



**2009-2010 STUDENT HANDBOOK
COLLEGE POLICIES**

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ALCOHOL POLICY

Philosophy

The goal of The College of St. Scholastica is to create an environment in which both the responsible use and nonuse of alcoholic beverages are respected and in which the line existing between responsible drinking and abuse is recognized. Within the Benedictine tradition of hospitality, the College seeks to foster a healthy environment. The College supports those who choose a lifestyle free of chemicals and offers support to those in recovery via support groups on campus as well as ongoing programming.

Statement of Alcohol Use

The use of alcoholic beverages is a right the State of Minnesota extends to those persons who are 21 years of age or older. As an independent educational institution, The College of St. Scholastica extends the same right **as a privilege** to members of the St. Scholastica community who are of legal drinking age. Minnesota statutes section 340A.101(2) and Duluth City Code Division 2, subdivision 1, section 8-13 defines “alcoholic beverage” as any beverage containing more than one-half of one percent alcohol by volume. **The college asserts that inappropriate behavior is not excused by consumption of alcoholic beverages and will hold individuals accountable for actions performed under the influence of alcohol. This includes actions both on and off campus** which violate the rights or property of others as defined by the Statement of Proscribed Conduct in this handbook. Behavior following consumption of alcoholic beverages which violates college policy and/or state law will be considered an offense subject to review by the Code of Conduct for Students (see that section of this handbook). Those individuals who abuse the privilege of responsible drinking will be helped to understand the necessity of responsible behavior with regard to alcohol use. The College is committed to providing resources, counseling, education and other opportunities to enhance this understanding. On-campus counseling and information regarding alcohol or other drug concerns are available through the Student Center for Health and Well-Being, T2150, x6085.

Use Guidelines

Alcoholic beverages may be used in private rooms of the student halls and apartments by those of legal age. Somers freshmen wings are considered alcohol free by all residents and guests. Alcohol is not allowed in any classroom (at the Duluth campus and/or any ADEP sites) at any time regardless of persons' ages.

Presence Policy:

Students not of legal drinking age are not permitted at any time to be in the presence of alcohol. Students not of legal drinking age found **in the presence** of alcohol at any time will be in violation of the presence policy. If you are of legal drinking age and a person not of age is found in your residences where alcohol is present you will be found in violation of the presence violation. The college allows **one** exceptions to this policy.

- 1) **When you are in your own residence with a roommate who is of legal drinking age, you may be present. However, if other person(s) not of legal drinking age enter(s) the residence, the violations can be administered.**

Alcohol Consumption Policy

- Students not of legal drinking age found consuming alcohol at any time will be in violation of the alcohol consumption policy.
- **Delivery of alcoholic beverages to students on campus is prohibited. Alcohol cannot be sold (e.g., selling cups, asking for donations, etc.) anywhere on campus except in cases of a College sanctioned event.**
- **Bulk dispensing of alcohol is prohibited. This may include, but is not limited to, kegs, partyballs, etc. If it occurs, an automatic \$100 fine will be assessed to each member of the apartment or residence hall room present at any time during the event. In addition, the container along with the tap will be seized and not returned to the residents.**
- **Alcohol is not allowed in any classroom at any ST. SCHOLASTICA location. Alcohol brought into any classroom, for any reason, is a violation of College policy and subject to the sanctions specified on page 130-131 of the Student Handbook.**
- College authorities reserve the right to request IDs from any person carrying unconcealed containers of alcohol on campus. Open or broken-sealed containers of alcohol are not allowed in any public area on campus without permission. Permission to use alcohol beverages in any public area of the college including, but not limited to, dining hall, apartment/halls picnic area, athletic facilities, Science Center, Tower Hall, and other College grounds must be applied for from the residential life staff.

Violations

Each student should familiarize him/herself with the statement of proscribed conduct, and the statement of sanctions in the Student Handbook.

Possession and consumption of alcohol by those not of legal drinking age and consumption by those of legal drinking age which results in behavior that endangers or is detrimental to life is a violation of the college alcohol policy. Other violations involving alcohol not expressly stated here, but which violate the rights or property of member(s) of the St. Scholastica community, will be considered violations of this policy.

Violations which are violations of city and/or state law may also be referred to the proper city and/or state authorities in conjunction with or in addition to any College sanctions which may be imposed.

Sanctions

College sanctions for being in the presence of alcohol will result in the following consequences, with the possibility of other sanctions, as outlined in the Statement on Sanctions.

Any student who violates the policy against being in the presence of alcohol is subject to:

First Offense: Meeting with the assistant dean of campus life to review violation(s). Up to a **\$100** fine and five mandatory work hours will be issued. An alcohol fine will be put on a student's account if not paid by the designated time frame. There is a possibility of other sanctions being imposed, including the loss of privileges.

Second Offense: Meeting with the assistant dean of campus life to review violation(s). Up to a **\$200** fine and 10 mandatory work hours will be issued. An alcohol fine will be put on a student's account if not paid by the designated time frame. Students will be required to meet with a counselor from the Student Center for Health and Well-Being for an alcohol assessment **and at least** two counseling sessions.

Third Offense: Meeting with the assistant dean of campus life to review violations. Up to a **\$300** fine and 20 mandatory work hours will be issued. An alcohol fine will be put on a student's account if not paid by the designated time frame. An alcohol assessment will need to be completed with a counselor from the Student Center for Health and Well-Being. Students are required to follow the treatment plan outlined by the counselor. There is a possibility of one or more sanctions being imposed, including loss of privileges and suspensions or dismissal from on-campus housing and/or the college.

Fourth Offense: Meeting with the assistant dean of campus life to review violation. Your housing contract **will be** cancelled and additional loss or access to College facilities may be denied.

College sanctions for **Alcohol Consumption** by students not of legal drinking age will result in the following consequences, with the possibility of other sanctions, remaining at the discretion of the dean of students: A meeting with the assistant dean of campus life to review violations. A **\$200** fine and 20 mandatory work hours will be imposed. An alcohol fine will be put on a student's account if not paid within the designated time frame. Mandatory alcohol related counseling is required. There is a possibility of one or more sanctions being imposed, including loss of privileges and suspension or dismissal from on campus housing and/or the College.

Appeals

All appeals of alcohol violations must be submitted in writing to the residential Dean of campus life within 3 days after receipt of the sanction letter. All appeals come before a student panel. Accused students have the right to council with a student advocate in drafting their appeals. Appeals are reviewed by an alcohol appeals panel consisting of student representations. All decisions of the panel are final.

NOTE: THREE (3) VIOLATIONS OF THE ALCOHOL BEVERAGE POLICY IN ANY ONE YEAR WILL RESULT IN THE TERMINATION OF THE STUDENT'S HOUSING CONTRACT. STUDENTS WITH LESS THAN THREE VIOLATIONS MAY HAVE THESE VIOLATIONS CARRY OVER TO THE NEXT YEAR DEPENDING ON THE SEVERITY OF THE INCIDENTS.

Parental Notification Policy

The Family Educational Right to Privacy Act, (FERPA), by the U.S. Department of Higher Education states that it is now permissible for The College of St. Scholastica to notify the parents of underage students (below 21) when those students are found responsible for alcohol and other drug related offenses. The College of St. Scholastica endorses the concept that the student, parents, and the College are in a partnership in which each partner has the responsibility to promote a healthy and productive educational experience for the student, protect the campus community, and maintain an environment conducive to learning. Students who have violated College alcohol and/or drug policies can also benefit from candid discussions with their parents concerning the specifics of their disciplinary violations and the ways in which their use of

alcohol and/or drugs can detract from their educational goals. The Parental Notification Policy will be utilized at the discretion of the dean of students. Please note that sanctions will follow the College's code of conduct and alcohol violation policies.

Policy Regarding Advertising, Promotion, and Merchandising of Alcoholic Beverages:

Without written permission from the dean of students, no student or student organization may advertise an event which mentions or implies alcohol will be served or present. This includes college promotion of bars, distributors or brands of alcoholic beverages on T-shirts, posters, cups, etc. Questions should be referred to the dean of students. Advertising for the Cable is directed through the office of the vice president of student affairs and dean of students.

Grievance Procedure Against Student Organizations: Recognized student organizations in violation of College policies are subject to probation, revocation of recognition, or other disciplinary action through the dean of students.

Questions about these guidelines or requests for additional information should be referred to the dean of students, T2145, x6167.

Statement on Taxis

In the event Security determines it necessary to call a taxi to transport someone home, the cost of the taxi will be assessed to the event sponsor(s).

Statement on Drugs Other than Alcohol

The College of St. Scholastica does not condone the illegal use, possession, sale, manufacture, or distribution of drugs or actions involving drugs, including the possession of drug paraphernalia. This includes drugs which may involve medical or psychological hazards to individuals or actions involving drugs which may lead to interference with the rights and privileges of others. Students found involved in any of these actions will have their housing contract terminated.

Violence Prevention and Alcohol/Drug Education Program

The Violence Prevention and Alcohol/Drug Education Program is designed to promote responsible decision making and provide information for each person at The College of St. Scholastica. Workshops, programs, activities, a resource library and confidential information and referral regarding violence issues and alcohol/drug issues are some of the sources of support available. For more information, contact x6085 or stop by T2150.

Alcohol, Drug Use and Health

The College of St. Scholastica believes in the holistic development of students. When we use the word "health," we are referring to physical, spiritual, social, cognitive, and psychological health. Alcohol and other drug abuse can affect and impair one or more of these areas. Life-giving, responsible decisions can contribute to your being the **best** that you can be, and allow you to be a positive, contributing member of the St. Scholastica community. If you or a friend are in need of assistance due to alcohol or other drugs, contact the Student Center for Health and Well-Being at x6085 or stop by T2150.

CATHOLIC IDENTITY

Members of the St. Scholastica community are asked to show respect for the Catholic tradition. If an event will deal with material that is contrary to Catholic teachings, the dean of students should be contacted (x6167) before the event is scheduled.

The College will refuse official recognition to any group or organization which promotes a position contrary to the teachings of the Catholic Church.

DIVERSITY RELATED ADVOCACY SERVICES AND GRIEVANCE POLICY

The College of St. Scholastica is committed to fostering a learning and campus life environment that is culturally diverse and pluralistic, welcoming and inclusive of all people regardless of race, gender, age, physical ability, ethnicity, religion, economic status or sexual orientation. Inflammatory statements or actions that harm are not acceptable. Any student or employee who believes their rights under this policy have been violated is encouraged to contact the Office of Intercultural and Diversity Services at x7032 or x7013, located in D-20, Tower Hall. Staff are available to provide advocacy and support services. Further, those who believe their rights under this policy have been violated have the right to file a grievance. The current grievance procedure will be followed to resolve grievances. Further information on this procedure can be found in The College of St. Scholastica Sexual Harassment, Discriminatory and Workplace Violence Policy.

HARASSMENT AND WORKPLACE VIOLENCE

The College prohibits sexual or any other kind of harassment, intimidation or workplace violence, whether committed by or against a student, faculty member, staff member, vendor or visitor. Harassment has no place on the College campus or at any College-sponsored activity, whether based on a person's race, sex, color, creed, religion, national/ethnic origin, age, handicap, sexual orientation or disabled veteran status.

It is the responsibility of all faculty, staff and students in the College to contribute to an environment free of harassment and violence. College administrators, supervisors, department chairs, and student advisors are particularly responsible for ensuring that any incident of harassment or threatening behavior is reported to one of the designated advisors. They are:

David Bauman, Assistant Dean of Students for Advisement and Retention, T2140, Phone 6179
Betsy Kneepkens, Assistant Dean of Students for Campus Life, Somers 164, Phone 6391
Gina Diaz, Assistant Professor, School of Nursing, S3222A, Phone 6008
Student Advocate, Designated Student Representative, T17B, Phone 6115
ADEP Site Directors

Lori Collard, the Vice President for Human Resources and College Affirmative Action Officer (T2101A, Phone 6602), is also available to discuss harassment and workplace violence situations, and will investigate all complaints.

Academic environment

While the College, through this policy, prohibits certain behaviors and actions, there is no guarantee that the environment will always be comfortable for all members of the college community. The educational process can be disturbing and uncomfortable; when one's ideas are criticized and one's values are being challenged, the effect may be painful, but is also often highly educational. Speech and actions that are disturbing or unsettling may be the product of an academic exchange or exploration of ideas, in an atmosphere of intellectual freedom, and may not necessarily be wrongful. It is imperative that faculty and students be able to take controversial positions without fear, in accordance with the principles of academic freedom.

Definitions

Harassment consists of any words or conduct that shows hostility or aversion toward an individual because of race, color, religion, gender, national origin, age, disability, creed, marital status, status with regard to public assistance, or sexual orientation, or that of his/her relatives, friends, or associates and that:

- Has the purpose or effect of creating an intimidating, hostile or offensive work or educational environment;
- Has the purpose or effect of unreasonably interfering with an individual's work or academic performance; or
- Otherwise adversely affects an individual's employment or academic opportunities.

Harassment may occur in situations where there is a power differential between the parties (between any persons on campus or between any persons at any campus activities), or where the persons share the same status (i.e., student-student, faculty-faculty, staff-staff). It may occur between members of the same or opposite sex.

All forms of harassment are prohibited and may include, but are not limited to, the following conduct:

- Continual or repeated verbal abuse, including negative verbal slurs, stereotyping, threats, intimidation, and graphic verbal commentaries about an individual's body;
- Written or graphic materials or objects placed on or circulated within College premises (walls, bulletin boards, computer terminals, vehicles, etc.) that show hostility or aversion toward an individual or group or are sexually suggestive;
- Repeated offensive, unwelcome sexual flirtations, unwelcome personal attention, advances or propositions; requests for sexual favors; gestures and other verbal or physical conduct of a sexual nature when:
 - 1) Submission to such conduct is made a condition of employment or educational opportunities;
 - 2) Submission to or rejection of such conduct is used as the basis for employment or educational decisions affecting the individual; or
 - 3) Such conduct interferes with an individual's work or educational performance or creates an intimidating, hostile, or offensive working or educational environment.

Workplace violence is unjust or callous use of force or power which has the likelihood of causing hurt, fear, injury or death. It is prohibited and violators are subject to disciplinary action

which may include sanctions and/or dismissal. The College seeks to provide a workplace which is free of violence of any kind.

Workplace violence may include, but is not limited to bullying, intimidation, fear, threats, hostile acts, or acts of violence toward an individual or group.

Procedures

If an individual believes he or she has been harassed or threatened or has observed anyone else being harassed or threatened, or someone has reported harassment or threatening behavior, that individual should promptly report the facts and names of the individuals involved to any of the advisors listed at the beginning of this policy. Students may also contact the Dean of Students directly. All reports of harassment and threatening behavior will be investigated promptly, and in as impartial and confidential a manner as possible. The investigation may include interviews with the individual making the charges, the accused, and appropriate witnesses. In some circumstances it may be desirable to remove one or more of the employees involved from the workplace or to remove a student from the classroom or residence hall environment during the investigation. Such a step may be seen as the best way to protect the interests of everyone involved. In this event, their absence from the workplace or the College environment should not be interpreted as meaning he or she is guilty of any wrongdoing.

Whenever a charge of harassment, threat, violence, etc., is considered by the College Affirmative Action Officer and/or the Dean of Students sufficient to warrant investigation beyond the initial complaint, the next step will be to inform the accused that the charge has been lodged and the accused will at that time be given an opportunity to respond to the allegations. The accused will always have the right to bring a support person to any proceeding the accused attends.

It should be the intention of every member of the community to maintain a working and learning environment free of harassment and violence. Therefore, no retaliatory action may be taken, at any point in the process, against any individual because he or she makes a good-faith complaint against any member of the community. In addition, those who harass or threaten a participant (a witness, the investigator, the complainant or the accused) after a complaint has been made will be subject to appropriate sanctions.

False accusations

False accusations can have serious effects on innocent men and women. Accordingly, accusations which are not made in good faith may also be grounds for discipline, up to and including termination or expulsion. Discipline, if any, will be determined on a case-by-case basis after a review of relevant information.

Sanctions

The College has the discretion to apply any sanction or combination of sanctions to eliminate any unlawful conduct and remedy the impact of any harassment or threats. Examples include but are not limited to:

- counseling the offender;
- transferring the offender to another position (if applicable);

- placing the offender on probation, with a warning of suspension or discharge for continuing or recurring offenses;
- placing the offender on suspension with or without pay;
- terminating the employment of the offender.

Faculty members charged with a violation of this policy will be governed by the Grievance and Dismissal Procedure as written in the Faculty Handbook. Members of the Operating Engineers, Local 70, will be governed by their current contract procedures for grievance and dismissal. Students charged with a violation of this policy will be governed by the sanctions outlined in the Judicial Procedures section of the Student Handbook.

All documentation regarding any incident will be kept on file in the Affirmative Action Officer's office. The College will assist the victim with reporting the incident to the appropriate police department if he/she wishes to do so. Other resources available:

- MN Office of Justice, Crime Victims' Unit - 1-800-247-0390
- CSS Employee Assistance - Midwest EAP Solutions - 1-800-383-1908.
- Program for Aid to Victims of Sexual Assault (PAVSA) 218-726-1442 (sexual assault cases)

PARKING REGULATIONS AND INFORMATION

All vehicles on campus are subject to the college's parking regulations. All vehicles owned/operated by students are required to be registered with the Business Office and a St. Scholastica parking permit obtained. Intentionally misrepresenting your vehicle by using a parking permit other than the one you are entitled to is a violation of the parking code. Student parking permits are valid only if they are for the current academic year and are hung from the rear-view mirror with the numbers facing outward.

A copy of the College's Parking Regulations can be obtained by going to Parking and Transportation web page at:

<http://www.css.edu/Parking-Transportation.xml>

SMOKING POLICY

In the interest of a clean and pleasant environment for work and study, the Health and Safety Steering Committee, with the approval of the President's Staff, has designated specific locations on campus as smoking areas. All faculty, staff and students are required to smoke only in these designated areas. The cigarette disposal receptacles located at entryways are provided as a courtesy to visitors entering the buildings, and do not represent designated smoking areas.

Smoking is prohibited in all areas of the College buildings with the exception of designated external locations.

All Colleges offices, hallways, restrooms, and general-use areas are designated nonsmoking.

Designated outdoor smoking areas:

Somers:

- a. North side balcony on each floor

Science:

- a. First floor South entrance
- b. Second floor north entrance (parking lot area)

St. Scholastica Theatre:

- a. Main entrance

Tower Hall:

- a. First floor old loading dock
- b. Outside carpenter shop - second floor (Access this area through Receiving)
- c. Mitchell Auditorium/Student Union. Northwest corner of building of the ground floor level.

Burns Wellness Commons:

- a. Northeast ground floor entrance

POLICY ON USE OF SAGE, SWEETGRASS, AND CEDAR

Within every Native American tribal culture there are ancient and profound traditions concerning the use of plants for a variety of medicinal and spiritual purposes. Sage, sweetgrass, and cedar are widely used to aid in purification and prayer. Out of respect for Native American culture, traditions, and spirituality, college policies do allow the religious use of sage, sweetgrass, and cedar smoke in accordance with their well-established manner of use within Native American ceremonial traditions, for the purpose of purification and prayer. Such use is subject to all college and residential life policies concerning safety.

ENVIRONMENTAL CONCERNS

The College holds that every individual is presented with the privilege and the responsibility to serve God and humanity and to care for the natural world. Consequently, each person should be motivated to promote the most beneficial use of human, environmental, and economic resources.

Over the years, the nation's consciousness has turned towards preserving the quality of the environment for the future generations. Habitat preservation, pollution prevention, and recycling efforts are some of the ways concerned people are working towards this goal. Recycling is perhaps the easiest thing any single person can do, and currently many people do it. However, it is much more effective to reduce and reuse, in order to prevent the unnecessary consumption of resources. The College hopes that there will be a continual, growing awareness of the need to preserve the natural beauty this earth has left because once it is gone, it will be gone forever. Earth Action is the environmental club at The College of St. Scholastica. If you would like more information about how to participate with the environmental concerns, contact the club at: earthaction@css.edu or visit their Web site: student.css.edu/earthaction.