4. The purpose, goals, and mission of the organization may not discriminate on the basis of race, gender, gender identity or expression, sex, sexual orientation, religion, age, color, creed,

national or ethnic origin, veteran status, marital or parental status, pregnancy, disability, or genetic information in student admissions, financial aid, educational or athletic programs, or employment as now or may hereafter be required by Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act of 1990, regulations of the Internal Revenue Service, and all other applicable federal, state, and local statutes, ordinances, and regulations. Organizations that have selective membership must meet with the Office of Student Involvement & Leadership to clarify membership requirements.

5. The purpose, goals, and mission of the organization may not duplicate the efforts of a pre-existing student organization at the University.
6. The organization must not promote the disregard of any policies or procedures of the University and all local, state, and federal laws.
7. The organization assumes responsibility for all debts and obligations to the University incurred by the organization.
8. Recognized student organizations are required to register with the Office of Student Involvement & Leadership electronically at the start of each semester and adhere to all annual requirements to continue being recognized by the University of Mount Union.
9. Recognized student organizations are required to have a current constitution or operating document on file at all times with the Office of Student Involvement & Leadership.

#### *Recognition Steps Include:*

1. The interested group of students submits the Application for a New Student Organization and a draft of a student organization constitution to the director of student involvement & leadership. All documents are submitted to the director by email.
2. The director of student involvement & leadership reviews the documents in accordance with the policies and practices of the office.
3. The Student Senate Executive Board reviews the finalized constitution at their next meeting.
4. The Student Senate Executive Board, after reviewing the constitution, will then vote on said organization. The Office of Student Involvement & Leadership provides notification of the outcome of the vote to the interested individual(s) in writing.
  - a. If the vote is not passed, the organization may submit a revised copy of their constitution and may ask for feedback prior to resubmission.
5. When an affirmative vote of the Student Senate Executive Board is the result, the student organization or student-led philanthropy project will then complete an the online [student organization registration document](#) and submit it to the Office of Student Involvement & Leadership.

\* Should an inactive organization seek re-recognition, they must complete the steps as outlined above.

### Maintaining a Student Organization

To remain a recognized student organization by the University, student organizations must:

1. Attend Student Senate meetings and ensure they are disseminating information received there to their respective student group(s)
2. Complete all required paperwork on time throughout the academic year. This includes but is not limited to student organization registration, updates to the constitution, rosters, leadership lists, etc.
3. Attend the annual student leader retreat
4. Have all members sign the anti-hazing declaration and complete annual hazing prevention training
5. Have a dedicated campus advisor as outlined in the registration process

6. The advisor must attend annual advisor training
7. Have four (4) student members by the date the annual student organization registration is due.

\*Student organizations that do not meet any of the requirements for maintaining their organization status may submit an appeal to the Office of Student Involvement & Leadership outlining why they believe recognition should still be maintained along with a plan to resolve any missing requirements.

## Campus Advisors

Student organizations provide a unique, rewarding opportunity for students to gain practical skills and enhance the out of classroom experience. As important additions to the organization, advisors guide student organization members by enhancing this experience, and effectively operating the organization. In addition, advisors often act as confidants in both individual and organizational-related matters, rendering knowledge about the organizations' history and tradition, and providing valuable context to the operations of student organizations.

Whether you volunteered or were assigned to this role, you will devote a significant portion of your time to making the students' experiences at Mount Union rewarding. This dedication rewards both the students and the organization.

## Guidelines & Expectations for Advising Student Organizations

1. Advisors to student organizations must be full-time employees of the University of Mount Union. Adjunct instructors may serve as advisors, with the approval of the department chair.
2. Graduate assistants, Interns, and those considered "part-time" employees may only co-advise a student organization, with the assistance of a full-time employee.
3. Undergraduate students and graduate students may not advise student organizations.
4. Advisors must be aware of the code of conduct and community standards and if possessing any knowledge of any possible violations must report it to the Office of Student Conduct and Community Standards and the Office of Student Involvement & Leadership.
5. All advisors must review the campus advisor manual and attend the advisor training annually. For advisors that do not have access to the manual, please reach out to the Office of Student Involvement & Leadership at [leadership@mountunion.edu](mailto:leadership@mountunion.edu) for access.

## Becoming a campus advisor is a simple process.

The first step is a genuine interest from both faculty, staff, and/or administrator and the student organization in having an advisor to help the group and the individual members. The second is a willingness to meet the articulated expectations. This relationship is twofold: organizations, after consultation with their members, extend a written invitation to the faculty, staff, and/or administrator, and the individual agrees to serve. This relationship may continue for more than the minimum time of one year, but such decision must be a mutual one.

## Volunteer Policy

This policy addresses the engagement of volunteers for services of UMU. This will define the relationship, responsibilities, privileges, and the liability associated with volunteer services at Mount Union. This policy will assist with accepting volunteers. It will reduce risk and protect the interests of the University and its volunteers.

The University of Mount Union relies on volunteers to achieve our mission. The input and service of volunteers is viewed as a priceless resource. Volunteers are expected to abide by the University's policies and practices, and external laws and regulations that govern their actions. These may include but are not limited to those of ethical behavior, safety, confidentiality, and financial responsibility.

1. University departments may use volunteers to accomplish certain work as well as extend their budgets. The host department must contact the Office of Human Resources to properly authorize volunteer service(s) in accordance with all related guidance and procedures.
2. Qualifications, background, and suitability of the individual must be considered before offering an opportunity to a volunteer.
3. All volunteers must be 18 years or older.
4. Services not requiring a volunteer application and agreement, or policy acknowledgment forms may include:
  - Volunteer fundraising activities
  - Commencement volunteers
  - Move-in volunteers
  - Therapy animal owners/trainers
  - Public speakers
  - Reunion volunteers
  - Advisory boards
  - Other events, or occasions wherein minimal time is given by a volunteer (1 time/day) which may be approved at the discretion of the University (Office of Human Resources).
5. It is recommended that the host department offer a temporary name badge, with the University logo on it, for all volunteers to be easily identified while on campus.

### *Procedures*

1. Volunteers must complete and sign the Volunteer Application & Agreement, and acknowledgement of policies. These forms are available from the Office of Human Resources and must be completed annually to be considered for volunteer service. Supervisors of volunteers must review and sign the agreement form and forward the original to Human Resources. Each host department must maintain a log of all volunteers annually.
  - Volunteer Application & Agreement
  - Acknowledgment of Policies: Title IX, Acts of Intolerance and Harassment, FERPA, Statement of Business Conduct and Ethics, Safety Policy, Confidentiality, Illegal Acts Disclosure, Technology Resources Acceptable Use, Tobacco-Free Campus, Drug-Free Workplace, Travel Policies (if applicable).
2. All volunteers are required to have a criminal background check every 3 years and/or a motor vehicle background check every year (if applicable) as determined by Human Resources, other than the event exemptions listed under policy details #4. Background checks will be paid by the host office/department that is using the volunteers.
3. The host office/department would be responsible for the supervision of volunteers and responsible for referring or notifying Human Resources with concerns or violations of policy.

### *Constitutions*

As a student organization at the University of Mount Union, each group is responsible for creating and keeping current a constitution and/or bylaws on file with the Office of Student Involvement & Leadership. The constitution and/or bylaws guide an organization in its operations and activities.

If the student organization is a chapter of a nationally or internationally recognized organization, these amendments are expected to appear in your organization's bylaws. Please submit a copy of both the national or international constitution and the local bylaws to the Office of the Student Involvement & Leadership.

The constitution contains the fundamental principles and structure of the organization. At the University of Mount Union, student organization constitutions are required to contain the following pieces:

- Name and purpose of the organization
- Statement of non-discrimination
- Anti-Hazing
- Membership information
- Officers, officer duties,
- Procedures for officer election and procedures for officer removal
- Meetings
- Advisor
- Amendments
- Ratification procedure
- University of Mount Union Rules & Regulations
- Student Involvement & Leadership Clause

The bylaws\* outline the basic rules of procedure as to how the group's membership governs the organization. Bylaws\* should include all the rules not already in the constitution that are of such importance they cannot change in any way, without previous notice.

Each student organization constitution must be carefully formulated, clearly worded, and kept up-to-date so that the needs of the organization are met. It is highly recommended that each member of an organization has a copy of the constitution and bylaws.

The Office of Student Involvement & Leadership requires an electronic copy of the constitution at the time the student organization registers for the semester. If there are any problems or concerns with your constitution, a member of the OSIL staff will contact you. Student organization constitutions should be updated at minimum, every year.

### Guest Speaker Policy

It is the policy of the campus to foster a spirit of free inquiry and to encourage the timely discussion of the broad range of issues that concerns our community, provided that the views expressed are stated openly and are subject to critical evaluation and do not promote the discrimination or cause harm to individuals in our community.

### Student Organization Responsibilities

A registered student organization may invite guest speakers to campus subject to the following provisions:

- Sponsorship must be by a registered student organization.
- Proper arrangements for the use of University facilities must be made consistent with institutional policy.
- It must be clear that the student organization, and not the University, is extending the invitation and that the views the speaker may express are their own and not those of the University of Mount Union.
- There must be a signed agreement between any outside speaker(s) and a student organization on file with the Office of Student Involvement & Leadership two weeks prior to the event date. Should the event be open to the campus, the speaker must also show proof of possessing personal liability insurance up to \$100,000.



- The student organization must take whatever steps are necessary to ensure that the meeting is conducted in an orderly manner and be in accordance with the rules and regulations outlined in the student handbook. This may necessitate consultation with the Office of Campus Security and/or hiring outside security.

## Alcohol and Other Drug Policy for Student Organizations

The full Alcohol and Other Drug Policy for all students and Student Organizations can be found [here](#).

### Student organizations must abide by the following guidelines:

1. All state, local, and University laws and policies concerning the use of alcohol and other drugs must be observed. In addition, all student organizations must abide by their governing bodies rules and regulations, as well as policies set forth by their national organizations.
2. In order for alcoholic beverages to be allowed at a student organization event, organizations must comply with the Social Event Risk Management Policies. Compliance with these policies must be coordinated with the Office of Student Involvement and Leadership and approval must be given by this office before the event can occur.
3. If an off-campus activity includes the sale of alcoholic beverages, organizations will be required to use a licensed third-party vendor to manage this sale.
4. Promotional materials (including, but not limited to, advertisements in any form, t-shirts, cups or any other item to be displayed, given away or sold before, during or after an event) shall not make any direct or implied reference to or depict in any manner alcoholic beverages, alcoholic beverage company logos or symbols, the consumption of alcoholic beverages, drugs or drug paraphernalia, or the use of illicit drugs.
5. No activity may be co-sponsored by a bar, liquor establishment, or other alcoholic beverage manufacturer or distributor. Advertisement for such establishments, manufacturers, or distributors may not occur at any activity.
6. No student organization shall allow alcoholic beverages or drugs to be present at its membership recruitment activities or initiation activities.
7. The officers of the student organization sponsoring the activity are responsible for enforcing the above guidelines and for the behavior of the active members, new members, and guests at their events.
8. Possession of items used to facilitate or simulate high-risk drinking and/or drug usage is not permitted at any event sponsored by a University of Mount Union Student organization. This includes but is not limited to drinking games, contests, etc.

## Student Organization Fundraisers

Student organizations are permitted to sponsor fundraising activities. A student organization fundraiser is defined as any attempt by a recognized and registered student organization to raise money either in support of a program, event, or to benefit a charity. This includes funds or goods, either on or off-campus.

Fundraising activities may only benefit a student organization not any single individual's personal finances. Funds raised or goods collected by student organizations are to be used to expand or enhance the activities of those organizations (or charity beneficiary) and not to financially subsidize an individual's personal interests or needs. Funds raised by student organization must benefit, expand, or enhance the activities of the organization or their chosen beneficiary.

The Office of Student Involvement & Leadership must approve all fundraising activities sponsored by student organizations, a minimum of two (2) weeks in advance of the proposed start date. Fundraising activities are required to have published start and end dates, with a maximum of seven days. Exceptions to this length of time must be approved by the Office of Student Involvement &

Leadership. Student organization fundraisers may not take place without prior approval from Student Involvement & Leadership.

There are three different types of fundraising activities: internal fundraisers, external fundraisers, and solicitations/donations/in-kind contributions.

### *Internal Fundraisers*

Internal fundraisers are defined as events sponsored to raise money for internal organizational use (e.g., operating expenses, organizational activities, etc.) Fraternities and sororities are required to follow the additional guidelines outlined the Policy on Philanthropy and Fundraising Events in Fraternities and Sororities.

1. Contributions to internal fundraisers are not tax deductible. Student organizations may not rely on the university's tax-exempt status in organizing or operating such an event and shall in no way imply that the university is a sponsor of the event.
2. The net proceeds of the fundraiser are to be dedicated only to funding the organization's activities that align with the organization's stated purpose(s).
3. Raffles, lotteries, or sweepstakes may be held, so long as they are in accordance with state and local law. An event involving all three of the following: (1) an entry fee, (2) a prize, (3) chance/luck, may fall under the legal definition of gaming, which is regulated by state law. Please contact the Office of Student Involvement & Leadership to determine if a proposed event should be considered a "raffle" or illegal gambling.
4. Fundraisers that promote the use and/or sale of alcohol (e.g., happy hours) are not permitted and will not be approved.
5. Fundraisers involving credit cards (e.g., credit card applications) will not be approved.
6. All must be submitted to the Office of Student Involvement & Leadership for approval at least two weeks prior to the fundraising activity. Approval for submission should be sent as an email to the Director of Student Involvement & Leadership.

### *External Fundraisers*

External fundraisers are defined as events sponsored to raise money or collect other goods for charitable, tax-exempt organizations external to the University.

The following policy allows recognized student organizations to use University facilities and sponsor events to raise money for another tax-exempt charitable, educational, or religious off-campus organizations as defined under the Internal Revenue Code Section 501(c) (3). Fraternities and sororities are required to follow the additional guidelines outlined the Policy on Philanthropy and Fundraising Events in Fraternities and Sororities.

1. The proposed recipient must be an IRS-recognized 501(c) (3) organization.
2. The funds devoted to such purposes are to be confined to the net amounts realized from voluntary contributions made to such activity and may not include any sums budgeted or allocated out of Student Senate allocations.
3. Contributions to external fundraisers must be made payable directly to the external charitable organization and charitable organization. Contributions may not be made payable to the University. The student organization and charitable organization shall in no way imply that the University is a sponsor of the event.
4. Raffles, lotteries, or sweepstakes may be held, so long as they are in accordance with state and local law. An event involving all three of the following: (1) an entry fee, (2) a prize, (3) chance/luck, may fall under the legal definition of gaming, which is regulated by state law. Please contact the Office of Student Engagement to determine if a proposed event should be considered a "raffle" or illegal gambling.

5. Fundraisers that promote the use and/or sale of alcohol (e.g., happy hours) are not permitted and will not be approved.
6. All must be submitted to the Office of Student Involvement & Leadership for approval at least two weeks prior to the fundraising activity. Approval for submission should be sent as an email to the Director of Student Involvement & Leadership.

### *Solicitations/Donations/In-Kind Contributions*

These are defined as asking for funds or donations of goods or services for internal organizational use, activity, or in support of an approved internal or external fundraiser.

The following policy provides a means for recognized student organizations to occasionally solicit funds or contributions (in contrast with conducting a fundraising activity or event) from students, faculty, staff, alumni, individuals who are not alumni, parents, corporations, and/or foundations, for the student organization's internal use directly related to its stated purposes, for an approved campus event, or in support of an approved internal or external fundraiser.

In addition to the guidelines delineated in this policy for Internal Fundraisers, requests for solicitation of monies by recognized student organizations may be considered for approval by the Office of Student Involvement & Leadership, provided they meet at least the following requirements:

1. The net proceeds of the fundraiser are to be dedicated only to funding the organizations activities that align with the organization's stated purpose(s), or for a previously approved campus project.
2. No solicitations will be made or given for the benefit of another tax-exempt charitable, educational, or religious off-campus organization; or any commercial or political organizations or activities; or unorganized public or private groups irrespective of their avowed aims or purposes.
3. Funds requested are to be derived from voluntary contributions specifically made to meet the purposes of the approved solicitation.
4. Solicitation of student organization's own members (e.g., membership dues) does not require approval from the Office of Student Involvement & Leadership.
5. Solicitations of any person or entity other than a student organization member (e.g., faculty/staff, alumni, individuals who are not alumni, parents, corporations, foundations), require review and approval from the OSE, in consultation with University Advancement as appropriate.
6. Solicitations or in-kind contributions (e.g., donations of gift certificates, products or services) must also comply with this policy.
7. Door-to-door solicitation is not permitted. Door-to-door solicitation includes the distribution of any materials, flyers, or literature.
8. Student Organizations are required to contact the Office of Alumni Engagement for permission to use University phone or mailing lists, email lists, listservs, and bulk main services for fundraising purposes.

### *Crowdfunding*

Fundraising activities that include the use of crowdfunding type activities or the solicitation of funding requests by third-party websites or tools are not permitted. University organizations that wish to solicit support via web or electronic payment platforms should use the resources available from within the University. Contact the Office of Student involvement & Leadership for more details.

Student organizations are not permitted to use crowdfunding sites (e. g., Go Fund Me).

### *Political Activity*

Student organizations are not permitted to engage in fundraising activities to support a candidate for public office, political party or ballot issue, and/or further may not donate directly to a candidate for public office, political party, or ballot issue.

### *Posting Policy*

Students should refer to the general posting policy for additional instructions, [found here](#).

General Posting Policy Approval must be obtained prior to making use of the residence halls or campus facilities for the sale, promotion, posting, or distribution of any type of material. All material must have a sponsor responsible for the material stated directly on each piece and adhere to all policies that apply. All printed materials posted or distributed on campus by students and guests must receive approval from the director of student involvement & leadership or designee. Printed materials include flyers, posters, banners, announcements, and advertisements. Bring one sample to the Office of Student Affairs for marked approval and make copies from that sample. Allow 24 hours turnaround time for approval.

UMU Posting – Student organizations wishing to submit flyers and information to UMU Today must obtain approval from the Office of Student Involvement & Leadership before submitting via the online form.

### *Additional guidelines for publicity and distribution of flyers, leaflets, etc., for student organizations:*

1. Common bulletin board space is available in variety of locations across campus. Please contact the Office of Student Involvement & Leadership for a list of appropriate posting locations.
2. Be sure to remove all publicity materials after advertised event. Do not cover materials for events other than the student organization. Please be sure to clean up and dispose of handouts left on tables throughout the campus once the advertised event has passed.
3. Do not tape any advertisements on any walls or windows in any buildings. Only use pushpins on the bulletin board spaces.
4. Paint may only be used on the rock in the quad. Do not paint the sidewalk or grass area. Please clean up and dispose of paint cans properly.
5. Chalk may be used on sidewalks only provided the area is accessible to rain. Do not chalk on building walls, steps, or under overhangs.
6. Items should not be placed on or in fire escapes, fire extinguishers, fire alarms, smoke detectors, exit signs, entrance/exit doors, trees, vehicles, or any painted surfaces.

### *Reserve bulletin board space in the Hoover-Price Campus Center*

1. All recognized student organizations may request assignable bulletin board space, each semester.
2. Space is allotted on a first come, first serve basis, and is allocated on an academic-year basis. Please email bulletin board request to the director of student involvement & leadership. If space is granted, a board is selected at the discretion of the Office of Student Involvement & Leadership.
3. Bulletin boards must be routinely updated with information, and information displayed must relate to the mission of the student organization. Any use other than for the purposes can result in revocation of bulletin board.

### *Publicity placed in student mailboxes*

1. The Office of Student Involvement & Leadership must approve all requests to distribute materials through student mailboxes by student organizations.
2. In order to distribute publicity in student mailboxes, the student organization should email a copy of publicity to the director of student involvement & leadership.
3. When distributing items through campus mail, all items, when taken to the mail room, must be in mailbox order or it will be returned to the student group.
4. All mailed items include the organization's name, student's name and a campus mailbox number. Unless it is going to every student, then it just needs the organization's name.
5. Inform the Mail Room of student organization's bulk mailing by calling (330) 829-6654. Student organizations must provide the Mail Room a minimum of five (5) days' notice of upcoming on-campus bulk mailing.
6. Provide the Mail Room with the following details:
  - a. How many items are to be put in campus mail boxes, for example: every campus mailbox, a specific campus organization, a special event, or fund raiser mailing
  - b. Date student organization is delivering this mailer to the Mail Room
  - c. Date mail should go into mailboxes

### *Table Tents*

1. Table Tents may be utilized by all student organizations to publicize a student organization event, activity, or University related information.
2. Table Tents must be approved by the director of student involvement & leadership.
3. Please obtain the permission of the director of AVI in order to place table tents in Kresge Court Dining Hall and the B & B Café.

## Student Organization Social Media Policy & Guidelines

1. Student Organization Social Media sites officially recognized Mount Union Student Organizations may create social media presences for promotional purposes. An organization must first seek the approval of its advisor and identify two members who will serve as account administrators.
2. In addition, the Student Organization must register all social media handles and passwords at the time of annual student organization registration with the Office of Student Involvement & Leadership. This will allow for the following information to be on file with the Office of Student Involvement and Leadership and the Office of Marketing.
  - a. URLs of all social media sites
  - b. Names of the account administrators
  - c. Usernames and passwords for all sites Mount Union does not maintain or actively monitor social media sites representing student organizations.

An organization's social media site is the sole responsibility of the organizations, its advisor(s), and its designated administrators. Any student organization wishing to disseminate information through one of Mount Union's official social media sites should contact the Office of Marketing for assistance.

Additionally, please see the [Student Social Media policy](#) for additional guidelines.

## Table Reservation Policy

Reservations for a table can be found [here](#).

1. To reserve a table, all parties must complete and submit the Table Reservation Form. All parts of the reservation form must be complete in order to receive a confirmation.

2. Table reservation forms are to be completed a minimum of 48 hours in advance of need, and are for the ability to display activities, conduct research (with proper research approvals), advertise upcoming events, and approved fundraising efforts. Filling out this form early will better enable a table reservation to be honored.
3. Submitting the table reservation form does not confirm reservation. A table reservation is not confirmed until the contact person receives a confirmation email from the Office of Student Involvement & Leadership.
4. All table reservation forms are honored on a first come, first serve basis, so please be sure to complete this form as early as possible. A student organization may reserve a table for multiple days at one time.
5. All parties reserving a table are responsible for following all applicable policies and procedures.
6. Table must be staffed *at all times* by member of the registering student organization.
7. Table and immediate surrounding area must be cleaned of organizational items and trash before leaving.
8. Tables may not leave the areas for which they are reserved (i.e., indoor tables may not go outside).
9. Student organizations staffing the table may conduct activities, however any or all activity may not impede traffic.
10. All business must be transacted at the table. No solicitation is permitted away from the table.
11. The sound level at the table may not exceed that of conversation level.
12. Student organizations may not post anything on walls, windows, doors, or surfaces, unless in accordance with the advertising on campus policies.
13. Electric power cords must be secured properly.
14. If dispersing food, the student organization must adhere to public laws regarding food distribution and must be in contact with AVI to gain permission (if in the HPCC).

### T-shirt (or other item) Design Policy

Student organizations may sell or give away products such as t-shirts or other items for any events, however the director of student involvement & leadership must approve all product designs before items are ordered or sold.

All designs must meet the standards set by Mount Union policies, including but not limited to those concerning alcohol and harassment. In addition, all designs must adhere to copyright, trademark, and/or fair use laws, as well as, any national/international headquarters guidelines (if applicable).

Please send all t-shirt designs to [leadership@mountunion.edu](mailto:leadership@mountunion.edu) before any orders are placed. This is REQUIRED of all student organization, regardless of the t-shirt's purpose or funder.

### Use of the University Name and Trademarks

The Mount Union Identity Program provides a link between the public's image of Mount Union and the reality of the institution's impact on the community – both on campus and in Alliance as a whole – and promotes Mount Union's mission, vision and strategic plan through cohesiveness and consistency among Mount Union's marketing efforts.

The Office of Marketing requires that an approved logo be used on all print, video, and electronic materials representing the University. The name or logo should also appear on promotional materials for events and efforts sponsored by the University. This will ensure that the image of Mount Union remains consistent and cohesive throughout various messaging efforts viewed by a potential stakeholder.



Student organizations may use the University of Mount Union name, logo, and insignia as outlined in the style guidelines published and maintained by the Office of Marketing. Violations of this policy may result in the removal of recognized student organization status. The Mount Union name and logo may not be altered in any way and may not be used without expressed consent of the Office of Marketing.

Logos must be reproduced from approved files obtained from the Office of Marketing. Please contact the Office of Marketing with any questions at (330) 823-6094, or [marketing@mountunion.edu](mailto:marketing@mountunion.edu)

## Club Sport Policy

A Club Sports Team is an organization formed by individuals who are motivated by a common interest and desire to participate in a competitive sports activity. This program emphasizes student leadership and direction as opportunities for learning through participation. Each team is responsible for the motivation, administration, support, and regeneration of their club. Club Sports should promote sportsmanship, competition, and recreational fun.

A Club Sports Team requesting recognition must follow the same procedures as other student organizations, as well as must meet with the director of recreation to ensure that the following criteria are met:

1. Availability of facilities for practice and competition
2. Availability of competition within a reasonable geographic range
3. Availability of an advisor and coaching/instruction
4. An up-to-date membership roster; updated at the start of each season and as new members join the club. Team members must appear on the roster to be eligible for participation in Club Sports Team activities.

### *Advisors*

Club Sports Teams must have a full-time member of the faculty, staff, or administration serve as their campus advisor. This individual may also serve as the “coach” of the club sport. Campus advisors are limited to instructing in practice and competition, with advisement of club sport’s team management, including travel.

### *Health and Safety Issues*

It will be the responsibility of each Club Sports Team to secure and maintain a first aid kit, which is stocked as recommended by the Department of Athletic Training.

Club Sport Teams are required to have complete approved liability waiver forms, emergency contact cards, and proof of insurance forms for all participants prior to any activity on file with the Office of Student Affairs or designated office.

### *Intramural Participation of Club Sports Athletes*

Members of the Club Sports Teams are eligible to participate in intramural competition on the following basis:

1. An intramural team is not permitted to have more than three (3) club players on their roster who are members of a University of Mount Union Club Sports Team in that sport when the intramural activity requires seven (7) or more participants to play the activity.
2. An intramural team is not allowed to have more than two (2) players on their roster who is a member of a University of Mount Union Club Sports team in that sport or counterpart when the intramural activity requires six (6) or less participants to play the activity.
3. A period of ten (10) calendar days will be allowed for interested students, faculty, and staff to tryout on a club sports team. After this period has elapsed, for intramural eligibility purposes, a participant is considered an official member of that team.

4. Any participant who pays dues, regularly practices with, or competes in a team competition is considered an official club sports team member, for intramural eligibility purposes. Participants who do not pay dues or compete in a team competition are subject to the tryout period rules. For Club Sports eligibility purposes, participants must have all individual participation forms on file in the Club Sports Office (informed consent form, medical information form, proof of medical insurance form, and a physical form for contact sports).
5. A club sports team member for the fall semester will be considered a club sports team member for that entire academic year (e.g., a volleyball club team member during the fall is still considered a club sports team member for intramural volleyball in the spring).

### *Member Eligibility Guidelines*

Membership status is determined by each club team's constitution; however, the University has set the following guidelines:

1. All current-semester enrolled students (full, part-time, and graduate) and full-time faculty and staff of the University of Mount Union are permitted to participate on Club Sports Teams.
2. Dependents, spouses, and significant others of students, staff, and faculty are not permitted to participate on Club Sports Teams.
3. Students who withdraw from the University of Mount Union during an academic semester are not permitted to continue participation in any Club Sports Team, beginning the date of terminated enrollment.
4. Alumni of the University who are not currently enrolled in any classes at Mount Union are not permitted to participate in any Club Sports Team activities.
5. Current members of a University athletic team are ineligible and not permitted to participate on a Club Sports Team in the sport for which they compete at the NCAA Division III intercollegiate level. Current members are determined by who is listed on the active roster for each individual athletic team at Mount Union, and Club Sport Team presidents are responsible for checking the eligibility of players.

### *Travel*

Club Sport teams are responsible for following the University's Travel Policy for Student Organizations.

### *Apparel Standards*

Promotional materials, apparel and/or product sales must be in compliance with the University's purchasing guidelines, copyright law, and the University's Identity Standards. All designs must be approved prior to production by the Office of Student Involvement & Leadership.

### *Raffles*

A limited number of raffles will be permitted each year for student organizations to raise money for organizational activities or another tax-exempt charitable organization. The following guidelines apply:

- Student organization provides the following information to the Office of Student Involvement & Leadership
  - The contents of each raffle item;
  - The money raised in the sale of tickets for the raffle;
  - The name and telephone number of each winner of each item; and
  - A copy of the transaction log showing the money was transferred to the designated beneficiary.
- Raffle tickets can only be sold and paid for in person, regardless of payment method or sign-up method.

### *Solicitation of Gift Cards*

Student organizations may approach local businesses to donate gift cards, tickets, certificates, or goods to use as prizes for their fundraising events. However, the maximum monetary value of items that a local business can provide to an organization for a single event is determined by the University's Office of Business Affairs.

### *Electronic Collection of Funds*

Venmo, the Cash App, or other mobile payment service may not be used by student organization to collect money for a fundraiser, unless organization has permission to do so from the organization's national chapter or headquarter office.

## Fraternity & Sorority Life

Fraternities and sororities are recognized by the institution as student organizations and must adhere to all student organization policies in addition to the UMU Fraternity & Sorority Life Policies & Procedures Document. Please reach out to [leadership@mountunion.edu](mailto:leadership@mountunion.edu) for the full document.

## Student Organization Travel Policy

### *Overview & Definition of Student Organization Travel*

The University of Mount Union defines Student Organization Travel as any off-campus experience that is sponsored by a recognized and registered University student organization. The Office of Student Involvement and Leadership maintains a comprehensive list of all recognized and registered student organizations, defined as those groups that have a current semester roster and constitution on file with the office. Such travel may include field trips, retreats, conferences, conventions, competitions, workshops, off-campus speakers, rallies, and other such events.

Student organization travel must be approved by the organization's faculty/staff advisor and should support the mission of the organization. Student organization travel may not create any undue interference with academic responsibilities. Final approval must be given by the VP for Student Affairs and Dean of Students or the Associate Dean of Students before such a trip can take place.

*These travel guidelines do not pertain to certain situations including, but not limited to, internships, rotations/clinicals, study abroad and student teaching. The Office of Academic Affairs will maintain information for these exceptions. In addition, student travel with faculty for academic trips fall under the section of this policy entitled Students traveling with faculty/staff, which have very similar guidelines. Failure to comply with these policies will result in revocation of travel funding for the entire organization for a length of time to be determined the Office of Student Affairs and may result in additional sanctions by the Office of Student Conduct. Students and faculty/staff are reminded that University policies are still in effect and apply to trips regardless of the location and/or funding. Please refer to the University's Student Handbook, the Employment Policies Handbook for Faculty or the Employment Policies Handbook for Staff for further information.*

### *Types of Travel & Forms Required*

1. University-sponsored, in-town, less than 50 miles same day travel.
  - Forms Required:
    - Release, Hold Harmless Agreement (one from each student)\*\*
    - \*\*A blanket liability waiver may be signed for multiple same-day travel experiences, however, dates of such must be articulated in the liability waiver.
2. University-sponsored, one day travel.

Any travel in which students leave and return to campus on the same day to a location more than 50 miles from the Mount Union campus or longer than eight (8) hours in duration, may occur with the following provisions:

- A campus advisor is encouraged to attend all University travel and must get permission from the Office of Student Affairs for students to travel without an advisor/leader.
- A faculty/staff advisor is **REQUIRED** to attend if traveling by van or bus. A copy of all forms **MUST** be maintained by the faculty/staff advisor during the trip with the original sent to the attention of the Associate Dean of Students within the Office of Student Affairs at least one week prior to the trip.
- Forms required:
  - Emergency Medical Form (one from each student)
  - Release, Hold Harmless Agreement (one from each student)\*
  - Student Organization Travel Planning Form (one from the student organization)
  - Student Travel Agreement (one from each student)

### 3. Overnight travel

Any overnight travel for one or more nights. On overnight events, it is recommended that the presence of a minimum of one student/faculty staff advisor for every twelve (12) students in attendance is followed. A faculty/staff advisor or another assigned faculty/staff person as trip supervisor must attend all overnight travel trips of 3 or more students. A copy of all forms **MUST** be maintained by the faculty/staff advisor during the trip with the original sent to the attention of the Associate Dean of Students within the Office of Student Affairs at least one week prior to the trip. All trip supervisors, including faculty, staff, and volunteers.

- Copies all forms **MUST** be maintained by the travel supervisor during the trip, with the originals sent to the attention of the Associate Dean of Students in the Office of Student Affairs at least one week prior to the trip.
- Any faculty, staff or volunteers traveling on the trip on behalf of Mount Union must complete the Emergency Medical Form and the Release, Hold Harmless and Indemnification Agreement and also provide copies as indicated prior.
- Forms required:
  - Emergency Medical Form (one from each student)
  - Release, Hold Harmless Agreement (one from each student)\*
  - Student Organization Travel Planning Form (one from the student organization)
  - Student Travel Agreement (one from each student)

\*If the student is under the age of 18, this form must be signed by a parent/guardian.

## *Planning a Trip*

### 1. Select a Travel Supervisor

For any travel, the student organization must select someone to serve as the Travel Supervisor. The role of the Travel Supervisor is to lead the planning of the trip and to serve as a liaison between the trip participants and the University.

Only in the case of same day or one day travel, the Travel Supervisor may be a student leader – someone who is at least 18 years of age and is in good standing (academically, conduct, financial) with the University. Otherwise, travel supervisors are to be faculty, staff, or administrators employed by the University, including the student organization’s own campus advisor.

A travel supervisor is required to be put in place to oversee student organization travel, adhering to the following responsibilities throughout the trip:

- Obtains necessary information of all participants
- Obtains proper signatures on all forms
- Maintains a travel roster and all applicable forms while traveling
- Travels with the student organization to and from the trip locations (unless permission is given for students to travel without a member of the faculty or staff)
- Confirms the safe arrival of the group to the University
- Stays with students in housing or lodging for the duration of the trip
- Serves as the emergency contact throughout the entirety of the trip
- Completes and submits an itinerary of the trip to the University; adheres to its details throughout the trip
- Develops an emergency plan appropriate for the trip and its location(s). Consider items such as first aid kits, first aid training, and contingency plans if the leader must leave the group.
- Confirms the proper means of communication and the ability to use cell phones
- Responds to crisis and emergency situations based on those pre-developed plans
- Complies with all University travel policies, as well as other policies regarding code of conduct, alcohol and drug use, human resource policies, and sexual misconduct
- Maintains the recommended 12:1 student-to-faculty/staff/administrator ratio. A ratio of 12:1 student-to-travel supervisor is recommended, unless permission is granted by the Office of Student Affairs. It is recommended that additional faculty, staff, and/or administrators serve in back up roles, especially for driving or emergency situations. For groups with 3 or fewer students, a student leader may be appointed.
- The travel supervisor must carry enough cash or credit on their person to resolve reasonably foreseeable problems. Use of the University purchasing card is the recommended source for travel. A cash advance may be obtained through the business office for this purpose (see Purchasing Card Program within the Traveling on University-related business section). Student Senate funding is not available for cash advances.

## 2. Documentation & Records

As stated, all student organizations must submit, as part of their documentation, a written request for approval to travel, called the Student Organization Travel form. The Travel form must include all required information and a detailed itinerary outlining:

- The purpose of the travel
- The dates and destination of travel
- The estimated number of students participating in the travel, and a list of their names. If there are changes to the participant list, the travel supervisor provides the updates to the Office of Student Affairs prior to departure. If a trip participant chooses not to travel, that update is also provided to the Office of Student Affairs prior to departure.
- The names of University representatives traveling with the students
- The name of the travel supervisor and their contact information used while on the trip
- The budget for the trip
- The mode of transportation (including the names of drivers if University vehicles will be used)

## 3. Any other pertinent information concerning the trip

At least ten (10) days prior to travel, the travel supervisor should provide a written summary to all trip participants. This summary must include:

- times and dates of departure and return
- travel itinerary and route (including flight numbers and times, if applicable)
- rest and meal breaks
- name and address of overnight accommodations
- costs to be paid by participants
- a packing list including recommendations for clothing
- the names and contact information of University representatives traveling with the students
- any other pertinent information

If traveling to different locations, the travel supervisor must provide separate lists of participants by destination/location to clarify for the University who is traveling to each location and who can be contacted in the event of an emergency at each.

Travel Supervisors should consider the nature of the trip and review documentation to ensure that language is clear and accurate when providing information to participants or preparing informed consent forms or release statements.

Written records that should be obtained in advance of the field trip should be clearly filled out and easily accessible. The Travel Supervisor should maintain a copy and a copy must be provided to the Office of Student Affairs no later than one week prior to travel.

The Office of Student Affairs must be notified immediately by the trip advisor of any emergencies or issues that arise on the trip. If the Vice President of Student Affairs or Associate Dean of Students is not available, the trip advisor should contact Campus Security, who will assist with further communication.

Upon return from the trip, the trip advisor must provide the Office of Student Affairs with a written summary of any issues or concerns regarding the trip, and any other information or recommendations that might be relevant or helpful in planning future trips. The Office of Student Affairs maintains trip records for a period of seven (7) years before destroying, in accordance with the University's Document Retention Policy. Trip surveys may also be administered to all members that participate.

#### 4. Destination

The Travel Supervisor should be familiar with the destination and prepare a site safety plan to present to participants. Lodging premises and locations should be reasonably safe or written documentation provided should outline associated risks.

Orientation for travel participants should include an overview of the itinerary and any procedures for a "buddy system." Each pair operates together as a single unit so that they can monitor and assist one other throughout the trip. All trip participants should be provided information on known risks as well as local, cultural, custom and legal requirements.

#### 5. Special Requirements for Participation in the Trip

If any students have disabilities or special requirements that may need to be accommodated, please make sure to contact the Director of Student Accessibility Services at (330) 823-7372.

#### 6. Trip Expectations



Travel Supervisors should provide participants with some form of orientation prior to departure. The type of trip will dictate the level of detail needed in the orientation, but both verbal and written communication is essential. Materials should include the trip destination and purpose, a travel itinerary, route, rest and meal stops, lodging and transportation information, appropriate clothing or gear, and the established rules and protocols specific to the trip. In addition, materials should include a summary of activities and physical requirements students will encounter; any known or unusual circumstances that would require advance preparation or equipment; and any known unique hazards. If multiple vehicles are being taken to the trip destination, each vehicle must have printed directions to the destination and the contact information for the other trip participants and Campus Security. All vehicle drivers should know what to do if the vehicles become separated (i.e., meeting spots, driving on to destination, etc.).

### *Compliance with University Policies*

All participants must understand that University policies for faculty, staff and students are still in effect and apply to trips regardless of the location. Instructional activities and settings should be consistent with University policy including, but not limited to policies on alcohol and drug use, vehicle use, sexual harassment, and student conduct. Use of alcohol or drugs while on a student organization trip is prohibited. University representatives may not provide alcoholic beverages to any student, consume alcoholic beverages in the presence of any student, or be present when any student is consuming alcoholic beverages, regardless of the age of the student(s).

#### 1. Conduct during travel

As outlined in the University Student Handbook, all students taking part in University-sponsored activities or trips are responsible for adhering to the policies and procedures included in the Student Handbook and other official documents and publications. Actions detrimental to the mission of the University and to the legitimate activities of the academic community are in violation of the University policy and will be subject to the University's student conduct process. Although cultures, customs, values, policies, and laws may differ in foreign countries or in different communities, the expectations of Mount Union students do not. Should the expectations of the host country, institution, or agency be more stringent than those of Mount Union, however, Mount Union students must abide by them, as well.

In short, Mount Union's students are responsible for behaving in a manner that reflects positively on the University. Students whose behavior significantly detracts from the educational purposes of the trip or has the potential to threaten the physical or emotional wellbeing of other participants may be sent home at the request of the host institution or agency or at the discretion of the travel supervisor and/or chaperone(s), the Associate Dean of Students, or the Director of Student Conduct, potentially at the student's expense.

Please remember that participation in off-campus programs is a privilege and not a right. While it is impossible to provide students with an all-inclusive list of inappropriate and/or prohibited behavior, specifically while traveling, the following offers a framework for those participating in University-sponsored trips and the following guidelines should serve to further clarify the University's expectations. Egregious disregard for expectations, guidelines, laws, and/or rules may be grounds for conduct action, including the student's exclusion from the remainder of the trip or activity.

Please keep in mind the following as the student organization engages in travel:

- a. Attendance. All students participating in University-sponsored trips are expected to attend all functions associated with the program, including, but not limited to: meetings, meals, social gatherings, classes, and tours. Those who are routinely absent from or late to such activities may be sent home, held accountable through the University's disciplinary process, and/or required to reimburse the funding source for fees, fares, meals, hotel costs, etc.
- b. Free Time. Students are encouraged to use their free time to safely and responsibly explore their surroundings (as agreed upon by students and travel supervisor), but such activities should not limit the students' availability or adversely affect the program itinerary. In addition, all students are expected to adhere to expectations about curfews, meeting times, transportation, group excursions, and the like.

## 2. Alcohol and Other Drugs

While domestic and international laws do vary with respect to alcohol and other drugs, students must adhere to both local laws and expectations when and where use of alcohol is permitted. Regardless of whether the use of controlled substances is allowed by law, drug use (including misuse of prescription drugs and use of medicinal marijuana and/or marijuana byproducts) is always prohibited. Students who abuse alcohol and/or other drugs, encourage others to do so, provide them to others unlawfully, or who behave inappropriately due to intoxication, may be documented and held accountable through the student conduct process. Those whose behavior puts themselves or others in jeopardy or reflects a conscious disregard of the University's expectations will be sent home at their own expense.

## 3. Sexual Assault and Harassment

Mount Union does not tolerate sexual assault, harassment, stalking, domestic violence, or dating violence at home or abroad and will take swift and decisive action in responding to allegations of this nature.

Students who believe they experienced sexual assault, harassment, stalking, domestic violence, or dating violence are encouraged to report such behavior immediately to group leaders who will follow guidelines included in the University's sexual assault and harassment policy as printed in the Student Handbook. In consultation with the Title IX Coordinator, student organization leaders will assist students in documenting the incident, ensuring their safety, exploring their options for resolving the complaint, and seeking out medical attention or counseling services.

## 4. Harassment and Bullying

Harassment may be direct and explicit or indirect and subtle. Words, gestures, graphics, and online activity may be construed as harassing if they target a specific individual or create a hostile or offensive environment for a group of people. Conduct that could reasonably be perceived as demeaning, offensive, intimidating, or threatening may require immediate staff intervention and be referred to the University for review through the disciplinary process.

## 5. Disorderly Conduct, Theft, and Vandalism

Students traveling or studying outside of the University should behave as though they were on campus; treating their surroundings and others' belongings accordingly. Student organizations are asked to practice respect for persons and serve as responsible stewards of facilities and property. Students who disrupt the learning environment, disturb others, steal, or vandalize

property while on a University-sponsored trip will be held accountable through the University conduct process and may be required to pay restitution to those affected by their behavior.

## 6. Compliance

Traveling can be challenging, stressful, confusing, and at times, even dangerous. Consequently, to ensure the safety and wellbeing of all participants, travel supervisors, and chaperones will establish their own guidelines and expectations for the students for whom they are responsible. These may differ depending on the circumstances and may include curfews, travel restrictions, buddy systems, rules related to alcohol consumption, room assignments, etc. Participants are expected to follow their group leaders' directions and adhere to their expectations without question or complaint, regardless of the permissiveness of local laws or University policy. Those who ignore or challenge instructions from the travel supervisor and/ or other chaperones may be found responsible for refusal to comply with reasonable requests of University officials.

## 7. Sensitivity to Cultural Differences

Values and customs differ across cultures, and students are expected to make a good faith effort to understand, appreciate, and even embrace these differences. While acknowledging that some students will be challenged by new experiences, the University maintains that students who willingly take advantage of travel opportunities should participate in expressions and demonstrations of the host's culture and traditions to a reasonable extent. This may include taking part in song, dance, cuisine, service, or conversation, and students should be mindful of the hosts' hospitality and cautious not to offend them by refusing their generosity. Students with phobias, dietary restrictions, disabilities, or other conditions that may inhibit their interactions should discuss these with their travel supervisor(s) and/or chaperone(s) prior to departure.

## Student Social Media Policy

As responsible members of the Mount Union community, students are expected to use all forms of social media lawfully and with respect for others. The same standards will be applied to communication utilizing social media as are applied to other methods of interaction (verbal, written, etc.). The University will not regularly monitor the language or actions of students using social media; however, students will be held accountable for policy violations related to their use of social media, as well as, other violations learned of through information posted on social media sites and brought to the institution's attention. University policies applicable to social media use include, but are not limited to, the following:

1. Code of Student Conduct - The Code of Student Conduct outlines prohibited conduct, which includes behavior that occurs within the framework of social media. The prohibited conduct stated in the Code of Student Conduct that is most closely related to the use of social media includes *Bullying and Cyberbullying*, *Harassment*, and *Misuse of Technology* as found in the [Code of Student Conduct](#).
2. Technology Resources Acceptable Use Policy - Students are required to meet the expectations set forth in the [Technology Resources Acceptable Use Policy](#).
3. Federal, State, and Local Laws - Students are required to adhere to all federal, state, and local laws.

## Technology Resources Acceptable Use Policy

### Policy Overview

Mount Union makes available technological resources that may be used by University students, faculty, and staff. These resources may include administrative software applications, file and print

services, VPN, wireless access, network resources, e-mail, library resources, ID card system, multi-media resources, desktop applications, and computer resources. These resources are intended to be used primarily for educational purposes, communications, and to carry out the legitimate business of the University. Appropriate use of the resources includes instruction, independent study and research, and the official work of the offices and recognized student organizations. The privilege of using computer and network resources extended by the University to specific individuals and organizations is not transferable.

The responsible, considerate, and ethical behavior expected by Mount Union in all aspects of the community extends to cover the use of campus computer and network resources and the use of networks throughout the world to which Mount Union provides computer access. The University's guidelines for appropriate use are not meant to be an exhaustive list of what may or may not be done with the University's computer or network resources.

Those who make use of the network and computing resources must always conform to the policies contained herein, as well as the regulations and guidelines of the University as specified in the Student Handbook and the various employee handbooks. These policies exist to safeguard the security and functionality of the campus network and all components therein.

The Technology Resource Acceptable Use Policy is comprised of several components described below including Unacceptable Use, Technology User Code of Conduct, Network Use Policy, E-mail Policy, Hardware & Software Support Policy and Data Security.

## Unacceptable Use

Unacceptable use of the University's computer and network resources are described below.

### *Misuse of Service*

Any action that renders facilities unusable to those who rely on them or that interferes with another's use of facilities constitutes misuse. Examples are failure to respect the priorities posted at a public machine, overuse of resources, damage to software or hardware, sending repeated unwanted electronic mail, neglect or damage of software or hardware, and failure to report known problems.

### *Breach of Security*

Any attempt to circumvent the protection that Mount Union has in place to prevent unauthorized access or any action that reduces the security of the University's computer and network resources is unacceptable use. Examples are attempts to misappropriate passwords, attempts to gain unauthorized access or sharing your password with others, and violating federal, state, and local laws related to privacy.

### *Illegal Use*

Any use of computer or network resources in the commission of an illegal act is unacceptable. Examples are violation of licensing agreements, attempting to break into a computer, or sending harassing or threatening electronic mail. There are federal, state, and local laws that govern certain aspects of computer and telecommunications use. All laws pertaining to tangible documents or instruments apply equally to electronic files. This includes student records. Members of the University community are expected to respect these laws. Any use, even if not specifically prohibited, which falls within these broad categories should be considered inappropriate. If you are unsure of the propriety of an action, contact the Office of Information Technology (IT) for clarification.

Much like laws that govern print and recorded media, U.S. Copyright law protects copyright owners from unauthorized reproduction, adaptation, or distribution of digital media. While users in educational settings enjoy limited permission to use copyrighted works under the "fair use" provisions of the copyright law, students who are engaged in developing web pages and other

electronic media are advised to read further what the law allows under these circumstances. A very useful text, *Commonsense Copyright: A Guide for Educators and Librarians* by R. S. Talab, is available in our Library. Some points include:

- Excerpts must be brief and confined to a campus network.
- Students may show multimedia projects developed in University classes for interview and potential employment as long as they have followed fair use practices.

Additional information on Copyright law can be found at [copyright.gov/title17/](http://copyright.gov/title17/).

### *Peer-to-Peer File Sharing*

Peer-to-peer file sharing is prohibited. The Office of Information Technology monitors traffic patterns in order to guarantee acceptable network performance for all users. If IT becomes aware of policy violations or illegal activities in the course of investigating network congestion or problem determination, IT will further investigate by inspecting content stored or shared on its network.

A minimum response to violators of copyright laws, as well as those impeding network performances, will be a warning to cease and desist. In certain circumstances, including those involving repeat offenders, violators will have their access blocked and be turned over to the University conduct process. If contacted by the RIAA (The Recording Industry Association of America), DMCA (Digital Millennium Copyright Act) or by the courts and asked to identify those who are sharing or downloading based on IP addresses, Mount Union will comply with the law.

Unauthorized distribution of copyrighted material, including peer-to-peer file sharing, may subject a student to civil and criminal liabilities. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act 9 Title 17 of the United States Code. These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. Willful copyright Infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information visit the Web site of the U.S. Copyright Office at [copyright.gov](http://copyright.gov), especially their FAQ’s at [copyright.gov/help/faq](http://copyright.gov/help/faq).

### *Systematic Monitoring and Access and Disclosure without Consent*

Mount Union is not obligated to monitor the content of e-mail or file space. The Office of Information Technology, however, maintains the rights to monitor, trace, intercept, or block any network traffic for security or management purposes. Mount Union will, as a courtesy, normally try to inform users prior to any inspection, monitoring, or disclosure of e-mail or electronic files, except when such notification would be detrimental to an investigation of possible violation of law or University policy. Users are required to comply with University requests for access to and copies of e-mail records and electronic files when access or disclosure is required or allowed by applicable law or policy, regardless whether such records reside on a computer housed or owned by the University. Failure to comply with such requests can lead to conduct or legal action pursuant to applicable law or policy, including, but not limited to, appropriate University personnel policies or codes of conduct. In summary, Mount Union shall only permit the individual monitoring, inspection or disclosure of electronic mail, electronic files, or network traffic:



- When prior consent has been obtained in writing from the student. Consent is given when an individual registers for classes. Any student who refuses consent may be denied access to the Internet and electronic mail;
- When required by and consistent with law;
- When there is probable cause or substantiated reason to believe that violations of federal or state law or of Mount Union policies have taken place;
- When it is for a valid business purpose and there are compelling circumstances; and/or
- Under time-dependent, critical operational circumstances.

### *Remedial Action and Sanctions for Violations of Technology Policies*

Final technical authority for the Mount Union computer network rests with the Office of Information Technology, who may issue training notices, alerts, or warnings for any minor or inadvertent misuse of service or breach of security. Any illegal activity will be reported immediately to the appropriate University official. Final conduct authority for misconduct or misuse by members of the Mount Union community rests with the appropriate authorities outlined in the Student Handbook.

Access to Mount Union's e-mail, network, and Internet services are a privilege that may be wholly or partially restricted by the University without prior notice and without the consent of the user. This may occur when there is probable cause or a substantiated reason to believe that violations of policy or law have taken place or in exceptional cases when required to meet time-dependent, critical operational needs. Any student who abuses the privilege of University facilitated access to the Internet and e-mail may be subject to conduct action up to and including termination or expulsion. If necessary, the University also reserves the right to advise appropriate legal officials of any violations and institute legal proceedings against violators of this policy. Any policy violations should be reported to [helpdesk@mountunion.edu](mailto:helpdesk@mountunion.edu). Acts of retaliation for reporting instances of misuse are prohibited, both by the University and under state and federal law. Reports of misuse cannot be made anonymously, due to the ability of the system to track the originator of any electronic communications.

Automatic voice and video services devices such as Amazon Alexa, Echo, Apple Homepod, Google Home, Portal from Facebook, etc. are not permitted to be used on campus within faculty, staff offices, conference spaces, etc. where conversations can be in violation of FERPA and inadvertently recorded on those devices.

*Users should also familiarize themselves with the Technology User Code of Conduct, Network Use Policy, E-mail Policy, Hardware and Software Support Policy that follow this policy overview.*

### *Technology User Code of Conduct*

The following Code of Conduct is intended to instruct technology users in acceptable behavior regarding their use of Mount Union technological resources. This document is not intended to be exhaustive of all possible behaviors that may be deemed inappropriate. Users are expected to adhere to all policies set forth by the University regarding the use of technology resources. Failure to follow the expectations set forth in this Code of Conduct or any other policy of the University regarding use of technology may result in sanctions against the user, including, but not limited to, loss of access to technology resources and/or conduct action.

1. Users are responsible for how their accounts are used; therefore, every effort must be made to protect against unauthorized access to accounts. Users must have a password which will protect their accounts from unauthorized use and which will not be guessed easily. If a user discovers that someone has made unauthorized use of their account, they should change the password and report the intrusion to the Office of Information Technology. Users are required to change their password every 90 days.



2. Users may not intentionally seek information about, browse or obtain copies of, or modify files or passwords belonging to other people, whether at Mount Union or elsewhere, unless specifically authorized to do so by those individuals. Also, users may not attempt to intercept, capture, alter, or interfere in any way with information on campus or global network paths.
3. Users must not attempt to decrypt or translate encrypted material or obtain system privileges to which they are not entitled. Attempts to do any of the above will be considered serious violations.
4. If users encounter or observe a gap in system or network security, they must report the gap to the Office of Information Technology. Users must refrain from exploiting any such gaps in security.
5. Users must refrain from any action that interferes with the supervisory or accounting functions of the system or that is likely to have such effects.
6. Users must be sensitive to the public nature of shared facilities and take care not to display sounds or messages that could create an atmosphere of discomfort or harassment for others.
7. Users must avoid tying up computing resources for game playing or other trivial applications, sending frivolous or excessive mail or messages locally or over an affiliated network, or printing excessive copies of documents, files, images, or data. Users should be sensitive to special needs for software and services available in only one location and cede place to those whose work requires the special items.
8. Users may not prevent others from using shared resources by running unattended processes or placing signs on devices to “reserve” them without authorization.
9. Users may not copy, cross-assemble, or reverse-compile any software or data that the University has obtained under a contract or license that prohibits such actions. If it is unclear if it is permissible to take such actions, users should assume that they may not do so.
10. Software may not be copied or used illegally. Website materials must be cited appropriately, and permission obtained for the publishing, performing, or distribution of copyrighted material.
11. Messages, sentiments, and declarations sent as electronic mail or sent as electronic postings must meet the same standards for distribution or display as if they were tangible documents or instruments. Users are free to publish their opinions, but they must be clearly and accurately identified as coming from the particular user or, if a user is acting as the authorized agent of a group recognized by the University, as coming from the group they are authorized to represent. Attempts to alter the “From” line or other attribution of origin in electronic mail, messages, or postings will be considered violations of University policies.
12. Users may not take any action that damages Mount Union technology resources in any way, including technology found in classrooms, public computing labs, departmental labs, residence halls, and University houses, or any other campus location.
13. Users may not establish any computer to function as a server without the knowledge and approval of the Office of Information Technology.
14. Users are required to utilize anti-virus software on their computers. Anti-virus software must be updated regularly.
15. Users may not deploy any network electronic equipment or install wireless access points without express permission from the Office of Information Technology.
16. Users who utilize the Mount Union e-mail system are required to comply with state and federal law, University policies, and normal standards of professional and personal courtesy and conduct.
17. Student employees should never store Mount Union data on unsanctioned storage devices, including cloud storage site (i.e. Dropbox), thumb drives, and home computers.

## Network Use Policy

The Mount Union network is provided for the academic use, as well as to the University administration for conducting official University business. Academic use is determined to be any legitimate use of the network for the purpose of assisting in the conduct of the University's academic mission. The official conduct of University business is limited to efforts on behalf of the management and administration of the University. The network provides access to the Internet from all offices, residence hall rooms, and computer labs, in addition to public access stations in the library. Students living in on-campus housing are accorded the privilege of using the network for personal use, as long as such use is in keeping with all applicable policies of the University and state and federal laws and is not excessive (resulting in diminished service to fellow students).

User access to the network is governed by the acceptable use policy of the University, as well as by the following:

### Servers

All servers operating on campus must do so with the knowledge and consent of the Office of Information Technology. A server is defined as any computer providing services of any type to other computers on the network or on external networks. Such services could include DNS, DHCP, SNMP, e-mail and application, file, and/or printer sharing. In order to request the deployment of a server on the network, written petition must be made, stating:

- The legitimate academic use of the server;
- Intended server operating system;
- All intended server functions and applications, including protocols and services; and
- The identity and function of target subordinate computers/users.

Any computer acting as a server without prior authorization as stated above will be removed from the network. All licensing, operation, and support of the hardware and software utilized will be the responsibility of the petitioner, if such petition is granted.

### Accounts

All authorized users will be provided an account by which to access the necessary network resources of Mount Union. The information regarding this account, including the account name and password, is privileged and must not be disseminated to anyone other than the account owner for any purpose. Account holders should protect their passwords and keep them confidential. Passwords should be changed frequently.

Any problem resulting from irresponsible use of a password (e.g., a password that can be easily guessed or oral or written dissemination of a password, as well as, passwords that are stored in scripts or saved on an individual machine) may be treated as grounds for action against the account holder. Any attempt to determine the passwords of other users is strictly prohibited.

The following are categories of authorized users:

- Current faculty and staff of the University
- Current students

The following categories of users may be authorized to utilize the University network based on the legitimate need for access to such resources:

- Volunteer staff of the University
- Student employees
- Current students studying abroad and doing transient work

- Guests
- Alumni/Alumna

Other categories of users may be granted special permission to obtain access to the system at the discretion of the University. Student employees who need to access administrative software and resources due to their employment must be given approval for this access by an office administrator.

### Special Access

From time to time, circumstances dictate the provision of short-term, special access to University systems. Such access must be in accordance with the strictest adherence to the user policies stated above and may only be granted by the Office of Information Technology after review of a written petition. The petition must state the purpose of the access, the source username, and the department. Such access will typically be provided only for a limited time and will be allowed only from designated computers. All such petitions that are approved will be maintained on file in the Office of Information Technology. All connections made through such petitions will be monitored.

### Network Electronic Equipment

Network electronic equipment, including switches, hubs, wireless access points and routers, may only be installed on campus with the knowledge and consent of the Office of Information Technology. In order to request the deployment of this equipment on the network, written petition must be made stating:

- The legitimate academic use of the equipment;
- The type of equipment wishing to be deployed and for what purpose;
- All intended functions, including protocols and services; and
- The identity and function of target subordinate computers/users.

Any network electronic equipment deployed without prior authorization as stated above will be removed from the network. If a petition is granted, all licensing, operation, and support of the hardware and software utilized will be the responsibility of the petitioner.

### VPN (Virtual Private Network)

VPN is a resource made available to faculty, staff, and students. VPN will allow a user to connect to the campus network from an off-campus ISP (Internet Service Provider) and make it appear to the user that they were physically connected to the Mount Union network. VPN will allow users to gain access to their home space (H:\ drive), and/or departmental common space (S:\ drive). VPN will be supported for only specified operating systems. If misuse of this resource occurs or if the user does not comply with the VPN Policy of Mount Union, the Office of Information Technology reserves the right to terminate any VPN connection without notice. Any party found to have violated the VPN policy may be subject to conduct action, including termination of VPN access. A copy of the VPN policy can be found on the Office of Information Technology website.

### Wireless

Wireless technology is available in specified areas of Mount Union. Use of the wireless information network implies consent to abide by all University policies pertaining to the use of computer resources at Mount Union. Users may not install wireless access points. Any unauthorized wireless access points deployed will be removed from the network.

### Campus ID Card System

The Campus ID Card System is a network resource and as such is protected by the rules of this policy. Any party found to violate this policy or damage devices specific to this system, such as door card or meal plan readers, may be subject to conduct action.

## Web Pages

The Mount Union websites are network resources and as such are protected by the rules of this policy. Any party found to violate this policy may be subject to conduct action.

## University of Mount Union Social Media

Social media is defined by Mount Union as public forms of communication that are used via the Internet. This form of communication combines integrated technology, social interaction, and the construction of words and/or pictures. Such sites are as follows but not limited to: Facebook, Twitter, Instagram, Snapchat, YouTube, TikTok, WordPress, Google+, Pinterest, Tumblr, WhatsApp, Medium, Tinder, Myspace, Renren, Flickr, blogs, etc. or any social site that can be created by a person and utilized as marketing the institution in any manner. Personal sites are permitted and are not held to the approved identity standards of Mount Union, however, any reference to the institution must adhere to the values of the institution. Please reference the Identity Standards to ensure the proper usage of Mount Union policies for written or video communication. Anyone choosing to create a social media site representing an office, department, organization, and/or any site that would be connected to the brand of Mount Union must contact the Office of Marketing. For additional information see the Social Media Policy.

The campus Unified Communications Services including voice/telephony, instant messaging (IM), presence, tec. (Tools available in Skype for Business), which maybe used by student employees. Unified Communications Services are explained in detail on the Office of Information Technology web pages within the portal. These services including voice-messaging, boice messaging is an electronic voice messaging system that gives users a convenient and dependable way to communicate with people. Voice messaging answers calls when the user is on or away from her/his phone. Users of Unified Communications Services should be aware of Mount Union's Unified Communication policy. Users of these services agree to abide by this policy. This policy can be found within the portal on the Office of Information Technology pages and instructions for using the Unified Communication tools, can be found there as well.

## E-mail Policy

Mount Union e-mail is intended to serve the communication needs of the University community. Access to the e-mail system is a privilege. Any e-mail addresses or accounts assigned by the University to individuals, sub-units, or functions of the University are the property of the University. The Mount Union network is not intended for private correspondence, as such, all communications on the University's computer systems, whether personal or business related, are the property of Mount Union. E-mail users are required to comply with state and federal law, University policies and normal standards of professional and personal courtesy and conduct. Unacceptable uses of e-mail and Internet access include, but are not limited to, the following:

- Use for any purposes that violate a federal, state, or local law.
- Use for any commercial activities, including commercial advertising unless specific to the charter, mission, or duties of Mount Union.
- Use to publish post, distribute, disseminate, or link to any:
  - Inappropriate, profane, defamatory, infringing, obscene, indecent, harassing, or unlawful topic, name, material, or information
  - Software or other material protected by intellectual property laws, rights of privacy or publicity, or other proprietary rights, unless the individual owns/ controls such rights or has received all necessary consents for the use of such software and other materials;
  - Software or other material that contains viruses, corrupted files, or that may or are intended to damage the operation of another's computer.

- Use to gather or otherwise collect information about others for commercial or private use, including e-mail addresses, without the express consent of the individuals.
- Use for fund raising, political campaign activities, or public relations activities not specifically related to Mount Union activities.
- Use to conduct or forward illegal contests, pyramid schemes, or chain letters, or to spam.
- Use to sell access to the Internet.
- Use to conduct any activity that adversely affects the availability, confidentiality, or integrity of Mount Union's technology.
- Use to benefit personal or financial interests of any employee or student.
- Use for mass e-mail purposes.

E-mail users shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the University or any unit of the University unless expressly authorized to do so. Where appropriate, the following explicit disclaimer shall be included: "The opinions or statements expressed herein are my own and should not be taken as a position, opinion or endorsement by University of Mount Union."

### *Restriction of E-Mail Privileges in Response to Resource Limitations, Administrative Procedures, or Policy Violations*

The Office of Information Technology of Mount Union sets the amount of disk space available for mailboxes and file space. The Office of Information Technology will announce the limits on an annual basis. On occasion it may become necessary for IT to impose additional limitations on the use of e-mail due to technical necessities or to require purges of information stored on the University servers to preserve the integrity of the system. Users are advised to implement a data recovery plan, for example storing files on a DVDs, CDs, or making paper copies, as well as regularly archiving their e-mail messages.

### *Security*

E-mail, as a public record, is subject to the Freedom of Information Act and to subpoena by a court of law. Users should be aware that any information submitted via e-mail is not confidential and could be observed by a third party while it is in transit. Encryption encourages the false belief that privacy can be guaranteed. Users should never put anything in an e-mail message that must be kept confidential. E-mail users should assume that anyone could accidentally or intentionally view the content of their message. E-mail security is a joint responsibility of Mount Union Office of Information Technology and e-mail users. The University will provide the security offered by the currently used software, as well as a "firewall" to prevent unauthorized access to the mail server. Users must take all reasonable precautions, including safeguarding and changing passwords, to prevent the use of the account by unauthorized individuals. Users may not divulge passwords for Mount Union accounts to any other person or allow other persons use of their Mount Union account for any reasons.

### *Archiving and Retention*

The Office of Information Technology does not archive documents. Mount Union records communicated using e-mail or the Internet need to be identified, managed, protected, and retained as long as they are needed to meet operational, legal, audit, research or other requirements. Each director is required to comply with approved records retention schedules or to set standards to retain, manage and make accessible in an existing filing system, outside the e-mail system, records needed to support program functions in accordance with Mount Union's standard practices.

### *Eligibility for E-Mail Privileges*

Students are eligible for e-mail privileges as long as they are officially registered at Mount Union.

## Hardware and Software Support Policy

### Personally Owned Computers on Campus

#### *Hardware*

Personally owned computers belonging to the students will be supported by the helpdesk in a limited manor. Students can find out additional information on this service by visiting the Helpdesk or the IT web site. Additional computer services offered to students can be found on the Office of Information Technology web site.

#### Data Security

Data is considered a primary asset and as such must be protected in a manner commensurate to its value. Data security is necessary in today's environment because data is a valuable asset. Security and privacy must focus on controlling unauthorized access to data. Security compromises or privacy violations could jeopardize the University's ability to provide service; lose revenue through fraud or destruction of proprietary or confidential data; violate business contracts and customer privacy; or reduce credibility and reputation with its students, faculty, staff, friends, and alumni. The main objective of this policy is to ensure that data is protected in all of its forms, on all media. This policy applies to all University data.

A breach of policy could have severe consequences to Mount Union. The goals are to educate users about their obligation for protection of all data assets and to ensure the security and integrity of all University data. It is the responsibility of the individual to keep Mount Union data secure on any device, including but not limited to desktops, laptops, portable hard drives, mobile devices such as cell phones, PDAs, etc. Individuals are prohibited from downloading, storing, or recording of data that include any information which if lost or stolen could be used for identity theft purposes. Additional information on data security can be found in the Office of Information Technology's Data Security Policy.

#### *Smart Phones*

Any student who carries a smart phone that connects to Mount Union data and services must comply with the Office of Information Technology policy regarding Smart Phones. Users are expected to secure their device by using passwords, changing them regularly, always locking the device when not in use, encrypting data, and securing their device to prevent theft. Any Mount Union data that is stored on a mobile device is the responsibility of the owner. If Mount Union data is stored on a mobile device and the device is lost it must be reported to the Office of Information Technology immediately.

Users are expected to adhere to all policies set forth by the University regarding the use of technology resources. Failure to follow the expectations set forth in this section or any other policy of the University regarding use of technology may result in sanctions against the user, including, but not limited to, loss of access to technology resources and/or conduct action. Additional Information can be found in the Office of Informational Technology's mobile device policy.

#### Policy Updates and Reviews

This policy will be reviewed on an annual basis. Updates may be made without notification. It is the user's responsibility to review applicable policies on a regular basis.

#### Indemnification of Mount Union

Users agree by virtue of access to the University's computing and e-mail systems, to indemnify, defend and hold harmless the University for any suits, claims, losses, expenses, or damages including, but not limited to, litigation costs and attorney's fees arising from or related to the user's access to or use of University e-mail and computing systems, services, and facilities.



## Tobacco Free Policy

The Tobacco-Free Policy applies to all University of Mount Union facilities, property, sponsored events, and vehicles, owned or leased, regardless of location. Smoking and the use of tobacco products shall not be permitted in any enclosed place, including, but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, performance venues and private residential space within University of Mount Union housing. Smoking and the use of tobacco products shall also be prohibited outdoors on all University of Mount Union campus property, including, but not limited to, parking lots, paths, fields, sports/recreational areas, and stadiums, as well as in all personal vehicles while on campus. This policy applies to all students, faculty, staff, and other persons on campus, regardless of the purpose for their visit.

Smoking is defined as inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. Smoking also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy.

In further recognition of the incompatibility of the University of Mount Union's educational mission and the promotion of tobacco products:

No tobacco-related advertising or sponsorship shall be permitted on the University of Mount Union property, at University of Mount Union-sponsored events, or in publications produced by the University of Mount Union, with the exception of advertising in a newspaper or magazine that is not produced by the University of Mount Union and which is lawfully sold, bought, or distributed on University of Mount Union property. For the purposes of this policy, tobacco-related applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or motto, selling message, recognizable pattern or colors, or any other product identical to, similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.

No tobacco products or paraphernalia shall be sold or distributed as samples on university grounds, either in vending machines, the Hoover-Price Campus Center, or any other area on campus.

For assistance or resources in regard to cessation, student can contact the Office of Alcohol, Drug, and Wellness Education [mountunion.edu/alcohol-drug-and-wellness-education](http://mountunion.edu/alcohol-drug-and-wellness-education).

Other resources can be found at:

[Smokefree.gov](http://Smokefree.gov)  
[smokefree.gov](http://smokefree.gov)

[The American Lung Association](http://The American Lung Association)  
[lung.org](http://lung.org)

[The American Heart Association](http://The American Heart Association)  
[heart.org](http://heart.org)

[The American Cancer Society](http://The American Cancer Society)  
[cancer.org](http://cancer.org)

[Mercy Medical Center Tobacco Treatment Program](http://Mercy Medical Center Tobacco Treatment Program)  
[cantonmercy.org/smoking-cessation](http://cantonmercy.org/smoking-cessation)

## [Aultman Hospital Give it Up!](#)

[aultman.org/home/health-and-wellness/community-programs/give-it-up](http://aultman.org/home/health-and-wellness/community-programs/give-it-up)

## Vehicles

Mount Union maintains a fleet of vehicles that are available for university-sponsored activities and functions. The use of a university vehicle is a privilege that entails specific responsibilities. Failure to follow university, state, and federal rules and regulations or irresponsible use of a vehicle will result in that privilege being withdrawn.

All drivers must be authorized annually to drive university-owned vehicles. Drivers must be 21 years of age, complete the following: the driver's application form signed by the department or organization for which you will be driving, the statement of rights and responsibilities, online motor vehicle record check, and online defensive driving training. The supervisor of the department or organization must initiate the initial request and will be charged any associated fees. Requests for authorization and associated documentation should be completed at least ten days prior to the need to drive a university vehicle.

## Withdrawal Process and Refund Policy

A student who wants to withdraw after classes have started for the semester initiates the process with the Office of Student Affairs to indicate that they are withdrawing. The official date of withdrawal is the date the student contacted the Office of Student Affairs or the student's last date of attendance at a documented academically related activity. This policy applies to students who withdraw from all their classes for the semester or are suspended. Students who participate in activities on campus prior to the first day of classes and then submit written notice of withdrawal prior to the first day of classes shall be assessed an early withdrawal fee of \$150.

The charges for tuition, fees, room, and meal plan are based on a weekly schedule listed in the University Catalogue. The student who withdraws after those dates will be charged for the whole semester and will be eligible for financial aid based on the semester costs. Notification of withdrawal and requests for refunds must be done in writing. The process is initiated with a withdrawal form which is available in the Office of Student Affairs in the Hoover-Price Campus Center. The Mount Union Refund Policy can be found in its entirety in the University Catalogue.

## Handbook Statement

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Mount Union students are responsible for knowing the information, policies and procedures as outlined in this handbook. Mount Union reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect. Changes to the handbook, except those made at the start of the academic year will be announced to the community through their Mount Union email. Students are encouraged to check online [mountunion.edu/campus-life/safety-and-parking/student-conduct](https://mountunion.edu/campus-life/safety-and-parking/student-conduct) for the updated versions of all policies and procedures.

If you are responsible for a policy housed in the Student Handbook and it needs to be updated, or you have questions about the policies housed in the Student Handbook, please contact [studentconduct@mountunion.edu](mailto:studentconduct@mountunion.edu) for updates and/or clarification.



## Appendix

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### Equal Opportunity, Harassment, and Nondiscrimination for All Faculty, Students, Employees, and Third-Parties Policy and Procedures

#### 1. Glossary

- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any.
- *Appeal Decision-maker* means the person or panel who accepts or rejects a submitted appeal request, determines whether an error occurred that substantially affected the investigation or original determination, and directs corrective action, accordingly.
- *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected characteristic; or retaliation for engaging in a protected activity.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when the University of Mount Union is in normal operation.
- *Decision-maker* means the person or panel who hears evidence, determines relevance, and makes the final determination of whether this Policy has been violated and/or assigns sanctions.
- *Directly Related Evidence* is evidence connected to the complaint, but is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the Decision-maker(s). Compare to relevant evidence, below.
- *Education program or activity* means locations, events, or circumstances where The University of Mount Union exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University of Mount Union.
- *Final Determination*: A conclusion by a preponderance of the evidence that the alleged conduct did or did not violate policy.
- *Finding*: A conclusion by the preponderance of the evidence that the conduct did or did not occur as alleged (as in a “finding of fact”).
- *Formal Complaint* means a document submitted or signed by a Complainant or signed by the Title IX Co-coordinator or Senior Title IX Administrator alleging a Respondent engaged in harassment or discrimination based on a protected characteristic or retaliation for engaging in a protected activity and requesting that the University of Mount Union investigate the allegation(s).
- *Formal Grievance Process* means the method of formal resolution designated by the University of Mount Union to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations (34 CFR §106.45) and the Violence Against Women Act §304.
- *Grievance Process Pool* includes any investigators, Hearing Decision-makers, Appeal Decision—makers and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same complaint).

- *Hearing Decision-maker* refers to those who have decision-making and sanctioning authority within the University of Mount Union's Formal Grievance process.
- *Informal Resolution* is a complaint resolution agreed to by the Parties and approved by the Title IX Co-coordinator or Senior Title IX Administrator that occurs prior to a formal Final Determination being reached.
- *Investigator* means the person or persons authorized by the University of Mount Union to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report of Relevant Evidence and s file of Directly Related Evidence.
- *Mandated Reporter* means an employee of the University of Mount Union who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX co-coordinator [and/or their supervisor].<sup>1</sup>
- *Notice* means that an employee, student, or third-party informs the Title IX Co-coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- *Official with Authority (OWA)* means an employee of the University of Mount Union who has responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the University of Mount Union.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Process A* means the Formal Grievance Process detailed below and defined above.
- *Process B* means the administrative resolution procedures detailed in [Appendix D](#) that apply only when Process A does not, as determined by the Title IX Co-coordinator.
- *University of Mount Union* means a postsecondary education program that is a recipient of federal funding.
- *Relevant Evidence* is evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint.
- *Remedies* are post Final Determination actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the University of Mount Union's educational program.
- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected characteristic; or retaliation for engaging in a protected activity under this Policy.
- *Resolution* means the result of an Informal or Formal Grievance Process.
- *Sanction* means a consequence imposed by the University of Mount Union on a Respondent who is found to have violated this policy.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. [See Section 17.b.](#) for greater detail.
- *Student* means any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with the University of Mount Union.
- *Title IX Co-coordinator* and Senior Title IX Administrator are the officials designated by the University of Mount Union to ensure compliance with Title IX and the University of Mount Union's Title IX program. References to the co-coordinator(s) throughout this policy may also encompass a designee of the co-coordinator(s) for specific tasks.

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<sup>1</sup> Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of individuals with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility in this Policy.



- *Title IX Team* refers to the Senior Title IX Administrator, the Title IX co-coordinators, any deputy coordinators, any member of the Grievance Process Pool, and any members of the Decision-Maker pools.

## 2. Rationale for Policy

The University of Mount Union is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination and harassment, based on a protected characteristic, and retaliation for engaging in a protected activity.

University of Mount Union values and upholds the equal dignity of all members of its community and strives to balance the rights of parties in the grievance process during what is often a difficult time for all involved.

To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, University of Mount Union has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected characteristic, and for allegations of retaliation.

## 3. Applicable Scope

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from or different treatment in activities, such as admission, athletics, or employment. At other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged policy violation is reported, the allegations are subject to resolution using the University of Mount Union's "Process A" or "Process B," as determined by the appropriate Title IX co-coordinator, and as detailed below.

When the Respondent is a member of the University of Mount Union community, a Formal Complaint may be filed and a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the University of Mount Union community. This community includes, but is not limited to, students,<sup>2</sup> student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, vendors, contractors, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed and investigated in accordance with this Policy.

The University of Mount Union recognizes that reports and/or Formal Complaints under this Policy may include multiple forms of discrimination and harassment as well as violations of other University of Mount Union policies; may involve various combinations of students, employees, and other members of the University of Mount Union community; and may require the simultaneous attention of multiple University departments. Accordingly, all University of Mount Union departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable University policies, to provide uniform, consistent, efficient, and effective responses to alleged discrimination and harassment or retaliation.

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<sup>2</sup> For the purpose of this policy, the University of Mount Union defines "student" as any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with the University of Mount Union.



#### 4. Senior Title IX Administrator and Title IX Co-coordinators

The Chief Diversity Officer & Senior Title IX Administrator, the Associate Dean of Students, and the Director of Human Resources serve as the Title IX co-coordinators and oversee implementation of the University of Mount Union's Affirmative Action and Equal Opportunity plan and the University of Mount Union's equal opportunity, harassment, and nondiscrimination policy and procedures. These administrators have the primary responsibility for coordinating the University of Mount Union's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this Policy.

#### 5. Independence and Conflict-of-Interest

The Chief Diversity Officer (CDO) & Title IX Administrator and the Title IX Co-coordinators jointly manage the Title IX Team and act with independence and authority free from bias and conflicts of interest. They oversee all resolutions under this Policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Senior Title IX Administrator or one of the Title IX co-coordinators, contact the non-involved Title IX co-coordinator or administrator. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Title IX Team member should be raised with the CDO & Senior Title IX Administrator or as appropriate with one of the Title IX Co-coordinator.

Reports of misconduct or discrimination committed by the CDO & Senior Title IX Administrator or either Title IX Co-coordinator should be reported to the University of Mount Union President, Gregory L. King at [kinggl@mountunion.edu](mailto:kinggl@mountunion.edu) or 330-823-6050. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the CDO & Senior Title IX Administrator or either Title IX co-coordinator.

#### 6. Administrative Contact Information

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to:

Mark Black, chief diversity officer & senior Title IX administrator  
Beeghly Hall, DEIB Office  
Phone: (330) 829-4904  
Email: [blackma@mountunion.edu](mailto:blackma@mountunion.edu)

Michelle Gaffney, associate dean of students & Title IX co-coordinator  
Hoover Price Campus Center, Office of Student Affairs  
Phone: (330) 823-2496  
E-mail: [gaffnemi@mountunion.edu](mailto:gaffnemi@mountunion.edu)

Andrew Boothe, Jr., associate diversity officer & Title IX co-coordinator  
Beeghly Hall, DEIB Office  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-6500  
E-mail: [bootheac@mountunion.edu](mailto:bootheac@mountunion.edu)

The University of Mount Union Title IX website can be found [here](#).

Reports can also be made via an [online report](#) which goes directly to the Senior Title IX Administrator and Title IX CO-coordinators or via the University's [EthicsPoint reporting mechanism](#).

The University of Mount Union Title IX Grievance pool, is composed of a pool of trained faculty and staff who may be assigned to serve in the role of either investigator or advisor. The University of Mount Union also has a pool of trained faculty and staff who serve as Title IX Decision-Makers and Title IX Appeal Decision-Makers. Additional Title IX Pool members are added as training allows. Please find the most recent list of individuals and their roles [online](#).

The University of Mount Union has designated the listed faculty and staff members on the Title IX webpage as Officials with Authority (OWAs) to address and correct harassment, discrimination, and/or retaliation. As such, any of the faculty and staff members listed above may also accept notice of complaints on behalf of the University of Mount Union.

The University of Mount Union has classified most employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. The section below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

Inquiries may be made externally to:

Office for Civil Rights (OCR)

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: [ed.gov/ocr](http://ed.gov/ocr)

The Ohio Office of Civil Rights can be found at:

Cleveland Office  
U.S. Department of Education  
1350 Euclid Avenue  
Suite 325  
Cleveland, OH 44115  
Telephone: (216) 522-4970  
Facsimile: (216) 522-2573  
Email: [OCR.Cleveland@ed.gov](mailto:OCR.Cleveland@ed.gov)

For complaints involving employee-on-employee conduct: [Equal Employment Opportunity Commission \(EEOC\)](#)

## 7. Notice/Complaints of Discrimination, Harassment, and/or Retaliation

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

1. File a report or Formal Complaint with, or give verbal notice to, the CDO & Senior Title IX Administrator or Title IX co-coordinators at:

Mark Black, chief diversity officer & Senior Title IX admin  
Beeghly Hall, Office of the President  
1972 Clark Ave, Alliance, OH 44601  
Phone: (330) 829-4904  
Email: [blackma@mountunion.edu](mailto:blackma@mountunion.edu)

Michelle Gaffney, associate dean of students & Title IX co-coordinator  
Hoover Price Campus Center, Office of Student Affairs  
1972 Clark Ave., Alliance, OH 44601  
Phone: (330) 823-2496  
E-mail: [gaffnemi@mountunion.edu](mailto:gaffnemi@mountunion.edu)

Andrew Boothe, Jr., associate diversity officer & Title IX co-coordinator  
Beeghly Hall, DEIB Office  
1972 Clark Avenue, Alliance, OH 44601  
Phone: (330) 823-6500  
E-mail: [bootheac@mountunion.edu](mailto:bootheac@mountunion.edu)

Such a report or Formal Complaint may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX co-coordinator or any other official listed.

Reports can also be made via an [online report](#) which goes directly to the Senior Title IX Administrator and Title IX Co-coordinators or via the University's [EthicsPoint](#) reporting mechanism.

Anonymous reports are accepted but can give rise to a need to investigate to determine if the parties can be identified. If not, no further formal action is taken, though measures intended to protect the community may be enacted. The University of Mount Union tries to provide supportive measures to all Complainants, which may be impossible with an anonymous report that does not identify the Complainant.

Because reporting carries no obligation to initiate a formal response, and because the University of Mount Union respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the University of Mount Union to discuss and/or provide supportive measures.

As used in this Policy, the term "Formal Complaint" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University of Mount Union) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that the University of Mount Union investigate the allegations.

If notice is submitted in a form that does not meet this standard, the Senior Title IX Administrator or Title IX co-coordinator will contact the Complainant to ensure that it is filed correctly.

## 8. Supportive Measures

The University of Mount Union will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available. They are offered without fee or charge to the parties to restore or preserve access to the University of Mount Union's education program or activity, including measures designed to protect the safety of all parties or the University of Mount Union's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The CDO & Senior Title IX Administrator or Title IX co-coordinators promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the University of Mount Union will inform the Complainant, in writing, that they may file a Formal Complaint with the University of Mount Union either at that time or in the future, if they have not done so already. The CDO & Senior Title IX Administrator or Title IX co-coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The University of Mount Union will maintain the confidentiality of the supportive measures, provided that privacy does not impair the University of Mount Union's ability to provide the supportive measures. The University of Mount Union will act to ensure as minimal an academic/occupational impact on the parties as possible. The University of Mount Union will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to [counseling](#), [medical](#), and/or other healthcare services
- Referral to the [Employee Assistance Program](#) (Impact Solutions)
- Referral to community-based service providers
- Visa and immigration assistance
- [Student financial aid counseling](#)
- Education to the institutional community or community subgroup(s)
- [Altering campus housing assignment\(s\)](#)
- Altering work arrangements for employees or student-employees
- Safety planning
- [Providing campus safety escorts](#)
- Providing transportation assistance
- Implementing contact limitations (no contact orders) between the parties
- [Academic support, extensions of deadlines, or other course/program-related adjustments](#)
- Persona Non Grata (PNG) orders
- [Timely warnings](#)
- Class schedule modifications, withdrawals, or leaves of absence
- [Increased security and monitoring of certain areas of the campus](#)
- Any other actions deemed appropriate by the CDO & Senior Title IX Administrator or Title IX Co-coordinator(s)

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

## 9. Emergency Removal

The University of Mount Union can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the CDO & Senior Title IX

Administrator or Title IX co-coordinator in conjunction with the CARE (Concern – Assess – Respond – Engage) Team using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the appropriate Title IX Administrator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the CDO & Senior Title IX Administrator or Title IX co-coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the CDO & Senior Title IX Administrator or Title IX co-coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The CDO & Senior Title IX Administrator or Title IX co-coordinator has sole discretion under this Policy to implement or modify an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct process, which may include expulsion or termination.

The University of Mount Union will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the CDO & Senior Title IX Administrator or Title IX co-coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the CDO & Senior Title IX Administrator or Title IX co-coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact on the parties as possible.

Where the Respondent is an employee, or student employee, accused of misconduct in the course of their employment, existing provisions for interim action are applicable instead of the emergency removal process.

## 10. Promptness

Once the University of Mount Union has received notice of a Formal Complaint, all allegations are promptly acted upon. Complaints can take 60-90 business days to resolve. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the University of Mount Union will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in the University of Mount Union's procedures will be delayed, the University of Mount Union will provide written notice to the parties of

the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

## 11. Confidentiality/Privacy

Every effort is made by the University of Mount Union to preserve the confidentiality of reports.<sup>3</sup> The University of Mount Union will not share the identity of any individual who has made a report or Formal Complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, any individual who has been reported to be the perpetrator of harassment, discrimination, or retaliation; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The University of Mount Union reserves the right to determine which University of Mount Union officials have a legitimate educational interest in being informed about incidents that fall within this Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: the Office of Human Resources, the Division of Student Affairs, Campus Safety and Security, the CARE Team, and College Deans and Vice Presidents. Information will be shared as necessary with Investigators, Decision-Makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The University of Mount Union may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so. Minors will be treated the same as any student throughout this process.

Confidentiality and mandated reporting are addressed more specifically [below](#).

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<sup>3</sup> For the purpose of this policy, privacy and confidentiality have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of the University of Mount Union employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the University of Mount Union’s response to notice under this policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”), as outlined in the University of Mount Union’s Student Records Policy. The privacy of employee records will be protected in accordance with Human Resources policies.

**Confidentiality** exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. The University of Mount Union has designated individuals who have the ability to have privileged communications as Confidential Resources. For more information about Confidential Resources, see page 117. When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clergy Act. Other information may be shared as required by law.



## 12. Jurisdiction of the University of Mount Union

This policy applies to the education program and activities of the University of Mount Union, to conduct that takes place on property owned or controlled by the University of Mount Union, at University of Mount Union-sponsored events, and in buildings owned or controlled by University of Mount Union's recognized student organizations. The Respondent must be a member of University of Mount Union's community in order for this Policy to apply.

This Policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to the University of Mount Union's educational program or activities. The University of Mount Union may also extend jurisdiction to off-campus and/or to online conduct when the CDO & Senior Title IX Administrator or Title IX co-coordinator determines that the conduct affects a substantial University of Mount Union interest.

Regardless of where the conduct occurred, the University of Mount Union will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus (including virtual learning and employment environment) or in an off-campus sponsored program or activity. A substantial University of Mount Union interest includes:

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual.
- c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others, significantly breaches the peace, and/or causes social disorder.
- d. Any situation that substantially interferes with the educational interests or mission of the University of Mount Union.

If the Respondent is unknown or is not a member of the University of Mount Union community, the CDO & Senior Title IX Administrator or Title IX co-coordinator will assist the Complainant in identifying appropriate campus and local resources and support options. If criminal conduct is alleged, the University can assist in contacting local law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the University of Mount Union's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the CDO & Senior Title IX Administrator or Title IX co-coordinator.

In addition, the University of Mount Union may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from University of Mount Union property and/or events.

All vendors serving the University of Mount Union through third-party contracts are subject to the policies and procedures of their employers and/or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the CDO & Senior Title IX Administrator or Title IX Co-coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the CDO & Senior Title IX Administrator or Title IX co-coordinator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study

abroad program, or other environment external to the University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse.

### 13. Time Limits on Reporting

There is no time limitation on providing notice/complaints to the CDO & Senior Title IX Administrator or Title IX Co-coordinator. However, if the Respondent is no longer subject to the University of Mount Union's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the CDO & Senior Title IX Administrator or Title IX co-coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, the University of Mount Union will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

### 14. Online Harassment and Misconduct

The policies of University of Mount Union are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the University of Mount Union's education program and activities or use University of Mount Union networks, technology, or equipment.

Although University of Mount Union may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to University of Mount Union, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute nude or semi-nude photos or recordings; breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the University of Mount Union community.

Otherwise, such communications are considered speech protected by the First Amendment. Unless the poster is a student and their post violates the Code of Student Conduct.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the University of Mount Union when such speech is made in an employee's official or work-related capacity or impacts the employee's ability to work within the university community.

Supportive measures for Complainants will be provided, but protected speech cannot legally be subjected to discipline.

### 15. Policy on Nondiscrimination

The University of Mount Union adheres to all federal, state, and local civil rights laws and regulations prohibiting discrimination in private institutions of higher education.

#### A. Protected Characteristics

The University of Mount Union does not discriminate against any employee, applicant for

employment, student, or applicant for admission on the basis of the following protected characteristics:

- Race
- Gender
- Gender identity or expression
- Sex
- Sexual orientation
- Religion
- Age
- Color
- Creed
- National or ethnic origin
- Veteran status
- Marital or parental status
- Pregnancy
- Disability
- Genetic information
- or any other protected characteristic under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process within the institution, with the Equal Employment Opportunity Commission, and/or other human/civil rights agencies.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the University of Mount Union community whose acts deny, deprive, or limit the educational or employment or residential and/or social access, benefits, and/or opportunities of any member of the University of Mount Union community, guest, or visitor on the basis of that person's actual or perceived protected characteristics listed above is in violation of the University of Mount Union's Policy on Nondiscrimination.

When brought to the attention of the University of Mount Union, any such discrimination will be promptly and fairly addressed and remedied by the University of Mount Union according to the appropriate grievance process described below.

#### B. Inclusion Related to Gender Identity/Expression

The University of Mount Union strives to ensure that all individuals are safe, included, and respected in their working and learning environments, regardless of their gender identity or expression, including intersex, transgender, agender, and gender diverse students and employees.

Discrimination on the basis of gender identity or expression is not tolerated by the University of Mount Union. If a member of the University of Mount Union community feels they have been subjected to discrimination under this Policy, they should follow the appropriate reporting/Formal Complaint process described above.

In upholding the principles of equity and inclusion, the University of Mount Union supports the full integration and healthy development of those who are transgender, transitioning, or gender diverse, and seeks to eliminate any stigma related to gender identity and expression.

The University of Mount Union is committed to fostering a climate where all identities are valued and create a more vibrant and diverse community. The purpose of this Policy is to have the University of

Mount Union administratively address issues some students and employees, including those identifying as intersex, transgender, agender, and gender diverse, may confront as they navigate systems originally designed around the assumption that gender is binary. As our society's understanding of gender evolves, so do the University's processes and policies.

Concepts like misgendering and deadnaming may not be familiar to all but understanding them is essential to the University of Mount Union's goal of being as welcoming and inclusive a community as possible. Faculty, staff, and students have the opportunity to indicate a chosen name and pronouns in Colleague Self-Service. A legal name change requires official documentation be given to either the Registrar's Office (student) or the Office of Human Resources (employees).

Misgendering is the intentional or unintentional use of pronouns or identifiers that are different from those used by an individual. Unintentional misgendering is usually resolved with a simple apology if someone clarifies their pronouns for you. Intentional misgendering is inconsistent with the type of community we hold ourselves out to be. We all get to determine our own gender identity and expression, but we don't get to choose someone else's.

Deadnaming, along with misgendering, can be very traumatic to a person who is transgender, transitioning, or gender diverse. Deadnaming means using someone's birth-assigned (cisgender) name, rather than the name they have chosen.

To a person who is transgender, transitioning, or gender diverse, their cisgender identity may be something that is in their past, dead, and buried, and behind them. To then revive their deadname could trigger issues, traumas, and experiences of the past that the individual has moved past, or is moving past, and can interfere with their health and well-being.

Again, unintentional deadnaming can be addressed by a simple apology and an effort to use the person's chosen name. Intentional deadnaming could be a form of bullying, outing, or otherwise harassing and individual, and thus should be avoided.

This policy should be interpreted consistent with the goals of maximizing the inclusion of intersex, transgender, transitioning, agender, and gender diverse students and employees, including:

- Maintaining the privacy of all individuals consistent with the law;
- Ensuring all students equal access to educational programming, activities, and facilities, including restrooms and locker rooms;
- Ensuring all employees equal access to employment opportunities and work, service, or health-related facilities;
- Providing professional development for employees and education for students on topics related to gender inclusion, and;
- Encouraging all students and employees to respect the pronoun usage and identities of all members of the University community.

The University of Mount Union has set forth its specific processes for implementing this Policy through the accompanying Title IX-related procedures.

## 16. Policy on Disability Discrimination and Accommodation

The University of Mount Union is committed to full compliance with the Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal, state, and local laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the University of Mount Union, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

The director of human resources has been designated as University of Mount Union's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the procedures below. For concerns relating to disability accommodations in the University of Mount Union's resolution process, please contact the CDO & Senior Title IX Administrator.

### *A. Students with Disabilities*

The University of Mount Union is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of the University of Mount Union.

All accommodations are made on an individualized basis. A student requesting any accommodation should first contact the director of student accessibility services, who coordinates services for students with disabilities.

The director of student accessibility services reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s) in accordance with University of Mount Union's applicable policies.

### *B. Employees with Disabilities*

Pursuant to the ADA, University of Mount Union will provide reasonable accommodation(s) to all qualified employees with known disabilities when their disability affects the performance of their essential job functions, except when doing so would be unduly disruptive or would result in undue hardship to the University of Mount Union.

An employee with a disability is responsible for submitting a request for an accommodation to the director of human resources and providing necessary documentation. The director of human resources will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties in accordance with University of Mount Union's applicable policies.

## **17. Policy on Discriminatory Harassment**

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. The University of Mount Union's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under University of Mount Union policy. When speech or conduct is protected by academic

freedom, it will not be considered a violation of University of Mount Union policy, though supportive measures will be offered to those impacted. All policies encompass actual and/or attempted offenses.

### *A. Discriminatory Harassment*

Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived characteristic protected by policy or law – is a form of discrimination under the University of Mount Union Policy.

The University of Mount Union does not tolerate discriminatory harassment of any employee, student, visitor, or third party. The University of Mount Union will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a “hostile environment.”

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual’s educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, and/or physical conduct that is severe or pervasive **and** objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, the University of Mount Union may also impose sanctions on the Respondent through application of the appropriate grievance process.

The University of Mount Union reserves the right to address offensive conduct and/or harassment that (1) does not rise to the level of creating a hostile environment, or (2) that is of a generic nature and not based on a protected characteristic. Addressing such conduct will not result in the imposition of discipline under University of Mount Union Policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternate Resolution, and/or other Informal Resolution mechanisms.

For assistance with Alternate Resolution and other Informal Resolution techniques and approaches, employees should contact the director of human resources, and students should contact the director of student conduct & community standards.

### *B. Sexual Harassment*

The Department of Education’s Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the state of Ohio regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

The University of Mount Union has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community. Two definitions are required by federal law. While they overlap, they are not identical, and they each apply as noted.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

**Title VII/FHA Sexual Harassment** applies to situations where an employee is subjected to workplace sexual harassment or where a situation involves a residential Complainant in University provided housing.

1. Unwelcome verbal, written, graphic, and/or physical conduct;
2. that is severe or pervasive and objectively offensive;
3. on the basis of sex/gender, that unreasonably interferes with, limits, or effectively denies an individual’s education or employment access, benefits, or opportunities



**Title IX Sexual Harassment**, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. This definition applies to all formal complaints that fall within Title IX jurisdiction as determined by the CDO & Senior Title IX Administrator or Title IX Co-Coordinator. Sexual harassment includes:

Conduct on the basis of sex/gender or that is sexual that satisfies one or more of the following:

1. Quid Pro Quo:
  - a. an employee of the University of Mount Union,
  - b. conditions<sup>4</sup> the provision of an aid, benefit, or service of the University of Mount Union,
  - c. on an individual's participation in unwelcome sexual conduct.
2. Sexual Harassment:
  - a. unwelcome conduct,
  - b. determined by a reasonable person,
  - c. to be so severe, and
  - d. pervasive, and,
  - e. objectively offensive,
  - f. that it effectively denies a person equal access to the University of Mount Union's education program or activity.<sup>5</sup>
3. Sexual assault, defined as:
  - a) Any sexual act<sup>6</sup> directed against a Complainant<sup>7</sup>:
    - without their consent or,
    - including instances in which the Complainant is incapable of giving consent.
  - b) Incest:
    - Non-forcible sexual intercourse,
    - between persons who are related to each other,
    - within the degrees wherein marriage is prohibited by Ohio law.
  - c) Statutory Rape:
    - Non-forcible sexual intercourse,
    - with a person who is under the statutory age of consent of 16
4. Dating Violence, defined as:
  - a. violence,
  - b. on the basis of sex,
  - c. committed by a person,
  - d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
    - The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
      - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

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<sup>4</sup> Implicitly or explicitly.

<sup>5</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

- Dating violence does not include acts covered under the definition of domestic violence.

5. Domestic Violence, defined as:

- violence,
- on the basis of sex,
- committed by a current or former spouse or intimate partner of the Complainant,
- by a person with whom the Complainant shares a child in common, or
- by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Ohio, or
- by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Ohio.

\*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6. Stalking, defined as:

- engaging in a course of conduct,
- on the basis of sex,
- directed at a specific person, that
  - would cause a reasonable person to fear for the person's safety, or
  - the safety of others; or
  - Suffer substantial emotional distress.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

The University of Mount Union reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this Policy. The most serious offenses are likely to result in suspension/expulsion/termination.

### *C. Force, Coercion, Consent, and Incapacitation*

As used in the offenses above, the following definitions and understandings apply:

**Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," which elicits the response "Okay, don't hit me, I'll do what you want.>").

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

**Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Consent is:**

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonably immediate time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions must be respected.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the University of Mount Union to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar, and previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM<sup>6</sup> or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, hence the University of Mount Union’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drug

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<sup>6</sup> Bondage, discipline/dominance, submission/sadism, and masochism.

consumption. As stated above, a Respondent violates this Policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This Policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances.

#### *D. Other Civil Rights Offenses*

In addition to the forms of sexual harassment described above, which are covered by Title IX, the University of Mount Union additionally prohibits the following offenses as forms of discrimination that may be within or outside of Title IX when the act is based upon the Complainant’s actual or perceived protected characteristic.

##### 1) Sexual Exploitation, defined as:

- taking non-consensual or abusive sexual advantage of another
- for their own benefit or for the benefit of anyone other than the person being exploited, and
- that conduct does not otherwise constitute sexual harassment under this policy.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy (e.g., doxing)
- Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual’s sexual orientation, gender identity, or gender expression
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent), including the making or posting of non-consensual pornography
- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person’s ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity

- Misappropriation of another person’s identity on apps, websites, or other venues designed for dating or sexual connections (e.g. spoofing)
  - Forcing a person to take an action against that person’s will by threatening to show, post, or share information, video, audio, or an image that depicts the person’s nudity or sexual activity
  - Knowingly soliciting a minor for sexual activity
  - Engaging in sex trafficking
  - Knowingly creating, possessing, or disseminating child pornography
- 2) Harm Endangerment, defined as:
    - a) threatening or causing physical harm;
    - b) extreme verbal, emotional, or psychological abuse;
    - c) or other conduct which threatens or endangers the health or safety of any person or damages their property.
  - 3) Discrimination, defined as
    - a) actions that deprive, limit, or deny
    - b) other members of the community
    - c) of educational or employment access, benefits, or opportunities,
    - d) including disparate treatment.
  - 4) Intimidation, defined as :
    - a) implied threats or
    - b) acts that cause the Complainant an unreasonable fear of harm.
  - 5) Hazing, defined as:
    - a) acts likely to cause physical or psychological harm or social ostracism
    - b) to any person within the University of Mount Union community,
    - c) when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy and statement found in the Student Handbook);
  - 6) Bullying, defined as:
    - a) Repeated and/or severe aggressive behavior
    - b) that is likely to intimidate or intentionally hurt, control, or physically or mentally diminish the Complainant,
    - c) that is not speech or conduct otherwise protected by the First Amendment.

Violation of any other University of Mount Union policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived protected characteristic(s), and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from warning through expulsion/termination.

## Code of Ethical Behavior Policy Statement

Faculty and staff members exercise power over students, whether in evaluating them, writing recommendations for them, supervising their work, or serving on University committees. Professionalism is diminished when those in positions of authority abuse or appear to abuse their power. Codes of ethics for most professions forbid such professional-client relationships, including sexual relationships. In the view of the University, the faculty/staff-student relationship is one of professional and client. The University will view it as professionally unethical if faculty or staff members engage in sexual relationships with Mount Union students, or personal relationships in which the faculty or staff member misuses their power over a student of the University, even when both parties have consented to the relationship.

If any personal or familial relationship exists prior to one of the parties entering the University, the faculty or staff member should discuss the situation with their supervisor and arrangements should be made so that, if possible, the faculty or staff member would not be directly involved in an evaluative relationship with the student.

The University of Mount Union reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

## 18. Retaliation

Protected activity under this Policy includes reporting alleged misconduct that may implicate this Policy, participating in the resolution process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the CDO & Senior Title IX Administrator or the appropriate Title IX Co-coordinator and will be promptly investigated. The University of Mount Union will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

The University of Mount Union and any member of the University of Mount Union's community are prohibited from taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Filing a complaint within Process B could be considered retaliatory if those allegations could be applicable under Process A, when the Process B allegations are made for the purpose of interfering with or circumventing any right or privilege provided afforded within Process A that is not provided by Process B. Therefore, the University of Mount Union vets all complaints carefully to ensure this does not happen, and to assure that complaints are routed to the appropriate process.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Pursuing a Student Code of Conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

## 19. Mandated Reporting

All University of Mount Union employees (faculty, staff, administrators) are expected to report actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately, though there are some limited exceptions.

To make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. Within the institution, some resources may maintain confidentiality and are not required to report actual or suspected harassment, discrimination, or retaliation in a way that identifies the parties. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.



If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report alleged crimes and/or Policy violations, and these employees will immediately pass reports to the appropriate CDO & Senior Title IX Administrator or Title IX Co-coordinator (and/or police, if desired by the Complainant or required by law), who will take action when an incident is reported to them.

The following sections describe the reporting options at University of Mount Union for a Complainant or third-party (including parents/guardians when appropriate):

### *A. Confidential Resources*

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff
- On-campus members of the clergy/chaplains working within the scope of their licensure or ordination
- Off-campus Community-based (non-employees):
  - Licensed professional counselors and other medical providers
  - Local rape crisis counselors
  - Domestic violence resources
  - Local or state assistance agencies
  - Clergy/Chaplains
  - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, professional credentials, or official designation, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

University counselors (for students) or the Employee Assistance Program (for faculty or staff) are available to help free of charge and may be consulted on an emergency basis during normal business hours or after hours via on-call procedures outlined on their websites.

Employees who have confidentiality as defined above, and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

### *B. Anonymous Notice to Mandated Reporters*

At the request of a Complainant, notice may be given anonymously (i.e., without identification of the Complainant) by a Mandated Reporter to the CDO & Senior Title IX Administrator or Title IX Co-coordinator. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the CDO & Senior Title IX Administrator or Title IX co-coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by the University of Mount Union to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits the University of Mount Union's ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the CDO & Senior Title IX Administrator or Title IX co-coordinator. Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors, elderly, and/or disabled, due to Ohio mandated reporter requirements.

### *C. Mandated Reporters and Formal Notice/Complaints*

All employees of the University of Mount Union (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the CDO & Senior Title IX Administrator or Title IX co-coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this Policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the CDO & Senior Title IX Administrator or the appropriate Title IX co-coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the CDO & Senior Title IX Administrator or Title IX Co-coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from the University of Mount Union.

Supportive measures may be offered as the result of such disclosures without formal University of Mount Union action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment, discrimination, or retaliation of which they become aware is a violation of University of Mount Union policy and can be subject to disciplinary action for failure to comply/failure to report.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though the University of Mount Union is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

## **20. When a Complainant Does Not Wish to Proceed**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a Formal Complaint to be pursued, they may make such a request to the CDO & Senior Title IX Administrator or Title IX Co-coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator has ultimate discretion over whether the University of Mount Union proceeds when the Complainant does not wish to do so, and the CDO & Senior Title IX Administrator or Title IX Co-coordinator may sign a Formal Complaint to initiate a grievance process, usually upon completion of an appropriate violence risk assessment.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator's decision should be based on results of the violence risk assessment that shows a compelling risk to health and/or safety that requires the University of Mount Union to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The University of Mount Union may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the University of Mount Union's ability to pursue a Formal Grievance Process fairly and effectively.

When the CDO & Senior Title IX Administrator or Title IX Co-coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this Policy.

When the University of Mount Union proceeds, the Complainant (and/or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that the University of Mount Union's ability to remedy and respond to notice may be limited if the Complainant does not want the University of Mount Union to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the University of Mount Union's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the University of Mount Union to honor that request, the University of Mount Union may offer Informal Resolution options, supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a Formal Complaint at a later date. Upon making a Formal Complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the University of Mount Union, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

## 21. Federal Timely Warning Obligations

The University of Mount Union must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

The University of Mount Union will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

## 22. False Allegations and Evidence

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation, hearing, or Informal Resolution can be subject to discipline under University of Mount Union Policy.

## 23. Amnesty for Complainants and Witnesses

The University of Mount Union community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to University of Mount Union officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the University of Mount Union community that Complainants choose to report misconduct to University of Mount Union officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the University of Mount Union maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

**A. Students:** Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual assault to their resident assistant or resident director).

The University of Mount Union maintains a policy of amnesty for students who offer help to others in need or are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University. Although policy violations cannot be overlooked, the University of Mount Union may provide purely educational options with no official conduct finding, rather than punitive sanctions, to those who offer their assistance to others in need. The full amnesty policy for students can be found in the Student Handbook.

**B. Employees:** Sometimes, employees are hesitant to report harassment, discrimination, or retaliation they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the Code of Behavioral Policy and is then assaulted in the course of that relationship might hesitate to report the incident to University of Mount Union officials.

The University of Mount Union may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a Respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to the Respondent with respect to a Complainant.

## 24. Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- 1) All “primary crimes,” which include criminal homicide, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- 2) Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- 3) VAWA-based crimes,<sup>7</sup> which include sexual assault, domestic violence, dating violence, and stalking; and
- 4) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be shared with Campus Security or the Office of Student Conduct regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include: all university non-student employees except those exceptions to the Mandatory Reporter status as well as those student employees who serve as residence life staff members, raider or preview guides or learning assistants.

## 25. Preservation of Evidence

The preservation of evidence in incidents of sexual assault is critical to potential criminal prosecution and to obtaining restraining/protective orders and is particularly time sensitive. The University of Mount Union will inform the Complainant of the importance of preserving evidence by taking actions such as the following:

### Sexual Assault

1. Seek forensic medical assistance at the Aultman Community Hospital – located in Canton, ideally within 120 hours of the incident (sooner is better).
2. Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, although evidence may still be collected even if you do.
3. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
4. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence). If you do not have a paper bag, Campus Safety and Security can provide one for you.
5. Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

### Stalking

1. Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number
  - a. Make a secondary recording of any voice messages and/or save the audio files to a cloud server
  - b. Take screenshots and/or a video recording of any text messages or other electronic messages (e.g. Instagram, Snapchat, Facebook).
2. Save copies of e-mail and social media correspondence, including notifications related to account access alerts.

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<sup>7</sup> VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040.

3. Take timestamped photographs of any physical evidence including notes, gifts, etc. in place when possible.
4. Save copies of any messages, to include those showing any request for no further contact.
5. Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

During the initial meeting between the Complainant and the CDO & Senior Title IX Administrator or Title IX Co-coordinator, the importance of taking these actions will be discussed, if timely.

## [Resolution Process for Alleged Violations of the Policy on Equal Opportunity, Harassment, and Nondiscrimination Policy \(Known as Process “A”\)](#)

### 1. Overview

University of Mount Union will act on any formal or informal notice/complaint of violation of the Equal Opportunity, Harassment, and Nondiscrimination Policy (“the Policy”) that is received by the CDO & Senior Title IX Administrator or Title IX Co-coordinator or any other Official with Authority by applying these procedures, known as “Process A.”

The procedures below apply to all allegations of harassment or discrimination on the basis of actual or perceived protected characteristic involving students, staff, administrators, or faculty members. A set of technical dismissal requirements within the Title IX regulations may apply as described below, but when a technical dismissal under the Title IX allegations is required, any remaining allegations will proceed using these same grievance procedures, clarifying which Policy provisions above are applicable. Although the effect of the Title IX regulations can be confusing, these grievance procedures apply to all Policy offenses.

If other Policy definitions are invoked, such as protected characteristic harassment or discrimination above, please see [Appendix D](#) for a description of the procedures applicable to the resolution of such offenses, known as “Process B.”

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the CDO & Senior Title IX Administrator Title IX Co-coordinator.

The procedures below may be used to address collateral misconduct by the Respondent arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another), when alleged violations of the Policy are being addressed at the same time. In such cases, the CDO & Senior Title IX Administrator or Title IX Co-coordinator may consult with the institutional officials who typically oversee such conduct (e.g., Human Resources, Student Conduct & Community Standards, Academic Affairs, etc.) to provide input as needed. All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the [student, employment policies for faculty, and administrative staff, and hourly staff handbooks](#).

### 2. Notice/Complaint

Upon receipt of a Formal Complaint or notice to the CDO & Senior Title IX Administrator or Title IX Co-coordinator of an alleged violation of the Policy, the CDO & Senior Title IX Administrator or Title IX Co-coordinator initiates a prompt initial assessment to determine the next steps the University of Mount Union needs to take. CDO & Senior Title IX Administrator or Title IX Co-coordinator will contact the Complainant to offer supportive measures and determine whether the Complainant wishes to file a Formal Complaint.



The CDO & Senior Title IX Administrator or Title IX Co-coordinator will then initiate at least one of three responses:

1. Offering supportive measures because the Complainant does not want to file a Formal Complaint
2. An Informal Resolution (upon submission of a Formal Complaint)
3. A Formal Grievance Process including an investigation and a hearing (upon submission of a Formal Complaint)

The University of Mount Union uses the Formal Grievance Process to determine whether or not the Policy has been violated. If so, the University of Mount Union will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, and/or their effects.

### 3. Initial Assessment

Following receipt of notice or a Formal Complaint of an alleged violation of this Policy, the CDO & Senior Title IX Administrator or Title IX Co-coordinator<sup>8</sup> engages in an initial assessment, typically within one to five business days. The steps in an initial assessment can include:

- The CDO & Senior Title IX Administrator or Title IX Co-coordinator seeks to determine if the person impacted wishes to make a Formal Complaint, and will assist them to do so, if desired.
  - If they do not wish to do so, the Title IX co-coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
- If a formal complaint is received, the CDO & Senior Title IX Administrator or Title IX Co-coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The CDO & Senior Title IX Administrator or Title IX Co-coordinator reaches out to the Complainant to offer supportive measures.
- The CDO & Senior Title IX Administrator or Title IX Co-coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX co-coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an Informal Resolution option, or a formal investigation and grievance process.
  - If a supportive and remedial response is preferred, the Title IX co-coordinator works with the Complainant to identify their wishes, assesses the request, and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
  - If an informal resolution option is preferred, the CDO & Senior Title IX Administrator or Title IX Co-coordinator assesses whether the complaint is suitable for Informal Resolution, which informal mechanism may serve the situation best or is available and may seek to determine if the Respondent is also willing to engage in Informal Resolution.

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<sup>8</sup> If circumstances require, the President or CDO & Senior Title IX Administrator or Title IX Co-coordinator will designate another person to oversee the process below should an allegation be made about the CDO & Senior Title IX Administrator or Co-coordinator or the Co-coordinator be otherwise unavailable or unable to fulfill their duties.

- If a Formal Grievance Process is preferred, the CDO & Senior Title IX Administrator or Title IX Co-coordinator determines if the alleged misconduct falls within the scope of 2020 Title IX regulations:
  - If it does, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will initiate the formal investigation and grievance process, directing the investigation to address, based on the nature of the complaint:
    - an incident, and/or
    - a pattern of alleged misconduct, and/or
    - a culture/climate issue.
  - If alleged misconduct does not fall within the scope of the Title IX regulations, the CDO & Senior Title IX Administrator or Title IX Co-coordinator determines that the regulations do not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, which resolution process is applicable, and will refer the matter accordingly, including referring the matter for resolution under Process B if applicable. Please note that dismissing a complaint under the 2020 Title IX regulations is solely a procedural requirement under Title IX, which does not limit the University of Mount Union’s authority to address a complaint with an appropriate process and remedies.

### *A. Violence Risk Assessment*

In some cases, the CDO & Senior Title IX Administrator or Title IX Co-coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

1. Emergency removal of a Respondent on the basis of immediate threat to an individual or the community’s physical health/safety
2. Whether the CDO & Senior Title IX Administrator or Title IX Co-coordinator should pursue/sign a Formal Complaint absent a willing/able Complainant
3. Whether the scope of the investigation should include an incident and/or pattern of misconduct and/or climate of hostility/harassment
4. To help identify potential predatory conduct
5. To help assess/identify grooming behaviors
6. Whether it is reasonable to try to resolve a complaint through Informal Resolution, and if so, what approach may be most successful
7. Whether to permit a voluntary withdrawal by the Respondent
8. Whether to impose transcript notation of communicate with a transfer institution about a Respondent
9. Assessment of appropriate sanctions/remedies (to be applied post-hearing)
10. Whether a Clery Act Timely Warning/Persona-non-grata is needed

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other CARE team members. A VRA authorized by the CDO & Senior Title IX Administrator or Title IX Co-coordinator should occur in collaboration with the CARE team. Where a VRA is required by the CDO & Senior Title IX Administrator or Title IX Co-coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g., Ohio Revised Code Chapter 5122: Hospitalization of Mentally Ill), nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

More about the University of Mount Union's process for VRA can be found below in [Appendix C](#).

### *B. Dismissal (Mandatory and Discretionary)<sup>9</sup>*

The University of Mount Union must dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment as defined above, even if proved
2. The conduct did not occur in an educational program or activity controlled by the University of Mount Union (including buildings or property controlled by recognized student organizations), and/or the University of Mount Union does not have control of the Respondent
3. The conduct did not occur against a person in the United States
4. At the time of filing a Formal Complaint, a Complainant is not participating in or attempting to participate in an educational program or activity of the University of Mount Union and based on the available information the CDO & Senior Title IX Administrator or Title IX Co-coordinator has determined that they do not need to sign a Formal Complaint on behalf of the University of Mount Union<sup>10</sup>.

The University of Mount Union may dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing:

1. A Complainant notifies the CDO & Senior Title IX Administrator or Title IX Co-coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein
2. The Respondent is no longer enrolled in or employed by the University of Mount Union
3. Specific circumstances prevent the University of Mount Union from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon any dismissal, the University of Mount Union will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate.

### *4. Counterclaims*

The University of Mount Union is obligated to ensure that the grievance process is not abused for retaliatory purposes, thus counterclaims made with retaliatory intent will not be permitted. The

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<sup>9</sup> These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR §106.45.

University of Mount Union permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith.

Counterclaims determined to have been reported in good faith will be processed using the Resolution Process below. Investigation of such claims may take place after resolution of the underlying initial complain, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying complaint, at the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

## 5. Right to an Advisor

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the Resolution Process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.<sup>11</sup>

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-Maker.

### A. Who Can Serve as an Advisor

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the Resolution Process. The parties may choose Advisors from inside or outside of the University of Mount Union community.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from the University of Mount Union, the Advisor will be trained by the University of Mount Union and be familiar with the University of Mount Union's resolution process.

If the parties choose an Advisor from outside the pool of those identified by the University of Mount Union, the Advisor may not have been trained by the University of Mount Union and may not be familiar with University of Mount Union policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the Resolution Process, prior to a hearing.

### B. Advisor's Role in Meetings and Interviews

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The University of Mount Union cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the University of Mount Union is not obligated to provide an attorney.

### C. Advisors in Hearings/University of Mount Union-Appointed Advisor

Under Title IX regulations, a form of indirect questioning is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly question each other or

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<sup>11</sup> "Available" means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

any witnesses. If a party does not have an Advisor for a hearing, the University of Mount Union will appoint a trained Advisor for the limited purpose of conducting any questioning of the parties and witnesses.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct questioning, the University of Mount Union will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-Maker during the hearing.

#### *D. Pre-Interview Meetings*

Advisors and their advisees may request to meet with the investigator(s) conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and University of Mount Union's policies and procedures.

#### *E. Advisor Violations of University of Mount Union Policy*

All Advisors are subject to the same University of Mount Union policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by the University of Mount Union. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address University of Mount Union officials or investigators in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or Decision-Maker(s) except during a hearing proceeding, during questioning.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the Resolution Process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this Policy, or who refuses to comply with the University of Mount Union's established rules of decorum for the hearing, will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing will be ended, or other appropriate measures implemented, including the University of Mount Union requiring the party to use a different Advisor or providing a different University-appointed Advisor. Subsequently, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will determine how to address the Advisor's non-compliance and future role.

#### *F. Sharing Information with the Advisor*

The University of Mount Union expects that the parties may wish to have the University of Mount Union share documentation and evidence related to the allegations with their Advisors. The University of Mount Union provides a consent form that authorizes the University to share such information directly with the parties' Advisor.

The parties must either complete and submit this form to the CDO & Senior Title IX Administrator or Title IX Co-coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before University of Mount Union is able to share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, the University of Mount Union may comply with that request at the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

### *G. Privacy of Records Shared with Advisor*

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by University of Mount Union. The University of Mount Union may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the University of Mount Union's privacy expectations.

### *H. Expectations of an Advisor*

The University of Mount Union generally expects an Advisor to adjust their schedule to allow them to attend University of Mount Union meetings/interviews/hearings when planned, but the University may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

The University of Mount Union may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies as may be convenient and available.

### *I. Expectations of the Parties with Respect to Advisors*

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the CDO & Senior Title IX Administrator or the Title IX co-coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor should be secured. Parties are expected to inform the CDO & Senior Title IX Administrator or Title IX C-coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

### *J. Assistance in Securing an Advisor*

University of Mount Union does not provide attorneys, law faculty, or law students as Advisors in the resolution process. However, the Grievance Pool members are also trained as advisors and that list can be found at [mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix](http://mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix).

For outside representation, Respondents may wish to contact organizations such as:

- Families Advocating for Campus Equality or FACE ([facecampusequality.org](http://facecampusequality.org))
- Stop Abusive and Violent Environments or SAVE ([saveservices.org](http://saveservices.org)).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center ([victimrights.org](http://victimrights.org)),
- The National Center for Victims of Crime ([victimsofcrime.org](http://victimsofcrime.org)), which maintains the Crime Victim's Bar Association.
- The Time's Up Legal Defense Fund: [nwlc.org/times-up-legal-defense-fund/](http://nwlc.org/times-up-legal-defense-fund/)

## **6. Resolution Processes**

Resolution proceedings are private. All persons present at any time during the Resolution Process are expected to maintain the privacy of the proceedings in accordance with University of Mount Union Policy. Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose as part of an



Informal Resolution. The University of Mount Union encourages parties to discuss any sharing of information with their Advisors before doing so.

The Formal Grievance Process is the University of Mount Union's primary resolution approach unless Informal Resolution is elected by all parties and the University of Mount Union.

### *A. Informal Resolution*

Informal Resolution can include three different approaches:

- **Supportive Resolution.** When the CDO & Senior Title IX Administrator or Title IX Co-coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- **Alternative Resolution.** When the parties agree to resolve the matter through an alternate resolution mechanism, including mediation, restorative practices, facilitated dialogue, etc., as described below, often before a formal investigation takes place (see below).
- **Accepted Responsibility.** When the Respondent accepts responsibility for violating policy, and desires to accept the recommended sanction(s) and end the Resolution (see below).

To initiate Informal Resolution, a Complainant needs to submit a Formal Complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the CDO & Senior Title IX Administrator or Title IX Co-coordinator. The parties may agree, as a condition of engaging in Informal Resolution, that statements made, or evidence shared, during the Informal Resolution process will not be considered in the Formal Grievance Process unless all parties consent.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process. The parties may not enter into an agreement that required the University of Mount Union to impose specific sanctions, though the parties can agree to certain restrictions or other courses of action. For example, the parties cannot require a student be suspended, but the parties can agree that the Respondent will temporarily or permanently withdraw. The only Informal Resolution Process that can result in sanctions levied by the institution is "Accepted Responsibility." The CDO & Senior Title IX Administrator or Title IX Co-coordinator has discretion to determine if an investigation will be paused during Informal Resolution, or if it will be limited, or will continue during the Informal Resolution process.

Prior to implementing Informal Resolution, the University of Mount Union will provide the parties with written notice of the reported misconduct and any sanctions (only in the case of Accepted Responsibility) or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University of Mount Union.

The University of Mount Union will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

### *B. Alternate Resolution Approaches*

Alternate Resolution is an informal approach, including mediation, restorative practices, facilitated dialogue, etc. by which the parties reach a mutually agreed upon resolution of a complaint. All parties must consent to the use of an Alternate Resolution approach.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator may consider the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution
- Likelihood of potential resolution, considering any power dynamics between the parties
- The nature and severity of the alleged misconduct
- The parties' motivation to participate
- Civility of the parties
- Results of a violence risk assessment/ongoing risk analysis
- Disciplinary history of the Respondent
- Whether an emergency removal is needed
- Skill of the Alternate Resolution facilitator with this type of complaint
- Complaint complexity
- Emotional investment/capability of the parties
- Rationality of the parties
- Goals of the parties
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the CDO & Senior Title IX Administrator or Title IX Co-coordinator. CDO & Senior Title IX Administrator or Title IX Co-coordinator is authorized to facilitate a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties, usually through their Advisors, including terms of confidentiality, release, and non-disparagement.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., referral for formal resolution, referral to the conduct process for failure to comply). Results of complaints resolved by Alternate Resolution are not appealable.

### *C. Respondent Accepts Responsibility for Alleged Violations*

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the CDO & Senior Title IX Administrator or Title IX Co-coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will determine whether all parties and the University of Mount Union are able to agree on responsibility, restrictions, and/or remedies. If so, the CDO & Senior Title IX Administrator or Title IX Co-coordinator implements agreed-upon restrictions and remedies and determines the appropriate sanction(s) in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction(s) or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

## **7. Formal Grievance Process Pool**

The Formal Grievance Process relies on a pool of administrators ("the Pool") to carry out the process. Members of the Pool are announced in an annual distribution of this Policy to all students, employees, prospective students, and prospective employees.

The list of Pool members and a description of the Pool can be found [here](#).

### *A. Pool Member Roles*

Members of the Pool are trained annually, and can serve in in the following roles, at the direction of the CDO & Senior Title IX Administrator or Title IX Co-coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To serve in a facilitation role in Informal Resolution or Alternate Resolution if appropriately trained in appropriate resolution approaches (e.g., mediation, restorative practices, facilitated dialogue)
- To perform or assist with initial assessment
- To investigate complaints
- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a Decision-maker regarding the complaint
- To serve as an Appeal Decision-maker

### *B. Pool Member Appointment*

The CDO & Senior Title IX Administrator or Title IX Co-coordinators, in consultation with the President, appoints the Pool, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, the University of Mount Union can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

### *C. Pool Member Training*

The Pool members receive annual training. This training includes, but is not limited to:

- The scope of the University of Mount Union's Policy on Equal Opportunity, Harassment and Nondiscrimination and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, timely, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the University of Mount Union with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and Informal Resolution Processes

- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias against Respondents and/or Complainants, and on the basis of sex, race, religion, and other protected characteristics
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations
- Recordkeeping

The materials used to train all members of the Pool are publicly posted [here](#).

#### *D. Pool Membership*

The Pool includes:

- 2 or more Decision-Makers: one representative from HR and one from Student Affairs, etc., who make decisions regarding student and employee Respondents
- 3 or more members of the Academic Affairs administration and/or faculty
- 4 or more members of the administration/staff
- 2 representatives from Human Resources
- 1 or more representative from Athletics

Pool members are usually appointed to an indefinite term and serve at the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinators and as the individual's supervisor/department chair is amenable. Individuals who are interested in serving in the Pool are encouraged to contact the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

### **8. Formal Grievance Process: Notice of Investigation and Allegations**

The CDO & Senior Title IX Administrator or Title IX Co-coordinator will provide written Notice of the Investigation and Allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who will be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations
- The identity of the involved parties (if known)
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known)
- The specific policies implicated
- A description of the applicable procedures
- A statement of the potential sanctions/responsive actions that could result
- A statement that the University of Mount Union presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity during the review and comment period to inspect and review all directly related and/or relevant evidence
- A statement about the University of Mount Union's policy on retaliation
- Information about the confidentiality of the process
- Information on the need for each party to have an Advisor of their choosing and suggestions

- for ways to identify an Advisor
- A statement informing the parties that the University of Mount Union's Policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process
- Detail on how the party may request disability accommodations during the Resolution Process
- A link to the University of Mount Union's VAWA Brochure
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the CDO & Senior Title IX Administrator or Title IX Co-coordinator any conflict of interest that the Investigator(s) may have
- An instruction to preserve any evidence that is directly related to the allegations

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official Mount Union records, or emailed to the parties' University of Mount Union-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

## 9. Resolution Timeline

The University of Mount Union will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business daytime period, including appeal if any, which can be extended as necessary for appropriate cause by the CDO & Senior Title IX Administrator or Title IX Co-coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

## 10. Appointment of Investigators

Once the decision to commence a formal investigation is made, the CDO & Senior Title IX Administrator or Title IX Co-coordinator appoints Pool members to conduct the investigation, typically using a team of two Investigators, usually within five (5) business days of determining that an investigation should proceed.

## 11. Ensuring Impartiality

Any individual materially involved in the administration of the Resolution Process including the CDO & Senior Title IX Administrator or Title IX Co-coordinators, Investigator(s), and Decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator will vet the assigned Investigator(s) for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the parties may raise a concern regarding bias or conflict of interest, and the CDO & Senior Title IX Administrator or Title IX Co-coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the CDO & Senior Title IX Administrator or Title IX Co-coordinator, concerns should be raised with non-involved Title IX Co-coordinator.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations

may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

The University of Mount Union operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

## 12. Investigation Timeline

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

The University of Mount Union will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

## 13. Investigation Process Delays and Interactions with Law Enforcement

The University of Mount Union may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include, but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The University of Mount Union will communicate the anticipated duration of the delay and reason to the parties in writing and provide the parties with status updates if necessary. The University of Mount Union will promptly resume its investigation and Resolution Process as soon as feasible. During such a delay, University of Mount Union will implement supportive measures as deemed appropriate.

The University of Mount Union action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

## 14. Investigation Process Steps

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

At the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator, investigations can be combined when complaints implicate a pattern, collusion, and/or other shared or similar actions.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated



- Assist the CDO & Senior Title IX Administrator or Title IX Co-coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the parties and all witnesses
- Meet with the Complainant to finalize their interview/statement, if necessary
- Work with the CDO & Senior Title IX Administrator or Title IX Co-coordinator, as necessary, to prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
  - Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving another party, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and/or witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- Gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the University of Mount Union does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- Elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- Incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigators should document all rationales for any changes made after the review and comment period

- Share the report with the CDO & Senior Title IX Administrator or Title IX Co-coordinator and/or legal counsel for their review and feedback
- Incorporate any relevant feedback and share the final report with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.

## 15. Witness Role and Participation in the Investigation

Witnesses (as distinguished from the parties) who are employees of the University of Mount Union are strongly encouraged to cooperate with and participate in the University of Mount Union's investigation and Resolution Process. Student witnesses and witnesses from outside of the University of Mount Union community are encouraged to cooperate with University investigations and to share they know about a complaint.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, Microsoft Teams, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness, efficiency, or other reasons dictate a need for remote interviewing. The University of Mount Union will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigators, though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

## 16. Interview Recordings

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

## 17. Evidentiary Considerations

Neither the investigation nor the hearing will does not consider: 1) incidents not directly related to the possible violation(s), unless they evidence a pattern; or 2) questions and evidence about the Complainant's sexual predisposition; or 3) questions or evidence about a Complainant's prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Within the boundaries stated above, the investigation and the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

## 18. Referral for Hearing

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the Decision-Maker – unless all parties and the Decision-Maker agree to an expedited timeline.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator will select an appropriate Decision-Maker from the Pool and provide a copy of the investigation report and the file of directly related evidence. Allegations involving student-employees in the context of their employment will be directed to the appropriate Decision-Maker depending on the context and nature of the alleged misconduct.

## 19. Hearing Decision-maker Composition

The University of Mount Union will designate a single Decision-Maker. The single Decision-Maker will also Chair the hearing.

The Decision-Maker will not have had any previous involvement with the complaint. The CDO & Senior Title IX Administrator or Title IX Co-coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as the Decision-Maker. Those who are serving as Advisors for any party may not serve as the Decision-Maker in that matter.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator may not serve as a Decision-Maker in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the CDO & Senior Title IX Administrator or Title IX Co-coordinator or designee.

## 20. Additional Evidentiary Considerations in the Hearing

Any evidence that the Decision-Maker determines is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may not be used unless there is an allegation of a pattern of misconduct. Such information may be considered in determining an appropriate sanction upon a determination of responsibility, as the University of Mount Union uses a progressive discipline system. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement and/or mitigation prior to the hearing for the consideration of the Decision-Maker at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision-Maker renders a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

## 21. Hearing Notice

No less than ten (10) business days prior to the hearing, the CDO & Senior Title IX Administrator or Title IX Co-coordinator or the Decision-Maker will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Description of any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-Maker and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX co-coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to the Decision-Maker on the basis of demonstrated bias. This must be raised with the CDO & Senior Title IX Administrator or Title IX Co-coordinator at least five (5) business days prior to the hearing.
- Information on how the hearing will be recorded and how the parties can access the recording after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Decision-Maker may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the CDO & Senior Title IX Administrator or Title IX Co-coordinator of they wish to conduct cross-examination and do not have an Advisor, and the University of Mount Union will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
- A copy of all the materials provided to the Decision-Maker about the complaint unless they have already<sup>12</sup> been provided.
- An invitation to each party to submit to the Decision-Maker an impact and/or mitigation statement pre-hearing that the Decision-Maker will review during any sanction determination.
- An invitation to contact the CDO & Senior Title IX Administrator or Title IX Co-coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Notification that parties cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University of Mount Union and remain within the 60-90 business day goal for resolution. Employees who do not have 12-month contracts are still expected to participate in Resolution Proceedings that occurring during months between contracts.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

## 22. Alternative Hearing Participation Options

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the CDO & Senior Title IX Administrator or Title IX Co-coordinator or the Decision-Maker at least five (5) business days prior to the hearing.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator or the Decision-Maker can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the CDO & Senior Title IX Administrator or Title IX Co-coordinator or the Decision-Maker know as soon as possible, preferably at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

## 23. Pre-Hearing Preparation

After any necessary consultation with the parties, the Decision-maker, will provide the names of persons who have been asked to participate in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigators or have proffered a written statement or answered written questions, unless all parties and the Decision-Maker assent to the witness's participation in the hearing. The same holds for any relevant evidence that is first offered at the hearing. If the parties and Decision-Maker do not assent to the admission of evidence newly offered at the hearing, the Decision-Maker may delay the hearing and/or instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given the name of the Decision-Maker at least five (5) business days in advance of the hearing. All objections to the Decision-Maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the CDO & Senior Title IX Administrator or Title IX Co-coordinator as soon as possible and no later than three (3) days prior to the hearing. Decision-Makers will only be removed if the CDO & Senior Title IX Administrator or Title IX Co-coordinator concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the complaint.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator will give the Decision-Maker a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-Maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-Maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the CDO & Senior Title IX Administrator or Title IX Co-coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Decision-Maker at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Decision-Maker.

## 24. Pre-Hearing Meetings

The Decision-Maker may convene a pre-hearing meeting(s) with the parties and/or their Advisors and invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Decision-Maker can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration on a pre-



hearing ruling by the Decision-maker based on any new information or testimony offered at the hearing. The Decision-Maker must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Decision-Maker, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigators in the investigation report or during the hearing.

At each pre-hearing meeting with a party and/or their Advisor, the Decision-Maker will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigators may be argued to be relevant. The Decision-Maker may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Decision-Maker may consult with legal counsel and/or the CDO & Senior Title IX Administrator or Title IX Co-coordinator, or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded.

## 25. Hearing Procedures

At the hearing, the Decision-Maker has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the Policy on Equal Opportunity, Harassment, and Nondiscrimination.

Participants at the hearing will include the Decision-Maker, the Investigator(s) who conducted the investigation, the parties, Advisors to the parties, any called witnesses, a hearing facilitator if needed, and anyone providing authorized accommodations or assistive services. The CDO & Senior Title IX Administrator or Title IX Co-coordinator may attend at the request of the Decision-Maker.

The Decision-Maker will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Decision-Maker will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-Maker and the parties and the witnesses will then be excused. The Investigator(s) may remain present for the duration of the hearing.

## 26. Joint Hearings

In hearings involving more than one Respondent and/or involving more than one Complainant who has accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the CDO & Senior Title IX Administrator or Title IX Co-coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each complaint with respect to each alleged policy violation.

## 27. The Order of the Hearing – Introductions and Explanation of Procedure

The Decision-Maker explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-Maker on the basis of bias or conflict of interest. The Decision-maker will rule on any such challenge unless the Decision-maker is the



individual who is the subject of the challenge, in which case the CDO & Senior Title IX Administrator or Title IX Co-coordinator will review and decide any challenge of the Decision-Maker.

The Decision-Maker and/or hearing facilitator then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX co-coordinator. The Title IX co-coordinator may serve in this position.

The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

## 28. Investigator Presents the Final Investigation Report

The Investigators will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-Maker and the parties (through their Advisors). The Investigator(s) may be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-Maker should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and Advisors and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Decision-Maker will disregard it.

## 29. Testimony and Questioning

Once the Investigator(s) present their report and respond to questions, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Decision-Maker. The hearing will facilitate questioning of parties and witnesses by the Decision-maker and then by the parties through their Advisors.

All questions are subject to a relevance determination by the Decision-Maker. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Decision-Maker upon request if agreed to by all parties and the Decision-Maker), the proceeding will pause to allow the Decision-Maker to consider it (and state it if it has not been stated aloud), and the Decision-Maker will determine whether the question will be permitted, disallowed, or rephrased.

The Decision-Maker may invite explanations or persuasive statements regarding relevance with the Advisors, if the Decision-Maker so chooses. The Decision-Maker will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Decision-Maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-Maker will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Decision-Maker has final say on all questions and determinations of relevance. The Decision-Maker may consult with legal counsel on any questions of admissibility. The Decision-Maker may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Decision-Maker has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-Maker at the hearing, the Decision-Maker may elect to address those issues, consult with legal counsel, and/or

refer them to the CDO & Senior Title IX Administrator or Title IX Co-coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Decision-Maker should not permit irrelevant questions that probe for bias.

### 30. Refusal to Submit to Questioning; Inferences

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the meeting, or because they attend but refuse to participate in some or all of the questioning. The Decision-Maker can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-Maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other questions.

### 31. Hearing Recordings

Hearings (but not deliberations) are recorded by the University of Mount Union for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-Maker, the parties, their Advisors, and appropriate administrators of the University of Mount Union will be permitted to review the recording in a controlled environment as determined by the CDO & Senior Title IX Administrator or Title IX Co-coordinator. No person will be given or be allowed to make a copy of the recording without permission of the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

### 32. Deliberation, Decision-making, and Standard of Proof

The Decision-Maker will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The preponderance of the evidence standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Decision-Maker, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Decision-Maker may then consider the previously submitted party impact and/or mitigation statements in determining appropriate sanction(s).

The Decision-Maker will ensure that each of the parties has an opportunity to review any impact and/or mitigation statement submitted once they are submitted.

The Decision-Maker will also review the statements and any pertinent conduct history provided by the hearing facilitator and will recommend the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Decision-Maker will then prepare a written statement detailing all findings and final determinations, the rationale(s) explaining the decision(s), the evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) and rationale(s) explaining the sanction(s) and will deliver the statement to the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

This statement is typically three to five (3-5) pages in length and must be submitted to the CDO & Senior Title IX Administrator or Title IX Co-coordinator within two (2) business days of the end of deliberations, unless the CDO & Senior Title IX Administrator or Title IX Co-coordinator grants an extension. If an extension is granted, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will notify the parties.

### 33. Notice of Outcome

Using the deliberation statement, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will work with the Decision-Maker to prepare a Notice of Outcome letter. The Notice of Outcome may then be reviewed by legal counsel. The CDO & Senior Title IX Administrator or Title IX Co-coordinator will then share the letter, which includes the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within five (5) business days of receiving the Decision-Maker's deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University of Mount Union records, or emailed to the parties' University of Mount Union-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will articulate the specific alleged policy violation(s), including the relevant policy section(s), and will contain a description of the procedural steps taken by the University of Mount Union from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the University of Mount Union is permitted to share such information under state or federal law; any sanction(s) issued which the University of Mount Union is permitted to share according to state or federal law; and whether remedies will be provided to the Complainant to ensure access to the University of Mount Union's educational or employment program or activity.

The Notice of Outcome will also include information on when the results are considered final by the University of Mount Union, will note any changes to the outcomes and/or sanction that occur prior to finalization, and the relevant procedures and bases appeal.

### 34. Rights of the Parties ([see Appendix B](#))

### 35. Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-Maker

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and/or referring that information to another process for resolution.

### A. Student Sanctions

The following are the common sanctions that may be imposed upon students or organizations singly or in combination:

- *Warning*: An official written notice that the student or organization has violated the Code of Student Conduct, that such behavior is unacceptable, and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
- *Community Service Requirements*: For a student or organization to complete a specific supervised university and/or community service.
- *Loss of Privileges*: The student or organization will be denied specified privileges for a designated period of time.
- *Educational Sanctions*: This includes, but is not limited to, **required activities** such as seeking counseling or substance abuse screening, writing a letter of apology, etc.
- *Educational Program*: Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
- *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
- *Housing Probation*: Official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
- *Housing Reassignment*: Reassignment to another University housing facility. Residential Life personnel will decide on the reassignment details in collaboration with the director of student conduct or designee. When a student is reassigned within University housing, they are banned from the building or hall they were reassigned from for the rest of the academic year unless otherwise noted in their decision letter.
- *Housing Suspension*: Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of residence life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the director of residence life or designee. When a student is suspended from University housing, they are banned from all housing facilities until they have received permission from the director of residence life to return to University housing.
- *Housing Expulsion*: The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
- *University Probation*: The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face more

severe sanctions, including suspension or expulsion. Regular probationary meetings may also be imposed. A student on University probation is deemed “not in good standing” with the institution.

- *Suspension*: Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of student conduct or designee. During the suspension period, the student is banned from university property, functions, events, and activities without prior written approval from the director of student conduct or designee. This sanction may be enforced with a trespass action as necessary.
- *Expulsion*: Permanent separation from the University. The student is banned from all university property and the student’s presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.
- *Degree revocation or Withholding*: the termination of a student’s degree based on a violation that the University becomes aware of after a student graduates or the withholding of a degree due to a violation that occurs prior to graduation as the conduct process proceeds and/or until sanctions are completed.
- *Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including University of Mount Union registration) for a specified period of time.
- *Other Sanctions*: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Title IX Co-coordinator or designee.

#### ***B. Employee Sanctions/Responsive Actions/Corrective Actions***

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – verbal or written*
- *Performance improvement plan/management process*
- *Enhanced supervision, observation, or review*
- *Required counseling*
- *Required training or education*
- *Probation*
- *Denial of pay increase/pay grade*
- *Loss of oversight or supervisory responsibility*
- *Demotion*
- *Transfer*
- *Reassignment*
- *Delay of (or referral for delay of) tenure track progress*
- *Assignment to new supervisor*
- *Restriction of stipends, research, and/or professional development resources*
- *Suspension/administrative leave with pay*
- *Suspension/administrative leave without pay*
- *Termination*
- *Other Actions*: In addition to or in place of the above sanctions/responsive actions, the University of Mount Union may assign any other responsive actions as deemed appropriate.

## 36. Withdrawal or Resignation Before Complaint Resolution

### A. Students

If a student has an allegation pending for violation of the Policy on Equal Opportunity, Harassment, and Nondiscrimination, the University of Mount Union may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a Respondent decide to not participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the University of Mount Union, the Resolution Process typically ends with dismissal, as the University of Mount Union has lost primary disciplinary jurisdiction over the withdrawn student.

However, the University of Mount Union may continue the Resolution Process when, at the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator, doing so may be necessary to address safety and/or remedy ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to the University of Mount Union in any capacity. Admissions and Human Resources will be notified accordingly and a hold will be placed on their ability to be readmitted. They may also be barred from University of Mount Union property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and, if found in violation, that student is not permitted to return to University of Mount Union unless and until all sanctions, if any, have been satisfied.

### B. Employees

Should an employee Respondent resign with unresolved allegations pending, the Resolution Process typically ends with dismissal, as the University of Mount Union has lost primary disciplinary jurisdiction over the resigned employee.

However, the University of Mount Union will continue the Resolution Process when, at the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordination, doing so may be necessary to address and/or remedy ongoing effects of the alleged harassment, discrimination, and/or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for academic admission or rehire with the University of Mount Union, and the records retained by the CDO & Senior Title IX Administrator or Title IX co-coordinator will reflect that status.

All University of Mount Union responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

## 37. Appeals

Any party may submit a written request for appeal ("Request for Appeal") to the CDO & Senior Title IX Administrator or Title IX Co-coordinator, within five (5) days of the delivery of the Notice of Outcome.

A single Appeal Decision-Maker will Chair the appeal. No Appeal Decision-Maker will have been previously involved in the Resolution Process for the complaint, including any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to an Appeal Decision-Maker (who will not hear the Appeal) for consideration to determine if the request meets the grounds for appeal (a Review for Standing).



This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

### *A. Grounds for Appeal*

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
3. The CDO & Senior Title IX Administrator or Title IX Co-coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Decision-Maker and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, that request will be denied by the Appeal Decision-Maker and the parties and their Advisors, will be notified in writing of the denial and the rationale.

If any of the grounds for the Request for Appeal meet the grounds in this Policy, then the Appeal Decision-maker will notify all parties and their Advisors, the CDO & Senior Title IX Administrator or Title IX Co-coordinator

All other parties and their Advisors, the CDO & Senior Title IX Administrator or Title IX Co-coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-Maker will be mailed, emailed, and/or provided a hard copy of the Request for Appeal with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. All responses, if any, will be forwarded by the Appeal Decision-Maker to all parties for review and comment.

The non-appealing party (if any) may also choose appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeal Decision-Maker and will either be denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the CDO & Senior Title IX Administrator or Title IX Co-coordinator, and the Investigator(s) and/or original Decision-Maker, as necessary, who will submit their responses, if any, in five (5) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision-maker will collect any additional information needed and all documentation regarding the approved grounds for appeal, and the subsequent responses and the Appeal Decision-maker will render a decision within no more than seven (7) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanction(s) that may result which the University of Mount Union is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University of Mount Union is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional

records, or emailed to the parties' University of Mount Union-issued email. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

### *B. Sanctions Status During the Appeal*

Any sanctions imposed as a result of the hearing are stayed (i.e. not implemented) during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a show cause meeting on the justification for doing so must be permitted within 48 hours of implementation.

If the original sanctions include separation in any form, the University of Mount Union may still place holds on official transcripts, diplomas, graduations, and course registration, etc. pending the outcome of an appeal. The Respondent may request a stay of these holds from the CDO & Senior Title IX Administrator or Title IX Co-coordinator within two (2) business days of the notice of the sanctions. The request will be evaluated by the CDO & Senior Title IX Administrator or Title IX Co-coordinator or designee, whose determination is final.

### *C. Appeal Considerations*

- Decisions on appeal are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for an Appeal Decision-maker to substitute their judgment for that of the original Decision-Maker merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-Maker may consult with the CDO & Senior Title IX Administrator or Title IX Co-coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-Maker for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.
- In rare cases where an error cannot be cured by the original Investigator(s) and/or Decision-Maker, or the CDO & Senior Title IX Administrator or Title IX Co-Coordinator (as in cases of bias), the Appeal decision-maker may order a new investigation and/or a new hearing with new Pool members serving in the Investigator and Decision-maker roles.
- The results of a remand to a Decision-Maker cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to the University of Mount Union or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

## **38. Long-Term Remedies/Other Actions**

Following the conclusion of the resolution process, and in addition to any sanctions implemented,

the CDO & Senior Title IX Administrator or Title IX Co-coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will address any remedies by the University of Mount Union owes the Respondent to ensure no effective denial of educational access.

The University of Mount Union will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair the University of Mount Union's ability to provide these services.

### 39. Failure to Comply with Sanctions and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-Maker (including the Appeal Decision-Maker).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the University of Mount Union. Supervisors are expected to enforce completion of the sanctions/responsive actions for their employees.

A suspension will only be lifted when compliance is achieved to the satisfaction of the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

### 40. Recordkeeping

University of Mount Union will maintain for a period of at least seven years following the conclusion of the Resolution Process records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation
2. Any disciplinary sanctions imposed on the Respondent
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the University of Mount Union's education program or activity

4. Any appeal and the result therefrom
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX co-coordinators, Investigators, Decision-Makers, and any person who facilitates an Informal Resolution process. University of Mount Union will make these training materials publicly available on University of Mount Union's website
7. Any actions, including any supportive measures, taken in response to a report or Formal Complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent
  - b. Any measures designed to restore or preserve equal access to the University of Mount Union's education program or activity
  - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances

University of Mount Union will also maintain any and all records in accordance with state and federal laws.

#### 41. Disabilities Accommodations in the Resolution Process

The University of Mount Union is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University of Mount Union's Resolution Process.

Anyone needing such accommodations or support should contact the director of student accessibility services or the director of human resources or designee, who will review the request and, in consultation with the person requesting the accommodation and the CDO & Senior Title IX Administrator or Title IX Co-coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

#### 42. Revision of this Policy and Procedures

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated annually by the CDO & Senior Title IX Administrator or Title IX Co-coordinators. The University of Mount Union reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the CDO & Senior Title IX Administrator or Title IX Co-coordinators may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The CDO & Senior Title IX Administrator or Title IX Co-coordinators may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This Policy and procedures are effective August 19, 2022.

## Appendix A: Prohibited Conduct Examples (Title IX)

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Examples of possible Title IX sexual harassment include:

- A professor offers for a student to have sex or go on a date with them in exchange for a good grade. This constitutes sexual harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is promised or a bad grade is threatened.
- A student repeatedly sends graphic, sexually-oriented jokes and pictures to hundreds of other students via social media. Many don't find it funny and ask them to stop, but they do not. Because of these jokes, one student avoids the sender on campus and in the residence hall in which they both live, eventually asking to move to a different building and dropping a class they had together.
- A professor engages students in class in discussions about the students' past sexual experiences, yet the conversations are not in any way germane to the subject matter of the class. The professor inquires about explicit details and demands that students answer them, though the students are clearly uncomfortable and hesitant.
- An ex-partner widely spreads false stories about their sex life with their former partner to the clear discomfort and frustration of the former partner, turning the former partner into a social pariah on campus.
- Chris has recently transitioned from male to non-binary, but primarily expresses as a female. Since their transition, Chris has noticed that their African Studies professor, Dr. Mukembo, pays them a lot more attention. Chris is sexually attracted to Professor Mukembo and believes the attraction is mutual. Chris decides to act on the attraction. One day, Chris visits Dr. Mukembo during office hours, and after a long conversation about being non-binary, Chris kisses Dr. Mukembo. Dr. Mukembo is taken aback, stops the kiss, and tells Chris not to do that. Dr. Mukembo explains to Chris that they are not sexually or romantically interested in Chris. Chris takes it hard, crying to Dr. Mukembo about how hard it is to find someone who is interested in them now based on their identity. Dr. Mukembo feels sorry for Chris and softens the blow by telling them that no matter whether they like Chris or not, faculty-student relationships are prohibited by the university. Chris takes this as encouragement. One night, Chris goes to a gay bar some distance from campus and sees Dr. Mukembo there. Chris tries to buy Dr. Mukembo a drink and, again, tries to kiss Dr. Mukembo. Dr. Mukembo leaves the bar abruptly. The next day, Chris makes several online posts that out Dr. Mukembo as gay and raise questions about whether they are sexually involved with students. Dr. Mukembo contacts the CDO & Senior Title IX Administrator or Title IX Co-coordinator and alleges that Chris is sexually harassing him.

### Examples of Stalking

- Students A and B were "friends with benefits." Student A wanted a more serious relationship, which caused student B to break it off. Student A could not let go, and pursued student B relentlessly. Student B obtained a campus no-contact order. Subsequently, Student B discovered their social media accounts were being accessed, and things were being posted and messaged as if they were from them, but they were not. Whoever accessed their account posted a picture of a penis, making it look as if Student B had sent out a picture of themselves, though it was not their penis. This caused them considerable embarrassment and social anxiety. They changed their passwords, only to have it happen again. Seeking help from the CDO & Senior Title IX Administrator or Title IX Co-coordinator, Student B met with the IT department, which

discovered an app on their phone and a keystroke recorder on their laptop, both of which were being used to transmit their data to a third party.

- A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate it if the gift deliveries stopped. The student then started leaving notes of love and gratitude on the tutor's car, both on-campus and at home. Asked again to stop, the student stated by email, "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. If I can't have you, no one will."

#### Examples of Sexual Assault:

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00 p.m. until 3:00 a.m., Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. Despite her clear communications that she is not interested in doing anything sexual with him, Bill keeps at her, questions her religious convictions, and accuses her of being "a prude." He brings up several rumors that he has heard about how she performed oral sex on a number of other guys. Finally, it seems to Bill that her resolve is weakening, and he convinces her to "jerk him off" (hand to genital contact). Amanda would have never done it but for Bill's incessant coercion.
- Jiang is a junior. Beth is a sophomore. Jiang comes to Beth's residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, soon become more intimate, and start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a babysitter at the age of five and avoids sexual relations as a result, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses, and begins to have intercourse with Beth, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop but cannot. Beth is stiff and unresponsive during the intercourse.
- Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his apartment, and John comes on to Kevin, initiating sexual activity. Kevin asks John if he is really up to this, and John says yes. They remove each other's clothes, and they end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex, but he came to again. When Kevin runs into John the next day, he thanks him for the great night. John remembers nothing and decides to make a report to the Dean.

#### Examples of Retaliation:

- A student-athlete alleges sexual harassment by a coach; the coach subsequently cuts the student-athlete's playing time without a legitimate justification.
- A faculty member alleges gender inequity in pay within her department; the Department Chair then revokes approval for the faculty member to attend a national conference, citing the faculty member's tendency to "ruffle feathers."



- A student from Organization A participates in a sexual harassment investigation as a witness whose testimony is damaging to the Respondent, who is also a member of Organization A; the student is subsequently removed as a member of Organization A because of their participation in the investigation.

## Appendix B: Statement of Rights of the Parties

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- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to University of Mount Union officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by the University of Mount Union regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public by the University of Mount Union without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University of Mount Union officials.
- The right to have University of Mount Union policy and these procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University of Mount Union officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by University of Mount Union officials of options to notify proper law enforcement authorities, including local police, and the option(s) to be assisted by University of Mount Union authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well, except as required by Ohio law.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by University of Mount Union Campus Safety and Security and/or other University of Mount Union officials.
- The right to be informed of available supportive measures, such as counseling; advocacy; health care; student financial aid, visa, and immigration assistance; and/or other services, both on campus and in the community.
- The right to a University of Mount Union-implemented no-contact order [or a no-trespass order against a non-affiliated third party] when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
  - Relocating an on-campus student's housing to a different on-campus location
  - Assistance from University of Mount Union staff in completing the relocation
  - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - Transportation assistance

- Visa/immigration assistance
- Arranging to dissolve a housing contract and a pro-rated refund
- Exam, paper, and/or assignment rescheduling or adjustment
- Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
- Transferring class sections
- Temporary withdrawal/leave of absence (may be retroactive)
- Campus safety escorts
- Alternative course completion options.
- The right to have the University of Mount Union maintain such actions for as long as necessary and for supportive measures to remain confidential, provided privacy does not impair the University of Mount Union's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any University of Mount Union meeting or interview involving the other party, when possible.
- The right to ask the Investigators and Decision-Maker to identify and question relevant witnesses, including expert witnesses.
- The right to identify and have the Investigator(s), Advisors, and/or Decision-Maker questions relevant available witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker with a list of questions that, if deemed relevant by the Investigator(s)/Decision-maker, may be asked of any party or witness.
- The right to have inadmissible sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-maker.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigators with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained during the investigation, subject to privacy limitations imposed by the state and federal law, and a ten (10) business day period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, CDO & Senior Title IX Administrator or Title IX Co-coordinators, and Decision-Makers who have received at least eight hours of relevant annual training.
- The right to preservation of confidentiality/privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University of Mount Union representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence to make a Finding and Final Determination after an objective evaluation of all relevant evidence.

- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- The right to have an impact and/or mitigation statement considered by the Decision-Maker following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed of the finding(s) and sanction(s) (if any) of the Resolution Process and a detailed rationale of the decision (including an explanation of how credibility was assessed), in a written Notice of Outcome letter delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by the University of Mount Union is considered final and any changes to the Final Determination or sanction(s) that occur post Notification of Outcome.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the Resolution Process, and the procedures for doing so in accordance with the standards for appeal established by the University of Mount Union.
- The right to a fundamentally fair resolution as defined in these procedures.

## Appendix C: Violence Risk Assessment (VRA)

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Threat assessment is the process of assessing the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A **Violence Risk Assessment (VRA)** is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

The implementation of VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, and/or CARE team members.

A VRA occurs in collaboration with the CARE Team, and must be understood as an on-going process, rather than a singular evaluation or meeting. A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g., Ohio Revised Code Chapter 5122: Hospitalization of Mentally Ill), nor is it a psychological or mental health assessment.

A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

When conducting a VRA, the assessor(s) use an evidence-based process consisting of:

1. an appraisal of **risk factors** that escalate the potential for violence;
2. a determination of **stabilizing influences** that reduce the risk of violence;
3. a contextual **analysis of violence risk** by considering environmental circumstances, hopelessness, and suicidality; catalyst events; nature and actionability of threat; fixation and focus on target; grievance collection; and action and time imperative for violence; and
4. the application of **intervention and management** approaches to reduce the risk of violence.

To assess an individual's level of violence risk, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will initiate the violence risk assessment process through the CARE Team. The CARE Team will assign a trained individual(s) to perform the assessment, according to the specific nature of the Title IX case.

The assessor(s) will follow the process for conducting a violence risk assessment in accordance with their professional guidelines and will rely on a consistent, research-based, reliable system that allows for the evaluation of the risk levels.

Some examples of formalized approaches to the VRA process include: The NaBITA Risk Rubric,<sup>13</sup> The Structured Interview for Violence Risk Assessment (SIVRA-35),<sup>14</sup> The Extremist Risk Intervention Scale (ERIS),<sup>15</sup> Looking Glass,<sup>16</sup> Workplace Assessment of Violence Risk (WAVR-21),<sup>17</sup> Historical Clinical Risk Management (HCR-20),<sup>18</sup> and MOSAIC.<sup>19</sup>

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<sup>13</sup> [nabita.org/tools](https://nabita.org/tools)

<sup>14</sup> [nabita.org/resources/assessment-tools/sivra-35/](https://nabita.org/resources/assessment-tools/sivra-35/)

<sup>15</sup> [nabita.org/resources/assessment-tools/eris/](https://nabita.org/resources/assessment-tools/eris/)

<sup>16</sup> [nabita.org/looking-glass](https://nabita.org/looking-glass)

<sup>17</sup> [wavr21.com](https://wavr21.com)

<sup>18</sup> [hcr-20.com](https://hcr-20.com)

<sup>19</sup> [mosaicmethod.com](https://mosaicmethod.com)

The VRA is conducted independently from the Title IX process, informed by it, but free from outcome pressure. The individual(s) conducting the assessment will be trained to mitigate any bias and provide the analysis and findings in a fair and equitable manner.

The CARE Team conducts a VRA process and makes a recommendation to the CDO & Senior Title IX Administrator or Title IX Co-coordinator as to whether the VRA indicates there is a substantial, compelling, and/or immediate risk to health and/or safety of an individual or the community.



## Appendix D: Process B

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- Process B is applicable when the Title IX co-coordinator determines Process A is inapplicable, or offenses subject to Process A have been dismissed.
- If Process A is applicable, Process A must be applied in lieu of Process B.
- The University of Mount Union can substitute any alternative process instead of Process B, if desired.

### Resolution Process for Alleged Violations of the Policy on Equal Opportunity, Harassment, and Nondiscrimination

The University of Mount Union will act on any formal or informal allegation or notice of violation of the Policy on Equal Opportunity, Harassment and Nondiscrimination that is received by the CDO & Senior Title IX Administrator or or Title IX Co-coordinator<sup>20</sup> or a member of the administration, faculty, or other employee, with the exception of confidential resources, as articulated in the Policy above.

The procedures described below apply to all allegations of harassment, discrimination and/or retaliation on the basis of protected characteristic involving students, staff, faculty members, or third parties.

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing, discriminatory and/or retaliatory conduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by this policy will be addressed through the procedures elaborated in the respective [student](#), [employment policies for faculty](#), and [administrative staff](#), and [hourly staff](#) handbooks.

#### 1. Initial Assessment

Following intake, receipt of notice, or a complaint of an alleged violation of the University of Mount Union's nondiscrimination Policy, the CDO & Senior Title IX Administrator or Title IX Co-coordinator<sup>21</sup> engages in an initial assessment, which is typically one to five (1-5) business days in duration. The steps in an initial assessment can include:

- The CDO & Senior Title IX Administrator or Title IX Co-coordinator reaches out to the Complainant to offer supportive measures.
- The CDO & Senior Title IX Administrator or Title IX Co-coordinator works with the Complainant to ensure they have an Advisor.
- The CDO & Senior Title IX Administrator or Title IX co-coordinator works with the Complainant to determine which of the three options to pursue: a Supportive Response, an Informal Resolution, or an Administrative Resolution.
  - If a Supportive Response is preferred, the CDO & Senior Title IX Administrator or Title IX Co-coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. An Administrative Resolution process is not initiated, though the Complainant can elect to initiate it later, if desired.
  - If an Informal Resolution option is preferred, the CDO & Senior Title IX Administrator or Title IX Co-coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available,

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<sup>20</sup> All references herein to a Title IX Co-coordinator also include a designee of the Title IX Co-coordinator.

<sup>21</sup> If circumstances require, the President or Title IX co-coordinator will designate another person to oversee the process below should an allegation be made about the co-coordinator or the co-coordinator be otherwise unavailable or unable to fulfill their duties.

- and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
- If Administrative Resolution is preferred, the CDO & Senior Title IX Administrator or Title IX Co-coordinator initiates the investigation process and determines whether the scope of the investigation will address:
    - Incident
    - A potential pattern of misconduct
    - A culture/climate issue
  - In many cases, the CDO & Senior Title IX Administrator or Title IX Co-coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:
    - Interim suspension of a Respondent who is a threat to health/safety
    - Whether the CDO & Senior Title IX Administrator or Title IX Co-coordinator should pursue Administrative Resolution absent a willing/able Complainant
    - Whether to put the investigation on the footing of incident and/or pattern and/or climate
    - To help identify potentially predatory conduct
    - To help assess/identify grooming behaviors
    - Whether a Complaint is amenable to Informal Resolution, and what modality may be most successful
    - Whether to permit a voluntary withdrawal by the Respondent
    - Whether to impose transcript notation or communicate with a transfer Institution about a Respondent
    - Assessment of appropriate sanctions/remedies
    - Whether a Clery Act Timely Warning or Persona-non-grata is needed.

More about the University of Mount Union's process for VRA can be found in [Appendix C](#).

Based on the initial assessment, the University of Mount Union will initiate one of these responses:

- Supportive Response – measure to help restore the Complainant's education access, as described in the Policy.
- Informal Resolution – typically used for less serious offenses and only when all parties agree to Informal Resolution, or when the Respondent is willing to accept responsibility for violating policy.
- Administrative Resolution – investigation of policy violation(s) and recommended finding, subject to a determination by the CDO & Senior Title IX Administrator or Title IX Co-coordinator or Decision-maker and the opportunity to appeal.

The investigation and the subsequent Administrative Resolution determine whether the Equal Opportunity, Harassment, and Nondiscrimination Policy has been violated. If so, the University of Mount Union will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the CDO & Senior Title IX Administrator or the Title IX Co-coordinator. If at any point during the initial assessment or formal investigation, the CDO & Senior Title IX Administrator or Title IX Co-coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified.

The Complainant may request that the CDO & Senior Title IX Administrator or Title IX Co-coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator, but the request is usually only granted in extraordinary circumstances.

## *2. Resolution Process Pool*

The Resolution Processes relies on a pool of officials (“Pool”) for implementation. Members of the Pool are announced in an annual distribution of this Policy to all students, employees, prospective students, and prospective employees.

The list of members and a description of the Pool can be found at [mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix](https://mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix).

Members of the Pool are trained annually in all aspects of the Resolution Process and can serve in any of the following roles, at the direction of the CDO & Senior Title IX Administrator or Title IX Co-coordinator:

- To provide sensitive intake for and initial advice pertaining to the allegations
- To act as optional process Advisors to the parties
- To facilitate Informal Resolution
- To investigate allegations

Members of the Decision-Maker Pool and the Appeal Decision-Maker Pool are trained annually and serve in the roles specific to the Pool to which they are appointed.

The CDO & Senior Title IX Administrator or Title IX Co-coordinators, in consultation with the President, carefully vets Pool members for potential conflicts of interest or disqualifying biases and appoints the Pool, which acts with independence and impartiality.

Pool members receive annual training organized by the CDO & Senior Title IX Administrator or Title IX Co-coordinators, including a review of University of Mount Union’s policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety, and promote accountability.

The Pool members receive annual training, jointly and/or specific to their role. This training includes, but is not limited to:

- The scope of the University of Mount Union’s Equal Opportunity, Harassment and Nondiscrimination Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents and promote accountability
- Implicit bias
- Disparate treatment
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, timely, and impartial manner
- How to conduct a sexual harassment investigation
- Trauma-informed practices, pertaining to investigations and Resolution Processes
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning

- How to assess credibility
- Impartiality and objectivity
- Types of evidence
- Deliberation
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the University of Mount Union with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and Informal Resolution Processes
- How to serve impartially, by avoiding prejudice of the facts at issue, conflicts of interest, and bias against Respondents and/or Complainants, and on the basis of sex, religion, and other protected characteristics
- Any technology to be used
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment and discrimination allegations

The Resolution Process Pool includes

- 2 or more Decision-Makers: one representative from HR and one from Student Affairs, etc., who respectively make decisions regarding student and employee Respondents
- 3 or more members of the Academic Affairs administration and/or faculty
- 4 or more members of the administration/staff
- 2 representatives from Human Resources
- 1 or more representative from Athletics

Pool members are usually appointed by the CDO & Senior Title IX Administrator or Title IX Co-coordinators and approved by the President. Individuals who are interested in serving in the Pool are encouraged to contact the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

### 3. Counterclaims

Counterclaims by the Respondent may be made in good faith or may instead be motivated by a retaliatory intent. The University of Mount Union is obligated to ensure that any process is not abused for retaliatory purposes.

The University of Mount Union permits the filing of counterclaims, but uses the initial assessment, described above, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation. Counterclaims made with retaliatory intent will not be permitted.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

### 4. Advisors

#### A. Advisor Expectations

The University of Mount Union generally expects an Advisor to adjust their schedule to allow them to attend University of Mount Union meetings when planned, but University of Mount Union may change

scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

The University of Mount Union may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Parties whose Advisors are disruptive or who do not abide by University of Mount Union policies and procedures may face the loss of that Advisor and/or possible Policy violations.

Advisors are expected to consult with their advisees without disrupting University of Mount Union meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

### *B. Expectations of the Parties with Respect to Advisors*

Each party may choose an Advisor<sup>22</sup> who is eligible and available<sup>23</sup> to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Investigator(s) and/or the CDO & Senior Title IX Administrator or Title IX Co-coordinator if they change Advisors at any time.

Upon written request of a party, the University of Mount Union will copy the Advisor on all communications between the University of Mount Union and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

### *C. Assistance in Securing an Advisor*

Members of the Grievance Pool have been trained as advisors, and if not otherwise involved in the Resolution Process may be utilized as advisors by the involved parties.

For outside representation, Respondents may wish to contact organizations such as:

- Families Advocating for Campus Equality or FACE ([facecampusequality.org](http://facecampusequality.org))
- Stop Abusive and Violent Environments or SAVE ([saveservices.org](http://saveservices.org))

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center ([victimrights.org](http://victimrights.org))
- The National Center for Victims of Crime ([victimsofcrime.org](http://victimsofcrime.org)), which maintains the Crime Victim's Bar Association
- The Time's Up Legal Defense Fund: [nwlc.org/times-up-legal-defense-fund/](http://nwlc.org/times-up-legal-defense-fund/)

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<sup>22</sup> This could include an attorney, advocate, or support person. Witnesses are not entitled to Advisors within the process, though they can be advised externally.

<sup>23</sup> "Available" means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

## 5. Resolution Options

Proceedings are private. All persons present at any time during the Resolution Process are expected to maintain the privacy of the proceedings in accord with University of Mount Union Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose, but are encouraged to discuss with their Advisors first before doing so.

### A. Informal Resolution

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter through Alternate Resolution, mediation, restorative practices, etc., when the Respondent accepts responsibility for violating Policy, or when the CDO & Senior Title IX Administrator or Title IX Co-coordinator can resolve the matter informally by providing remedies to resolve the situation. The CDO & Senior Title IX Administrator or Title IX Administrator or Title IX Co-coordinator has the discretion to determine if an investigation will be paused during Informal Resolution, or if it will be limited, or will continue during the Informal Resolution process.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the resolution is finalized, Administrative Resolution may be pursued.

#### i. Alternative Resolution

Alternative Resolution is an informal process, such as mediation or restorative practices, by which the parties mutually agree to resolve an allegation. It may be used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution process (described below) to resolve conflicts as appropriate. The parties must consent to the use of Alternative Resolution.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator determines if Alternate Resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to Alternative Resolution.

In an Alternative Resolution, a trained administrator or third party facilitates communication with the parties to an effective resolution, if possible. Institutionally imposed sanctions are not possible as the result of an Alternative Resolution process, though the parties may agree to accept sanctions and/or appropriate remedies.

The CDO & Senior Title IX Administrator or Title IX Co-coordinators maintains records of any resolution that is reached, and failure to abide by the resolution can result in appropriate enforcement actions.

Alternative Resolution is not typically the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though similarly structured conversation may be made available after the Administrative Resolution process is completed should the parties and the CDO & Senior Title IX Administrator or Title IX Co-coordinator believe it could be beneficial. The results of Alternative Resolution are not appealable.

#### ii. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent accepts responsibility, the CDO & Senior Title IX Administrator or Title IX Co-coordinator determines that the individual is in violation of University of Mount Union Policy.



The CDO & Senior Title IX Administrator or Title IX Co-coordinator then determines appropriate sanction(s) or responsive actions, which are promptly implemented in order to effectively stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the conduct, both on the Complainant and the community.

If the Respondent accepts responsibility for all of the alleged policy violations and the CDO & Senior Title IX Administrator or Title IX Co-coordinator or designee has determined appropriate sanction(s) or responsive actions, to which the Respondent agrees, and which are promptly implemented, the process is over. The Complainant will be informed of this outcome.

If the Respondent accepts responsibility for some of the alleged policy violations and the CDO & Senior Title IX Administrator or Title IX Co-coordinator has determined appropriate sanction(s) or responsive actions, to which the Respondent agrees, and which are promptly implemented, for those violations, then the remaining allegations will continue to be investigated and resolved through Administrative Resolution. The parties will be informed of this outcome. The parties are still able to seek Alternative Resolution on the remaining allegations, subject to the stipulations above.

### **B. Administrative Resolution via an Investigation and Hearing**

Administrative Resolution can be pursued at any time during the process for any behavior for which the Respondent has not accepted responsibility that would constitute conduct covered by the Equal Opportunity, Harassment, and Nondiscrimination Policy if proven. Administrative Resolution starts with a thorough, reliable, and impartial investigation.

If Administrative Resolution is initiated, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically, notice is given (at least 48 hours) in advance of an interview. Advanced notice facilitates the parties' ability to identify and choose an Advisor, if any, to accompany them to the interview.

Notification will include a meaningful summary of the allegations, will be made in writing, and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University of Mount Union records, or emailed to the parties' University of Mount Union-issued or designated email account.

Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notification should include the policies allegedly violated, if known at the time. Alternatively, the policies allegedly violated can be provided at a later date, in writing, as the investigation progresses, and details become clearer.

The University of Mount Union aims to complete all investigations within a sixty (60) business day time period, which can be extended as necessary for appropriate cause by the CDO & Senior Title IX Administrator or Title IX Co-coordinator, with notice to the parties as appropriate. Investigations can take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Once the decision is made to commence an investigation, the CDO & Senior Title IX Administrator or Title IX Co-coordinator appoints Pool members to conduct the investigation, typically using a team of two Investigators, usually within five (5) days of determining that an investigation should proceed.

The appropriate Title IX co-coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no conflicts of interest or disqualifying bias.

The parties may, at any time during the Resolution Process, raise a concern regarding bias or conflict of interest, and the CDO & Senior Title IX Administrator or Title IX Co-coordinator will determine

whether the concern is reasonable and supportable. If so, another Investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the CDO & Senior Title IX Administrator or Title IX Co-coordinator, concerns should be raised with the non-involved CDO & Senior Title IX Administrator or Title IX co-coordinator.

The University of Mount Union will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

The University of Mount Union may undertake a short delay in its investigation (several days to weeks, to allow evidence collection) when criminal charges based on the same behaviors that invoke the University of Mount Union's Resolution Process are being investigated by law enforcement. The University of Mount Union will promptly resume its investigation and resolution process once notified by law enforcement that the initial evidence collection process is complete.

University of Mount Union action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

Investigations involve interviews with all relevant parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, though the investigation process, to suggest witnesses and questions, to provide evidence, and to fully review and respond to all evidence, on the record.

## *6. Investigation*

The Investigators typically take the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the CDO & Senior Title IX Administrator or Title IX Co-coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct
- Assist the CDO & Senior Title IX Administrator or Title IX Co-coordinator with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy
- If there is insufficient evidence to support reasonable cause, the process is closed with no further action
- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses
- Meet with the Complainant to finalize their statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA) on the basis of the initial assessment. Notice may be one step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOIA accordingly and provide it to the parties.
- Notice should inform the parties of their right to have the assistance of a Pool member as a process Advisor appointed by the University of Mount Union or other Advisor of their choosing present for all meetings attended by the advisee
- When formal notice is being given, it should provide the parties with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result

- Give an instruction to the parties to preserve any evidence that is directly related to the allegations
- Provide the parties and witnesses with an opportunity to review and verify the Investigator's summary notes from interviews and meetings with that specific party or witness
- Make good faith efforts to notify the parties of any meeting or interview involving another party, in advance when possible
- Interview all relevant individuals and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest questions they wish the Investigator(s) to ask of the other party and witnesses
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, summarize for the parties the list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation and all evidence
- Provide the parties with a copy of the draft investigation report when it is completed, including all relevant evidence, analysis, credibility assessments, and recommended finding(s)
- Provide each party with a full and fair opportunity to respond to the report in writing within five (5) business days and incorporate that response into the report
- Investigators may choose to respond in writing in the report to the responses of the parties, and/or to share the responses between the parties for their responses, while also ensuring that they do not create a never-ending feedback loop
- Share the report with the CDO & Senior Title IX Administrator or Title IX Co-coordinator and/or legal counsel for review and feedback.
- Provide the final report to the CDO & Senior Title IX Administrator or Title IX Co-coordinator with one of two options:
  - Gather, assess, and synthesize evidence without making a finding, conclusion, determination or recommendation.
  - In the report, include whether a policy violation is more likely than not to have occurred.

## 7. Determination

Within two to three (2-3) business days of receiving the Investigator's recommendation, the CDO & Senior Title IX Administrator or Title IX Co-coordinator or a trained, designated Decision-maker from the Pool<sup>24</sup> reviews the report and all responses, and then makes the final determination on the basis of the preponderance of the evidence.

If the record is incomplete, the CDO & Senior Title IX Administrator or Title IX Co-coordinator or Decision-Maker may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the parties or any witnesses, if needed.

The recommendation of the investigation should be strongly considered but is not binding on the CDO & Senior Title IX Administrator or Title IX Co-coordinator/Decision-Maker. The CDO & Senior Title

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<sup>24</sup> When the Title IX co-coordinator is the Investigator or has been heavily involved in the process prior to determination, a Decision-maker should be designated from the Decision-Maker Pool to ensure there is no conflict of interest.

IX Administrator or Title IX Co-coordinator or Decision-Maker may invite and consider impact and/or mitigation statements from the parties if and when determining appropriate sanction(s), if any.

## **8. Additional Details of the Investigation Process**

### **A. Witness Responsibilities**

Witnesses (as distinguished from the parties) who are faculty or staff of the University of Mount Union are expected to cooperate with and participate in the University of Mount Union's investigation and Resolution Process. Failure of a witness to cooperate with and/or participate in the investigation or Resolution Process constitutes a violation of Policy and may be subject to discipline.

### **B. Remote Processes**

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) and/or Decision-Maker determine that timeliness, efficiency, or other causes dictate a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. When remote technologies are used, the University of Mount Union makes reasonable efforts to ensure privacy, and that any technology does not work to the detriment of any party or subject them to unfairness.

### **C. Recording**

No unauthorized audio or video recording of any kind is permitted during the Resolution Process including investigation interviews. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

### **D. Evidence**

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of misconduct, subject to the limitation in (E) below. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

### **E. Prior Sexual History/Patterns**

Unless the CDO & Senior Title IX Administrator or Title IX Co-coordinator determines it is appropriate, the investigation and the finding do not consider: (1) incidents not directly related to the possible violation(s), unless they evidence a pattern; (2) the irrelevant sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); (3) irrelevant character evidence.

### **F. Previous Allegations/Violations**

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the CDO & Senior Title IX Administrator or Title IX Co-coordinator with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

Previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanctions, as the University of Mount Union uses a progressive discipline system.

### **G. Character Witnesses**

Character witnesses or evidence may be offered. The investigation and hearing will determine if the character evidence is relevant. If so, it may be considered. If not, it will be excluded.

### **H. Notification of Outcome**

If the Respondent admits to the violation(s), or is found in violation, the CDO & Senior Title IX Administrator or Title IX Co-coordinator or designee, in consultation with other administrators as

appropriate, determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The CDO & Senior Title IX Administrator or Title IX Co-coordinator informs the parties of the determination within two to three (2-3) business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notifications are made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official University of Mount Union records; or emailed to the parties' University of Mount Union -issued or designated email account. Once mailed, emailed, and/or received in-person, notice is presumptively delivered.

The Notification of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which the University of Mount Union is permitted to share pursuant to state or federal law, and the rationale supporting the essential findings to the extent the University of Mount Union is permitted to share under state or federal law.

The notice will detail when the determination is considered final and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings. More information about the appeal procedures can be found below.

## 9. Sanctions

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the CDO & Senior Title IX Administrator or Title IX Co-coordinator

The sanction(s) will be implemented as soon as is feasible. The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities.

### A. Student Sanctions

The following are the common sanctions that may be imposed upon students or student organizations singly or in combination:

- *Warning*: An official written notice that the student or organization has violated the Code of Student Conduct, that such behavior is unacceptable, and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
- *Community Service Requirements*: For a student or organization to complete a specific supervised university and/or community service.
- *Loss of Privileges*: The student or organization will be denied specified privileges for a designated period of time.
- *Educational Sanctions*: This includes, but is not limited to, required activities such as seeking counseling or substance abuse screening, writing a letter of apology, etc.
- *Educational Program*: Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
- *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
- *Housing Probation*: Official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
- *Housing Reassignment*: Reassignment to another University housing facility. Residential Life personnel will decide on the reassignment details in collaboration with the director of student conduct or designee. When a student is reassigned within University housing, they are banned from the building or hall they were reassigned from for the rest of the academic year unless otherwise noted in their decision letter.
- *Housing Suspension*: Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of residence life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the director of residence life or designee. When a student is suspended from University housing, they are banned from all housing facilities until they have received permission from the director of residence life to return to University housing.
- *Housing Expulsion*: The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
- *University Probation*: The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face more severe sanctions, including suspension or expulsion. Regular probationary meetings may also be imposed. A student on University probation is deemed "not in good standing" with the institution.
- *Suspension*: Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of student conduct or designee. During the suspension period, the student is banned from university property, functions,



events, and activities without prior written approval from the director of student conduct or designee. This sanction may be enforced with a trespass action as necessary.

- *Expulsion*: Permanent separation from the University. The student is banned from all university property and the student's presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.
- *Degree revocation or Withholding*: the termination of a student's degree based on a violation that the University becomes aware of after a student graduates or the withholding of a degree due to a violation that occurs prior to graduation as the conduct process proceeds and/or until sanctions are completed.
- *Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including University of Mount Union registration) for a specified period of time.
- *Other Sanctions*: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Title IX Co-coordinator or designee.

## B. Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – verbal or written*
- *Performance improvement plan/management process*
- *Required counseling*
- *Required training or education*
- *Probation*
- *Denial of pay increase*
- *Loss of oversight or supervisory responsibility*
- *Demotion*
- *Suspension with pay*
- *Suspension without pay*
- *Termination*
- *Other Actions*: In addition to or in place of the above sanctions/responsive actions, the University of Mount Union may assign any other responsive action as deemed appropriate.

## 10. Withdrawal or Resignation While Charges are Pending

### A. Students

The University of Mount Union does not permit a student to withdraw if that student has an allegation pending for violation of the Equal Opportunity, Harassment, and Nondiscrimination Policy. The University of Mount Union may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the Resolution Process to be completed.

### B. Employees

Should an employee resign with unresolved allegations pending, the records of the CDO & Senior Title IX Administrator or Title IX Co-coordinator will reflect that status, and any University of Mount Union responses to future inquiries regarding employment references for that individual will include the former employee's unresolved status and whether the employee is eligible for rehire.

## 11. Appeals

All requests for appeal consideration must be submitted in writing to the CDO & Senior Title IX Administrator or Title IX Co-coordinator within five (5) business days of the delivery of the written finding of the CDO & Senior Title IX Administrator or Title IX Co-coordinator or Decision-Maker.

An Appeal Decision-Maker chosen from the Pool will be designated by the Title IX co-coordinator from those who have not previously been involved in the process. Any party may appeal, but appeals are limited to the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome (e.g., substantiated bias, material deviation from established procedures, failure to correctly apply the evidentiary standard).
- To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.
- The sanctions imposed fall outside the range of sanctions the University of Mount Union has designated for the violation(s) and the cumulative disciplinary record of the Respondent.

When any party requests an appeal, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will share the appeal request with all other parties or other appropriate persons such as the Investigators, who may file a response within three (3) business days. Another party may also bring their own appeal on separate grounds.

If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within five (5) business days. These responses or appeal requests will be shared with each party. The Appeal Decision-Maker will review the appeal request(s) within five (5) business days of completing the pre-appeal exchange of materials. If grounds are not sufficient for an appeal, or the appeal is not timely, the Appeal Decision-Maker dismisses the appeal.

When the Appeal Decision-Maker finds that at least one of the grounds is met by at least one party, additional principles governing the review of appeals include the following:

- Decisions by the Appeal Decision-Maker are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is compelling justification to do so.
- Appeals are not intended to be full re-hearings (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the investigation and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for the Appeal Decision-Maker to substitute their judgment for that of the original Investigator(s) or CDO & Senior Title IX Administrator or Title IX Co-coordinator/Decision-Maker merely because they disagree with the finding and/or sanction(s).
- Appeals granted based on new evidence should normally be remanded to the Investigator(s) for reconsideration. Other appeals should be remanded at the discretion of the Appeal Decision-Maker.
- Sanctions imposed as the result of Administrative Resolution are implemented immediately unless the Title IX co-coordinator stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
  - For students: Graduation, study abroad, internships/ externships, etc., do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal.

- All parties will be informed in writing within five (5) business days of the outcome of the appeal without significant time delay between notifications, and in accordance with the standards for Notice of Outcome as defined above.
- Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand. When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above, and in accordance with these procedures.
- In rare cases when a procedural or substantive error cannot be cured by the original Investigator(s) and/or Decision-Maker or the CDO & Senior Title IX Administrator or Title IX Co-coordinator (as in cases of bias), the Appeal Decision-Maker may recommend a new investigation and/or Administrative Resolution process, including a new Decision Maker.
- The results of a new Administrative Resolution process can be appealed once, on any of the three applicable grounds for appeals.
- In cases in which the appeal results in Respondent's reinstatement to the University of Mount Union or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

### *12. Long-Term Remedies/Actions*

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented, the CDO & Senior Title IX Administrator or Title IX Co-coordinator may implement long-term remedies or actions with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Provision of transportation assistance
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the CDO & Senior Title IX Administrator or Title IX Co-coordinator, long-term remedies may also be provided to the Complainant even if no policy violation is found.

When no policy violation is found, the CDO & Senior Title IX Administrator or Title IX Co-coordinator will address any remedial requirements owed by the University of Mount Union to the Respondent.

### *13. Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions*

All Respondents are expected to comply with conduct sanctions, responsive actions, and corrective actions within the timeframe specified by the CDO & Senior Title IX Administrator or Title IX co-coordinator.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s) and/or responsive/corrective

action(s), including suspension, expulsion, and/or termination from the University of Mount Union and may be noted on a student's official transcript. Supervisors are expected to enforce completion of sanctions/responsive actions for their employees.

A suspension will only be lifted when compliance is achieved to the satisfaction of the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

#### *14. Recordkeeping*

In implementing this Policy, records of all allegations, investigations, resolutions, and hearings will be kept indefinitely, or as required by state or federal law or institutional policy, by the CDO & Senior Title IX Administrator or Title IX Co-coordinator in the Title IX case database.

#### *15. Statement of the Rights of the Parties (see Appendix B)*

#### *16. Disability Accommodation in the Resolution Process*

The University of Mount Union is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the Resolution Process at University of Mount Union. Anyone needing such accommodations or support should contact the director of student accessibility services or the director of human resources or designee, as appropriate, who will review the request and, in consultation with the person requesting the accommodation, and the CDO & Senior Title IX Administrator or Title IX Co-coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

#### *17. Revision*

These policies and procedures will be reviewed and updated annually by the CDO & Senior Title IX Administrator or Title IX Co-coordinators. The University of Mount Union reserves the right to make changes to this document as necessary and once those changes are posted online, they are in effect and supersede previously published Student Handbooks.

The CDO & Senior Title IX Administrator or Title IX Co-coordinators may make minor modifications to these procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules.

The CDO & Senior Title IX Administrator or Title IX Co-coordinators may also vary procedures materially with notice (on the University of Mount Union website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure.

Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred.

Policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the parties consent to be bound by the current policy.

If government regulations change in a way that impacts this document, this document will be construed to comply with the most recent government regulations.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This policy and procedure was implemented on August 19, 2022.

Based ON THE ATIXA 2022 ONE POLICY, TWO PROCEDURES MODEL  
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