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Code of Student Conduct

I. Statement of Community Values

Throughout the centuries, a major characteristic of Benedictine schools has been the creation of an atmosphere in which a true sense of community could flourish and an environment in which students can develop their full potential. Accordingly, the mission statement of Saint Martin's University reads, "Saint Martin's students learn to make a positive difference in their lives and in the lives of others through the interaction of faith, reason, and service. The university honors both the sacredness of the individual and the significance of the community in the ongoing journey of becoming."

Saint Martin's University believes in honoring the freedom of the individual and respecting the rights of the group. A Code of Student Conduct is necessary to ensure this is possible. As a Roman Catholic university, Saint Martin's not only expects students, staff, and faculty to follow appropriate civil laws, but also encourages each individual to participate in building a positive and welcoming community. A student attending Saint Martin’s University agrees to be governed by this Code of Student Conduct, hereafter referred to as the Code, as well as by other applicable University policies. The University, through authority given by the University President to the Dean of Student Affairs, maintains the exclusive authority to determine violations of the Code and to impose sanctions.

II. Definitions for the Purpose of This Document

The following definitions apply to the terms utilized in this document:

A. The term “University” refers to Saint Martin’s University.
B. The term “student” includes all individuals enrolled full- or part-time at the University, whether taking classes on the Lacey Campus, any of the extension campuses, or online. This term also includes those who are not enrolled but have a continuing relationship with the University, those who withdraw after allegedly violating the Code, those enrolled at other institutions while utilizing Saint Martin’s facilities or services, and/or those traveling abroad with a University sponsored program.
C. The term “University business days” means weekdays when the University is open for business, whether or not classes are in session.
D. The term “University official” pertains to any individual employed by Saint Martin’s University or a contracted service provider who is performing assigned administrative functions.
E. The term “member of the University community” includes any person formally affiliated with Saint Martin’s University including, but not limited to, students, faculty, staff members, clergy, alumni, and conference or program guests.
F. The term “student group” refers to any number of students who are associated with each other through shared activities but have not applied for or been granted formal recognition as a University club or organization.
G. The term “University club” or “organization” refers to a group of students who have applied for and been granted formal recognition by the University.

H. The term “University premises” includes all land, facilities, property, roads, or walkways owned, leased, or controlled by the University.

I. The term “policy” includes all written regulations of Saint Martin’s University as outlined in publications including, but not limited to, the Student Handbook, Faculty and Staff Handbook, The Code, Graduate and Undergraduate Catalogs, University website, Housing and Residence Life contract, and other office forms and brochures.

J. The term “respondent” refers to any student accused of violating the Code.

K. The term “complainant” is used to identify any person who makes a report alleging that a student has violated the Code.

L. The terms “Coordinator of Student Conduct, Administrative Hearing Officer, Student Conduct Administrator, and Student Accountability and Integrity Committee” refer to conduct bodies and persons that are further defined in section VII.

M. The term “advisor” is non-participatory in nature and limited only to advising the student.

N. The term “preponderance of information” is the standard of proof in all Code cases. A preponderance of information means that upon consideration of the information available, it is more likely than not that the alleged violation of the Code occurred.

III. Jurisdiction

The policies outlined in this Code apply to all matters affecting Saint Martin’s University including, but not limited to, events occurring during the time the University is in session, incidents occurring over break periods or prior to enrollment, and any behavior on or off campus by Saint Martin’s students that interferes with or adversely affects the University community or the institution’s mission, reputation, or functions. Students are responsible for familiarizing themselves with the Code and shall adhere to it from the time they are admitted to the University through the awarding of a degree.

Upon receipt of a report alleging violation(s) of the Code or University policy, disciplinary action may be initiated by the University, and sanctions may be imposed against any student, student group, or University club or organization found responsible for committing, attempting to commit, or intentionally assisting in the commission of any of the prohibited forms of conduct identified in Article V below. (This list is not all-inclusive since it is not possible to list all potential violations.) The Code and the procedures associated with it may apply to a student’s conduct even if the student withdraws from the University or is awarded a degree while a disciplinary matter is pending. The Dean of Student Affairs or designee shall decide whether the Code will be applied in such situations and in cases involving misconduct off campus. Students whose behavior may violate the Code and local, state, or federal law are subject to University disciplinary procedures even if criminal charges exist for the same incident. University proceedings may be carried out prior to, simultaneously with, or following legal proceedings off campus at the discretion of the Dean of Student Affairs or designee. The findings and sanctions imposed under this Code shall not be subject to change based on the outcome of any outside
litigation, even if charges are dismissed, reduced, or otherwise resolved in favor of the
respondent.

At Saint Martin’s University, it is expected that all students will behave in a manner most
conducive to the greatest possible development, growth, and well-being of the individual and
of the academic community. Actions detrimental to the mission of the University and to the
legitimate activities of the academic community are in violation of this Code and will be subject
to the disciplinary process.

Saint Martin’s University is committed to supporting an environment that is conducive to
reasonable discourse and freedom of expression. It is understood that such freedom of inquiry
and expression may produce conflicts of beliefs. It is the responsibility of all members of our
community to maintain this environment through a high standard of keeping with the
Benedictine Values, especially that of Respect for Persons. Equally important is the notion that
the University expects those who enjoy these freedoms to act in a peaceful and non-disruptive
manner with an understanding of order and discipline. Permissible speech does not include
unlawful activity, activity that threatens or endangers the safety of any member of the
community, or any other action that is prohibited within this Code.

The University cannot foresee all violations of the Code within the policies (see Section V). As
such, students may be subject to the student conduct process when their behavior is
detrimental or disruptive to the goals and/or purposes of the University and/or may violate
federal, state, or local laws/regulations and are otherwise not provided for in the Code.
Furthermore, the University reserves the right, in keeping with its commitment to offer a
fundamentally fair process for all students involved in the Student Conduct Process, to adapt
certain aspects of the Student Conduct Process in specific circumstances, in order to meet the
interests of all involved parties, including the University.

IV. Violations of the Law

The student conduct process is responsible for reviewing alleged violations of the Code, and is
not responsible for the determination of public law violations. These processes are distinctly
different from one another. Nevertheless, allegations of Code violations from an incident may
also be reviewed by external legal authorities. The formal rules of due process, procedure,
and/or technical rules of evidence that are applied in criminal or civil courts do not apply to the
student conduct process.

V. University Policies

Standards for student behavior are articulated through University policies. Behavior that
violates the Code includes, but is not limited to the following policies:

1. Refusal to comply with reasonable requests or directions from authorized University
   officials, including refusal to identify oneself to them or refusing to leave or remain in an
   area or building when ordered to do so. An authorized University official is any
employee of the University, including, but not limited to, staff of the Office of Public Safety and Housing and Residence Life.

2. Any behavior including, but not limited to, written, verbal, gestured, or electronic communication that may threaten, intimidate, demean, or otherwise harm anyone, whether student, faculty, staff, guest, or neighbor. This includes bullying, cyber-harassment, or the unauthorized or inappropriate photographing, recording, and/or broadcasting of other community members or one’s likeness.

3. Harassment, including sexual harassment, and any persistent or pervasive conduct less than a physical attack that interferes with a person in conducting his or her customary or usual affairs (see also the University’s Anti-Harassment and Non-Discrimination and Sexual Misconduct policies).

4. Physical abuse, detention, endangerment, or any conduct threatening imminent bodily harm or that jeopardizes the physical or emotional health of any person on or off institutionally owned or controlled property. Examples include, but are not limited to, fighting; domestic and dating violence; stalking; attempted physical violence; threats of physical violence; reckless driving; intimidation; retaliation; or interference with a person in any manner preventing the person from conducting his or her customary or usual affairs, putting the person in fear for their safety, or causing the person to suffer actual physical injury (see also the University’s Anti-Harassment and Non-Discrimination and Sexual Misconduct policies).

5. Sexual misconduct as defined in the University’s Anti-Harassment and Non-Discrimination and Sexual Misconduct policies.

6. Domestic, dating, or intimate partner violence as defined in the University’s Anti-Harassment and Non-Discrimination and Sexual Misconduct policies.

7. Stalking as defined in the University’s Anti-Harassment and Non-Discrimination and Sexual Misconduct policies.

8. Discrimination by any group, club, organization, office, student, or University employee or official based upon any criteria not expressly allowed by law, including, but not limited to, race, ethnicity, color, religion, creed, national origin, marital or family status, sex, gender identity or expression, age, sexual orientation, veteran status, and disability (see also the University’s Anti-Harassment and Non-Discrimination policy).

9. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other institutional activities including, but not limited to, the institution’s public service functions and other authorized activities on or off institutionally owned or controlled property.

10. Obstruction or disruption interfering with the freedom of movement – either pedestrian or vehicular – on institutionally owned or controlled property.

11. Possession of firearms (real or simulated, lethal or non-lethal) or components thereof, fireworks, explosives, ammunition, dangerous chemicals, swords, illegal knives, other weapons (or components thereof), or dangerous instruments on institutionally owned or controlled property, or use of any item in a manner that harms, threatens, or causes fear to others, on or off University premises, including the malicious, unnecessary, or unintended discharge of a chemical irritant such as pepper spray.
12. Malicious damage, misuse, or the attempted or actual misappropriation or theft of institutionally owned property, the property of any member of the University community, or other personal or public property, on or off campus. Knowingly possessing stolen items, using misappropriated items or services, and/or altering, falsifying, duplicating, or forging timecards, checks, credit cards, or other value-bearing documents or products.

13. Tampering with fire safety equipment, generating a false alarm, failing to evacuate during a drill, possessing hazardous materials or prohibited items, or engaging in any behavior constituting a fire or safety hazard (see also the Fire Safety Regulations as outlined in the University’s Annual Safety Report).

14. Altering, duplicating, improperly possessing, or lending a University identification card or University key to another person for any reason not expressly authorized by the University.

15. Unauthorized or improper entry into or use of institutional facilities, including all offices, classrooms, labs, buildings, and grounds.

16. Representing one’s self as another person with or without the other person’s permission.

17. Student groups, clubs, or organizations representing themselves, or an individual student representing themself, as acting for or on behalf of the University in a commercial enterprise or in the solicitation or collection of funds for any purpose whatsoever without advance approval from the appropriate University official or office. This applies to all means of communication including, but not limited to, mail, telephone, e-mail, message boards, canvassing, and use of social networking sites.

18. Intentionally furnishing false information to the University, assisting someone else in furnishing false information to the University, or forging or altering in an unauthorized fashion, or inappropriately using, a University document or instrument of identification.

19. Abuse of technological resources as outlined in the University’s Acceptable Use Policy. This includes, but is not limited to, purposeful breach of individual or institutional privacy and/or network security; accessing or sharing information or media that may be subject to copyright or intellectual property laws and restrictions; sending abusive or unwanted material to another community member; targeting another individual or group through e-mail, social media, or other electronic communication; and use of computing resources or facilities for the solicitation and/or transmission of pornography or other graphic or offensive material (see also the University’s Acceptable Use Policy).

20. Participation in games of chance, betting on athletic events, and all other forms of gambling involving the exchange of money or other valuable items except as expressly permitted by University regulations.

21. Hazing or participation in any method of initiation into a student club, organization, group, or team on or off campus causing or likely to cause physical or emotional harm, anxiety, personal degradation or disgrace, property damage, or interference with an individual’s academic or work performance. The expressed or implied consent of the victim and acquiescence of bystanders or group members are not neutral acts and are in violation of the Code. Examples of prohibited activities include, but are not limited to:
22. Illegal or improper possession, use, manufacture, sale, or distribution of marijuana (including medicinal marijuana), illicit narcotics, prescription pharmaceuticals, other controlled substances, or drug paraphernalia on or off campus as described in the University’s Alcohol and Drug policy.

23. Illegal or improper possession, consumption, manufacture, sale, or distribution of alcoholic beverages or alcohol paraphernalia on or off campus as described in the University’s Alcohol and Drug policy.

24. Disorderly, disruptive, lewd, or indecent conduct infringing upon the rights of other members of the University community or that is inconsistent with the mission of the University. Such behavior includes, but is not limited to, public intoxication, posting or transmitting offensive material, engaging in or simulating sexual activities in another’s presence, full or partial nudity, and egregious or repeated violations of campus or residence hall noise ordinances or quiet hours.

25. Contempt of University conduct proceedings which includes, but is not limited to:
   a. Failure to comply with a request to be interviewed by a University official with respect to an alleged Code violation.
   b. Failure to comply with an official notice to appear for a meeting or hearing.
   c. Disruption of a conduct hearing or other disciplinary proceedings.
   d. Attempting to discourage an individual from participating in the conduct process or seeking to influence a witness, complainant, or conduct body.
   e. Providing false, misleading, or inaccurate information to a University official, the Conduct Committee, or a hearing officer.
   f. Submitting a false report or initiating a University conduct case in bad faith.

26. Failure to comply with the terms of any disciplinary sanction imposed in accordance with this Code or mandated by the Coordinator of Student Conduct or designee.

27. Violation of Residence Life, Campus Life, or other University rules and procedures as disseminated through official publications, the University website, e-mail, the Student Handbook, and other means. The most up-to-date Student Handbook is available at https://www.stmartin.edu/about/policies and is subject to change at any time.
28. Inciting others to engage in any of the proscribed conduct listed in this Code.
29. Acts that violate federal, state, or local law.

VI. Interim Actions
The University reserves the right to impose an interim disciplinary suspension and/or other 
restrictions on students or student groups, university clubs/organizations when such interim 
action is needed.

The procedures for invoking interim actions will be applied in a nondiscriminatory manner. 
Determinations regarding a need for interim actions will be based on an individualized 
assessment of the circumstances, including information about a student’s conduct, actions, or 
statements, and not merely on knowledge or belief that a student is an individual with a 
disability. Where reasonably possible the Dean of Student Affairs or designee will provide the 
student with an opportunity to present information about the student’s circumstances and 
actions prior to implementing the interim action.

A need for interim action related to a student or university clubs/organizations may arise in 
order to:
   i. Ensure the safety and well-being of members of the University community or 
      preservation of University property; and/or
   ii. Ensure a student’s own physical or emotional safety and well-being; and/or
   iii. Alleviate a threat that a student poses to the normal operations of the University 
      through behavior that disrupts or interferes with those operations.

A. Interim Suspensions
The Dean of Student Affairs or designee shall be responsible for the determination of interim 
suspensions from the university and/or residence halls. During an interim suspension, the 
suspended student may be denied access to all campus facilities, including residence halls and 
classes, and to all University-related activities or privileges for which the student might 
otherwise be eligible, as the Dean of Student Affairs or designee may determine to be 
appropriate.

B. Interim Restrictions
The Dean of Student Affairs or designee shall be responsible for the determination of any other 
interim restrictions, including but not limited to restrictions from contacting specific individuals, 
residence hall restriction, and/or restrictions from other specific University locations. The 
interim actions may remain in effect until a final decision has been reached, including any 
appropriate appeals process, at the discretion of the Dean of Student Affairs or designee.
VII. Disciplinary Structure

The student conduct process relies on multiple university stakeholders to ensure that the process is timely and equitable. The below conduct bodies and persons support the operationalization of the student conduct process by fulfilling the below roles:

A. Dean of Student Affairs: The Dean of Student Affairs is responsible for appointing a Coordinator of Student Conduct who will have primary responsibility for administering the Code. The Dean of Student Affairs, however, is responsible for the official interpretation of the Code, and will serve as an appellate officer in cases further defined in section X.

B. Coordinator of Student Conduct: Appointed by the Dean of Student Affairs, the Coordinator of Student Conduct annually reviews and revises the Code in conjunction with the Dean, administers the student conduct process, trains and supervises all Student Conduct Administrators, and determines how and by whom each disciplinary case is heard. The Coordinator also serves as an administrative hearing officer. The Coordinator will convene and train the Student Accountability and Integrity Committee, and will have primary responsibility for managing Student Accountability and Integrity Committee hearings and maintaining student conduct records. The Coordinator will also develop policies and procedures consistent with the provisions of the Code. Lastly, the Coordinator of Student Conduct will serve as an appellate officer in cases further defined in section X.

C. Administrative Hearing Officer: Administrative Hearing Officers are University employees who are trained and empowered to hear formal cases involving allegations of student misconduct. The Dean of Student Affairs or designee shall be responsible for approving the selection of hearing officers, and shall be responsible for providing appropriate training.

D. Student Accountability and Integrity Committee: Student Accountability and Integrity Committee meets at the discretion of the Coordinator and conducts hearings to review allegations of student misconduct. The Student Accountability and Integrity Committee is appointed by the University President and shall consist of a pool of faculty or staff members and a pool of student members. If possible, returning student, faculty, and staff members will be retained each year for continuity; however, all reappointments will be recommended by the Coordinator and approved by the President. Nominations for new student, staff, and faculty appointments shall be solicited annually from the Dean of Student Affairs, Housing and Residence Life, current Committee members, and other University constituents. Nominations should contain specific justification and will be reviewed by the Coordinator. The Coordinator will forward the names to the President for approval. If nominations are not submitted to the Coordinator by the start of the fall semester, the Coordinator shall, with the approval of the Dean of Student Affairs, make the nominations to the President.

Each Student Accountability and Integrity Committee hearing will be advised by a Student Conduct Administrator. A chairperson will be selected for each Committee hearing and will be responsible for managing the proceedings, facilitating deliberations,
and submitting the findings and sanction recommendations to the Coordinator. The quorum of Student Accountability and Integrity Committee hearings must consist of at least 5 committee members; one member must be a student and one member must be a faculty or staff member. Quorum requirements may be waived with the approval of the Coordinator and by the participating parties in writing prior to or on the date of the hearing; if applicable, the complainant would also need to submit a waiver of quorum.

E. Student Conduct Administrators: Student Conduct Administrators may be appointed by the Coordinator of Student Conduct or the Dean of Student Affairs to investigate and/or review student conduct cases. Student Conduct Administrators are thoroughly trained and experienced in student conduct administration, supervised by the Coordinator of Student Conduct, and authorized to conduct administrative hearings, advise the Student Accountability and Integrity Committee, and impose sanctions upon students found to have violated the Code.

VIII. Rights and Responsibilities

As an educational institution, Saint Martin’s University strives to provide an equitable conduct process. In the spirit of equity, those who have been alleged to have violated the Code of Student Conduct and those who have defined roles within said process have specific rights as well as responsibilities within the conduct process.

Students responding to allegations have the right to be heard and to be treated fairly throughout the student conduct process. Students bear the responsibility for participating in the student conduct process in a manner that demonstrates respect for the student conduct process and all people participating in that process. A student is also responsible for regularly checking their University email account (@StMartin.edu) and is responsible for the contents of any notices sent to their account, whether or not the student opens them. When not enrolled, the student has the responsibility to provide the University with an accurate permanent mailing address.

The following have been established to reflect the mutual responsibility that exists between the student and the student conduct process:

1. Participants are entitled to written notice of the charges and hearing details no less than three University business days prior to an Incident Review Conference or hearing, unless the right to three University business days’ notice is waived in writing.
2. Respondents have the right to know the identity of their accuser(s).
3. Students have the right to reasonable review of the case file prior to a hearing.
4. The respondent is entitled to notification of the outcome of the hearing and an explanation of the appeal procedure within ten University business days; however, the University may, with reasonable cause and adequate notice to all
parties, delay notification to gather additional information and ensure a fair, comprehensive, and conscientious review of the incident.

5. Both complainants and respondents may submit one appeal to a University administrator as defined in section X.

6. Reasonable concerns for personal safety, well-being, and/or fears of confrontation or retaliation may be accommodated during a hearing by providing separate facilities, using a visual screen, and/or by permitting participation by telephone, video conferencing, written statement, or other means as deemed appropriate by the Coordinator of Student Conduct.

7. Respondents and complainants may be accompanied to the hearing by an advisor of the student's choosing who may assist, but not represent, the student. The advisor must be available for the hearing, as delays will not normally be allowed due to the scheduling of an advisor. The advisor may not address any other participant or actively contribute to the proceedings. If the advisor is an officer of the court, the student must notify the appropriate hearing officer at least 48 hours prior to the meeting, and the University reserves the right to advise the other party of an attorney's involvement, invite its own counsel to observe the proceedings, and schedule an independent meeting with the attorney to discuss the investigation process and the attorney's role in it.

8. Respondents and complainants may make an uninterrupted statement not exceeding 5 minutes, present information on their behalf, and request witnesses.

9. Respondents and complainants may suggest questions of each other and/or all persons who are called as witnesses to the Committee chair or hearing officer(s). Students may not cross-examine or question each other directly without the express permission of the chair or hearing officer(s).

IX. Forms of Resolution

This section provides a general overview of how the student conduct process operates for cases involving allegations of student misconduct (adjudicatory processes), for cases involving no allegations of student misconduct (non-adjudicatory processes), and for cases involving allegations of student misconduct where additional factors provide a possibility of a combination of adjudicatory (formal) and non-adjudicatory (informal) processes. In some cases, a deferral of adjudicatory processes may be granted pending a successful non-adjudicatory outcome. While the University endeavors to operate with consistency in its management of student conduct matters, these procedures are flexible, given that not all situations are of the same severity or complexity. The Coordinator of Student Conduct, operating in consultation with the Dean of Student Affairs or designee, will have the final authority over the processing of each student conduct case.

All forms of resolution in the student conduct process are closed to the public. If sanctioned, a hold may be placed on the student’s ability to re-enroll, register for classes, and/or obtain
official transcripts and degrees until the conduct matter has been resolved and all sanctions have been satisfied.

What follows is a description of the formal and informal methods of resolving student conduct cases at Saint Martin’s University.

A. Formal Resolutions
   i. Step One- Receipt of Incident
      The student conduct process is initiated with the reporting of an incident to the Coordinator of Student Conduct. A Student Conduct Administrator shall be assigned to review the information available to determine if a formal or informal means for resolving the case will be pursued.
   ii. Step Two- Notification
      If the Student Conduct Administrator determines that the case should be resolved through the formal conduct process, the student will be notified by email to attend an Incident Review Conference with the Student Conduct Administrator. Students shall be provided three University business days’ notice of an Incident Review Conference, and are provided the option of meeting with an advisor at any point during the conduct process.
   iii. Step 3- Incident Review Conference
      The Student Conduct Administrator and the student meet to review the incident report and determine the University regulations that may have been violated, as well as any sanctions that would be imposed as a result of the behavior. If applicable, complainants will be provided with the option to meet with the Student Conduct Administrator prior to the respondent’s Incident Review Conference.
      The following outcomes may result from an Incident Review Conference:
      i. The respondent and Student Conduct Administrator may agree on the University violations for which the respondent is responsible and the sanctions to be imposed. In this case, a decision letter is generated within ten University business days and the case is resolved. There is no right to appeal. In cases where multiple respondents face possible violations, no agreement may be considered final until all involved respondents have attended Incident Review Conferences and reached decisions about their cases.
      ii. In cases where the student acknowledges University violations and where the respondent and the complainant have expressed a desire to jointly bring resolution to the incident, the case may be referred to Adaptable Resolution Services (see Section IX.B. Informal Resolutions). Any in-active sanctions will be imposed by the Student Conduct Administrator, but the active sanctions will be determined as an outcome of the restorative conference. See Section IX for more information on sanctions.
      iii. The student and Student Conduct Administrator may not agree on the University violations and/or sanctions to be imposed. The case will then be forwarded to a formal hearing.
      iv. If a student fails to attend a required Incident Review Conference, the Student Conduct Administrator may make a decision on the information provided, and may add an additional charge of University Regulation Section V.25. Contempt of University conduct proceedings. A student failing to appear at an Incident Review Conference retains the right of appeal, as outlined in Section X.
v. If a student fails to attend a required Incident Review Conference and the Student Conduct Administrator believes that the case may result in disciplinary suspension or disciplinary expulsion, the case may be referred to a formal hearing.

vi. In cases where a resolution can be reached between the student and the Student Conduct Administrator, and there is a complainant, the Student Conduct Administrator may consult with the complainant to review the proposed outcome.

iv. Step 4- Formal Hearing

In cases where a resolution cannot be achieved in an Incident Review Conference, the case will be forwarded to a formal hearing. The hearing will consist of either a singular administrative hearing officer, two administrative hearing officers in cases involving alleged sexual misconduct, or the Student Accountability and Integrity Committee (see Section VII. Disciplinary Structure).

Unless otherwise prescribed in this Code, the Student Conduct Administrator shall determine the formal hearing body to hear a case.

At the conclusion of the hearing, the hearing body will deliberate to determine if a violation of the Code occurred and, if so, determine appropriate sanctions. A decision letter will be emailed to the respondent and, if applicable, to the complainant via email within ten University business days of the hearing. Findings will not be verbally provided at the time of the hearing. All decision letters will outline the recipient’s process for appeal. This may be delayed if an administrative hearing officer or the Student Accountability and Integrity Committee needs additional time to review the information provided at the hearing. Notifications of any delay will be sent to a student by email.

The following rules apply to all formal hearings:

i. Formal hearings will be closed to the public.

ii. Admission to the hearing of persons other than the parties involved and their advisors will be at the discretion of the hearing officer or Student Conduct Administrator, depending on the respective hearing type.

iii. In hearings involving more than one respondent, the standard procedure will be to hear the case jointly, providing that other respondents have not previously accepted a finding through an Incident Review Conference. Separate hearings may be granted, if they find sufficient cause to do so, at the discretion of the hearing officer or hearing advisor, depending on the respective hearing type.

iv. The hearing officer or hearing advisor, depending on the respective hearing type, will first hear information and witnesses presented on behalf of the complaint. Once the complaint information has been heard, the responding student will then be given the opportunity to provide information and witnesses. All people appearing at a hearing are subject to questioning, with the hearing officer or Student Accountability and Integrity Committee receiving priority in asking questions. Any questions asked by the parties must be directed to the hearing officer or Student Accountability and Integrity Committee. Unduly repetitive information and witnesses can be limited at the discretion of the hearing officer or hearing advisor. Only witnesses who can speak to the substance
of the allegations will be considered by a hearing officer or Student Accountability and Integrity Committee.

v. All procedural questions are subject to the final decision of the hearing officer or hearing advisor, depending on the respective hearing type.

vi. There will be a single verbatim audio recording of the hearing. Deliberations will not be recorded. This recording will be maintained by the Coordinator of Student Conduct as a part of the record only until the conclusion of any applicable appeals process. Access to the record will be provided for parties upon request in preparation for their appeal only. No transcripts will be created or provided, nor are any parties permitted to record and/or broadcast the proceedings.

vii. Cases that may result in separation from the institution (Disciplinary Suspension or Disciplinary Expulsion) will be referred to an Administrative Hearing.

viii. Cases involving allegations of sexual misconduct will be referred to an Administrative Hearing consisting of two Administrative Hearing Officers. A decision will be reached based on preponderance of information.

v. Step 5- Appeal

Should a respondent or complainant party wish to appeal a decision reached in a hearing, they may do so under Section X.

B. Informal Resolutions

i. Step One- Receipt of Incident

The student conduct process is initiated with the reporting of an incident to the Coordinator of Student Conduct. A Student Conduct Administrator shall be assigned to review the information available to determine if a formal or informal means for resolving the case will be pursued.

ii. Step Two- Notification

If the Student Conduct Administrator determines that the case should be resolved through the formal conduct process, the student will be notified by email to attend an Incident Review Conference with the Student Conduct Administrator. Students shall be provided three University business days’ notice of an Incident Review Conference, and are provided the option of meeting with an advisor at any point during the conduct process.

iii. Step Three- Intake Meeting

At the intake meeting, the respondent and the Student Conduct Administrator will review the incident and discuss possible avenues of resolution. Should the respondent wish for the formal process to be utilized, the Student Conduct Administrator will proceed with a formal resolution. The case may also be referred back to formal resolution if the Student Conduct Administrator becomes aware of information that would otherwise make the case inappropriate for informal resolution, and/ or a complainant does not wish for the case to be resolved through the informal resolution process.

The following outcomes may result from an intake meeting:

i. The case may be referred to the formal resolution process, as described above.

ii. The case may be referred to the Student Conduct Administrator for Adaptable Resolution Services, which include:
In some cases, formal conduct processes are deferred pending the outcome of informal processes. In such cases, formal student conduct may be waived in the interest of an informal outcome. However, in all cases the Student Conduct Administrator retains the right to invoke the formal process at any time prior to final resolution. Informal processes may also be used as a supplement to the formal conduct process at the discretion of the Student Conduct Administrator.

The below conditions apply to only to Restorative Justice Conferences:

i. A restorative conference is founded on the concept that a student is acknowledging responsibility for violations of the Code. As a result, the finding(s) of violation and the inactive sanction must be resolved as a precondition for the conference.

ii. A restorative conference will seek to bring together those parties who have been harmed, directly or indirectly, with the student acknowledging responsibility.

The below conditions apply to all forms of Adaptable Resolution Services:

i. Should an agreement be reached, a final decision letter will be sent by the Student Conduct Administrator to the respondent, complainant, and/or other applicable parties within ten University business days. The case is then considered closed, with no right of appeal for any parties involved.

ii. Adaptable Resolution Services will be facilitated by a trained staff member, who will allow all parties the opportunity to speak, and reach an agreement through self-determination.

iii. If no agreement can be achieved through Adaptable Resolution Services, the case may be referred back to the Student Conduct Administrator for a formal resolution.

X. Appeals

Responding students, and if applicable, complainants may appeal outcomes of student conduct cases, except in cases where the appeal right has been waived as a result of a voluntary agreement. Each party is allowed only one appeal.

The following conditions apply to the appeals process:

A. Appeals are not re-hearings of student conduct cases, but only serve to review the conditions within which a case was resolved. Because the appeal is not a new hearing of the case, the burden rests with the appealing party to establish that the original hearing and/or the decision reached are improper. Appeals officers shall give deference to the original decision unless it is established by a preponderance of information that the
appellant was deprived of a fair process; they shall not supplant their judgment over the
decision of the original hearing body without cause.

B. Appeals proceedings are closed to the public.

C. Decisions made by the Appeals Officer are final, subject to no further route of appeal.

D. Non-hearing and hearing decisions rendered by or advised by disciplinary bodies other
than the Coordinator of Student Conduct shall be appealed to the Coordinator of
Student Conduct or designee.

E. Non-hearing and hearing decisions rendered by the Coordinator of Student Conduct or
by disciplinary bodies advised by the Coordinator of Student Conduct shall be appealed
to the Dean of Student Affairs or designee.

F. The criteria for filing an appeal are:

i. Procedural Error – the appellant is contending that a substantive error was
   committed as a part of the student conduct process that deprived the appellant of a
   fair hearing of the case.

ii. New Information – the appellant is contending that there is new information that
    was unavailable to the appellant at the time of the original proceeding, and that this
    information would have substantially impacted the outcome of the proceeding. The
    student must include the new information with the appeal. Note that this criteria
    may not be utilized by students who choose or fail to attend or participate in the
    original proceeding they are appealing.

iii. Disproportionate Sanction – the appellant is contending that the sanction is not
     appropriate to the findings of the case.

C. Appeals Process is as follows:

i. Respondents and complainant parties have five University business days to
   request an appeal of any student conduct decision not reached as part of a
   voluntary agreement. The five University day period begins on the date of
   delivery of the decision letter via email.

ii. The Appeals Officer shall review the information provided by the appellant(s), as
    well as all case information. In some cases, the Appeals Officer may invite the
    appellant(s) to provide additional information in person or by other means.

iii. Written findings shall be conveyed to all parties within fifteen University
    business days of receipt of the appeal. Decisions of appeals shall not be provided
    verbally, but rather will be communicated through official @StMartin.edu email.

D. Appeal proceedings shall result in one of the following outcomes:

i. Affirm the original finding and sanction.

ii. Affirm the finding and modify the sanction. In cases where the respondent is the
    appealing party, the sanction may not be increased. In cases where the
complainant is the appellant, the sanction may be increased or reduced as
deeded appropriate.

iii. Remand the case for a new hearing or Incident Review Conference.

XI. Sanctions

When students and/or University clubs/organizations are found in violation of University
policies, sanctions shall be imposed. The purpose of sanctioning is to educate a student as to
why their behavior is inappropriate, as well as to make the student aware of and sensitive to all
the possible consequences of the behavior in question. Sanctions will be determined on a case
by case basis, considering the nature and circumstances of the offense, the impact of the
offense on the University community including those directly harmed by the conduct, prior
sanctions applied in similar cases, the conduct record of the student and the student’s attitude
and behavior throughout the conduct process.

Sanctions shall generally be comprised of two components:

A. An “in-active sanction” or written sanction (Formal Warning, Disciplinary Probation,
Disciplinary Probation, Disciplinary Suspension, or Disciplinary Expulsion).

B. An “active sanction” or educational sanction, requiring the student to complete some
form of assignment requiring the student’s active participation and reflection.

Sanctions will be imposed by a Student Conduct Administrator, Student Accountability and
Integrity Committee Hearing, Administrative Hearing, appeals proceeding, the Coordinator of
Student Conduct, the Dean of Student Affairs, or through Adaptable Resolution Services. While
not limited to, the following sanctions may be imposed upon any student found to have
violated the Code:

a. Formal Warning: Serving as a formal reprimand and official statement that the student,
group, club, or organization has violated a University policy. A formal warning also
indicates that future violations will likely result in more serious level of sanctioning.

b. Disciplinary Probation: Serving as a serious encumbrance on the student, group, club, or
organization’s disciplinary standing. Disciplinary probation shall be imposed for a
specified time and for at least one semester. Any subsequent violations during the
probationary period will be viewed as both a violation of University policy and a violation
of the probation. During the Disciplinary Probation, a group, club, or organization may
be restricted from activities or programs.

c. Disciplinary Suspension: Serving as formal notice that the student, group, organization,
or club may not participate in any academic or other activities of the University for a
fixed period of time. At the end of the suspension period, the student or student
organization may apply for reinstatement and be readmitted only upon the approval of
the Assistant Vice President/Dean of Student Affairs or designee. When a suspension is
issued, the student is excluded from the University for a specified period of time, during
which they may not enjoy academic privileges, participate in any University-recognized
function, or be allowed to reside in any residence hall. If this is a group sanction, the
group is not allowed to function as a recognized club or organization for a specified period of time.

d. Disciplinary Expulsion: Serving as formal notice that the student, group, organization, or club shall be excluded permanently from any and all academic or other activities of the University. Upon being expelled, student, organization, or club shall not enjoy academic privileges, participate in any University-recognized function, or be allowed to reside in any University residence hall.

e. Loss of Privileges and Restrictions: The student, group, club, or organization is denied specific privileges normally associated with student status. Such privileges include, but are not limited to, permission to host guests on campus, participation in University activities, University employment, contact with specific persons, access to University buildings or property, and use of University funds, facilities, or services. Violations of restrictions related to access to University buildings or property can, in some cases, result in an arrest for criminal trespass.

f. Community Service: The student group, club, or organization is required to perform a designated number of hours of labor in the service of the University or local community.

g. Restitution: The respondent is required to replace, restore, or pay for damaged, stolen, or misappropriated property.

h. Parental Notification: Parental notification is typically reserved for drug related offenses and serious or repeated violations of the University’s alcohol policy; however, the University reserves the right to advise guardians of any drug and/or alcohol use that requires medical attention or presents a foreseeable risk of harm to oneself or others. Notification of parents and legal guardians will be made:

i. In cases where a student is found in violation of University policies, is under the age of twenty-one, and is also financially dependent (as noted on federal tax forms).

ii. Parents and legal guardians will be notified via a letter sent to the student’s permanent address of such decisions only after the conclusion of all appropriate appeal processes. Parents and legal guardians will be notified of such decisions only after the conclusion of all appropriate appeal processes.

i. Fines and Fees: The respondent is required to pay previously established and published fines. Fees are associated with providing educational sanctions. The fine or fee may be charged to the student’s account or the student may be required to pay in person at a designated office/ location.

j. Discretionary Sanctions: Conduct bodies and administrators within the conduct process may impose “active” and educational sanctions that promote learning, understanding, and reflection. These sanctions may be developed as necessary and as deemed relevant to specific conduct and specific individuals. Examples of previously established discretionary sanctions include, but are not limited to, research and reflection papers, program or class attendance, and a substance or mental health assessment.

k. Conduct Hold: A student’s account may be put on hold at the discretion of the Coordinator of Student Conduct should that student fail to comply with sanctions imposed by the conduct process. A conduct hold may preclude a student from accessing
their student records, registering for classes, acquiring transcripts, or gaining readmission to the University. Students may appeal in writing to the Coordinator of Student Conduct or Dean of Student Affairs for the conduct hold to be temporarily or permanently lifted, and the request must include convincing justification for why the student remains out of compliance.

I. Negative Notation on Transcript: An entry of the fact of a disciplinary sanction may be made on the student’s permanent record, either permanently or for a specified period of time.

   i. If temporary, the notation will be removed after the expiration of the time period upon written request of the student. This sanction will normally be used only in cases of academic dishonesty or when a student has been suspended or expelled for egregious violations.

m. Degree Revocation: The University retains the right to revoke a degree if a former student is found responsible of academic dishonesty in courses taken leading to the degree or in any way altering without authorization, or causing the unauthorized altering, of the student’s academic record.

n. Deferred Sanction: The execution of any sanction authorized under this Code may be deferred. When deferring a sanction, the length of the deferment period will be specified. Subsequent violations of the Code may terminate the deferment and result in the automatic imposition of the original sanction. In the absence of such a violation, the original sanction shall be deemed complete at the end of the deferment period.

XII. Conduct Records

Student conduct files, including incident reports, witness statements, hearing notices, outcome letters, and sanction information, will be retained by the Coordinator of Student Conduct. Student conduct files and findings are considered part of the student’s education record, and as such, may be made available for review by the student upon written request, but no physical documents will be released to any student, parent, guardian, or any other party. Likewise, student conduct records may not be disclosed to outside agencies or institutions without the student’s written consent, unless permitted by FERPA, the Student Right-to-Know and Campus Security Act, or the Clery Act.

A. Records Retention

Conduct records will be retained under the following conditions:

   a. All records will be retained for seven years from the date of creation.

   b. All records for a student suspended or expelled will be retained indefinitely.
Residence Hall Regulations

I. An Introduction to Housing and Residence Life

Housing and Residence Life Mission Statement
Serving students so that they may serve others, the Office of Housing and Residence Life at Saint Martin's University acts as a catalyst for the formation of a community in which members support and encourage one another by sharing their gifts and challenge each other to recognize and fulfill their full potential.

Housing and Residence Life Vision
Resident students at Saint Martin's University will be engaged members of the campus community, benefitting from the services, mentorship, guidance, and leadership opportunities provided by the Office of Housing and Residence Life. They will be empowered to take ownership of their Saint Martin's experience and will attain a sense of personal growth and enrichment in doing so. The environment in the residence halls will be physically and psychologically safe, cooperative, celebratory, and respectful. Residents will be encouraged to express themselves while at the same time embracing differences and adhering to Saint Benedict's axiom, "Listen and attend with the ear of your heart."

Honoring the freedom of the individual and respecting the rights of the group, we are guided by the principles of community living outlined in the Rule of Saint Benedict, which states, "All must be given its due, but only it's due. There should be something of everything and not too much of anything." To this end, residents will learn to value moderation, stewardship, humility, and hospitality as the fundamental hallmarks of their Saint Martin's experience. By focusing on these universal principles and investing in each student individually, the Office of Housing and Residence Life will equip residents with the skills necessary to live in a community and inspire them to serve those who share in it.

Housing and Residence Life Staff
All aspects of on-campus living accommodations are coordinated through the Office of Housing and Residence Life. The residence hall staff consists of the Associate Dean of Students and Director of Housing and Residence Life, one live-in Associate Director, two live-in Assistant Directors, a Housing Operations Manager, and a staff of Resident Assistants (known as RAs). Office hours are from 9 a.m. to 5 p.m. Monday through Friday. In addition, an RA will be available at the Spangler and Parsons front desks from 9 p.m. to 11 p.m. each night.

The RAs live in all four residence halls. RAs are on-call from 5 p.m. to 9 a.m. Sunday through Thursday and 5 p.m. Friday to 5 p.m. Sunday. In addition, they organize and provide resources for programs and activities, assist in cases of interpersonal conflicts, and along with the Residence Life professional staff, enforce all University and Housing and Residence Life policies.
1. **Housing and Residence Life Contact Information**

   - **Associate Dean of Students, Director of Housing and Residence Life**
     - 360-688-2920
   - **Associate Director of Housing and Residence Life**
     - 360-438-4546
   - **Assistant Director of Housing and Residence Life (Parsons Hall)**
     - 360-486-8875
   - **Assistant Director of Housing and Residence Life (Baran, Burton, and Spangler Halls)**
     - 360-412-6174
   - **Operations Manager**
     - 360-412-6170
   - **Spangler Hall Front Desk**
     - 360-412-6163
   - **Parsons Hall Front Desk**
     - 360-923-8727
   - **RA On-call Phones**
     - 360-507-2511 and 360-507-2512
   - **Web address**
     - https://www.stmartin.edu/directory/office-housing-and-residence-life
   - **E-Mail**
     - Housing@stmartin.edu

2. **II. General Information and Policies Specific to Residence Life**

   1. **Alcohol and Other Controlled Substances**
      - a. The possession and use of alcohol and/or other illicit drugs are prohibited in University residence halls in accordance with the institution’s Alcohol and Drug Policy, included as [Appendix A](#).
      - b. In addition, possession of empty alcohol and/or drug containers or paraphernalia (including shot glasses, cans, bottles, kegs, pipes, bongs, etc.), remaining in a location where alcohol, drugs, or paraphernalia are present, assisting someone else in concealing the product or its effect on an individual, or any other violation of Housing and/or University policies due to alcohol consumption or drug use also constitutes a violation of this policy.

   2. **Checking In and Out**
      - a. Opening and closing dates for the residence halls are published on the University’s academic calendar, on the Housing and Residence Life web page, and in various Campus Life and Admissions publications. Students may not check in early or check out late if they have not requested and been approved for an extension, in which case additional charges may be incurred.
b. Students will be provided with a blank Room Condition Report (RCR) when checking in and they are responsible for checking the room carefully, accurately and thoroughly recording the condition of the room and its furnishings, completing and returning the RCR, and reporting any preexisting damages or blemishes to a Residence Life staff member immediately. Upon check out, students will be charged for all damages not recorded on the Room Condition Report.

c. The residence halls are closed during Christmas and summer vacation periods. (Apartments remain open during these periods.) Some space may be provided at an additional charge for students who make arrangements two weeks in advance with the Associate Dean of Students, Director of Housing and Residence Life or their designee.

d. All residents must check out by noon the day after their last final exam at the end of the semester unless they are graduating, under a 12-month apartment contract, or approved for an extension. All residents must schedule their check-out in accordance with their contract and any guidelines provided by Housing and Residence Life staff. Failure to follow proper check-out procedures will result in a minimum $25 fine if returning to the halls or forfeiture of one’s damage deposit if not returning to housing or the University.

3. Cohabitation

a. As a Catholic institution, Saint Martin’s University affirms that sexual relationships are intended to be experienced within the context of the sacrament of marriage, a lifelong commitment and union. Consequently, cohabitation is prohibited on campus. The University defines cohabitation as:
   i. Engaging in intimate sexual activities at any time;
   ii. Spending the night with or hosting/visiting a guest or resident with whom one is in an amorous relationship after 2:00 am.

b. For guidelines on hosting visitors, see the corresponding Housing and Residence Life Guest and Visitation Policy below.

4. Common Areas and Community Furniture

a. Furniture: No residence hall “common use” furniture or property is to be removed from any area without authorization from a Housing and Residence Life staff member. Individuals discovered with common use furniture or property in their rooms or possession will be charged $25 per piece of furniture/property per day and may receive additional disciplinary sanctions.

b. Walkways: No residence hall furniture/property, personal property, or trash is permitted on the exterior walkways or balconies of Burton Hall or in the hallways of other buildings. Individuals or rooms discovered in violation of this policy will be charged $25 per piece of furniture/property/trash per day and may receive additional disciplinary sanctions.

c. Kitchens: Individuals using the kitchens in Baran, Spangler, or Parsons Hall must clean up after themselves. No dishes, food, garbage, or other items may be left in the sink or on countertops. Such items will be discarded or confiscated, and individuals or the community may be fined. Continued misuse of the community
kitchen may result in its closure to specific individuals or the entire community. All food in refrigerators must be clearly labeled with name and date. Old and/or un-labeled food will be discarded.

d. Fitness Rooms: Use of the fitness rooms is on a first-come, first-served basis. If someone is waiting, residents must limit their time on equipment to a 30-minute maximum. Before and after use, equipment should be wiped down with a towel. Should a fitness room be found vandalized, access may be denied by Residence Life staff until responsibility for the damage has been determined. Residents use the fitness rooms at their own risk and should do so under the guidance of a physician.

e. Laundry Rooms: Laundry facilities in Baran, Parsons, and Spangler Halls are located on the first floor, and Burton Hall’s are on the second floor. The laundry machines are operated by credit or debit card.
   i. When using laundry facilities, students are encouraged to stay with their clothing to protect against theft.
   ii. As a common courtesy, residents should remove their laundry promptly when the cycle has finished so others can have access to washers and dryers. Belongings left in the laundry rooms longer than 24 hours may be collected and/or discarded.
   iii. The laundry rooms are for resident use only. If non-residents are found using laundry facilities, Public Safety or Housing and Residence Life staff members should be notified immediately.

5. Community Bathrooms
   a. Residents utilizing community bathrooms are expected to clean up after themselves and promptly report maintenance concerns to Housing and Residence Life and/or Facilities through the online work order form. While custodial staff clean community bathrooms routinely, residents are responsible for making a good faith effort to flush toilets, plunge clogged toilets or drains, and clean up their own spills, hair clippings, standing water, bodily fluids, etc.
   b. Personal trash may not be discarded in community bathrooms, and personal hygiene products may not be flushed down toilets or left unattended.
   c. Residents are expected to utilize the community restrooms associated with the floor, wing, or room cluster to which they are assigned.
   d. When vandalism and/or misuse of a community bathroom occurs, all residents of the floor, wing, community, or room cluster associated with it may be held accountable for the damage if the responsible party cannot be identified. Under most circumstances, residents will be issued an initial warning and given the opportunity to improve the condition of their bathroom and/or disclose the names of students who have contributed to it. If the condition of the bathroom does not improve, all residents associated with it will be fined $25 for each week it is deemed to be insufficiently maintained. If concerns about bathroom vandalism, garbage, or cleanliness persist for more than one month, Housing and Residence Life reserves the right to suspend custodial services to the bathroom, lock it temporarily, and/or require its residents to participate in an early-morning
community clean-up effort in conjunction with the Office of Facilities. Students who refuse to pay fines or contribute to community clean-up efforts may be subject to the student conduct process for failure to comply.

   a. When using the internet, residents should recognize that what they do individually can impact the entire network should worms, viruses, or other harmful programs be introduced to the online community. Likewise, the use of unauthorized routers and wireless devices can disrupt service and are consequently prohibited in the residence halls.
   b. All students utilizing the University network are expected to review and adhere to Integrated Technology Services’ Acceptable Use Policy (AUP).
   c. Sending personally identifiable information across the internet may increase students’ risk of identity theft and they are discouraged from doing so. Entering a room or cell phone number to some sites can result in charges unknowingly being billed to a student’s account. Students may be held responsible for charges billed to a room telephone.
   d. Computer labs and/or lounges are available in all residence halls. Access to these facilities and the devices therein may be restricted if they are vandalized, damaged, or used improperly. Service requests, questions, or concerns about the computer labs may be reported to the ITS Help Desk at help@stmartin.edu or (360) 688-2222.

7. Damage and Vandalism
   a. The University does not assume financial responsibility for damage caused by students. Damage in a student’s room or common area is the responsibility of the occupant(s) or community. This includes excessive filth, neglect, and a general disregard for Residence Life’s standards of cleanliness or the demands placed upon the University’s custodial staff. Damage to the corridors, stairwells, landscaping, entrances, bathrooms, lounges, and other common areas may be the responsibility of an individual, floor, wing, or an entire hall, as circumstances dictate. If the person responsible for damage or vandalism cannot be identified, the repair charges and/or fines may be assessed to the smallest possible denomination of students who should be held responsible. By the same token, if those responsible for damage to public areas of the halls cannot be identified and there is no clear “sub-community” associated with it, the cost of repairs will be divided among all residents living in the hall and additional fines or penalties may be imposed.
   b. Normal wear and tear to University property is expected; however, charges for damage, excessive filth, neglect, vandalism, or failure to comply with health and safety inspection or check-out procedures will be billed directly to the student(s) responsible and further disciplinary action may be taken. Each student is responsible for any damage occurring in one’s own room/common area or damage caused in public areas. Damage or cleaning charges in shared rooms will be split evenly between roommates unless the person responsible comes forward. If an individual who does not live in the room causes damage and can
be identified, that person will be billed. If the person responsible cannot be identified for any reason, the resident(s) of the room will be billed. In apartments with a common living area, residents of the apartments will be jointly responsible for the area. Any damages incurred in the common areas will be split among apartment residents unless an individual takes responsibility for the damages.

8. Damage Deposits and Cancellation Fees

a. Damage Deposit: A refundable $200 damage deposit must be on file with the Office of Student Financial Services prior to the issuance of keys to the room. No portion of the $200 deposit will be refunded if the application is canceled more than 30 days from the date it is submitted; after August 1, regardless of the date submitted; or if requested more than 30 days after officially checking out of the halls. After taking occupancy, if the applicant stays the entire contract period and applies to return to the residence halls the following academic year, his/her damage deposit will automatically be carried over to the following academic year.

Damage deposit refunds may be requested only by submitting the damage deposit request form through the Housing and Residence Life website. The refund request must be received no later than 30 days after a student officially stops living in the residence hall by checking out or formally withdrawing the application. The deposit will be refunded if:

i. The resident follows the check-out policy outlined in the Student Handbook.

ii. Keys are properly checked in with the Office of Housing and Residence Life.

iii. No damages or excess cleaning charges are associated with the room upon check-out.

iv. The resident does not have an outstanding balance on his/her account with the University.

v. The student fulfills the housing contract Terms of Residence and does not cancel their reservation more than 30 days from the date it is signed or after August 1.

A resident who does not check out in accordance with the procedures described in the Student Handbook and Housing and Residence Life bulletins and correspondence will be subject to fines and/or forfeiture of all or part of their deposit.

b. Cancellation Fee: A student who cancels their contract more than 30 days after receiving their housing assignment will be charged a $300 cancellation fee, forfeit the damage deposit, and be prorate for the number of days in residents. Students who withdraw from the University or leave housing after the 30th day of the semester receive no refund.

9. Food Service

a. All residents who do not live in apartment spaces and are ineligible to do so must purchase a traditional (bronze, silver, or gold) meal plan. Those who are eligible for apartments but choose to live in suites must have a meal plan, but may select an apartment plan.
b. Meal plan options and prices are available at Bon Appétit’s webpage. Board plans do not include meals during vacation periods (Christmas, spring, and summer breaks), but food service is available on a limited, cash basis during these times.

c. Residents who live in apartments on campus are not required to purchase a meal plan; however, all meal plan options are available to apartment residents.

d. Meal plans may be selected and changed by submitting an online request before the add/drop date, but no changes will be made thereafter.

e. Fall meal plan balances carry over to spring with the purchase of a traditional (bronze, silver, or gold) meal plan. At the end of the spring semester, all balances expire.

Please visit Bon Appétit’s webpage for additional meal plan options and policy information.

10. Fire Safety

a. Tampering with fire safety equipment (sprinklers, pull stations, extinguishers, smoke detectors, hoses, etc.), generating a false alarm, failing to evacuate during a drill, or engaging in any behavior constituting a fire or safety hazard is prohibited and may be grounds for suspension from the University and further legal action. Propping open fire doors, covering fire safety equipment, or removing batteries from smoke detectors will result in disciplinary action, which may include a $50 minimum fine. Walkways, hallways, and exits must be kept free of furniture and other objects. Decorative materials for general use or holiday décor must be non-flammable.

b. Extension cords may not be used as a substitute for permanent wiring. Extension cords should be plugged directly into an approved receptacle outlet and can serve only one appliance or fixture not rated with a capacity higher than the cord. They must be maintained in good condition (without splices, deterioration, or damage) and must not be subject to environmental damage or physical impact. Only three-prong surge protectors should be used when multiple items are plugged in. Extension cords should be rated for a 15 amp service. Routine safety checks are done in the halls, and residents will be asked to replace noncompliant extension cords.

c. Thurston County Fire Protection District 3 responds to and investigates all fire alarms on campus. Fire drills are conducted at least once each semester and are to be taken seriously. Drills familiarize residents with the safe and proper exiting procedure and route to promptly evacuate buildings. All occupants must evacuate the building in timely manner when a drill occurs, and rooms will be checked for compliance. Anyone refusing to evacuate is liable for sanctioning and may be suspended from the residence hall. Occupants are not to re-enter the building until directed to do so by a University official.

d. Many electrical appliances can be fire hazards. Residents must not leave coffee pots, irons, or other such appliances unattended, even for a short time. The following items are considered fire hazards and are not permitted in Saint Martin’s residence halls:
i. Open-element appliances including, but not limited to, hot plates, space heaters, halogen lamps, lava lamps, and toaster ovens.

ii. Candles, incense, hookahs, and other items with an open flame.

iii. Fireworks and other explosives. These are prohibited anywhere on University grounds.

11. Guest and Visitation Policy

a. Non-Resident Guests: A guest is defined as any individual who is not a contracted resident of Saint Martin’s University. Guests under the age of 16 must present a letter of permission from a parent or legal guardian and be approved by the Office of Housing and Residence Life. Each guest must possess a valid form of photo identification, have a host who is a resident, and be escorted while inside the residence halls. Guests may not be left alone in University facilities or provided with proximity cards or room keys. The host is responsible for the behavior of the guest(s), and guests are expected to comply with all state regulations and with Saint Martin’s policies outlined in the Code of Student Conduct, the Student Handbook, and other publications. Guests may be asked to leave the halls if they cannot demonstrate that they are a guest of a resident, are not on University business, refuse to provide identification to university officials, or do not have confirmation of a guest pass request. Guests of residents may also be asked to leave if they are violating policies or exhibiting the potential to cause harm to themselves or others. If a guest is asked to leave, the host and residents associated with the individual may face disciplinary action.

b. Overnight Guests: All overnight guests must be of the same gender as the host and may not be in an amorous or dating relationship with any resident of the room, suite, or apartment. An overnight guest is defined as a person visiting between 11:00 pm and 9:00 am Sunday through Thursday and 1:00 am and 9:00 am Friday and Saturday. Overnight guests are only permitted with the roommate’s consent and after requesting a guest pass online. Overnight guests are only to sleep in the host’s room, and the maximum length of a visit is three consecutive nights and no more than 10 nights per semester.

c. Resident Visitation: Resident students are permitted and encouraged to visit their peers in other rooms and buildings. After 11:00 pm Sunday through Thursday and 1:00 am Friday and Saturday, however, residents hosting visitors of the opposite gender or with whom they are in an amorous or dating relationship must do so in common areas or in bedrooms with an open door and clear line of sight into the room. In Burton Hall, which has only exterior doors, such visitors must congregate in living rooms with blinds open and the room visible. Visitation by residents and guests of the opposite gender or with whom one is in an amorous or dating relationship is prohibited outside of common areas after 2:00 am. As with nonresident guests, students are not to exchange keys or proximity cards with their fellow residents, occupy rooms other than their own, or be left in another student’s room unattended.

d. Before guests and residents are invited to visit, roommates are strongly encouraged to take time to talk about arrangements for guests and how all
parties feel about the potential disruption guests can cause. If a roommate feels that rights to privacy or quiet continue to be violated, it is that individual’s responsibility to contact a staff member to help resolve conflicts that arise.

12. Lockouts and Keys
   a. Residents are required to carry their keys at all times.
   b. A Resident Assistant, Office Assistant, or Public Safety officer can assist residents who are locked out of their rooms. Residents are granted two free lockouts per semester. After the third lockout, residents will be charged $25 per lockout. Lost keys should be reported immediately to the on-duty staff member. Key replacement may take two to three days. The resident’s student account will be charged $60 per key replaced.
   c. Keys should never be loaned to a third party. Room keys may not be duplicated or given to other students or guests. A student who illegally possesses, uses, or duplicates a university key will be subject to disciplinary action.
   d. Housing and Public Safety staff members reserve the right to close and lock any unattended open/unlocked door.

13. Maintenance and Custodial Services
   a. If something in a residence hall room, apartment, or common area needs repair or replacement (light bulbs, smoke detector batteries, etc.), a work order can be submitted from the “Forms” menu of the Housing and Residence Life webpage. Items that are a potential danger to residents’ health or safety such as a broken window or an electrical or plumbing problem, however, are cause to contact a Resident Assistant or other Housing staff member immediately.
   b. Residents are responsible for the cleanliness of their own rooms, bathrooms, and apartment common areas, and are required to deposit all personal trash in the dumpsters outside Spangler, Parsons, and Burton Halls. The University’s custodial staff will address the following areas:
      i. Baran Hall: Community bathrooms, showers, hallways, common areas, kitchen, game room, and laundry rooms.
      ii. Burton Hall: Walkways, the Burton Addition, computer lab, and laundry rooms.
      iii. Spangler Hall: Hallways, common areas, the fitness room, kitchen, lobby, game room, and laundry room.
      iv. Parsons Hall: Community bathrooms, showers, hallways, common areas, fitness room, lobby, kitchen, computer room, and laundry rooms.

14. Noise and Quiet Hours
   a. The realities of living in a community require individuals to respect the community’s needs for the moderation of noise, regardless of quiet hours. Courtesy quiet hours are in effect at all times. Excessive noise is an infringement on the rights of others students. Music from a stereo, for instance, should not be heard outside of one’s room. If students choose to listen to music at a higher volume, they are encouraged to use headphones.
   b. Official quiet hours for all halls are:
      i. Sunday-Friday Morning: 11:00 pm to 8:00 am
      ii. Friday-Sunday: 1:00 am to 10:00 am
      iii. All other hours are considered courtesy hours.
c. Individual floors may choose to extend quiet hours through agreed-upon “community standards”. Residents must be respectful of these extended hours when visiting or residing in these communities.
d. One week prior to and throughout finals week, round-the-clock quiet hours are in effect. Any noise heard outside of rooms during this time may be a violation.

**15. Personal Property**

a. The University will make every reasonable effort to protect the personal property of residents; however, Saint Martin’s University is not liable for loss or damage of personal property including, but not limited to, loss due to fire or theft.
b. Students are advised to purchase insurance or to learn about extending their parents’ insurance to cover loss or damage of personal property.

c. Students who require an emotional support animal must complete the Emotional Support Animal Registration and Policy Agreement Form.
   i. Resident will be required to pay for any damage and/or excessive cleaning fees caused by the service animal.
   ii. Residents are required to re-register their emotional support animal at the beginning of each academic year.

**16. Pets**

a. Because of fleas, sanitation, allergy concerns, and consideration for other people and property, students who live in the residence halls are not allowed to have pets other than fish in a five-gallon tank.
b. Students who require the assistance of a service animal may refer to the University’s policy on service animals or contact the Office of Disability Support Services at (360) 438-4580 for further information.
   i. Resident will be required to pay for any damage and/or excessive cleaning fees caused by the service animal.

c. Students who require an emotional support animal must complete the Emotional Support Animal Registration and Policy Agreement Form.
   i. Resident will be required to pay for any damage and/or excessive cleaning fees caused by the emotional support animal.
   ii. Residents are required to re-register their emotional support animal at the beginning of each academic year.

**17. Prayer Room Use**

a. The prayer rooms in Spangler, Burton, and Baran Halls are for devotional use only. The prayer rooms must be used in the most respectful manner and should have an atmosphere of quiet at all times.
b. Misuse of the prayer room may result in disciplinary sanctions and possible loss of use privileges.

**18. Prohibited Items**

a. The following items are prohibited in the residence halls:
   i. Hot pots, hot plates, toaster ovens (one toaster per apartment kitchen area allowed), space heaters, halogen lamps, lava lamps, candles, incense, hookahs, and any open element heating device or other fire hazard.
   ii. Microwaves, refrigerators, freezers, air conditioners, and other major appliances already supplied by the University.
   iii. Weapons including, but not limited to, lethal and non-lethal firearms, tasers, swords, and knives restricted by the University’s weapons policy.
   iv. Fireworks or other explosives.
v. Amplifiers, speakers greater than six inches in diameter, subwoofers, and wireless internet routers.

vi. Remote-controlled flying devices commonly referred to as “drones” and self-balancing scooters or “hoverboards”.

vii. Alcohol and/or drug paraphernalia including, but not limited to, beer kegs, alcoholic beverage containers used for display, shot glasses, bongs, pipes, and grinders.

vii. Pets other than approved service/therapy animals or fish in a five-gallon tank.

viii. Beds, wardrobes, couches, and other large pieces of furniture that are already supplied by the University or that may obstruct exits and create additional hazards.

b. Prohibited items found in the residence halls will be confiscated and disciplinary action may be taken. With the exception of drugs or alcohol, and drug or alcohol paraphernalia, which will be disposed of, a property receipt will be issued for confiscated items that may be possessed legally off campus and can be stored for 30 days by Residence Life officials. If confiscated items are being removed from campus by the owner, those items may be returned upon written request. All confiscated items retained by Residence Life will be disposed of after 30 days if not claimed.

19. Proximity Cards

a. Use of a proximity card is limited to the individual to whom the card has been issued. Students must swipe their card upon entering a building even when a door is open. A student’s card will work for his or her residence hall 24 hours a day, seven days a week, excluding periods when the halls are closed. The card will work for other residence halls during selected hours each day. Apartment residents will have continuous access in accordance with their contract. If a residential student knowingly provides access to a nonresidential person without following proper guest policies, the student may be referred to the student conduct process. Misuse of a student’s card may result in disciplinary sanctions.

b. Students whose cards are lost, stolen, or damaged are required to immediately notify the Office of Public Safety, the Office of Housing and Residence Life, or the on-call RA. A student must report a lost or stolen card within 24 hours. Failure to do so may result in disciplinary sanctions. Once reported missing, the card will be immediately deactivated by Public Safety. The student’s account will be billed $25 and a new card will be provided when the fee is paid. If the card is lost during a time when a new card cannot be printed, a temporary card will be issued and must be returned when the new ID card is issued.

20. Reapplication/Room Selection

a. All students planning to return to the residence halls for the following year will reserve their rooms during the housing reapplication process in the spring. No reapplication fee is required, but a $200 damage deposit and electronic housing contract must be on file in advance in order to participate.
b. Residents will be advised of their priority numbers which are determined by a formula taking into consideration a variety of factors including, but not limited to, their earned credits, a proportion of their transfer or ESL credits, and the length of time they have lived in the halls. The priority number will determine the day and time a student may select a room.

c. Early/priority room selection may be available to students who require disability accommodations or who choose to live in predetermined theme communities or unique housing configurations.

d. If residents cannot be present during their time slot, they may select another student to serve as a proxy and select a room.

e. Students wishing to share a room, suite, or apartment may sign up together with the person who has the highest priority.

21. Residency Requirement

a. All undergraduate students are required to live in university residence halls while enrolled for classes at Saint Martin's University unless the student is married or a parent; has reached junior status (60 semester or 90 quarter credits, not including Running Start or AP credits) prior to registering for the current semester; will be 21 years of age or older on or before the last official day of registration for the semester; is residing at home within 30 miles of the university with parent(s) or legal guardian(s); is taking eight or fewer credits during the semester in question; has attained an associate's degree or completed two full years of education at the college or university level (not including Running Start); or has lived in a university residence hall for four or more complete semesters.

b. Regardless of class standing, single undergraduate international students, including English-as-a-second-language (ESL) students, are required to live on-campus for a minimum of two consecutive semesters unless they are living with a prearranged host family for the duration of their stay; have received a letter of permission from their country's embassy; have attended a community college or university in the United States for at least one complete quarter or semester; or will be 23 years of age or older on or before the last official day of registration for the semester.

c. This housing requirement is a condition of enrollment which must be met throughout the academic year and includes both fall and spring semesters. Students seeking an exemption based upon the criteria above must complete an exemption request form available on the Housing and Residence Life webpage and supply supporting documentation in order to receive approval from Housing and Residence Life before making off-campus living arrangements. All single undergraduates who do not qualify to live off-campus according to the provisions stated above must reside in a University residence hall or present evidence that an exception to the policy has been granted. Failure to maintain the required residency may result in the assessment of housing charges and fees and/or an administrative withdrawal by the Dean of Student Affairs. Any attempt
to falsify one's status may result in disciplinary action and the implementation of appropriate sanctions by the Dean of Student Affairs or designee.

22. Right of Privacy

a. Students are guaranteed the reasonable privacy of their residence and belongings. Under specific circumstances, however, rooms/apartments may be entered by University staff. These circumstances include, but are not limited to, cases of emergency, the need for repairs or custodial work, fire drills, and when reasonable suspicion exists to indicate that a violation of University regulations or federal, state, or local law is taking place in the room. In cases involving suspected violations of law or policy, rooms and their contents may be searched by University officials. In other cases (such as routine health and safety inspections), 48 hours’ notice will be provided to advise residents that University staff will be entering their rooms.

b. The University reserves the right to conduct administrative searches of student residences and all property contained in them when: a.) there is a danger to the life or safety of any member of the University community; b.) facilities or property is endangered; and c.) there is reasonable cause to believe there has been a violation of University policy or federal, state, or local law. The University also reserves the right to inform law enforcement officials of an administrative search and of anything illegal that is discovered during the search. These rights extend to vehicles parked on University grounds.

c. Administrative searches may be authorized by the Dean of Student Affairs, the Director of Public Safety, or the Director of Housing and Residence Life or designee and will be conducted by designated University officials in the presence of at least one other staff member, which may include a Resident Assistant or student Safety officer. Prohibited or illegal items may be confiscated, moved into plain view, or removed from the room.

23. Room Changes

a. Room changes may be requested after the second week of each semester by notifying the Office of Housing and Residence Life and completing the appropriate form(s). Room changes will not be made before the third week of the semester unless there is sufficient evidence to suggest that an individual’s emotional or physical wellbeing is in jeopardy.

b. RAs and professional staff members can assist with roommate problems, and residents will be required to participate in a formal mediation to review their Roommate Agreements and work through any conflicts before resorting to room changes. There is a moratorium on any room changes during certain parts of the semester. If a move is necessary, however, the following procedures must be followed.

i. The proposed move and details of the residents’ Roommate Agreement must be discussed with an RA and the student’s roommate.

ii. The RA may first attempt to mediate problems between roommates. They may also be asked to meet with a professional staff member.

iii. A room change request form must be completed online.
iv. If approved, a $25 fee will be charged to the student, and the move must occur in a timely manner and according to established procedures.

v. Failure to follow the proper room change procedure may result in a $50 fine, cancellation of any room change, and further disciplinary action.

c. Room changes will occur only at the discretion of Housing and Residence Life staff members and students who do not make a good faith effort to participate in roommate mediations or constructively resolve conflicts will not be permitted to move.

d. As room availability is often limited, non-essential room changes are uncommon and all requests should include sufficient justification. Additionally, students wishing to move rooms should expect to be assigned a new roommate and are encouraged to communicate with perspective roommates in advance.

24. Room Consolidation

a. In the event that a resident is left without a roommate or suitemate, one of three things may happen:

i. The student may be assigned another roommate/suitemate.

ii. The student may be moved to another room where a vacancy exists.

iii. Space permitting, the student may remain in the room and pay the higher rate for a single room (if applicable).

b. If a student chooses to pay the higher rate, the additional charge will be assessed after the vacancy occurs. If asked to change rooms with reasonable cause and notice, the resident must comply and move within a reasonable amount of time as instructed by Housing and Residence Life staff.

c. The Office of Housing and Residence Life reserves the right to change any room assignment in-kind based upon University need or office efficiency. Housing and Residence Life will provide timely and reasonable notice of any changes by email or telephone.

d. Residents of apartments, suites, or rooms with vacancies are expected to keep the unoccupied portion of the unit presentable and clear of personal belongings. Those who are assigned new roommates will typically receive 48-hours' notice prior to their move-in and may not refuse their reassignment or seek to discourage them from moving in.

25. Room Personalization

a. Residence Life staff want residents to feel at home. Items helping to create the atmosphere one wants include: bedding (extra-long twin), books, bulletin or dry-erase boards, a computer, lamps, pictures, pillows, plants, a portable stereo, small bookshelves, television, and throw rugs.

b. Residents may decorate their rooms to suit their personalities; however, furnishings and decorations should be discussed with roommates and suitemates to ensure they are not offensive, burdensome, or objectionable.

c. Decorations that are offensive, incongruent with the university’s mission or values, or that contribute to creating a hostile environment for other residents may be removed, and residents responsible for them may be subject to disciplinary action.
d. Residents may not paint, hang wallpaper, or make holes in the walls or doors.

e. Fun-tack and painters’ tape are to be used to hang posters and other items.

Duct, electrical, and Scotch tape and 3M adhesives are not allowed, and students
are responsible for wall, window, door, and other damages regardless of the
product used.

f. Writing on walls or other surfaces (interior and/or exterior) of the residence halls
with chalk, markers, cosmetics, or any other media is not permitted without
Housing and Residence Life or Facilities approval.

26. Single Rooms and Apartments

a. Apartment housing is available only to students who are at least 21 years old,
have completed 60 or more credits (not including Running Start credits), or have
lived in University housing for four or more complete semesters.

b. Single rooms are not available to first-year students except under very specific
circumstances.

c. As a limited number of single rooms are available in the residence halls, the first
priority is given to students with a documented disability or need. Such requests
must be on file with and approved by the Office of Disability Support Services.
Upperclass students who were unable to reserve a single room during
reapplication may be put on a wait list and as single rooms become available,
these students will be notified in the order they signed up.

d. Single occupancy rooms are not guaranteed to anyone, regardless of class
standing. In general, single occupancy rooms cost more than double occupancy
rooms.

27. Solicitation and Entrepreneurship

a. Door-to-door sales and solicitation are not permitted in the residence halls
unless expressly allowed by the Offices of Housing and Residence Life or Campus
Life. The Office of Public Safety or a Residence Life staff member should be
immediately notified if an unauthorized person or group is in any residence hall.

b. The use of Residence Life facilities, equipment, services, or funds for purposes of
individual entrepreneurship is similarly prohibited. Residents may not sell items
(including, but not limited to, crafts, food, music, or clothing) or provide services
(including, but not limited to, babysitting, lessons, hair styling, or repair work) for
profit within the residence halls without prior approval or the sponsorship of a
University office or organization.

28. Smoking

a. Saint Martin’s University’s residence halls are non-smoking facilities. This
includes electronic cigarettes and vaporizers, which may not be used within the
residence halls.

b. Smoking is allowed only in designated areas outside or at least 50 feet from the
residence halls.

c. Residents must use ashtrays to dispose of cigarette and cigar butts.

29. Sports in Campus Housing

a. Sports activities including, but not limited to Frisbee, football, golf,
skateboarding, rollerblading, bike riding, basketball, wrestling, and soccer are
not permitted in any campus residence due to the potential for property damage and personal injury.

b. Bicycles may not be kept in hallways, stairwells, lounges, entry ways, laundry rooms, or any other public areas of campus housing. Bike racks are available near each hall, and consequently, bicycles should not be secured to trees, benches, sign posts, stairwells, or building pillars. Abandoned bicycles (those left after the end of classes in May) become the property of the University and will be removed.

c. Motorcycles, motorized scooters, mopeds, hoverboards, and other gasoline or battery powered engines may not be stored in campus housing.

30. Vacation and University Breaks

a. Students living in Burton and Spangler apartments are permitted to remain in their rooms throughout vacation and break periods (excluding summer break), but do have to notify the office of their intentions by submitting break housing or extension requests.

b. Baran Hall, Parsons Hall, and Spangler suites are closed during winter and summer vacation periods. Students planning to stay during these times must complete a break housing or extension request form through the Office of Housing and Residence Life website and, if approved, their accounts will be charged accordingly.

c. Break housing is not guaranteed and requires a sound and reasonable explanation of why it is necessary. Not all students will be approved for break housing. Students whose homes are more than 600 miles from Saint Martin’s may qualify for an exemption to the break housing fee or be granted a 48-hour grace period at check-out, but this, too, is not guaranteed. For information about costs and exemptions, residents may contact Housing and Residence Life.

31. Windows, Doors, and Roofs

a. The residence halls have many windows and doors. Residents are encouraged to keep windows closed and doors locked when away. Neither interior nor exterior doors should ever be propped open. These precautions are especially important for first-floor rooms.

b. Windows are not to be used to gain entrance to or exit a building or room. Sitting on or hanging from ledges or windows is prohibited. Residents are not to remove window screens, throw objects from windows, or hang anything outside of their rooms.

c. Residence hall students and guests are not permitted on the roofs of the residence halls at any time, nor are they allowed to climb the halls’ exterior walls.

32. Weapons

a. Ammunition, firearms, and other weapons including, but not limited to, rifles, shotguns, handguns, archery equipment, swords, illegal knives, slingshots, nun chucks, fireworks, paint ball guns, air-soft guns, pellet guns, or other explosive devices are not allowed in the residence halls. Any item used to harm or threaten any individual or oneself is considered a weapon.
University Policy Statements

I. Campus Security Act Information

Saint Martin’s University is required to publish and distribute an annual report of campus crime statistics and security policies to all current students and employees in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This information is tabulated and published in the Annual Security Report, found on the Office of Public Safety webpage. The report includes incidents occurring on the Saint Martin’s campus and on extended learning campuses of Clery Act offenses reported for the past three years. It covers homicide, sexual offenses, robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, arson, liquor, drug, and illegal weapons violations, and hate crimes.

The statistics also are subdivided by geographic location. Included in the report is information on policy statements and program descriptions pertaining to campus security and specifically to sexual misconduct, emergency evacuation and notification procedures, access and security of facilities, alcohol and other drugs, and disciplinary procedures. A printed copy of the report is available upon request at the Office of Campus Safety and Security, Old Main 251, (360) 438-4555.

II. Family Educational Rights and Privacy Act (FERPA) & Solomon Amendment

Saint Martin’s University is in compliance with the federal Family Educational Rights and Privacy Act (FERPA) of 1974. The University guarantees each student the right to inspect and review his or her personal educational records. For more information, visit http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html.

Notification of Rights Under Family Educational Rights and Privacy Act for Postsecondary Institutions

The Family Educational Rights and Privacy Act (FERPA) provides students certain rights with respect to their Saint Martin’s University records. These rights include:

1. The right to inspect and review his or her education records within 45 days of the day the University receives a written request for access. The request to inspect records should specify items for review and should be submitted to the Registrar, Dean, Department Chair, or other appropriate official. The University official will make arrangements for access and notify the student of the time and place where the records can be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request amendment to education records the student believes to be inaccurate. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional
information regarding hearing procedures will be provided to the student when notified of their right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. Student educational records can be disclosed without prior consent to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research role or a support staff position (including law enforcement unit personnel and health staff members); a person or company with whom the University has contracted (such as an attorney, auditor or collection agent); a person serving on the University’s board of trustees; or a student serving on an official committee such as a disciplinary or grievance committee or a student who is assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Saint Martin’s University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C., 20202-4605.

In compliance with FERPA regulations, Saint Martin’s University has identified certain pieces of student information as directory information. Directory information and records requested under the Solomon Amendment (more information will be found below) may be released to third-parties without student consent. SMU defines directory information as the following:

1. Dates of Attendance
2. Major
3. Degree or Certificate Received Degree Conferral Date

Any request for information beyond directory information will require a signed release from the student. Students have the right to restrict disclosure/release of directory information to third-parties. Please contact the Office of the Registrar for additional information.

Solomon Amendment is a federal law that allows military recruiters to access some address, biographical and academic program information on students age 17 and older.

The Department of Education has determined the Solomon Amendment supersedes most elements of FERPA. An institution is therefore obligated to release data included in the list of “student recruiting information,” which goes beyond SMU’s directory information. However, if the student has submitted a request to the Office of the Registrar to restrict the release of his/her Directory Information, then no information from the student’s education record will be released under the Solomon Amendment.

Student Recruitment Information included in the Solomon Amendment is listed below.
1. Name
2. Address (home and mailing)
3. Telephone (home and mailing)
4. Age
5. Place of birth
6. Level of education
7. Academic major
8. Degrees received

Procedure for releasing information to military recruiter:

1. Under the Solomon amendment, information will be released for military recruitment purposes only. The military recruiters may request student recruitment information once each term or semester for each of the 12 eligible units within the five branches of the service:
   1. Army: Army, Army Reserve, Army National Guard
   2. Navy: Navy, Navy Reserve
   3. Marine Corps: Marine Corps, Marine Corps Reserve
   5. Coast Guard: Coast Guard, Coast Guard Reserve
2. The request should be submitted in writing on letterhead clearly identifying the unit of service requesting the student recruitment information.
3. The request should specify whether the information needed is for the current or previous semester.

III. Good Samaritan Amnesty Policy

At Saint Martin’s University, student health and safety are fundamental to our community. Whenever there is concern for another student or belief that assistance is needed, students are expected to contact their RA, RD, Public Safety, or any responsible University employee. In the case of a medical emergency, students should immediately call 911. In the event that someone’s health and safety is in jeopardy, students’ actions to protect the life or wellbeing of a peer or themselves by calling for medical attention may be subject to amnesty under the Good Samaritan Policy at the discretion of the Coordinator of Student Conduct or designee.

Under this policy, students who seek medical assistance for themselves or for an individual who is intoxicated or experiencing an alcohol or drug related emergency will not be subject to University disciplinary action for conduct involved in the current incident that would otherwise violate the University Alcohol and Drug policy. This Good Samaritan policy does not preclude other appropriate authorities (such as law enforcement) from taking action for violations which may be associated with the illegal possession or consumption of alcoholic beverages or illicit substances, nor does it preclude the University from taking action for related violations associated with vandalism, theft, physical assault, sexual assault, or other policies. The Good Samaritan Amnesty Policy applies only to students who are actively seeking assistance in good faith and does not apply to all individuals involved in the incident or the activities that preceded
it. Community members who abuse this policy or demonstrate a repeated pattern of behavior after appropriate intervention and education have been provided may not be considered under this policy.

When an incident covered under the Good Samaritan Policy occurs, the student(s) involved will be required to meet with a University official to review the matter. While no formal disciplinary sanction will be applied, an appropriate educational response may be. Failure to complete the educational requirements may result in a referral to the University Conduct Coordinator.

IV. Saint Martin's University Acceptable Use Policy

Saint Martin's University provides numerous resources for the University’s community to support its educational mission. The use of these resources must be consistent with the goals of the University. As a member of the Saint Martin’s University community, all users are expected to act responsibly and follow all applicable laws, guidelines, policies, and procedures when utilizing campus property and resources. The University’s Acceptable Use Policy includes the following guidelines that apply to all university community members and guests, including members of the Abbey, faculty, students, and staff:

1. Using another’s name or account, making a password or access code available to others, or otherwise evading or disabling security restrictions is grounds for immediate disciplinary action.

2. Hardware changes, software installations, and system modification is to be done by authorized personnel only. Such restrictions are designed to ensure integrity and readiness of use.

3. Obtaining and distributing illegally shared content using peer-to-peer file sharing is prohibited. The University is obligated by federal law to vigorously pursue copyright infringement claims.

4. Certain personal devices and device behaviors interfere with the University’s network. For the sake of fairness, broadcasting devices such as wireless hotspots, routers, and other networking equipment must remain unplugged and turned off at all times. Devices with wireless sharing capabilities must have those features disabled. Such devices include: wireless printers, smart televisions, phone hotspots, and streaming devices such as Roku and Chromecast. Devices that do not comply are monitored, located, and addressed by ITS for the sake of the University.

5. Posting or transmitting abusive, explicit, or unwanted material is unacceptable. Targeting a person, group, or organization to cause distress, injury, unwanted attention, or discomfort is harassment, and will not be tolerated.

6. Distribution of improper advertising, soliciting, chain letters, hoax emails, and pyramid schemes will not be tolerated except when permitted by non-conflicting law in designated areas.

Issues concerning these guidelines, allegations of harassment, or misuse of resources should be brought to the attention of Integrated Technology Service or the Office of Human Resources as
soon as possible. ITS is located on the main level of the O’Grady Library, and can be reached at 360-688-2222 or Help@stmartin.edu.

V. Saint Martin’s University Alcohol and Drug Policy Overview

The complete Alcohol and Drug Policy is included as Appendix A of the Student Handbook and can also be located on the Office of Public Safety webpage. The following consists of an overview of the Alcohol and Drug policy.

In compliance with the Drug-Free Schools and Communities Act, all students and employees of Saint Martin’s University are expected to observe the following minimum standards of conduct relating to the use of alcohol and illicit drugs.

1. Alcohol

   a. Possession, consumption, possession by means of consumption (if under the age of 21), and the manufacture, sale or distribution of alcoholic beverages, EXCEPT AS EXPRESSLY ALLOWED by this policy, is prohibited in or around University premises or in connection with any University activity. Exceptions may be made if the following conditions are met for a specific event:
      i. Approval for the event is obtained in writing from the Director of Campus Life and the Dean of Student Affairs.
      ii. The event is not held in or near the residence halls.
      iii. Those consuming alcohol are 21 years of age or older. Community members participating in SMU-sponsored study abroad programs are expected to respect the drinking laws of their host country while upholding the university policy.
      iv. An appropriate liquor license obtained from the Washington State Liquor Control Board and publically displayed at the event.
      v. A bartender licensed by the State of Washington serves the alcohol.

   b. Possession of open or empty alcohol containers, remaining in a location where alcohol is present, assisting someone else in concealing the product or the product’s effect on an individual, or any other violation of University policy due to alcohol consumption, also constitutes a violation of this policy.

   c. The use of alcohol on University premises or as part of its activities must otherwise conform to all applicable state laws and to University requirements and procedures.

2. Drugs

   a. Possession, use, manufacture, sale, or distribution of marijuana (including medicinal marijuana), illicit narcotics, or other controlled substances and the improper possession, use, manufacture, sale, or distribution of prescription pharmaceuticals is prohibited in or around University premises or in connection with any University activity.

   b. Remaining in a location where illicit drugs are present or being used, assisting someone else in concealing the product or its effect on an individual, or any other violation of University policy due to drug use also constitutes a violation of this policy.

   c. Possession, manufacture, use, distribution or sale of drug paraphernalia is prohibited in or around University premises or in connection with any University activity.

3. Sanctions
The University will impose disciplinary sanctions on students, faculty, and staff for violations of this Alcohol and Drug Policy. Sanctions will be imposed in accordance with the procedures of the Student Handbook, Code of Student Conduct, or Faculty/Staff Handbook as appropriate.

VI. Saint Martin’s University Anti-Harassment and Non-Discrimination Policy Overview

The complete Anti-Harassment and Non-Discrimination Policy is included as Appendix B of the Student Handbook and can also be located on the Office of Human Resources webpage. The following consists of an overview of the Anti-Harassment and Non-Discrimination policy.

The community of Saint Martin’s University is characterized by mutual trust and the University affirms the principle that its students, faculty, staff, monastic members and administrators should be able to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the Catholic Benedictine tradition. Through enforcement of this policy and by education, the University will seek to prevent and eliminate these forms of prohibited behavior.

Under the University’s Anti-Harassment and Non-Discrimination policy, all faculty, staff, and students are prohibited from harassing, discriminating, or retaliating against any member of the Saint Martin’s community. All employees, regardless of their position, and students are covered by and are expected to comply with this policy, and to take appropriate measures to ensure prohibited conduct does not occur. Appropriate corrective or disciplinary action will be taken against those who violate this policy. Disciplinary action may include verbal or written reprimand, suspension or termination of employment, or sanctions imposed through the Code of Student Conduct.

This policy covers discrimination, harassment, and retaliation as described below.

A. Discrimination

Discrimination prohibited by the Anti-Harassment and Non-Discrimination Policy includes differential treatment of or denial of a benefit to an individual in education or employment because of his/her protected status (i.e. race, ethnicity, color, national origin, sex, marital or family status, sexual orientation, gender identity or expression, age, religion, creed, disability, veteran status) or any other basis prohibited by federal, state, or local law. For examples of prohibited discrimination, please see Appendix B of the Student Handbook.

B. Harassment

Harassment prohibited by this policy is unwelcome verbal, nonverbal (such as whistling), visual, or physical conduct based upon protected status where enduring the offensive conduct becomes a condition of continued education or employment or the conduct is so severe, persistent, and pervasive that it interferes with or limits a student, faculty or staff member’s
ability to participate in or benefit from the University’s educational and/or employment opportunities, programs or activities. Discriminatory harassment includes sexual harassment. Harassment may constitute discrimination in violation of Saint Martin’s University policy, state and/or federal law.

Prohibited harassing conduct may include, but is not limited to:

• Verbal threats, offensive jokes, epithets, derogatory comments, name-calling, ridicule or mockery, insults, put-downs, or slurs;
• Gratuitous visual displays such as derogatory and offensive posters, photographs, cartoons, drawings, or gestures;
• Unwanted physical contact or conduct such as touching, intimidation, or blocking normal movement;
• Physical assaults or threats;
• Stalking or physically assaulting someone;
• Retaliatory actions against an individual who reports harassment or threatens to report harassment.

C. Retaliation

Retaliation means any adverse treatment (beyond a slight or annoyance) taken because a person engaged in protected activity (e.g. opposing discriminatory practices, filing a discrimination or discriminatory harassment complaint, or participating in an investigation, conduct hearing or an attempt at resolution, etc.) or for the purpose of interfering with right or privilege granted under anti-discrimination laws.

Reporting an Incident

If an employee or student believes they have been a victim of any form of discrimination, harassment, or retaliation in the University community or has knowledge of an allegation, the employee or student is to report the incident (or knowledge of it) in writing to the University’s chief EEO officer, the Associate Vice President of Human Resources and Title IX Coordinator. They may also make a report to their immediate supervisor, one of the responsible officials (RO) listed below or any University administrator, who will be responsible for forwarding the complaint to appropriate RO:

Cynthia Johnson
Associate Vice President of Human Resources & Title IX Coordinator
CJohnson@stmartin.edu
360-688-2290

Melanie Richardson
Dean of Student Affairs
MRichardson@stmartin.edu
360-438-4367

Kathleen Boyle, Ph.D.
Provost/Vice President Academic Affairs
KBoyle@stmartin.edu
360-438-4310
All reports describing conduct inconsistent with this Anti-Harassment and Non-Discrimination Policy will be promptly and thoroughly investigated. For more information about reporting an incident of prohibited conduct, please see the Anti-Harassment and Non-Discrimination Policy included as Appendix B in the Student Handbook.

VII. Leave of Absence

Leave of absence are types of withdrawals granted to students on the basis of extenuating personal circumstances.

VIII. Emergency, Military, or Family Care Leave

Saint Martin’s University students are expected to manage their academic schedules and withdraw from any courses they are unable to complete by the deadlines provided in the normal academic schedule. The University will, however, consider requests for an emergency, military, or family care leaves of absence from a student who experiences an urgent personal situation. Examples of such situations include, a death or serious illness in the immediate family, orders to deploy, or other serious and unexpected circumstances, which requires the student to withdraw from all courses after the regular academic deadline for withdrawal. Documentation of the serious nature of the emergency must be provided to the Office of the Registrar.

When this type of leave is granted, the course grade awarded is normally a W (withdrawn) in all courses unless the student initiates and receives appropriate approval for an incomplete (I) grade in any course. If the student is granted an incomplete (I) grade, he or she must complete the requirements of the courses according to the guidelines specified by the instructor and policy outlined in the academic catalog. Leave of Absence Forms can be found in the “forms” section on the Office of the Registrar’s webpage.

IX. Voluntary Medical Leave

Saint Martin’s University will consider requests for a voluntary medical leave of absence from a student experiencing a physical or mental health-related condition which impairs his or her ability to function safely or successfully as a student and requires the student’s withdrawal during a semester or an absence of one or more semesters from the University. Voluntary medical leaves of absence are coordinated through the Dean of Student Affairs. Students granted medical leaves of absence are expected to use the time away from the University for treatment and recovery.

Requests for voluntary medical leave for the current semester must be submitted no later than the last day of classes as published in the academic calendar. Students with significant health issues that arise during the final exam period should contact their academic dean’s office, and
may also wish to apply for a medical leave for the following semester. Documentation of the serious nature of the health condition must be provided by a certified medical or mental health professional. Requests for leave are considered by the Dean of Student Affairs or designee, who may meet with the student and consult with the Counseling and Wellness Center and other relevant professionals and/or campus administrators as appropriate, before recommending or approving the leave.

When a voluntary medical leave of absence is granted, the course grade awarded is normally a W (withdrawn) in all courses unless the student initiates and receives appropriate approval for an incomplete (I) grade in any course. If the student is granted an incomplete (I) grade, he or she must complete the requirements of the courses according to the guidelines specified by the instructor and policy outlined in the academic catalog.

Students must move out of residence within seven days of approval of the medical leave of absence. Students are not eligible to participate in student employment effective the date of approval of the medical leave of absence and for the duration of their medical leave.

Voluntary medical leaves do not constitute an adjustment in charges. It is designed to preserve the academic record. Extenuating circumstances may allow for an adjustment provided sufficient documentation is provided.

Students must contact the Dean of Student Affairs to request a return from a voluntary medical leave of absence. This contact should be made with sufficient notice to complete the application and approval process before the beginning of the semester in which the student wishes to return. The Dean of Student Affairs or designee considers the approval of return from leave, and may consult with the Counseling and Wellness Center, other relevant professionals and/or campus administrators, before recommending or approving the leave. The student must receive approval to return from leave before registering for courses or applying for on-campus residence for the semester.

The request to return must include supporting documentation from the student’s treating medical or mental health professional, providing evidence that the health condition has been addressed and that the student is capable of resuming study and functioning safely as a member of the University community. Depending on the individual circumstances of the voluntary medical leave, the student may be asked to provide additional documentation concerning the nature and duration of treatment, recommendations for ongoing care once the student has returned from leave, or to provide releases to the Counseling and Wellness Center to allow communication with treatment providers, the Dean of Student Affairs, and/or the Behavioral Intervention Team, regarding the student’s safe return to campus.

Depending upon the individual circumstances of the medical leave, the student may also be asked to provide a brief statement describing:

- The student’s experience away from the University, including the activities undertaken while on leave;
- The student’s current understanding of the factors leading to the need for the leave, and the insights the student has gained from treatment and time away; and
• How the student plans to ensure a successful return to the University.

If the return from voluntary medical leave is approved, the Dean of Student Affairs will contact the student to request a check-in visit to review the student’s safety and review their plan for sustained health, including recommendations for ongoing treatment, on or off-campus. Students with disabilities may be eligible for reasonable accommodations and/or special services in accordance with the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Students are responsible for communicating their requests for academic accommodation to Disability Support Services.

If the Dean of Student Affairs determines, after considering the student’s request and supporting documentation, that the student is not ready to return to the University, the student will be advised of that decision in writing. The written response to the student will also include recommendations to enhance the student’s chance of approval the next time the student’s request is considered. Leave of Absence Forms can be found in the “forms” section on the Office of the Registrar’s webpage.

X. Involuntary Medical Leave of Absence

In appropriate circumstances, Saint Martin’s University may take extraordinary actions to protect personal or community safety.

Threats to Self or Others

In the event that the University is presented with a credible report that a student has: (a) threatened or attempted suicide; (b) engaged in efforts to prepare to commit suicide; (c) expressed a preoccupation with suicide; (d) threatened to inflict serious harm upon another; (e) engaged in efforts to obtain weapons or other dangerous items in order to inflict serious harm upon another; (f) expressed a pre-occupation with harming others; or (g) engaged in other behavior that poses a significant danger of causing substantial harm to the health or safety of the student or others, the University may require the student to participate in a professional assessment with a licensed counselor, psychiatrist, psychologist, or physician. These sessions are designed to foster the students’ willingness and ability to maintain a reasonable concern for their own welfare and the welfare of others.

Involuntary Leave

In addition to the above actions to prevent threats of harm, the University may consider imposing an involuntary leave from the University’s academic program, housing, or other aspect of the University’s services. Involuntary leave is intended to be invoked only in extraordinary circumstances, when a student is unable or unwilling to take a voluntary leave of absence. When the University considers imposing an involuntary leave, the Dean of Student Affairs will initiate the following procedures:
1. The Dean of Student Affairs or designee will notify the student that an involuntary leave is being considered; whether the leave being considered would require leave from the academic program, housing, and/or other University services, and the reasons that an involuntary leave is being considered. The student shall have the opportunity to respond with information that he/she believes should be considered.

2. The Dean of Student Affairs or designee will direct the student to this policy and will encourage the student to agree to a voluntary leave of absence, thereby eliminating the need to complete the process for an involuntary leave.

3. The Dean of Student Affairs or designee will confer with others as may be appropriate to obtain information relevant to the University’s determination of whether an involuntary leave is necessary.

4. The Dean of Student Affairs or designee will consider whether the student’s actions are disruptive of the learning environment, pose a threat to the safety of others, and/or pose a direct threat to the safety of the student himself/herself. They will also consider accommodations that may be provided that would mitigate the need for an involuntary leave. The consideration must be based upon the student’s conduct, actions, and statements, and not merely upon speculation, a remote risk of harm, or the knowledge or belief that the student is an individual with a disability.

5. The University may require the student to undergo a mental or physical examination if doing so is likely to facilitate a more informed decision. Additionally, in order to assist with judging the risk of harm, the University may request authorization to consult with the healthcare professionals that are or have provided services to the student.

6. Following these consultations and examinations (if any), the Dean of Student or designee will make a decision regarding the involuntary leave of absence and will provide written notice of the decision to the student.

If involuntary leave is imposed, the notice shall identify whether the student is being withdrawn from the academic program, campus housing, and/or other University services and the time when the student must depart from campus (if applicable), and the steps that must be taken when the student wishes to re-enroll. If a student is removed from courses due to an involuntary withdrawal, W (withdrawn) grades will appear on their academic transcript and all applicable charges for those courses will remain. While on involuntary leave, the student may visit campus only as specified in the notice, or as otherwise authorized in writing by the Dean of Student Affairs or designee.

If involuntary leave is not imposed, the University may impose conditions and/or requirements under which the student is allowed to remain enrolled in the University’s programs.

The University reserves the right to notify a parent, guardian, or other person, of the circumstances leading to the consideration of involuntary leave, if notification is deemed appropriate. In addition, if leave is imposed, the parent, guardian, or other person may be asked to make arrangements for the safe removal of the student from campus.
After an involuntary leave, a formal request for reinstatement must be submitted to the Dean of Student Affairs who will decide whether or not to approve the reinstatement. The Dean of Student may condition reinstatement upon receipt of a certification from one or more appropriate healthcare professional(s) providing evidence that the behavior that precipitated the need for the involuntary leave has been ameliorated and that the student is able to participate in the University's programs without disruption of the learning environment and without posing a threat to personal or community safety.

This involuntary medical leave policy is not intended to take the place of disciplinary actions under Saint Martin's University Code of Student Conduct, and does not preclude sanctions, including the removal or dismissal of students from the University, University residence halls, or other University facilities or services, for violations of the Code of Student Conduct or other University policies.

**XI. Saint Martin's University Parking Policies**

Campus parking and issuing parking permits is the responsibility of the Office of Public Safety. Saint Martin's University regulations pertaining to parking are in effect 24 hours per day, year-round. Regulations do not change between semesters, during breaks, or during the summer. All faculty, staff, and student vehicles - including those of day, night and residence hall students and all University employees - are required to register and display a current University parking permit when they are parked on campus in a restricted parking lot. Special events participants/attendees and campus visitors, students, faculty and staff may park in unrestricted parking lots without obtaining a parking permit. Special event/summer group vehicles parked in restricted Residence Hall parking lots, or any other restricted parking lot, are required to display a valid University temporary parking permit while on campus. Special event parking permits are available from the University Office of Conference Services.

For full policies and more information, please visit the Office of Public Safety in Old Main or [online](#).

**XII. Saint Martin's University Rally, Protest & Demonstration Policy**

Saint Martin's University is a private, four-year, Liberal Arts University. As such, the University recognizes individual and collective research, thought and the peaceful exchange of ideas and information from many viewpoints as important ideals in academic and personal growth. The purpose of this policy is to provide faculty, staff, students and the Abbey an opportunity to engage in the lawful business of education and spiritual practice without undue interruption.

As a matter of policy, the University will accommodate peaceful informational rallies, protests, and demonstrations only in specific areas designed to minimize distractions to the academic and spiritual pursuits of the University and Abbey community. Rally, protest, or demonstration representatives must register their intent to hold an event at Saint Martin's University with the Dean of Student Affairs, Director of Public Safety, and/or the Director of Campus Life.
Rally, protest or demonstration participants are allowed to use the sidewalk adjacent to Pacific Avenue on the South side of Saint Martin’s University. In the event more space is needed, the University may provide a well-defined portion of the Marcus Pavilion/Worthington Conference Center parking lot (‘Q’ Parking Lot) for rally, protest, or demonstration use.

All rally, protest, or demonstration events allowed on the Saint Martin’s University campus must be peaceful in nature. Participants are not allowed to confront people arriving on campus, people already on campus, or those leaving campus. No direct contact will be allowed between any opposition rallies, protests, or demonstrations. Noise levels may be monitored and controlled.

As a private landowner, Saint Martin’s University reserves the right to ask participants to leave campus for any reason, including failure to abide by rally, protest, or demonstration rules; failure to respond to reasonable requests from University officials; confrontational, threatening, or violent behavior; vandalism; or the need to use the lot for previously scheduled events. Refusal to leave when asked may result in arrest for criminal trespass.

Students wishing to engage in peaceful demonstrations, rallies, or protests may request, to the Dean of Student Affairs, a modification to the requirements of this policy. Requests for consideration of modifications are required to be submitted in writing a minimum of two working days before a planned event in order to address resource and support needs.

XIII. Sexual Misconduct Policy Overview

Sexual misconduct is strictly prohibited by Saint Martin’s University. Sexual misconduct includes sexual harassment and sexual violence including, but not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, domestic violence, dating violence, and stalking. Sexual misconduct, as defined by the University, overlaps with the crimes of rape, sexual assault, stalking, dating violence and domestic violence. Victims of this conduct are protected by state and federal laws, including Title IX of the Education Amendments of 1972 ("Title IX") [Saint Martin’s Title IX Information], and the Clery Act, which mandate the content of the University’s sexual misconduct policy, included in full as Appendix C.

Allegations of sexual misconduct will be investigated and acted upon by the University, regardless of where the conduct occurred, and all reports will be reviewed by the Title IX Coordinator. In the event that allegations of sexual misconduct are confirmed, the University will take appropriate disciplinary actions in accordance with the aforementioned policy, the Code of Student Conduct, and the Employee Handbook. The University will also employ, where necessary, interim protection measures such as interim suspensions and/or no-contact orders in any case where an individual’s behavior represents a risk of violence, threat, or predation.

Anyone with knowledge about sexual misconduct is encouraged to report it immediately. The University will make protective and remedial measures available to victims irrespective of whether a victim chooses to report to local law enforcement or Public Safety, or pursues a
formal complaint through the University resolution process. If you feel that you have been a
victim of sexual misconduct, please read the full policy included as Appendix C for support
resources, reporting options, and possible remedies.

Reporting an Incident

Saint Martin’s University encourages anyone who feels they have been subjected to sexual
misconduct to report the incident so that the University can respond appropriately.
Complainants have the right to file a criminal complaint and a complaint with the University
simultaneously.
Complaints can be made to:

Cynthia Johnson
Associate Vice President of Human Resources & Title IX Coordinator
CJohnson@stmartin.edu
360-688-2290

Melanie Richardson
Dean of Student Affairs
MRichardson@stmartin.edu
360-438-4367

Kathleen Boyle, Ph.D.
Provost/Vice President Academic Affairs
KBoyle@stmartin.edu
360-438-4310

Will Stakelin
Director of Public Safety
WStakelin@stmartin.edu
360-438-4354

Any complaints or inquiries regarding a student or employee experiencing sexual misconduct
from an employee or third party should be brought to the immediate attention of the Associate
Vice President for Human Resources/Title IX Coordinator, Dean of Student Affairs, Provost/Vice
President for Academic Affairs or Director of Public Safety.

Any complaints or inquiries regarding a student experiencing sexual misconduct from another
student or third party should be brought to the immediate attention of the parties listed above.

Definitions

1. Sexual Harassment is unwelcome conduct of a sexual nature. It includes, but is not limited
to, unwanted sexual advances, requests for sexual favors, and other visual, verbal,
nonverbal, or physical conduct of a sexual nature when:
   a. The conduct denies or limits an individual’s ability to participate in or benefit from the
      University’s educational programs;
   b. The conduct creates a hostile, intimidating, or offensive working or educational
      environment;
   c. Submission to or rejection of such conduct is used as a basis for employment, salary, or
      other benefit changes affecting an employee or academic decisions affecting a student.
Sexual harassment, which includes acts of sexual violence, domestic violence, dating violence, sexual assault, and stalking, is a form of sex discrimination that is prohibited by state and federal laws.

Sexual harassment in the workplace, on campus, or in the classroom, can be between students, co-workers, individuals of the same gender or transgender individuals, a manager and an employee, or an employee and a vendor, student or third party.

2. **Sexual Violence** includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence is a form of sexual harassment covered by this policy and prohibited by Title IX. (The complete legal definitions of the various offenses can be found in the Revised Code of Washington. Some of the relevant definitions are located at the end of the complete Sexual Misconduct Policy contained in the Appendix.)

3. **Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’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 purpose of this definition:
   a. Dating violence would include, but not be limited to sexual or physical abuse or the threat of such abuse; and
   b. Dating violence does not include acts meeting the definition of domestic violence.

4. **Domestic Violence** includes asserted violent misdemeanor and felony offenses committed:
   a. By a current or former spouse or intimate partner of the victim;
   b. By a person with whom the victim shares a child in common;
   c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
   d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
   e. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

5. **Sexual Assault** means an actual sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to:
   a. Involvement in any sexual contact when the victim is unable to consent;
   b. Intentional and unwelcome contact with the breasts, buttocks, groin or genitals or touching another with any of these body parts or coercing or forcing or attempting to coerce or force another to touch the perpetrator or themselves with or on any of these body parts;
c. Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party;

d. Sexual intercourse, which has its ordinary meaning and occurs upon any penetration, however slight, without consent, including acts commonly referred to as “rape.”

6. **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

   a. Fear for the person’s safety or the safety of others; or
   
   b. Suffer substantial emotional distress. For the purpose of this definition:

      o “Course of conduct” means two or more acts, including, but not limited to, acts in which the individual 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.

      o “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

      o “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

7. **Consent** is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. If coercion, intimidation, threats, or physical force are used there is no consent.

   There is no consent if a person is mentally or physically helpless in a manner that the person cannot understand the fact of, or make a reasonable judgment as to the nature or harmfulness of the conduct, or extent of the sexual situation. This includes incapacitation due to mental disability, alcohol or drug consumption, or being asleep or unconscious. A person who knows or reasonably should have known another person is incapacitated may not engage in sexual activity with the person.

   There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim which overcomes resistance. Forcible compulsion also means the threat of force, expressed or implied, placing a person in fear of death or physical injury to herself, himself, or another person, or in fear they or another person may be kidnapped unless they consent to sexual activity. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity, to make sure that he/she has the consent from his/her partner(s).

   Silence does not necessarily constitute consent. Past consent to sexual activity does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent. Effective consent may not be given by minors less than 16 years old.

8. **Retaliation** is any adverse treatment (beyond a slight or annoyance) that is taken because a person engaged in protected activity (e.g. opposing discriminatory practices, filing a discrimination or discriminatory harassment complaint, participating in an investigation,
conduct process, or an attempt at resolution, etc.) or for the purpose of interfering with right or privilege granted under anti-discrimination laws.

Confidentiality

Saint Martin's University will make every reasonable effort to preserve a complainant’s privacy and protect the confidentiality of information concerning the complaint. To the extent possible, the University will only disclose information regarding the complaint to individuals who are responsible for handling the University's response.

If a complainant requests that his or her name not be revealed to the respondent or asks that the University not investigate or seek action against the respondent, the University will evaluate whether this request can be honored based on the University's legal reporting requirements and the University's need to investigate and resolve the reported problem. All requests for confidentiality will be evaluated by the Title IX Coordinator who will determine whether the confidentiality request can be honored while still providing a safe and nondiscriminatory campus environment. The University will take all reasonable steps to respond to the complaint consistent with the request. Complainants who request that their identity remain confidential must understand that such a request may limit the ability of the University to fully respond to the incident, conduct an investigation, or pursue disciplinary action against the respondent.

Different people at the University have different reporting responsibilities and roles concerning the maintenance of confidentiality, depending on their roles at the University. Some members of the University are required to maintain near complete confidentiality. They include counselors and medical providers in our Counseling and Wellness Center and Health Center and members of the monastic community acting in a pastoral capacity. Most employees of the University, however, are considered "responsible employees" and are required by law to report all details of an incident, including the identities of the Complainant and Respondent to the Title IX Coordinator.

The University is required by law to disclose all reports of on-campus and off-campus sexual misconduct for statistical purposes to the Office of Public Safety and make an annual report to the U.S. Department of Education. These reports, however, will be made without personal identifying information and will not include the name of victim or information that could easily lead to a victim's identification.

Records concerning the investigation of and resolution to any complaint of sexual misconduct are maintained confidentially. Information may be shared internally between University personnel who have a legitimate educational interest. Additionally, the University maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific
student or employee, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident.

Resources

If you are on campus during regular business hours, you may go to the Saint Martin's University Counseling and Wellness Center, located in the Lynch Building. You may also contact SafePlace (521 Legion Way SE, Olympia, WA 98501) at 360-754-6300 for guidance, support, and information about sexual assault, domestic violence, and sexual abuse 24 hours a day. These are both confidential resources. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance:

- The Crisis Clinic: 360-586-2800 (information/referral to community resources)
- St. Peter Hospital: 360-491-9480
- SafePlace: 360-754-6300, www.safeplaceolympia.org (rape relief/women’s shelter)
- Domestic Violence Hotline: 800-562-6025

For more detailed information on University policies related to sexual misconduct, victims’ rights and resources, or the complaint investigation and resolution process, please refer to the full policy, included as Appendix C.

XIV. Saint Martin’s University Supplemental Grievance Policy

Saint Martin’s University is committed to the internal resolution of disputes arising between members of the university community. The university encourages its community members to resolve their disputes at the earliest and most informal stage (e.g., by talking directly with one another, through facilitated conversation, and/or through conflict mediation). When informal resolution is not possible, every member of the university community has the right to file a grievance and have it addressed fairly. The following administrative procedures are intended to cover grievances between students and members of the university’s faculty, staff or administration. They shall apply to all grievances other than grade disputes, allegations of academic dishonesty, sexual harassment/sexual misconduct, and student conduct issues covered by the Code of Student Conduct.

The grievance process affords the grievant an opportunity or discuss the dispute with the respondent or a neutral third party in an attempt to clarify the issue and achieve its resolution. A grievant may pursue any of the following options for resolution:

1. Direct Resolution. The grievant may discuss the grievance directly with the respondent and work with the respondent to resolve any concerns.

2. Supervisor Resolution. If the exercise of option 1 is unsuccessful, or it appears ill-advised or otherwise inappropriate, the grievant is encouraged to discuss his or her concerns with the respondent’s supervisor or department chair, who is responsible for taking action as necessary and appropriate.

3. Administrative Resolution. If the exercise of option 2 is unsuccessful, or it appears ill-advised or otherwise inappropriate, the grievant may fill out a “Formal Grievance Form” found at http://www.stmartin.edu/CurrentStudents/ and deliver it to:

   a. The Dean of Student Affairs, if the respondent to the grievance is employed in Student Affairs or another non-instructional unit.

   b. The Vice President for Academic Affairs, if the respondent to the grievance is employed in Academic Affairs, whether as a faculty or staff member.
After receiving the formal grievance, the Dean of Student Affairs or the Vice President for Academic Affairs may review relevant files or records and consult with the grievant, the respondent(s), witnesses and other individuals, in an attempt to resolve the matter and to determine whether further action is warranted.

If resolution is reached by this process, no further action normally will be taken, and the matter will be considered closed. The University reserves the right to undertake further investigation of any allegation. In all cases, the Dean of Student Affairs and the Vice President for Academic Affairs will keep a written record of formal grievances and their resolution.

XV. Student Right to Know Act

In accordance with the Higher Education Act of 1965, you have the right to know certain information about Saint Martin's University including a variety of academic information, information on completion or graduation rates, institutional security policies and crime statistics. In compliance with Student Right to Know legislation, Saint Martin's University will make information available at www.stmartin.edu. A printed copy of the same information can be requested at the Saint Martin's Information Center.
Appendix

Please note that this appendix is meant to serve as a convenience and not to supersede any updates made to university policies or laws housed on individual office/agency/department websites.

Appendix A: Saint Martin’s University Alcohol and Drug Policy

Saint Martin’s University is committed to a safe and secure environment free of Alcohol and Other Drug (AOD) abuse and maintains this commitment in support of academic success, work performance, well-being, and quality of life for all members of its community. It is the conviction of Saint Martin’s University the education of the mind, body, and soul are of the utmost importance. Alcohol and other drugs have been shown to adversely affect this ideal. The University is committed to substance abuse prevention, education, and assistance.

Housing and Residence Life Alcohol and Drug Policy

Alcohol
 Possession, consumption, possession by means of consumption (if under the age of 21), and the manufacture, sale, or distribution of alcoholic beverages, is prohibited in or around University-owned or University-controlled housing. Also prohibited is the possession, consumption, distribution or other use of alcohol, on or off University premises, in violation of federal, state or local laws.
 Possession of empty alcohol containers, remaining in a location where alcohol is present, assisting someone else in concealing the product or its effect on an individual, or any other violation of Housing and/or University policies due to alcohol consumption also constitutes a violation of this policy.

Drugs
 Possession, use, manufacture, sale, or distribution of marijuana (including medicinal marijuana or recreational use marijuana), illicit narcotics, or other controlled substances; improper possession, use, manufacture, sale, or distribution of prescription pharmaceuticals in violation of local, state, or federal law; and possession or use of drug paraphernalia is/are prohibited.
 Possession or use of drug paraphernalia, remaining in a location where illicit drugs are present, assisting someone else in concealing the product or its effect on an individual, or any other violation of Housing and/or University policies due to drug use also constitutes a violation of this policy.

University Policy – Alcohol and Drugs

Policy Statement
 Saint Martin’s University prohibits the illegal or unauthorized possession, use or distribution of alcohol and the possession, use or distribution of illicit drugs by students, faculty, and staff on
University premises or as part of any of its activities. Community members participating in SMU sponsored study abroad programs are expected to respect the drinking laws of their host country while upholding the university policy. This Alcohol and Drug Policy is intended to meet, at a minimum, the requirements of all applicable federal and state laws, including but not limited to the Drug-Free Schools and Communities Act of 1986, as amended, and the Drug-Free Workplace Act of 1988.

In accordance with federal law, this policy applies to: (1) any student enrolled at the University in one or more courses for academic credit, regardless of the length of the student’s program of study; (2) any regular or temporary faculty, staff, or student employee of the University; and (3) any visitor or guest on University premises. The conduct prohibited by this policy includes, at a minimum, the unlawful possession, use, or distribution of alcohol and drugs, including “medical or recreational use marijuana,” by students, employees, visitors or guest on University premises or as part of its activities.

University "premises" include but are not limited to its campus, facilities, housing and vehicles. A University "activity" means any activity sponsored by the University, whether or not it takes place on University premises.

The term "alcohol" as used here means hard liquor, wine, beer, and any other alcoholic beverage. A "drug" is any "controlled substance" within the meaning of the Controlled Substance Act [Title 21 United States Code (USC) Controlled Substance Act], such as marijuana, cocaine and crack cocaine, amphetamines, ecstasy, psilocybin/mushrooms, heroin, barbiturates, and hallucinogens. The possession, use, or distribution of alcohol or a drug is "unlawful" if such use is prohibited by federal or state law.

AVAILABLE DRUG AND ALCOHOL PROGRAMS AND REFERRAL SOURCES

Counseling, treatment, rehabilitation, and re-entry programs are available to employees or students and include:

ON CAMPUS:
- SMU Counseling Center: 360-438-4371

OFFF CAMPUS:
- Providence St. Peter’s Chemical Dependency Center
  4800 College St SE
  Lacey, WA 98503 360-456-7575

ADDITIONAL RESOURCES:
- BHR Recovery Services: 360-704-7170
- Safeplace: 360-754-6300 – Provides a 24-hour sexual and domestic violence helpline.
- The Crisis Clinic: 360-586-2800 – Provides a 24-hour crisis line, referrals to providers in the area.
- Alcohol/Drug Use 24-hour Help Line: 800-562-1240
- Washington State Alcohol/Drug Clearing House: 800-662-9111
SUPPORT GROUPS:

- Alcoholics Anonymous (AA): 360-352-7344
- Alanon: 360-352-7745 – Support for those affected by alcohol use of a friend or family member.
- Narcotics Anonymous (NA): 360-754-4433
Appendix B: Saint Martin’s University Anti-Harassment and Non-Discrimination Policy

The community of Saint Martin’s University is characterized by mutual trust and the University affirms the principle that its students, faculty, staff, monastic members and administrators should be able to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the Catholic Benedictine tradition. Through enforcement of this policy and by education, the University will seek to prevent and eliminate these forms of prohibited behavior.

Under this policy, all faculty, staff, and students are prohibited from harassing, discriminating, or retaliating against any member of the Saint Martin’s community. All employees, regardless of their position, and students are covered by and are expected to comply with this policy, and to take appropriate measures to ensure prohibited conduct does not occur. Appropriate corrective or disciplinary action will be taken against those who violate this policy. Disciplinary action may include verbal or written reprimand, suspension or termination of employment, or sanctions imposed through the Code of Student Conduct.

Any student, employee, or other community member who has a concern about possible discrimination or harassment in connection with University employment, programs, services, facilities or activities, is encouraged to discuss those concerns with one of the following officials who is trained and able to assist, whether or not the individual wishes to pursue a formal or informal complaint.

Cynthia Johnson
Associate Vice President of Human Resources & Title IX Coordinator
CJohnson@stmartin.edu
360-688-2290

Melanie Richardson
Dean of Student Affairs
MRichardson@stmartin.edu
360-438-4367

Kathleen Boyle, Ph.D.
Provost/Vice President Academic Affairs
KBoyle@stmartin.edu
360-438-4310

Will Stakelin
Director of Public Safety
WStakelin@stmartin.edu
360-438-4354

It is a violation of this policy to discriminate or retaliate against an individual because he or she has opposed discrimination or harassment, or because the individual has filed a complaint, testified, assisted, or participated in any manner in any University procedures designed to resolve an allegation of discrimination or harassment.

Definitions

A. Discrimination
Discrimination prohibited by the University includes differential treatment of or denial of a benefit to an individual in education or employment because of his/her protected status (i.e. race, ethnicity, color, national origin, sex, marital or family status, sexual orientation, gender identity or expression, age, religion, creed, disability, veteran status) or any other basis prohibited by federal, state, or local law.

The following are some examples of discriminatory actions. This is only a partial list, and other behaviors or actions may also constitute discrimination:

- Denying or granting in whole or in part a promotion or other advancement opportunities based on an individual’s protected status;
- Granting preference in education or employment based on an individual’s protected status;
- Assigning grades based on an individual’s protected status;
- Making work assignments based on an individual’s protected status;
- Denial of use of facilities or equipment based on an individual’s protected status;
- Denial of leave based on an individual’s protected status;
- Directing racial or ethnic slurs at someone;
- Telling someone repeatedly they are too old to understand new technology;
- Teasing or mocking a person with a disability;
- Ridiculing a person's religious beliefs;
- Vandalizing or defacing property;
- Placing written or visual material, such as a swastika or a homophobic epithet, on the door of an individual's living or work area;
- Chalking anti-Semitic discriminatory or inflammatory language on campus property, such as sidewalks, buildings, roadways, walls or parking lots;
- Making threatening telephone calls, sending threatening e-mail messages, or threatening voice mail messages.
- Participating in or facilitating hate crimes. As defined in the Clery Act, a hate crime is a crime reported to local law enforcement or to a Campus Security Authority manifesting evidence the victim was intentionally selected because of a bias against the victim. For the purpose of this policy, the categories of bias include those protected classes outlined above. Examples include, but are not limited to: intimidating comments or phone calls, hate mail or flyers, vandalism, destruction of significant symbols, assault, and arson.

B. Harassment

Harassment prohibited by this policy is unwelcome verbal, nonverbal (such as whistling), visual, or physical conduct based upon protected status where enduring the offensive conduct becomes a condition of continued education or employment or the conduct is so severe, persistent, and pervasive that it interferes with or limits a student, faculty or staff member’s ability to participate in or benefit from the University’s educational and/or employment
opportunities, programs or activities. Harassment may constitute discrimination in violation of Saint Martin's University policy, state and/or federal law. Discriminatory harassment includes sexual harassment, which is prohibited both under this policy and under the University’s Sexual Misconduct Policy.

Prohibited harassing conduct may include, but is not limited to:

- Verbal threats, offensive jokes, epithets, derogatory comments, name-calling, ridicule or mockery, insults, put-downs, or slurs;
- Gratuitous visual displays such as derogatory and offensive posters, photographs, cartoons, drawings, or gestures;
- Unwanted physical contact or conduct such as touching, intimidation, or blocking normal movement;
- Physical assaults or threats;
- Stalking or physically assaulting someone;
- Retaliatory actions against an individual who reports harassment or threatens to report harassment.

However, petty slights, annoyances, and trivial or isolated incidents (unless extremely serious) will not rise to the level of prohibited or illegal harassment. To be unlawful, the conduct must create an educational or work environment that would be intimidating, hostile, or offensive to a reasonable person.

It may be helpful for the victim, if he or she is able, to inform the harasser directly the conduct is unwelcome and must stop.

C. Retaliation

Retaliation means any adverse treatment (beyond a slight or annoyance) taken because a person engaged in protected activity (e.g. opposing discriminatory practices, filing a discrimination or discriminatory harassment complaint, or participating in an investigation, conduct hearing or an attempt at resolution, etc.) or for the purpose of interfering with right or privilege granted under antidiscrimination laws.

Responsibilities of Employees

All employees are responsible for providing a working and learning environment free from discrimination, harassment, and retaliation. It is the responsibility of employees to:

a. Cooperate fully with the University’s investigative and corrective procedures;
b. Refrain from discriminatory, harassing, or retaliatory behavior, whether physical, verbal or non-verbal.
Administrators, managers and supervisors are responsible for providing a working and learning environment free from discrimination, harassment, and retaliation. It is the responsibility of administrators, managers and supervisors to:

a. Take discrimination, harassment, and retaliation concerns seriously;
b. Take appropriate action to stop discriminatory, harassing, or retaliatory behavior by interceding and reporting it immediately to the Office of Human Resources in accordance with the University discrimination complaint procedure.
c. Consult with the Human Resources department to assist in addressing inappropriate behavior of co-workers, students and non-employees;
d. Monitor the work and learning environment for potential discrimination, harassment, and retaliation;
e. Follow up on situations that have been addressed and be watchful for potential recurrence or retaliation.

Reporting an Incident

If an employee or student believes they have been a victim of any form of discrimination, harassment, or retaliation in the University community or has knowledge of an allegation, the employee or student is to report the incident (or knowledge of it) in writing to the University’s Chief EEO officer, the Associate Vice President of Human Resources/Title IX Coordinator. They may also make a report to their immediate supervisor, one of the responsible officials (RO) listed below or any University administrator, who will be responsible for forwarding the complaint to appropriate RO:

Cynthia Johnson  
Associate Vice President of Human Resources & Title IX Coordinator  
CJohnson@stmartin.edu  
360-688-2290

Melanie Richardson  
Dean of Student Affairs  
MRichardson@stmartin.edu  
360-438-4367

Kathleen Boyle, Ph.D.  
Provost/Vice President Academic Affairs  
KBoyle@stmartin.edu  
360-438-4310

Will Stakelin  
Director of Public Safety  
WStakelin@stmartin.edu  
360-438-4354

Individuals may also contact the Office for Civil Rights of the U.S. Department of Education:

Seattle Office, Office for Civil Rights, U.S. Department of Education  
915 Second Avenue Room 3310  
Seattle, WA 98174-1099  
Telephone: 206-607-1600, FAX: 206-607-1601; TDD: 800-877-8339  
Email: OCR.Seattle@ed.gov
Confidentiality

Saint Martin's University will make every reasonable effort to preserve an individual's privacy and protect the confidentiality of information. Complaints will be treated confidentially to the extent permitted by this policy's reporting requirements and the University’s need to investigate and resolve the reported problem. Information concerning an investigation may be disclosed as the University determines it necessary for business purposes or if required by law. The University may keep the names of witnesses and complainants confidential when, at the discretion of the University, doing so is necessary for the protection of the student or employee. However, disciplinary action usually cannot be taken without informing the respondent of the complainant's identity, unless the allegation could be effectively rebutted without knowing who made it. The University will balance any request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for all members of the campus community.

Review and Investigation

The University will review and respond to all reports describing conduct inconsistent with this Anti-Harassment and Non-Discrimination Policy. The University will take all reasonable steps to investigate or otherwise determine what occurred and to respond to the report consistent with the complainant’s requests; however the University may move forward with an investigation or initiate a disciplinary action or other resolution without the complainant’s consent if the University determines that such action is necessary to ensure a safe and non-discriminatory campus. The ultimate goal of the investigation and any subsequent complaint resolution process is to end any discrimination and harassment, prevent its recurrence, and remedy its effects.

The University will investigate the report in a prompt, thorough, and fair manner. When investigating allegations of discrimination, harassment, and/or retaliation, the University looks at the whole record: the circumstances and nature of the conduct and the context in which the alleged incidents occurred. A determination on the allegations is made from the facts on a case-by-case basis. If deemed necessary or advisable, the University may implement interim measures to provide for the safety and wellbeing of the complainant or other University community members.

In most cases, the University will attempt to complete the complaint investigation and resolution process within 60 calendar days after a report is made, but that time frame may be extended by the University if necessary.

Complaint Resolution Procedures

Complaints against students will be handled under the Student Conduct Code and Student Conduct Disciplinary Procedures.
All other complaints, including reports alleging violation of this policy by any University staff, faculty, or other community member will be handled by the Associate Vice President of Human Resources/Title IX Coordinator or designee in accordance with the discrimination and harassment complaint procedures in the Employee Handbook.

**False Statements Prohibited**

Anyone who provides false statements regarding the filing of a discrimination or harassment report/complaint or during the investigation of such a report/complaint may be subject to disciplinary or corrective action up to and including termination for employees, or sanctions imposed through the Code of Student Conduct.

**Retaliation Prohibited**

The University does not tolerate any form of retaliation for reporting or participating in any complaint, investigation, judicial process or appeal, or against anyone who is thought to have reported or participated in a complaint or investigation. Engaging in such retaliation or encouraging others to retaliate is a serious violation of this policy and will be considered an independent reason for discipline regardless of whether the underlying complaint is substantiated.
Appendix C: Saint Martin’s University Sexual Misconduct Policy

INTRODUCTION

Saint Martin’s University seeks to create an environment free from all forms of discrimination and harassment based on sex, gender, gender expression, actual or perceived gender identity, sexual orientation, and sex-based discrimination. It also strives to create an environment that is safe for all.

As a result, sexual misconduct of any nature is not tolerated at Saint Martin’s University. This policy defines community expectations and outlines the procedures by which the University will determine whether those expectations have been violated. It also provides resources for individuals who encounter sexual misconduct, and outlines some of the campaigns, strategies, and initiatives the University has implemented to promote awareness and educate its community about sexual misconduct.

SEXUAL MISCONDUCT POLICY OVERVIEW

Sexual misconduct is strictly prohibited by Saint Martin's University. Sexual misconduct includes sexual harassment and sexual violence including, but not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, domestic violence, dating violence, and stalking. Sexual misconduct, as defined by the University, overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. Victims of this conduct are protected by state and federal laws, including Title IX of the Education Amendments of 1972 ("Title IX") [Saint Martin's Title IX Information], and the Clery Act, which mandate the content of this policy.

Allegations of sexual misconduct will be investigated and acted upon by the University, regardless of where the conduct occurred, and all reports will be reviewed by the Title IX Coordinator. In the event that allegations of sexual misconduct are confirmed, the University will take appropriate disciplinary actions in accordance with this policy, the Code of Student Conduct, and the Employee Handbook. The University will also employ, where necessary, interim protection measures such as interim suspensions and/or no-contact orders in any case where an individual's behavior represents a risk of violence, threat, or predation.

Anyone with knowledge about sexual misconduct is encouraged to report it immediately. The University will make protective measures available to victims irrespective of whether a victim chooses to report to local law enforcement or Public Safety, or pursues a formal complaint through the University resolution process.

SAINT MARTIN’S UNIVERSITY TITLE IX COORDINATOR

Please direct questions about this policy and Title IX to the University's Title IX Coordinator:

Cynthia Johnson, SHRM-CP, PHR
Associate Vice President for Human Resources & Title IX Coordinator
OM 221 360-688-2290 cjohnson@stmartin.edu

DEFINITIONS
1. **Sexual Harassment** is unwelcome conduct of a sexual nature. It includes, but is not limited to, unwanted sexual advances, requests for sexual favors, and other visual, verbal, nonverbal, or physical conduct of a sexual nature when:
   a. The conduct denies or limits an individual’s ability to participate in or benefit from the University’s educational programs;
   b. The conduct creates a hostile, intimidating, or offensive working or educational environment; or
   c. Submission to or rejection of such conduct is used as a basis for employment, salary, or other benefit changes affecting an employee or academic decisions affecting a student.

   Sexual harassment, which includes acts of sexual violence, domestic violence, dating violence, sexual assault, and stalking, is a form of sex discrimination that is prohibited by state and federal laws.

   Sexual harassment in the workplace, on campus, or in the classroom, can be between students, co-workers, individuals of the same gender or transgender individuals, a manager and an employee, or an employee and a vendor, student or third party.

2. **Sexual Violence** includes physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence is a form of sexual harassment covered by this policy and prohibited by Title IX. (The complete legal definitions of the various offenses can be found in the Revised Code of Washington. Some of the relevant definitions are located in Appendix I at the end of this policy.)

3. **Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’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 purpose of this definition:
   a. Dating violence would include, but not be limited to, sexual or physical abuse or the threat of such abuse; and
   b. Dating violence does not include acts meeting the definition of domestic violence.

4. **Domestic Violence** includes asserted violent misdemeanor and felony offenses committed:
   a. By a current or former spouse or intimate partner of the victim;
   b. By a person with whom the victim shares a child in common;
   c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
e. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

5. **Sexual Assault** means an actual sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to:
   a. Involvement in any sexual contact when the victim is unable to consent;
   b. Intentional and unwelcome contact with the breasts, buttocks, groin, or genitals or touching another with any of these body parts or coercing or forcing or attempting to coerce or force another to touch the perpetrator or themselves with or on any of these body parts;
   c. Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party;
   d. Sexual intercourse, which has its ordinary meaning and occurs upon any penetration, however slight, without consent, including acts commonly referred to as “rape.”

6. **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
   a. Fear for the person’s safety or the safety of others; or
   b. Suffer substantial emotional distress. For the purpose of this definition:
      o “Course of conduct” means two or more acts, including, but not limited to, acts in which the individual 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.
      o “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
      o “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

7. **Consent** is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely, and actively given. If coercion, intimidation, threats, or physical force are used there is no consent.

There is no consent if a person is mentally or physically helpless in a manner that the person cannot understand the fact of, or make a reasonable judgment as to the nature or harmfulness of the conduct, or extent of the sexual situation. This includes incapacitation due to mental disability, alcohol or drug consumption, or being asleep or unconscious. A person who knows
or reasonably should have known another person is incapacitated may not engage in sexual
activity with the person.
There is no consent when there is force, expressed or implied, or use of duress or deception
upon the victim which overcomes resistance. Forceful compulsion also means the threat of
force, expressed or implied, placing a person in fear of death or physical injury to herself,
himself, or another person, or in fear they or another person may be kidnapped unless they
consent to sexual activity. In the absence of mutually understandable words or actions, it is the
responsibility of the initiator, or the person who wants to engage in the specific sexual activity,
to make sure that he/she has the consent from his/her partner(s).
Silence does not necessarily constitute consent. Past consent to sexual activity does not imply
ongoing future consent. Whether an individual has taken advantage of a position of influence
over an alleged victim may be a factor in determining consent. Effective consent may not be
given by minors less than 16 years old.

8. Retaliation is any adverse treatment (beyond a slight or annoyance) that is taken
because a person engaged in protected activity (e.g. opposing discriminatory practices,
filming a discrimination or discriminatory harassment complaint, participating in an
investigation, conduct process, or an attempt at resolution, etc.) or for the purpose of
interfering with right or privilege granted under anti-discrimination laws.

WHERE AND HOW TO GET IMMEDIATE ASSISTANCE FOLLOWING AN INCIDENT OF SEXUAL
MISCONDUCT
If you are the victim of sexual misconduct, some or all of these safety suggestions may guide
you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what
happened. If there is any immediate danger, whether you are on or off campus,
call 911. If there is no immediate danger, contact the Title IX Coordinator at
cjohnson@stmartin.edu or 360-688-2290 or the Office of Public Safety at 360-

2. It is the policy of Saint Martin’s University not to notify local law enforcement
when sexual misconduct occurs unless a victim wishes or there is an emergency
threat to health or safety of the campus community. Victims have the option to
notify law enforcement directly or to be assisted in doing so by campus
authorities. If requested, campus officials can facilitate reporting to local law
enforcement but may also respect a victim’s request not to do so.

3. Consider securing immediate professional support (e.g. counseling, victim
advocacy, medical services, etc.) to assist you in the crisis. Contact information
for these resources is included below.

4. If you are on campus during regular business hours, you may go to the Saint
Martin’s University Counseling and Wellness Center, located in the Lynch
Building. You may also contact SafePlace (521 Legion Way SE, Olympia, WA
98501) at 360-754-6300 for guidance, support, and information about sexual assault, domestic violence, and sexual abuse 24 hours a day. These are both confidential resources. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance:

- The Crisis Clinic: 360-586-2800 (information/referral to community resources)
- St. Peter Hospital: 360-491-9480
- SafePlace: 360-754-6300, www.safeplaceolympia.org (rape relief/women’s shelter)

5. Domestic Violence Hotline: 800-562-6025 For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible is important in the case of rape or sexual assault. Providence Saint Peter Hospital’s Sexual Assault Clinic offers specially trained staff to handle examinations, counseling referrals, and follow-up medical care. Physical evidence may be collected up to five days (120 hours) after an assault, although the likelihood of capturing evidence decreases over time. Having medical evidence collected promptly does not commit you to reporting or prosecuting the assault. The evidence may be stored until you make a decision whether or not you want to report to law enforcement.

☐ To preserve evidence, it is recommended you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care as evidence may still be recoverable.

☐ Typically, if police are involved or will be involved, they will obtain evidence from the scene and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles for use as evidence. It is best to allow police to secure items in evidence containers but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet to avoid contamination.

☐ If you have physical injuries take photographs or have them photographed with a date stamp on the photo.

☐ Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation.
☐ Try to memorize details (e.g. physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details if you have time and the ability to do so.

☐ If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse, etc.), please notify the Office of Public Safety and provide them with a copy of the orders so they may be enforced on campus.

6. Even after the immediate crisis has passed, consider seeking support from Counseling and Wellness Center. They can also refer you to additional resources outside of the University.

7. Contact the Director of Public Safety or the Assistant Director of Public Safety at 360-438-4555 if you need assistance with any protective measure concerns such as University no-contact orders or other protective measures. The Director and Assistant Director of Public Safety will also assist in any providing information on how to obtain protective or restraining orders from the Thurston County judicial system. The University is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, escorts, no-contact orders, counseling services and other supports and resources as needed by a victim. The University is also able to offer information about legal assistance (such information does not include legal advice), visa/immigration assistance and student financial aid considerations for victims.

UNIVERSITY PROCEDURES FOR ADDRESSING SEXUAL MISCONDUCT
Saint Martin's University encourages anyone who feels they have been subjected to sexual misconduct to report the incident so that the University can respond appropriately. Complainants have the right to file a criminal complaint and a complaint with the University simultaneously.

Complaints can be made to:
Associate Vice President for Human Resources/Title IX Coordinator 360-688-2290, cjohnson@stmartin.edu

Dean of Student Affairs 360-438-4367, mrichardson@stmartin.edu

Provost/Vice President for Academic Affairs 360-438-4310, KBoyle@stmartin.edu

Director of Public Safety 360-486-8876, WStakelin@stmartin.edu

Any complaints or inquiries regarding a student or employee experiencing sexual misconduct from an employee or third party should be brought to the immediate attention of the Associate
Any complaints or inquiries regarding a student experiencing sexual misconduct from another student or third party should be brought to the immediate attention of the parties listed above or the Director of Housing and Residence Life/Student Conduct Coordinator.

Confidentiality

Saint Martin’s University will make every reasonable effort to preserve a complainant’s privacy and protect the confidentiality of information concerning the complaint. To the extent possible, the University will only disclose information regarding the complaint to individuals who are responsible for handling the University’s response.

If a complainant requests that his or her name not be revealed to the respondent or asks that the University not investigate or seek action against the respondent, the University will evaluate whether this request can be honored based on the University’s legal reporting requirements and the University’s need to investigate and resolve the reported problem. All requests for confidentiality will be evaluated by the Title IX Coordinator who will determine whether the request can be honored while still providing a safe and non-discriminatory campus. The University will take all reasonable steps to respond to the complaint consistent with the request. Complainants who request that their identity remain confidential must understand that such a request may limit the ability of the University to fully respond to the incident, conduct an investigation, or pursue disciplinary action against the respondent.

Different people at the University have different reporting responsibilities and roles concerning the maintenance of confidentiality, depending on their roles at the University. Some members of the University are required to maintain near complete confidentiality. They include counselors and medical providers in our Counseling and Wellness Center and Health Center and members of the monastic community acting in a pastoral capacity. Most employees of the University, however, are considered "responsible employees" and are required by law to report all details of an incident, including the identities of the Complainant and Respondent, to the Title IX Coordinator.

The University is required by law to disclose all reports of on-campus and off-campus sexual misconduct for statistical purposes to the Office of Public Safety and make an annual report to the U.S. Department of Education. These reports, however, will be made without personal identifying information and will not include the name of victim or information that could easily lead to a victim’s identification.

Records concerning the investigation of and resolution to any complaint of sexual misconduct are maintained confidentially. Information may be shared internally between University personnel who have a legitimate educational interest. Additionally, the University maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student or employee, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident.

University Procedures for Responding to Complaints of Sexual Misconduct
When Saint Martin's University receives a report of sexual misconduct, the report will be forwarded to the Title IX Coordinator who will ensure that the reporting party is advised in person and in writing of his/her rights and the on- and off-campus resources available to him/her. If the victim wishes to access local community agencies and/or law enforcement for support, the University will assist him/her in making these contacts. That individual will also be supported in procuring medical and/or counseling services. No victim is required to use these services and resources, but the University provides them in the hopes of offering help and support without condition or qualification. In addition, interim protective measures will be discussed and considered, which may include academic/employment accommodations, changes in housing assignments or building restrictions, adjustments to work and/or activities schedules, visa and/or immigration assistance, no-contact orders, Public Safety escorts, transportation modifications, etc.

The Title IX Coordinator is notified of all reports of sexual misconduct, and upon receipt of a complaint, the Coordinator or a designee will meet with the victim to determine the most appropriate response and course of action and review the interim protective measures available to the individual or those which were previously enacted. The Title IX Coordinator will review any preliminary reports or statements and, in consultation with appropriate University officials, promptly initiate an adequate, reliable, and impartial fact-finding investigation, which may be carried out confidentially and/or without prompting a formal adjudication process. To the degree that it is advisable in light of a complainant’s request for confidentiality, trained investigators assigned to each case will interview involved parties, request statements, inquire about additional witnesses, document their findings, and submit an investigative report to the Title IX Coordinator. If after reviewing the investigative report and considering the victim’s intentions, the Title IX Coordinator determines that the allegations are founded and actionable, the case will be forwarded to the appropriate adjudication body. Complaints of sexual misconduct are typically resolved within 60 days, although the University reserves the right to extend the investigation and/or adjudication process with reasonable and sufficient cause and notice to both the complainant and respondent.

Cases involving student respondents will be assigned to the Coordinator of Student Conduct and adjudicated as Administrative Hearings overseen by two staff or faculty conduct officers specifically trained to hear sexual misconduct cases. Those involving employee respondents will be heard and resolved by the Associate Vice President for Human Resources/Title IX Coordinator or designee. In either case, both the complainant and respondent will be provided with the opportunity to review the applicable charges, policies, and disciplinary procedures and formally present information to the appropriate hearing officers. In all cases, equitable rights are afforded to both the complainant and respondent, including:

- Written notice of charges/allegations and a minimum of three days’ notice of a hearing/meeting.
- Reasonable opportunity to review any written statements submitted by either complainant or respondent prior to a hearing/meeting.
- Opportunity to request witness statements, interviews, or testimony on their behalf. All requested witnesses will be required to provide a written statement; however, their direct participation in a hearing or meeting will be at the discretion of the appropriate hearing officer.
• The right to be accompanied by an advisor who may assist, but not represent, the respondent and will not be permitted to address any other participant or actively contribute to the proceedings. Those intending to be accompanied by an attorney must notify the appropriate hearing officer at least 48 hours prior to the meeting, and the University reserves the right to schedule an independent meeting with the attorney to discuss the investigation process and the attorney’s role in it.

• Reasonable accommodations to ensure participants’ safety and emotional wellbeing, as deemed appropriate by the Coordinator of Student Conduct and/or Title IX Coordinator.

• Opportunity to present questions to the hearing officers without directly cross-examining or interrogating other participants.

• Opportunity to present information on one’s own behalf and make an uninterrupted statement before the hearing body.

• Written notice of the outcome of a hearing, including an explanation of the sanctions (if applicable) and appeals process within 30 days of the hearing. For employees, this summary will also be provided to the individual’s supervisor or executive administrator.

• One appeal of the hearing outcome.

Once the investigation and resolution process is complete, the appropriate hearing officer(s) and/or University official(s) will make a finding of responsibility based on a preponderance of the evidence standard (i.e. what is more likely than not). The findings may lead to the imposition of sanctions against the respondent, or in the case of faculty to a referral to the Provost for appropriate disciplinary action in accordance with the Faculty Handbook. Both the complainant and respondent will be informed of the outcome in writing within 30 days of the hearing, including the finding and the sanctions (if any). All parties will be informed of the University’s appeal processes, and their rights to exercise a request for appeal.

For offenses including sexual misconduct, sanctions and/or disciplinary actions range from warning to expulsion/termination. Serious and violent incidents and acts of non-consensual sexual intercourse typically result in suspension, expulsion, or termination of employment. Individuals who lie to investigators (and/or fail to participate in an investigation) may face additional charges and/or sanctions and employees may be subjected to discipline up to and including termination of employment.

Retaliation Prohibited

This policy and Title IX prohibit retaliation against a complainant or witnesses for filing or participating in the investigation of a sexual misconduct complaint. The University will investigate any reports of retaliation and take appropriate disciplinary action. State and federal law also provide protections for whistleblowers who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. The University does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator.

Appeal/Review Process
If the complainant or the respondent is not satisfied with the outcome of the investigation, either party may make a written appeal or request for review. Appeals must be submitted within five days after receipt of the written notice of outcome and should be addressed as follows:

- If both individuals are students, the appeal is to be sent to the Dean of Student Affairs; regardless of whether the victim or accused is making the appeal.
- If one party is a student and the other is a faculty, the appeal may be sent to either the Provost or the Dean of Student Affairs depending on who is making the appeal. The Provost and the Dean of Student Affairs will work together on the appeal.
- If one party is a staff member and the other is a student, the appeal is to be sent to either the Dean of Student Affairs or the Provost depending on who is making the appeal. The Provost and the Dean of Student Affairs will work together on the appeal.
- If both individuals are employees (not including student employees), the appeal is to be sent to the Provost.

The appeal must state specific reasons why the complainant or respondent believes the outcome was unacceptable. Appeals will be considered only if the justification is due to:

- Failure on the part of the investigator or hearing officer(s) to consider relevant information.
- Significant procedural error on the part of the investigator, hearing officer(s), or Title IX Coordinator.
- The severity of the disciplinary actions imposed is disproportionate to the violation.

Upon accepting the appeal, the Provost and/or Dean of Student Affairs will review the investigation documentation and may let the original outcome stand or, if new information is discovered that is significant enough to alter the original decision, reopen the investigation. Only one appeal from each party will be permitted. The decision on an appeal will be made within a reasonable time (usually within 10 business days).

The Provost and/or the Dean of Student Affairs will notify the complainant, respondent, and Title IX Coordinator in writing of the decision. The decision of the Provost and/or Dean of Student Affairs will be final.

EDUCATION AND PREVENTION

Established in 2013, the University’s Violence Against Women Act Team serves as an advisory board and clearinghouse for all sexual assault/harassment, domestic/dating violence, and stalking awareness and prevention programs and campaigns. In collaboration with the Title IX Coordinator, the VAWA Team plans, records, and assesses an array of programming and training opportunities for students, faculty, staff, and other community members. Educational programs are offered to raise awareness for all incoming students and employees and are often held during new student and new employee orientation periods and throughout an incoming student’s first semester. The University also requires staff and students to complete online
training modules, administers a robust campus climate survey, distributes policy statements and informational pamphlets, and sponsors a variety of poster campaigns throughout the year to raise awareness, aid in prevention, and prompt discussions of institutional policies on sexual misconduct as well as the relevant criminal definitions of sexual offenses under Washington State law. The University's programs also offer information on risk reduction, bystander intervention, victim empowerment, male engagement, and the recognition of warning signs.

Examples of programs offered to students and employees include, but are not limited to:

- Green Dot Violence Prevention and Bystander Intervention
- Sex Signals
- Take Back The Night
- The Clothesline Project
- Saints Against Violence Everywhere
- Preventing Discrimination & Sexual Violence: Title IX & VAWA for Faculty & Staff (Online)
- Unlawful Harassment Prevention for Higher Education Faculty, Staff and Supervisors (Online)
- Think About It (Online)

The University strives to encourage bystander engagement through training on safe, positive, and realistic Green Dot intervention techniques, which are taught to all first-year and transfer students during the Incipio orientation program. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders. If you have any questions about the University's Sexual Misconduct training and programming, please contact Justin Stern, Chair of the Violence Against Women Act Team, at (360) 688-2920 or JStern@stmartin.edu.

SEX OFFENDERS

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the University is providing a link to the Thurston County and Washington State Sex Offender Registry. All sex offenders are required to register in the state of Washington and to provide notice of each institution of higher education in the state at which the person is employed, carries out a vocation, or is a student. Thurston County Sex Offender Watch – Washington Sex Offender Information

In addition to the above notice to the State of Washington, all sex offenders are required to deliver written notice of their status as a sex offender to the University’s Director of Public Safety no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence in the University. Such notification may be disseminated by the University to, and for the safety and well-being of, the campus community, and may be considered by the University for enrollment and discipline purposes.

OTHER RESOURCES

Student Handbook: Includes the Code of Student Conduct containing policies and procedures related to student behavior and conduct.
Employee Handbook: Includes policies and procedures related to employment and working conditions for employees.

REVISED CODE OF WASHINGTON DEFINITION OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

RCW 26.50.010 –

(1) "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

(2) "Family or household members" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

(3) "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

RCW 9A.46.110 – STALKING

(1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

   (a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and

   (b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

   (c) The stalker either:

       (i) Intends to frighten, intimidate, or harass the person; or

       (ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

(2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and

(b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.
(3) It shall be a defense to the crime of stalking that the defendant is a licensed private
investigator acting within the capacity of his or her license as provided by chapter 18.165
RCW.

(4) Attempts to contact or follow the person after being given actual notice that the person
does not want to be contacted or followed constitutes prima facie evidence that the stalker
intends to intimidate or harass the person. "Contact" includes, in addition to any other form
of contact or communication, the sending of an electronic communication to the person.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is
guilty of a gross misdemeanor.

(b) A person who stalks another is guilty of a class B felony if any of the following applies: (i)
The stalker has previously been convicted in this state or any other state of any crime of
harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family
or household or any person specifically named in a protective order; (ii) the stalking violates any
protective order protecting the person being stalked; (iii) the stalker has previously been
convicted of a gross misdemeanor or felony stalking offense under this section for stalking
another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW 9.94A.825,
while stalking the person; (v)(A) the stalker's victim is or was a law enforcement officer; judge;
juror; attorney; victim advocate; legislator; community corrections' officer; an employee,
contract staff person, or volunteer of a correctional agency; court employee, court clerk, or
courthouse facilitator; or an employee of the child protective, child welfare, or adult protective
services division within the department of social and health services; and (B) the stalker stalked
the victim to retaliate against the victim for an act the victim performed during the course of
official duties or to influence the victim's performance of official duties; or (vi) the stalker's
victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker
stalked the victim to retaliate against the victim as a result of the victim's testimony or potential
testimony.

(6) As used in this section:

(a) "Correctional agency" means a person working for the department of natural
resources in a correctional setting or any state, county, or municipally operated agency
with the authority to direct the release of a person serving a sentence or term of
confinement and includes but is not limited to the department of corrections, the
indeterminate sentence review board, and the department of social and health services.

(b) "Follows" means deliberately maintaining visual or physical proximity to a
specific person over a period of time. A finding that the alleged stalker repeatedly and
deliberately appears at the person's home, school, place of employment, business, or
any other location to maintain visual or physical proximity to the person is sufficient to
find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another.

(c) "Harasses" means unlawful harassment as defined in RCW 10.14.020.

(d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

(e) "Repeatedly" means on two or more separate occasions.

The complete Washington State rape and sexual assault offense definitions are found in the following Chapters of the Revised Code of Washington:

- Chapter 26.50 RCW
- Chapter 9A.44 RCW
- Chapter 9A.64 RCW
- Chapter 10.99 RCW