

# **Fontbonne University**

## **Policy Manual Volume II**

### **Campus Community Policies**



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**Campus Community Policies**

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## **Volume II**

### **CAMPUS COMMUNITY POLICIES**

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## **2.0 CAMPUS COMMUNITY POLICIES**

The policies provided in this Volume II of the Policy Manual pertain to all members of the University community. All members of the University community should read, understand, and comply with all provisions of Volume II.

Volume II was developed to describe some of the expectations of members of the campus community and to outline the policies, programs, and benefits available. The University reserves the right to change these policies and practices at any time and from time to time. The University shall inform members of the University community of changes. Volume II of this manual should not be considered an all-inclusive list of the University's policies.

Policies and benefits set forth in Volume II of this manual are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the University and any of its employees or members of the University community. The University hopes that your experience here will be challenging, enjoyable, and rewarding.

Please sign and return the Acknowledgement and Receipt form that is provided in Appendix 2.0.1 to indicate that you have reviewed and will comply with the contents of this and other applicable volumes of the policy manual.

## **2.1 GENERAL INSTITUTIONAL POLICIES**

### **2.1.1 Institutional Policy on Equal Employment Opportunity**

It is the policy of Fontbonne University to afford equal employment opportunity to qualified individuals, regardless of their race, color, religion, age, gender, gender orientation, national or ethnic origin, or disability and will conform to all applicable state and federal laws and regulations. In keeping with the intent of this policy, the University will adhere to the following personnel practices:

1. Recruitment, hiring, and promotions of individuals in all job classifications will be conducted without regard to race, color, age, gender, gender orientation, national or ethnic origin, disability, or religion.
2. All other personnel actions such as compensation, benefits, transfers, training and development, educational assistance, and social and recreational programs will be administered without regard to race, color, age, gender, gender orientation, national or ethnic origin, disability, or religion.

Overall, responsibility for the development and execution of this policy is delegated to the Vice President for Finance and Administration as EEO Coordinator. The Vice President for Finance and Administration will provide the President with regular EEO activity reports.

## **2.1.2 Institutional Policy on Discrimination and Harassment**

### **2.1.2.1 NOTICE OF NON-DISCRIMINATION**

Fontbonne University does not discriminate on the basis of race, color, religion, age, sex, gender identity, sexual orientation, national origin, disability, genetic information, or any other characteristic protected by applicable law in employment or in the administration of its educational policies, admission policies, educational programs, scholarship and loan programs, or athletic and other programs and activities. Furthermore, Fontbonne University prohibits retaliation against anyone who either opposes unlawful discrimination, assists or participates in an investigation of a complaint of discrimination, or exercises that person's rights under any law that forbids discrimination.

The Fontbonne University coordinators for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Titles VI and VII of the Civil Rights Act of 1964 and other laws and regulations prohibiting discrimination are:

Vice President for Finance and Administration  
Fontbonne University  
6800 Wydown Boulevard  
St. Louis, MO 63105  
Phone: (314) 719-8017  
Fax: (314) 719-8023

Director of Academic Services  
Fontbonne University  
6800 Wydown Blvd.  
St. Louis, MO 63105  
Phone: (314) 719-3627  
Fax: (314) 719-3614

Questions about this non-discrimination policy and any complaints of discrimination shall be directed to either of these coordinators.

Fontbonne University complies with the Family Educational Rights and Privacy Act of 1974, Public Law 93-380, as amended.

### **2.1.2.2 POLICY PROHIBITING HARASSMENT**

Harassment based on an individual's race, color, religion, age, gender, gender orientation, national or ethnic origin, disability or other status protected by law is not tolerated at Fontbonne University. Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based on a person's protected status. Examples of harassing conduct include: epithets, slurs, jokes, teasing, kidding, negative stereotyping, and threatening or hostile acts that relate to an individual's protected status, and physical acts of aggression, assault, or violence, regardless of whether these acts are being, or have been, investigated as criminal offenses by a law enforcement agency.

Any written or graphic material, including any electronically transmitted or displayed material that likewise denigrates or shows hostility toward members of these protected groups is considered harassment. Fontbonne University will not tolerate harassing conduct that:

- creates an intimidating, hostile or offensive working or academic environment.
- affects tangible employment benefits.
- interferes unreasonably with an individual's working or academic environment or performance.

This policy applies to complaints alleging harassment carried out by 1) University employees, 2) University students, and 3) third parties, in accordance with applicable law governing liability for third parties.

### **2.1.2.3 SEXUAL HARASSMENT**

Sexual harassment involves any one or more of unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct based on sex when:

1. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working or learning environment or unreasonably interfering with an individual's work or academic performance.
2. Submission to such conduct is an explicit or implicit term or condition of an individual's employment or academic activities.
3. Submission to rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting that individual.

Sexual harassment may include but not be limited to: unwanted sexual advances; explicit sexual propositions; displaying sexually suggestive objects; pictures or materials; sexual innuendo; sexually-oriented verbal abuse; sexually suggestive comments; unwanted contact such as touching, patting, stroking, pinching, or brushing against another's body; sexually oriented kidding, teasing or practical jokes; jokes about gender specific traits; foul or obscene gestures or language; and physical acts of aggression, assault, or violence, regardless of whether these acts are being, or have been, investigated as criminal offenses by a law enforcement agency (such as rape, sexual assault or battery, and stalking) made against a person's will or where a person is incapable of giving consent due to victim's age, intellectual disability, or use of drugs or alcohol. Sexual harassment also involves inappropriate conduct toward an individual which, although not motivated by sexual desire, would not have occurred except for that person's gender.

### **2.1.2.4 REPORTING PROCEDURES**

All employees and students have the responsibility to assure that Fontbonne University's non-discrimination and anti-harassment policies are effective. Any University employee or student who experiences, observes, hears, or otherwise witnesses unlawful harassment or discrimination, or who receives a report of unlawful harassment or discrimination of which one or both is carried out by 1) University employees, 2) University students, or 3) third parties, in accordance with applicable law governing liability for third parties, must immediately notify either of the compliance coordinators identified above.

If a report of discrimination or harassment alleges involvement of the Vice President for Finance and Administration or the Director of Academic Services, then the report of discrimination or harassment may be made to the Vice President for Academic Affairs.

No employee or student is required to confront the alleged harasser or report that person's concern to the alleged harasser. The University will thoroughly and promptly investigate all complaints and take corrective or disciplinary action when appropriate. Likewise, the University will initiate a thorough investigation and take corrective or disciplinary action as appropriate against incidents of discrimination or harassment that come to the University's attention, regardless of whether a formal complaint is made.

Fontbonne University will investigate every harassment and discrimination complaint thoroughly, promptly and impartially and the parties will be given an opportunity to present witnesses and provide

evidence. Fontbonne University will evaluate all relevant information and documentation relating to a complaint of discrimination or harassment. All investigations shall be conducted in a sensitive manner and, to the extent feasible, confidentiality will be honored. The investigation and all actions taken will be shared only with those who have a need to know. The investigation findings will be documented, and the complaining individual and the alleged harasser will be kept advised of the progress of the investigation and of the University's final determination. If, after investigation, Fontbonne University determines that an employee or student has engaged in illegal discrimination or harassment, appropriate disciplinary action, up to and including discharge or dismissal, will be taken against the offending individual. Fontbonne University will take prompt steps to prevent recurrence of any harassment or discrimination and correct its discriminatory effects on the complainant and others, as appropriate. In addition, the University will take immediate steps to stop any retaliation and prevent its recurrence against the alleged victim and any person(s) associated with the alleged victim.

In the event that the complaint involves an employee of the University, a complaint of alleged discrimination or harassment may also coincide with a Grievance (see online policy manuals, Volume V, paragraph 5.8). At the discretion of the University Administration, separate investigations may be conducted, or the investigations may be merged. Where allegations of sexual misconduct are brought against a student or student group, they will be handled via the Student Misconduct Policy in the student handbook (Volume VII or the Griffin Scratch) through the Code of Student Character and Conduct. The University will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure.

### **2.1.2.5 INVESTIGATION PROCEDURES**

Fontbonne University will provide a prompt, equitable resolution of complaints of discrimination by students, employees and beneficiaries of the University's programs and activities.

#### **2.1.2.5.1 Level I - Informal Procedure**

Informal procedures are designed to work out a mutually agreeable solution to a problem and are completely optional and voluntary. Any informal resolution activities will not delay the prompt, adequate, reliable and impartial investigation of the complaint of discrimination or harassment or interfere with the provision of immediate or interim actions, if necessary. Informal procedures are not appropriate for cases involving sexual misconduct and will therefore move immediately to a formal procedure as defined in the below paragraph 2.1.2.5.2.

At the option of the complainant only, it may be possible to resolve a harassment or discrimination complaint through a voluntary conversation between the complainant and the alleged harasser or discriminator, which conversation is facilitated by a University designee appointed by the Vice President for Finance and Administration. If the complainant, the accused, and the University designee feel that a resolution has been achieved through this informal procedure, then no further action need be taken. Fontbonne University recognizes that a voluntary conversation between the complainant and the alleged harasser may not be appropriate for harassment complaints. The results of any informal resolution shall be reported by the University designee in writing signed by the complainant and the accused, and submitted to the Vice President for Finance and Administration.

#### **2.1.2.5.2 Level II - Formal Procedure**

The complainant shall submit a written and signed complaint with the Vice President for Finance and Administration which clearly states the particulars concerning each incident of harassment or discrimination, including:



- the name and position of the accused
- the nature of discrimination or harassment
- the date(s) when the alleged harassment or discrimination occurred
- the details of the alleged conduct including any information that would support the complaint
- the redress that is sought

In the absence of a written complaint, the University will investigate any notifications of discrimination or harassment that may come to its attention. Such investigation will be considered a formal procedure.

The Vice President for Finance and Administration shall inform the Vice President(s) in whose area the accused and accuser are employed of the complaint, or, in the case of students, shall inform the Vice President for Student Affairs.

The Vice President for Finance and Administration will promptly investigate the complaint or will appoint a University designee to promptly investigate the complaint. The complainant and the accused will each be interviewed. The accused will be furnished with a copy of the written complaint and will have an opportunity to respond in writing within ten (10) working days.

Within twenty (20) working days after the time the accused has to respond in writing to the written complaint, the Vice President for Finance and Administration (or University designee, if applicable), will prepare investigation findings and, if appropriate, determine any corrective or disciplinary action to be taken. The Vice President for Finance and Administration will inform the appropriate Vice President or Dean of the findings of the investigation. Both the accused and the complainant will be informed in writing of the findings of the investigation by the Vice President for Finance and Administration within three (3) working days of the preparation of findings and, if appropriate, determination of corrective or disciplinary action.

### **2.1.2.5 APPEAL PROCEDURES**

Individuals requesting an appeal of the findings of an investigation of a harassment or discrimination complaint must appeal in writing to the Vice President and Dean for Academic Affairs within ten (10) days of being informed of the findings of the investigation.

If an individual requests an appeal, the appeal must be in writing, and, if applicable, it must cite any alleged procedural or substantive error that occurred during the investigation, if applicable, and provide an account of any new information that has become available since the investigation was conducted.

Within ten (10) days after receipt of the written appeal, the Vice President and Dean for Academic Affairs must meet with the complainant and with the alleged harasser or discriminator. The written decision of the Vice President and Dean for Academic Affairs shall be issued within five (5) days of the latter of these two meetings and shall be final and binding.

If the underlying allegations involve the Vice President and Dean for Academic Affairs, then written request for appeal shall be made to another member of the President's Cabinet.

### **2.1.2.6 RETALIATION PROHIBITED**

Fontbonne University prohibits retaliation against any person who makes a complaint of discrimination or harassment, opposes discrimination or harassment, or testifies, assists or participates in an investigation proceeding or hearing relating to such discrimination or harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment or treatment based upon retaliatory motive that is reasonably likely to deter protected activity.

#### **2.1.2.7.1 RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

A student's complaints of discrimination on the basis of race, color, religion, age, gender, gender orientation, national or ethnic origin, or disability, including complaints of racial, sexual or other unlawful harassment, may be filed with the:

U.S. Department of Education

Office for Civil Rights

8930 Ward Parkway, Suite 2037

Kansas City, Missouri 64114

Phone: (816) 268-0550; TDD: 1 (800) 437-0833; E-mail: [ocr.kansascity@ed.gov](mailto:ocr.kansascity@ed.gov).

### **2.1.3 Consensual Relations Policy**

When two parties have consented at the onset to a romantic or sexual involvement, such consent does not preclude a charge of sexual harassment for subsequent unwelcome conduct of a sexual nature. The educational mission of the University is promoted by professionalism in employee-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Romantic or sexual relationships between University employees and students in a hierarchical relationship may harm this atmosphere, undermine professionalism, and hinder fulfillment of the University's educational mission. Therefore, the University prohibits romantic or sexual relationships between employees and students who are in a hierarchical or reporting relationship and who are not married to each other (i.e. teacher/student, coach/team member, faculty or staff/work study student, etc.).

### **2.1.4 Family Education Rights and Privacy Act**

Fontbonne University Institutional FERPA Policy and Notice

The following statements relate to Fontbonne University and the Family Educational Rights and Privacy Act (FERPA) of 1974, also known as the Buckley Amendment. Please contact the Registrar's Office at (314) 889-1421 with any questions.

#### **WHAT IS FERPA?**

FERPA is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under the U.S. Department of Education. Education records are records that contain information directly related to a student and that are maintained by an educational agency or institution or by a party acting for the agency or institution. Education records do not include private notes, law enforcement records, medical and counseling records, employment records, or alumni records.

#### **ANNUAL NOTIFICATION**

In accordance with FERPA, Fontbonne University will notify students currently in attendance of their FERPA rights annually by publication on the University's web site.

#### **2.1.4.1 DEFINITIONS**

For the purposes of this policy, Fontbonne University has used the following definitions of terms.

*Student* – any person who attends or has attended Fontbonne University.

*Education Records* – any record (in handwriting, print, tapes, film, or other medium) maintained by Fontbonne University or an agent of the University which is directly related to a student, except for:

1. A record kept in the sole possession of the maker of the record that is used only as a personal memory aid and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
2. Records of an individual who is employed by Fontbonne University that are kept in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee, and not available for any other purpose.
3. Records maintained by a Fontbonne University law enforcement unit if the record is created and maintained solely for law enforcement purposes.
4. Records maintained by Fontbonne Counseling Offices or other professional or paraprofessional acting in that capacity if the records are used only for treatment of a student and made available only to those persons providing the treatment.
5. Alumni records or former students' records which only contain information about a student after he or she is no longer in attendance at the University.

#### **2.1.4.2 RIGHT TO INSPECT EDUCATION RECORDS**

Students have the right to inspect and review their education records upon request to the appropriate record custodian. A student should file a Request for Access to Education Records form (available in the Registrar's Office), identifying as precisely as possible the record or records he or she wishes to inspect, with the custodian of the records to which access is desired. If the records are not maintained by the University official to whom the request was submitted, that official will advise the student of the correct official to whom the request should be addressed. The University will comply with a Request for Access to Education Records within forty-five (45) days. If access is authorized under FERPA, the records custodian or appropriate University staff person will make the needed arrangements for access and notify the student of the time and place where the records may be inspected.

When a record contains information about more than one student, the student may inspect and review only the records which relate to that particular student.

#### **2.1.4.3 LIMITATION ON ACCESS**

Fontbonne University reserves the right to refuse to permit a student to inspect the following records:

1. The financial records of the student's parents.
2. Confidential letters and confidential statements of recommendation related to the student's admission to an educational institution, application for employment, or receipt of an honor or honorary recognition for which the student has waived his or her right of access, or which were placed in the student's education records before January 1, 1975.
3. Records connected with an application to attend Fontbonne University if that application was denied.

4. Any records which are excluded from the FERPA definition of education records.

#### **2.1.4.4 REFUSAL TO PROVIDE COPIES**

Fontbonne University will provide transcripts or copies of records to any student who, due to reasonable personal circumstances, is unable to inspect and review his/her education records at the location where the records are maintained; Fontbonne University reserves the right to deny transcripts or copies of records to all other students. Fontbonne University also reserves the right to deny transcripts or copies of records not required to be made available under FERPA in any of the following situations:

1. The student has an unpaid financial obligation to the University.
2. There is an unresolved disciplinary action against the student.

#### **2.1.4.5 FEES FOR COPIES OF RECORDS**

If a student requests copies of all or a portion of the student's education records and the University determines that such copies are necessary in order for the student to exercise his or her right to inspect and review the records, the fee for such copies will be \$0.20 per page.

#### **2.1.4.6 DISCLOSURE OF EDUCATION RECORDS**

Fontbonne University will disclose information from a student's education records only if the student signs a Student Consent for Disclosure of Education Records form (available in the Registrar's Office), except in accordance with FERPA:

1. To school officials who have a legitimate education interest in the records.

A school official is:

- A person employed by the University in an administrative, supervisory, academic or research, or support staff position.
- A person elected to the Board of Trustees.
- A person employed by or under contract to the University to perform a specific task, such as an attorney or auditor.
- A student serving on an official committee or assisting another school official in performing that school official's tasks.

A school official has a legitimate educational interest if the official is:

- Performing a task that is specified in his or her position description or contract.
- Performing a task related to a student's education.
- Performing a task related to the discipline of a student.

Although school officials are authorized to access this information on a "need-to-know" basis, they are not permitted to release information to persons outside the University unless authorized in writing by the student, by a court order, or according to the exceptions listed in this section. Only the school official or designated person responsible for the records has the authority to release them.

2. To officials of other schools or school systems in which the student seeks to enroll; in this instance, no notice of release of records need to be sent to the student.

3. To authorized representatives of the U.S. Department of Education, the Comptroller General of the United States, the Attorney General of the United States, and state and local educational authorities in connection with an audit or evaluation of certain state or federal supported education programs.
4. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. To state or local officials or authorities if allowed by a state law that was adopted before November 19, 1974.
6. To organizations conducting certain studies for or on behalf of the University.
7. To accrediting organizations to carry out their functions.
8. To a parent when either: (i) regardless of a student's age, the student is claimed by a parent as a dependent on the parent's most recent federal income tax filing; or (ii) the student is under the age of 21 at the time of the disclosure and the parent is seeking information regarding a student's violation of law or school policy on use or possession of alcohol or a controlled substance. *(Note: If a student is claimed as a dependent by either parent, then either parent may have access under this exception, unless the student provides the University with evidence that there is a court order, state statute or other legally-binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.)*
9. To comply with a judicial order or a lawfully issued subpoena.
10. To appropriate parties in a health or safety emergency.
11. To an alleged victim of any crime of violence. The disclosure may include only the final results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.
12. In connection with an institutional disciplinary proceeding.

#### **2.1.4.7 RECORD OF REQUESTS FOR DISCLOSURE**

Fontbonne University will maintain a record of all requests for and/or disclosures of personally identifiable non-directory information from a student's education records. The record of requests will indicate the name of the party making the request, any additional party to whom it may be redisclosed, and the legitimate interest the party had in requesting or obtaining the information. The University will create and maintain at each location where education records are kept a record of requests for that location.

#### **2.1.4.8 DIRECTORY INFORMATION**

Fontbonne University has designated certain information contained in the education records of its students as Directory Information.

This includes: (1) full name, (2) local and home addresses, (3) local and home telephone numbers, (4) e-mail address, (5) date and place of birth, (6) most recent educational institution attended, (7) enrollment status, (8) class level, (9) dates of attendance, (10) degrees, awards, and honors received, (11) participation in officially recognized activities and sports, (12) weight and height of athletic team members, and (13) photographs.

Fontbonne University may disclose Directory Information for any purpose, without the prior consent of a student, unless the student has forbidden its disclosure in writing. Students wishing to prevent disclosure of the designated Directory Information should file a Request to Withhold Release of Directory Information (available in the Registrar's Office) with the Registrar's Office within two (2) weeks of the start of the semester. The Request to Withhold Release of Directory Information will stay in effect until the Fall term of the next academic year. The University will assume that a student does not object to the release of Directory Information unless the student files such written notification.

#### **2.1.4.9 AMENDMENT OF EDUCATION RECORDS**

Students have the right to ask to have records amended that they believe are inaccurate, misleading, or in violation of their privacy or other rights. Following are the procedures for the amendment of records:

1. A student must ask the appropriate official of the University to amend a record. In so doing, the student should identify in writing the part of the record he/she wants changed and specify why he/she believes it is inaccurate, misleading, or in violation of his/her privacy or other rights.
2. The University will either grant or refuse the request within forty-five (45) days. If the University decides not to comply, it will notify the student of the decision and advise him/her of his/her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, the University will arrange for a hearing, and notify the student, reasonably in advance, of the date, place, and time of the hearing.
4. The hearing will be conducted by a hearing officer who does not have a direct interest in the outcome of the hearing; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or two individuals, including an attorney.
5. The University will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If the University decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the student that he/she has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
7. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the University discloses the contested portion of the record, it must also disclose the statement.
8. If the University decides that the information is inaccurate, misleading, or in violation of the student's right to privacy, it will amend the record and notify the student, in writing, that the record has been amended.

#### **2.1.4.10 CUSTODIANS OF EDUCATION RECORDS**

The following is a list of the types of education records that Fontbonne University may maintain, their locations, and their custodians.

<b><u>Types</u></b>	<b><u>Location</u></b>	<b><u>Custodian</u></b>
<b>Admission Records of Matriculated Students</b>	Registrar's Office Ryan Hall	Registrar
<b>Academic Records</b>	Office of Academic Affairs Ryan Hall Department Chair's Office Faculty Offices Registrar's Office Ryan Hall	Vice President for Academic Affairs Department Chair Faculty Member Registrar
<b>Financial Records</b>	Business Office Ryan Hall	Controller
<b>Financial Aid Records</b>	Financial Aid Office Ryan Hall	Director of Financial Aid
<b>Credential Files</b> (Until they are phased out)	Student Affairs Office Medaille Hall	Vice President for Student Affairs
<b>Complaint Resolution</b> (non-academic)	Student Affairs Office Medaille Hall	Vice President for Student Affairs
<b>Occasional Records</b> (Education records not included in the types above such as minutes of faculty committee meetings, copies of correspondence in offices not listed, etc.)	The appropriate office will collect such records, direct the student to their location or otherwise make them available for inspection and review	The University staff persons who maintain such occasional systems records

#### **2.1.4.11 RIGHT TO FILE A COMPLAINT**

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the 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, DC 20202-4605

### **2.1.5 Institutional Policy on Disability**

#### **2.1.5.1 POLICY FOR EMPLOYING PEOPLE WITH DISABILITIES**

It is the policy of the University to comply with the applicable laws that forbid discrimination in employment against qualified individuals with disabilities.

#### **2.1.5.2 STUDENTS WITH DISABILITIES**

Fontbonne University offers accommodations to students with documented physical, visual, hearing, learning, or psychiatric disabilities. Any Fontbonne student is eligible for special services or accommodations if:

1. The student self-identifies that he or she has a disability and needs accommodation.

2. The student provides appropriate and verifiable documentation of the disability.
3. The student provides notification in a timely fashion.

For accessibility and resident hall needs, contact Student Affairs at 889-4523. For academic accommodations, contact the Kinkel Center for Academic Resources at 889-4571.

### **2.1.5.2.1 Discriminatory Acts Prohibited by the ADA**

Colleges and universities receiving federal financial assistance must not discriminate in the recruitment, admission, or treatment of students. Students with documented disabilities may request modification, accommodations, or auxiliary aids that will enable them to participate in and benefit from all post-secondary educational programs and activities. Post-secondary institutions must make reasonable accommodations when possible to ensure that the academic program is accessible to students with disabilities.

Universities and colleges may not:

1. Limit the number of students with disabilities admitted;
2. Make pre-admission inquiries as to whether or not a student is disabled;
3. Use admission tests or criteria that inadequately measure the academic qualifications of disabled students because special provisions were not made for them;
4. Exclude a qualified student with a disability from any course of study;
5. Limit eligibility to a student with a disability for financial assistance or otherwise discriminate in administering scholarships, fellowships, internships, or assistantships on the basis of disability;
6. Counsel a student with a disability toward a more restrictive career;
7. Measure student achievement using modes that adversely discriminate against a student with a disability; or,
8. Establish rules and policies that may adversely affect students with disabilities. (List is from the American Council on Education).

## **2.1.6 Policies and Procedures for Service Animals**

### **2.1.6.1 RATIONALE FOR POLICY AND PROCEDURES**

The purpose of this statement of policies and procedures is to outline a policy that addresses the use of service animals on the grounds of Fontbonne University by individuals with disabilities and to present a standard of behavior for service animals and for students, faculty and staff who are in proximity to the animals. It is the intention of Fontbonne University to be inclusive when meeting the needs of the entire Fontbonne community.

### **2.1.6.2 DEFINITIONS**

**Individual with a Disability.** An individual with a disability is a person who 1) has a physical or mental impairment that limits one or more major life activities or 2) has a record of such an impairment or 3) is regarded as having such an impairment (ADA, 2010).



**Service Animal.** According to the ADA (2010), the definition of service animals are “dogs that are individually trained to do work or perform tasks for people with disabilities.” Examples of duties performed by a service animal may include, but not limited to guiding a person, alerting a person to sensory stimuli, pulling a wheelchair, steadying a person, calming a person with a psychiatric diagnosis or performing other tasks. The tasks that a dog has been trained to provide must be directly related to the person’s documented disability. Dogs used to provide comfort or emotional support are not considered service animals under the ADA.

**Support Animal.** Animals utilized for emotional support, well-being, or comfort. As these animals are not trained to perform work or tasks, they are not considered to be service animals (ADA, 2010).

**Partner/Handler.** A person with a disability is called a partner; a person without a disability is called a handler.

**Team.** A person with a disability and his or her service animal work as a cohesive team in accomplishing the tasks of everyday living.

### **2.1.6.3 DETAILED POLICY STATEMENT**

#### **2.1.6.3.1 Service animals**

Service animals are permitted to be utilized by individuals with disabilities, including visitors, at Fontbonne University. Service animal partners must take responsibility for meeting all documentation requirements (Section IV), ensuring that the service animals are under their control, and abide by the cleanup rules. No service animal may reside in University Housing without prior notification and registration with University Housing staff.

#### **2.1.6.3.2 Support animals**

Support animals as defined in Section II, may be permitted at Fontbonne University on a case-by-case basis. A request to bring a support animal onto campus needs to be submitted with appropriate supporting documentation to University Housing. Requests for a support animal will be decided by the appropriate office.

#### **2.1.6.3.3 Documentation Requirements**

The handler/partner of a service animal must show proof that the animal has met the following regulations. Copies of this documentation for students’ service animals will be maintained in the Kinkel Center for Academic Resources. Documentation for service animals belonging to faculty and staff will be maintained in the University Human Resources office.

#### **2.1.6.3.4 Licensing**

The animal must meet the licensing requirement of the city of Clayton and wear the tags designated by the city. (For nonresidents, home state tags may be accepted in lieu of the city tags as long as the requirements are met.)

#### **2.1.6.3.5 Health records**

The animal must have a health statement, including vaccinations from a licensed veterinarian, dated within the past year. Preventative measures must be taken for flea and odor control.

#### **2.1.6.4 BEHAVIOR OF SERVICE ANIMAL**

##### **2.1.6.4.1 Control requirements:**

- The animal must be on a leash or under control (i.e. with a remote control device) at all times (ADA, 2010).
- The animal must be as unobtrusive as possible.

##### **2.1.6.4.2 Exclusion from campus**

A service animal may be excluded from campus when that animal's behavior is out of control and the handler is unable to control the dog, the dog is not housebroken (ADA 2010), and is deemed a direct threat to the health and safety of others,. Infractions will be handled on an individual basis. Consequences may include, but are not limited to, muzzling a barking animal, refresher training for the animal and the partner, or exclusion of the animal from the University.

##### **2.1.6.4.3 Service Animal Etiquette**

- The animal must not be allowed to sniff people, food or the belongings of others.
- The animal must not initiate contact with others without the partner/handler's permission.
- The animal must not display any disruptive behaviors such as barking, whining, growling or rubbing against people.
- The animal must avoid licking and scratching or other grooming behaviors in public.
- The animal must not block an aisle or passageway.
- The animal must never be more than 3 feet from the partner/handler.
- The animal must be trained not to be attracted to food that is nearby.

##### **2.1.6.4.4 Public Etiquette for Interaction with a Service Animal**

- **Do not pet a service animal**
- Do not feed a service animal
- Do not deliberately startle a service animal
- Do not separate or attempt to separate a service animal from a partner/handler
- Do not hesitate to offer assistance by asking if assistance is needed.

#### **2.1.6.5 RELIEF AREAS**

Relief areas will be designated on the campus by the Director of Residential Life. It is the responsibility of the partner/handler to clean up after the dog using the designated trash bins which will be maintained by the ground's personnel. If the dog uses an area other than the designated areas, it is the responsibility of the partner/handler to clean up after the dog.

#### **2.1.6.6 EMERGENCY SITUATIONS**

In the case of an emergency, emergency and public safety personnel should be aware that there is a service dog on the premises. Every effort should be made to keep the animal with its owner. It may be necessary to leave the dog behind in certain disaster situations.

### **2.1.6.7 CONFLICTING DISABILITIES**

The ADA (2010) acknowledges that it is common for persons to have a disability that precipitates an allergic reaction to animals. Persons making an asthmatic/allergic/medical complaint are to be directed to make that complaint at the Kinkel Center for Academic Resources if common sense accommodations are unsatisfactory. The person making the complaint must show medical documentation to support that complaint. Action will be taken to consider the needs of both the complainant and the partner/handler to resolve the problem as efficiently and expeditiously as possible.

In most situations, the theory of **first person rights** prevails. This means that the first person in a common area will not be removed to accommodate the second person. (*Disability Compliance for Higher Education*, July, 1996).

Recourse for a student who feels that his or her need for accommodation is not being met should follow the process outlined in the Fontbonne University booklet entitled, *Access to Higher Education* that is available in the Kinkel Center for Academic Resources.

#### References

American with Disabilities Act 2010 revised requirements. Retrieved on January 8, 2013.  
[http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm).

Disability Compliance for Higher Education, July, 1996.

### **2.1.6.8 APPEALS PROCESS**

What recourse is available to a student who feels that the need for reasonable accommodation is not being met?

The student should immediately discuss any concerns with the Director of the Kinkel Center who serves as the Fontbonne ADA Coordinator. If the student does not feel that the issue has been resolved and chooses to pursue the concern, the student must submit the complaint in writing to the Associate Vice President for Academic Affairs. This should be done as soon as possible, but must be done within thirty (30) days of the initiation or refusal of an accommodation or failure to resolve the concern. A meeting with the student will be scheduled. If the question cannot be satisfactorily resolved and the student chooses to continue to pursue the concern, the student must submit a written request for a formal hearing to the Chairperson of the Appeals Committee. Following the hearing, the Appeals Committee will forward a written report to the appropriate Vice President for final approval. The Vice President will notify the student in writing of the University's final decision.

The entire appeals process should be completed within thirty (30) days from the time the appeal is referred to the Appeals Committee.

## **2.2 HEALTH RELATED POLICIES**

### **2.2.1 Serious Disease Policy**

Employee or students with infectious, long-term, life-threatening, or other serious diseases may continue their work or attendance at the University as long as they are able to perform the essential duties of their job or meet their academic responsibilities without posing a direct threat to themselves or others.

The University will support, where feasible and practical, educational programs to enhance employee and student awareness and understanding of serious diseases.

### **2.2.2 Tuberculosis Policy**

#### **2.2.2.1 PURPOSE**

The purpose of this policy is to help avoid an outbreak of tuberculosis on campus and to comply with Missouri state law. The policy applies to all new students, faculty, and staff of Fontbonne University and in some cases to returning students, faculty and staff (i.e. participation in a service trip to a high prevalence country). The policy is established in accordance with applicable regulations and requirements.

#### **2.2.2.2 RISK SCREENING POLICY**

All new students, faculty and staff are required to complete a screening questionnaire to assess their risk factors for tuberculosis.

The risk screening questionnaire will be sent to all new students, faculty and staff of Fontbonne upon class registration or for new employees, during new hire orientation. The Student Affairs Department will be responsible for documenting completion of student questionnaires. The Human Resources Department is responsible for faculty and staff questionnaires. The forms will be placed in student files and new employee personnel files. The following information will be documented for students, faculty and staff:

- Date the questionnaire was received and evaluated
- Number of “yes” responses checked on the questionnaire
- Copy of completed questionnaire

With the exception of new international students and new resident students, new students, faculty and staff whose questionnaires contain all “no” responses shall be deemed NOT to be at risk for tuberculosis. No additional testing/screening/treatment is required, and registration/employment may proceed.

Anyone who has one or more “yes” responses must undergo further evaluation and testing at their own expense to determine if they have tuberculosis. Students will not be allowed to register for the next academic term until further testing has been completed, and there will be an administrative hold placed on their account. Faculty and staff with one or more “yes” responses will be required to undergo further testing to continue employment, and will be placed a probationary period which may or may not coincide with the initial 90 day orientation period.

### **2.2.2.3 TESTING POLICY**

Students, faculty and staff required to undergo further testing (at their own expense) to determine whether they have tuberculosis may avoid further testing if they can provide documented negative results of a tuberculin skin test done in the United States in the last six months and no risk factors were identified. Students, faculty and staff who have a history of positive tuberculin skin tests or previous tuberculosis disease should provide documentation of appropriate evaluation and treatment as indicated. The Student Affairs Department will notify students who need additional testing and/or documentation within the first two weeks of the current academic term. The additional testing and/or documentation must be completed as soon as possible. Students who fail to comply with the request for additional testing and/or documentation may be dropped from future classes and future registration restricted until compliant. In the case of new faculty or staff, continued employment is dependent upon compliance with the request for additional testing.

### **2.2.2.4 TESTING PROTOCOL**

Students, faculty and staff who answer “yes” to one or more questions on the risk screening must follow this protocol:

1. Tuberculin skin testing is required for all students, faculty and staff who answered “yes” to one or more questions on the risk screening unless there is documented evidence from the United States that a test was done in the previous six months and no risk factors were indicated. Once notified of the need to be tested, the test must be done within two weeks.
2. A positive tuberculosis test will necessitate the need for additional testing, including a chest x-ray and physical exam by a certified healthcare provider with an emphasis on signs and symptoms of tuberculosis. Results must be provided to the Student Affairs Department or Human Resources Department within one week of the positive tuberculosis skin test.
3. Students, faculty and staff who have a positive tuberculosis test but a negative chest x-ray and a negative physical exam will be deemed to meet the criteria for latent tuberculosis infection. Treatment may be recommended, and if refused, an annual evaluation will be required to register for classes and/or continue employment.
4. The Student Affairs Department or Human Resources Department will notify the local health department of any positive tuberculosis test and abnormal x-ray to seek further guidance.
5. If further testing determines that tuberculosis is not active, a diagnosis of latent tuberculosis infection is assumed for purposes of documentation, and treatment is recommended. If the student, faculty or staff member refuses treatment or does not complete treatment, it must be documented by the Student Affairs Department or Human Resources Department. An annual symptom evaluation is required if a student, faculty or staff member refuses treatment in order to continue with registration or employment.
6. If further testing results in active tuberculosis that is not contagious (as determined by the local health department), treatment must be undertaken in order to remain enrolled or employed. Strict adherence to treatment is expected; failure to do so may result in students being removed from classes and/or employees being suspended from active employment.
7. A diagnosis of active, contagious tuberculosis will necessitate that Fontbonne work closely with the local health department to isolate and treat the infected student, faculty or staff member and to identify and test people who have been exposed to the contagious student or employee. An appropriate communication plan will be developed to inform the campus community of the

- diagnosis of active tuberculosis. Students or employees with an active, contagious diagnosis will not be allowed on campus until certified to return to campus by the local health department.
8. Any additional testing and/or treatment required will be at the individual's expense.

The Student Affairs Department and Human Resources Department will initiate any campus wide communications via the Associate Vice President of Marketing and Communications regarding tuberculosis on campus in accordance with appropriate protocol outlined by Fontbonne as well as the local health department.

Any information obtained as a result of this policy will be maintained subject to policies adopted by Fontbonne University to protect your privacy.

### **2.2.3 ALCOHOL AND DRUG ABUSE PREVENTION POLICY**

It is the goal of Fontbonne University to promote a drug-free living and learning environment. In accordance with the mandate of federal legislation, the manufacture, distribution, possession or use of illicit drugs, and the unlawful possession, use or distribution of alcohol on Fontbonne University property and off-site campus locations or as a part of any of its activities is prohibited. Violations of the policy will be handled according to procedures covering the conduct of administrators, faculty, students and staff.

#### **2.2.3.1 STANDARDS OF CONDUCT - ILLICIT DRUGS**

The unlawful manufacture, possession, distribution or use of illicit drugs on Fontbonne University property or as a part of any of its activities by students, employees, or their guests is prohibited.

#### **2.2.3.2 STANDARDS OF CONDUCT – ALCOHOL**

The possession and use of alcohol by persons under the age of 21 years is prohibited. University policies limit the lawful use of alcohol by persons 21 years of age or older to specific occasions and designated locations. Students are responsible for their behavior, and students and organizations will be held accountable for any misconduct related to the use of alcohol. In the event of violations of alcohol policies, students will be subject to disciplinary action. In addition, Fontbonne may notify the student's parents or guardian of the violation if the student is under 21 years of age and in some cases if the student is 21 years of age or older.

1. No alcoholic beverages are allowed in unapproved areas without special permission. Unapproved areas include but are not limited to lounges, hallways, courtyards, and outside of buildings. In addition, St. Joseph's Residence Hall is designated as an alcohol-free building: no alcoholic beverages are allowed by residents or guests, even if they are 21 or older.
2. While Fontbonne respects students' right to privacy, it retains its right to enter any residence hall rooms if there is sufficient reason to believe that University policies have been violated.
3. While responsibility for personal patterns of alcohol use is essentially that of the individual, there are ethical and value issues related to the use of alcohol. Alcohol misuse and abuse can lead to academic failure, physical and psychological dependency, organ damage, and threats to student safety and well-being. The Fontbonne community is called upon to be responsible and

responsive to those who are in the developmental process of forming their own codes of personal behavior. The Student Affairs Office offers prevention and intervention alcohol awareness programs, literature, personal counseling and off-campus referrals for assistance with alcohol-related concerns.

## **2.2.4 Alcohol Serving Policies and Procedures:**

### **2.2.4.1 ALCOHOL SERVING POLICY**

Because of Liquor license restriction from the State of Missouri, St. Louis County, and the City of Clayton, any event sponsor (defined as any Fontbonne University individual, organization, or department, or any non-affiliated campus individual or group) that plans to serve alcohol at an on-campus event, must make arrangements through Ameriserve which holds the liquor license for the Clayton campus. Event Sponsors must allow 20 business days advance notification.

### **2.2.4.2 ALCOHOL SERVING PROCEDURES**

1. Bartenders/servers must be contracted through Ameriserve. Ameriserve will provide one (1) bartender per seventy-five (75) people. The Catering Manual states there is a \$50.00 per bartender per hour set-up fee with a minimum of two hours. The organization or department sponsoring the event will be billed for the bartenders' service. There cannot be a cash exchange.

Event Sponsors wishing to use Caterers other than Ameriserve to serve alcohol must follow these guidelines:

- a. Event Sponsors must request initial permission from the appropriate Vice President or General Services Manager;
  - b. Event Sponsors must obtain and send a copy of the caterer's insurance certificate and liquor license to Ameriserve for each event;
    - i. If approved, Ameriserve will send approval with a copy of alcohol serving policies to both the Event Sponsor and Caterer. The Caterer must comply with all provisions of this policy.
    - ii. If the Caterer outside of Ameriserve is not approved, Event Sponsors must either use Ameriserve or not serve alcohol at their event.
  - c. Event Sponsors will be held accountable if failing to comply with these policies and may be denied permission to serve alcohol at future events.
2. Ameriserve bartenders/servers must be 21 years of age and be knowledgeable about the drinks being mixed and/or served. Ameriserve supervisors and bartenders/servers will successfully complete TIPS training.
  3. Alcoholic beverages will only be served by the individual glass, bottle, or can. No kegs or pitchers of beer will be served. Ameriserve will determine and monitor the number of drinks serve to individuals.
  4. Depending on the nature of the event, Ameriserve bartenders/servers will card individuals requesting an alcoholic beverage and stamp individuals who are 21 years or older.
  5. In most cases, Event Sponsors must not take unused and/or unopened alcohol from an event. Ordinarily, Ameriserve will be responsible for the disposal of unused and/or unopened alcohol from an event. If Ameriserve is unavailable to remove the unused or unopened alcohol at the end of an

event, the event sponsors are responsible for collecting and retaining it until it can be retrieved by Ameriserve.

6. If alcohol is donated *to Fontbonne* for an event, it must be given to Ameriserve. Ameriserve will then serve the alcohol *at no charge for the beverage. Ameriserve will not serve alcohol from donated kegs.*
7. Alcohol advertising (e.g., “B.Y.O.B.”) for any on or off-campus event is not permitted.
8. All events must have a specified beginning and end time. Serving of alcoholic beverages will cease one-half hour prior to the end of the event. Food must be served at events that have alcohol available.
9. Student organizations requesting to serve alcohol at an event must contact the Director of Leadership Education and Student Activities for approval and additional procedures.
10. Event sponsors are responsible for:
  - a. Notifying Public Safety for events where the attendance is anticipated at 100+ participants. Public Safety should be contacted a minimum of 10 business days prior to the event.
    - i. Public Safety may request that a Public Safety officer or off-duty public officer be hired for the duration of the event. Additional fees will apply at the expense of the Event Sponsor.
  - b. At the beginning of the event, introducing themselves and other event sponsors to the bartenders/servers and Public Safety or Off-Duty Officers, if present.
    - i. Monitoring that individuals do not bring alcohol into an event or take alcohol away from an event.
    - ii. Creating signage stating individuals cannot bring alcohol into an event or take alcohol away from an event. (Signage should be removed by the Event Sponsors once the program is over.)
11. Generally, if the event is hosted in the Dunham Student Activity Center Alumni Caf, alcohol may only be served if the snack bar is closed.
12. Ameriserve bartenders/servers are responsible for reporting any disruptions in the serving area to Event Sponsors and/or Public Safety.

## **2.2.5 Tobacco-Free Campus Policy**

Fontbonne University is a tobacco -free campus. Smoking or other use of tobacco products or smoking related products, including the use of smokeless, e-cigarettes or other devices that simulate visual, sensory and behavioral aspects of smoking, is prohibited on all University property, including all buildings, outdoor spaces and in University-owned vehicles. Such items include, and are not limited to, cigarettes, electronic cigarettes, cigars and cigarillos, hookah smoked products, pipes and oral tobacco. Future reference to tobacco use or smoking includes the above referenced items, such as e-cigarettes. Tobacco use is permitted on the sidewalks along Big Bend and Wydown Boulevards and in personal vehicles that are parked on campus. This policy applies to the Clayton campus.

Off-site campus locations shall continue to prohibit all tobacco use within buildings and shall also comply with any local municipality or county restrictions. No smoking will be permitted within 15 feet of the entrance of any branch location.

Voluntary compliance with the tobacco -free campus policy will be emphasized. Anyone who observes that the policy is being violated is encouraged to bring it to the attention of the smoker. Individuals found smoking by Public Safety will be asked for identification and will be given a reminder notice about the University’s policy. In the event that any individual is found to regularly violate the



University's tobacco-free policy, for employees, the issue will be referred by Public Safety to the employee's supervisor or department head, or for students, to the Office of Student Affairs for appropriate action. Violations of this policy will be subject to the rules and sanctions contained in the University Policy Manuals and in the Code of Student Character and Conduct. In the event that a violator is unwilling to show identification upon request to a public safety officer, the Clayton Police will be called to respond to trespassing.

### **2.2.6 Drug Free Workplace**

The unlawful use of a controlled substance in any setting is dangerous. Employees of Fontbonne University, including students in work study positions, who unlawfully use a controlled substance in the workplace not only jeopardize their own employment and safety, they also place other employees, our students, and guests of the University at personal risk. All employees of the University serve as role models for students. And, the unlawful use of a controlled substance in the workplace would not only violate laws, but is contrary to the spirit and mission of Fontbonne University.

Fontbonne abides by the provisions of the Higher Education Amendment of 1998 and all employees and students, including those making application for Federal Pell Grants, are required to sign a statement of compliance.

### **2.2.7 Student Drug Testing Policy**

Fontbonne University promotes a safe, drug-free living and learning environment. As stated above, Fontbonne University prohibits the use, possession, manufacture or distribution of illegal drugs or other controlled substances as well as the use or possession of drug paraphernalia.

Fontbonne University believes that drug testing based on a reasonable suspicion of drug use is appropriate to ensure the health, safety and welfare of its students and to assist students before they may harm themselves or others. Accordingly, Fontbonne University may require a student to submit to a drug test if a student has acknowledged substantial drug use or when there is reasonable suspicion that a student is under the influence of illegal drugs or controlled substances. Reasonable suspicion is based on the student's appearance, behavior or conduct that indicates the student may be under the influence of an illegal drug or controlled substance. When an incident occurs, the Student Affairs Office should immediately be notified to review the facts and circumstances in order to determine if reasonable suspicion exists and the appropriate course of action.

Fontbonne University will engage the services of a qualified laboratory to conduct the drug test. A positive test result for unlawful drugs (or lawful drugs not used in connection with and in conformity with a physician's prescription) or an adulterated or diluted sample as reported by the testing laboratory, may result in the student not being permitted to live on campus, suspension, dismissal or other action that Fontbonne University, in its sole discretion, deems appropriate depending on the circumstances. If a student refuses to take a drug test, such refusal will be treated the same as a positive test result.

Fontbonne University recognizes that substance abuse is an illness and a health problem. Fontbonne University is willing to help students obtain assistance needed in the resolution of a substance abuse problem.

Fontbonne University will make good faith efforts to maintain the confidentiality of all drug test results. Test results may be disclosed to the student, the student's parents or guardians, and to those who have a legitimate need to know, as determined by Fontbonne University, in its sole discretion.

## **2.2.7.1 LEGAL SANCTIONS**

### **2.2.7.1.1 Drugs**

The manufacture, possession, sale, distribution, and use of illicit drugs is prohibited by city and county ordinance, state law, and federal statute. Punishments range from fines of \$50 to life imprisonment. The statutes and ordinances define the drugs deemed "illicit."

#### *2.2.7.1.1.1 Drug Trafficking Penalties*

<u>DRUG SCHEDULE WITH EXAMPLES</u>	<u>MINIMUM FEDERAL SANCTION FOR OFFENSE BY INDIVIDUAL</u>	<u>MISSOURI SANCTIONS</u>
Schedule I – Mescaline, LSD, Heroin, Peyote	5 – 40 years or life in prison - \$2 to \$4 million fine	5 – 30 years or life in prison
Schedule II - Methamphetamine, Cocaine, Opium, PCP	5 - 40 years or life in prison; \$2 - \$8 million fine	5 – 30 years in prison
Schedule III Drugs	10 years in prison; \$150,000 - \$500,000 fine	5 – 15 years in prison
Schedule IV Drugs – Flunitrazepam	3 – 6 years; \$200,000 - \$500,000 fine	5 – 10 years in prison
Schedule V Drugs	1 – 2 years; \$100,000 - \$200,000 fine	5 – 10 years in prison
Marijuana	5 – 40 years or life in prison; \$250,000 - \$8 million fine	Up to 7 years, up to \$5,000 fine (5 gms. or less); 5 – 15 years (more than 5 gms.)

### **2.2.7.1.2 Alcohol**

Missouri's Liquor Control Law makes it illegal for a person under the age of twenty-one years to purchase or possess any intoxicating liquor. R.S.Mo. §311.325(1). Violation of this provision can subject one to a fine of up to \$1,000 and/or imprisonment for a maximum term of one (1) year. County and municipality ordinances contain similar prohibitions and sanctions.

## **2.2.7.2 HEALTH RISKS**

### **2.2.7.2.1 Drugs**

Physical and psychological effects of both short and long term drug use vary with the type and amount of drug used. Marijuana use can lead to heartbeat acceleration, impairment in mental perception, memory loss, impulsive behavior, anxiety attacks, respiratory problems, infertility, and lung disease.

Cocaine use can lead to high blood pressure, sweating, vomiting, irritation and inflammation of nasal tissue, loss of appetite, delusions, altered perceptions, and death from respiratory failure.

Use of hallucinogens can lead to dizziness, increase in heart rate, nausea, perceptual changes, delusions, hallucinations, and flashbacks. Use of stimulants can lead to diarrhea, heart palpitations, increased blood pressure, kidney failure, weight loss, irritability, and hallucinations. Use of depressants can lead to slurred speech, staggering gait, altered perception, slowing down of reflexes and reaction time, increased anxiety and depression, and death from lack of oxygen.

Use of drugs during pregnancy may lead to premature births and/or mental or physical handicaps in the infant. Use may also cause infant to acquire a drug dependency at birth

#### **2.2.7.2.2 Alcohol**

Abuse of alcohol can produce severe health risks, including death. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident.

Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, even lower doses of alcohol will produce the effects just described.

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

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than others of becoming alcoholics.

#### **2.2.7.3 DRUG OR ALCOHOL COUNSELING, TREATMENT OR REHABILITATION**

The Student Affairs Office in Medaille Hall provides the following resources for students:

1. literature about alcohol and other drugs
2. professional counseling and off-campus referrals
3. registration for a designation health and counseling service
4. educational programs for students who violate University alcohol and drug policies

The provisions of health insurance for Fontbonne employees cover, with limitations, treatment for alcohol and drug dependency.

The provisions of the Employee Assistance Program include counseling for substance abuse.

#### **2.2.7.4 DISCIPLINARY SANCTIONS**

Different disciplinary procedures are applicable to faculty, staff, and students. Violations of the standards of conduct will be addressed on a case by case basis with the imposition of discipline being appropriate to the severity of the violation. For each group comprising the University community, there are certain common sanctions that may be applied. These include letters of reprimand, probation, and severance of ties with the University through expulsion or termination. Opportunity for referral to an appropriate rehabilitation or counseling program may be associated with a first offense. Referral for prosecution will usually occur only for the most serious violations.

1. Faculty: Faculty discipline is administered according to the process outlined in the Faculty Handbook.
2. Staff: The University staff is subject to disciplinary procedures that are outlined in the Employee Handbook.
3. Students: The alcohol and drug-related guidelines for student conduct are contained in the Student Handbook. Sanctions for students generally will follow from the severity of the infraction and can include probation, residence hall dismissal, required participation in counseling or educational programs, and expulsion. The University may notify the parents of dependent-aged students for alcohol and drug-related infractions.

#### **2.2.8 Medical Record Keeping**

Any medical records relating to a Fontbonne University employee shall be kept in a separate file in the Human Resources Office.

### **2.3 SAFETY POLICIES**

#### **2.3.1 Firearms and Weapons**

In order to ensure a safe environment for employees, students, and visitors, the possession, transport, storage, use, or sale of weapons or hazardous materials, including firearms, is prohibited on the property of the University, at work sites and University functions, or at any time for students and for employees during the course and scope of performing their job duties on behalf of the University. Weapons include, but are not limited to, firearms, knives, swords, arrows, air pellet guns, paint ball guns, or any item resembling any of these items.

Specifically, the University prohibits all persons who enter its property from carrying a handgun, firearm, or other weapon of any kind onto its property, regardless of whether the person is licensed to carry the weapon or not. The policy covers all property owned by or operated by the University, including buildings and surrounding areas such as sidewalks, walkways, driveways, and parking areas under University ownership or control. Vehicles of the University are covered by this policy at all times regardless of whether they are on University property at the time or not. This policy also applies to personal vehicles when they are being used for University business.

This policy applies to all employees, students, and visitors, or any other individuals on University property or at University functions. Employees are prohibited from carrying a weapon while on University property or while performing any task on behalf of the University, whether they are on workplace property at the time or not, regardless of whether they are licensed to carry a concealed weapon at other times or places.

The University reserves the right to conduct searches of any person or vehicle that enters University property. This provision includes searches of clothing, lockers, purses, bags, backpacks or briefcases, and vehicles on the property.

Anyone violating this policy will be subject to disciplinary action up to and including immediate termination or dismissal.

### **2.3.2 Public Safety**

Uniformed officers patrol the campus 24 hours a day. You may contact a public safety officer from an on campus telephone by dialing extension: HELP (4357) or 4596

From an outside telephone, dial: 314-719- HELP (4357) or 314-889-4596

If the officer is on the telephone when you call, you will receive a voice mail message. You may leave a message and the officer on duty will return your call. If you wish, you may page the officer on duty by calling (314) 381-HELP (4357). At the tone, you will need to dial in your call back number. The security officer on duty will return your call when the page is received.

Please report any unsafe conditions, situations, and/or suspicious people on campus to:

- Public Safety by dialing 314-719- HELP (4357) extension (4357)
- Director of Public Safety by dialing 314-719-8024 (extension 8024)
- Student Affairs by dialing extension 314-889-1411 (extension 1411)

### **2.3.3 Security Policies**

The campus is located within the jurisdiction of the City of Clayton Police Department. In emergencies, you may contact Public Safety by dialing (719-) 4359 (HELP) or the Clayton Police Department or Fire Department by dialing 911.

1. Residence Halls: All residence hall buildings and/or stairwells should be locked at all times. Residents have keys or key cards to gain access to the building. Phones are provided on the outside of each residence hall for visitors to call the resident they wish to see. Residents must escort their visitors at all times once they enter the residence halls.

If suspicious persons are found in or around the residence halls, report them to a Resident Assistant (RA) or to the public safety officer on duty. Resident students are also advised to lock their room doors at all times and when they leave their rooms. Outside doors to the residence halls should never be propped open and residents are asked to close any open doors, as well.

2. Sexual assaults: The Office of Student Affairs offers information that promotes awareness about sexual assaults in the following forms: literature is available in the office in Medaille Hall, information programs are conducted in the residence halls, the policies about sexual harassment are published in the Griffin Scratch Student Handbook, and during orientation events for new students.

Students who are victims of sexual assaults are asked to notify the campus Public Safety Office or the Office of Student Affairs as soon as possible. Students are advised to seek immediate medical treatment at the nearest hospital.

Victims of sexual assaults are also encouraged to notify the Clayton Police Department. If desired, the Public Safety Office or staff in Student Affairs will provide assistance in notifying law enforcement authorities.

The University's Office of Counseling and Career Development is available for confidential short term counseling for students who are victims of a sexual assault. The Office will also make referrals for off campus counseling upon request of the victim or at the discretion of the professional staff.

The University will place a high priority in accommodating requests from victims of sexual assault for changes in their academic and living situation. While not all such requests can be honored, every effort will be made to provide a reasonable and prompt response to a victim's request. Options for changes in the residence hall may involve a change in the victim's room or building. Requests for academic changes, such as switching to a different section of the same class, or moving a student to a different seat will be addressed in consultation with the instructor.

Victims who wish to bring disciplinary action against a student should report the incident to the Office of Student Affairs and must be willing to provide sufficient information for an investigation to proceed. Accusations of sexual assault will be processed according to the procedures for campus conduct and discipline described in Griffin Scratch Student Handbook.

Sanctions against students who are responsible for sexual assault may include, but are not limited to expulsion from Fontbonne, dismissal from the residence hall, and partial dismissal (i.e., from one or more classes).

3. The Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act (42 U.S.C. §14071 (j)) requires that information concerning registered sexual offenders who may be attending or employed by an institution of higher education must be maintained. The Clayton Police Department ((314) 727-4130) maintains this information for Fontbonne University.

### **2.3.3.1 CRIME ON CAMPUS**

#### **2.3.3.1.1 Compiling Crime Statistics**

Certain Fontbonne administrators and department offices have been designated to complete a Campus Crime Report form when an incident involving alleged criminal activity is reported to them. The completed Campus Crime Reports are forwarded to the Public Safety Office. The Public Safety Office uses these reports to compile campus crime statistics.

Fontbonne University administrators and offices that are in the position to receive and complete reports of criminal activity include:

1. Senior Administrators and their offices: This includes the Vice President for Finance and Administration, Vice President for Institutional Advancement, Vice President for Enrollment Management, Vice President for Academic Affairs, Vice President for Student Affairs, and the Vice President for Information Technology.
2. Public Safety officers and the Director of Public Safety.
3. Director of International Affairs.
4. Director of Service, Diversity, and Social Justice
5. Director of Athletics.
6. Associate Vice President for Student Affairs.
7. Faculty members teaching an off-campus course.
8. The offices of Campus Ministry and Counseling and Career Development may also receive reports of criminal activity. These offices are not required to report criminal activity encountered as a result of

their professional services. Confidentiality of their offices is maintained. These offices do insure that victims and witnesses know the proper procedures for reporting crime.

The Campus Crime Report form is found in Appendix 2.3.3.1.1.

Fontbonne University encourages victims and witnesses to report all criminal activity. The University responds to all reported incidents and investigates each incident to the fullest extent possible. When appropriate, the Director of Public Safety coordinates investigations with other University officials and/or the Clayton Police Department.

#### **2.3.3.1.2 Daily Crime and Incident Reports**

The Public Safety Department prepares and maintains a brief report summarizing incidents and crimes that are reported to the department. Entries are posted to this log within two working days from the date a report is received. Entries to this log may be delayed if releasing information adversely affects an investigation or jeopardizes the safety of the people involved, or for other reasons. The log for the prior 60 days is displayed in Ryan Hall, Room 101. Anyone wishing to review entries older than 60 days should contact the Director of Public Safety at (314) 719-8024.

[http://www.fontbonne.edu/studentlife/oncampus/publicsafety/crime\\_and\\_fire\\_reports/](http://www.fontbonne.edu/studentlife/oncampus/publicsafety/crime_and_fire_reports/)

#### **2.3.3.1.3 Annual Crime Statistics**

In accordance with the Clery Act, 20 U.S.C. § 1092(f), crime statistics for the following offenses must be compiled and disseminated annually:

1. Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.
2. Manslaughter by Negligence: The killing of another person through gross negligence.
3. Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
4. Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).
5. Forcible Sex Offenses: Any sexual act directed at another person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving consent because of his/her physical or mental incapacity.
6. Non-forcible Sex Offenses: Unlawful, non-forcible sexual intercourse.
7. Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
8. Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

9. Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned – include joyriding.)
10. Liquor Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)
11. Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and marking of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).
12. Weapons Law Violation: Violations of law or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.
13. Violations of Fontbonne University's Alcohol policy.
14. Violations of Fontbonne University's Drug policy.
15. Violations of Fontbonne University's Weapons Possession policy.

Of these crimes and other crimes in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim, this data shall be collected and reported according to category of prejudice.

#### **2.3.3.1.4 Reported Criminal Offenses**

The number of these reported criminal offenses has been summarized and is available for review on Fontbonne University's website Most Recent Crime Report at [www.fontbonne.edu/csa](http://www.fontbonne.edu/csa).

### **2.3.4 Emergency Response Policies & Manual**

#### **2.3.4.1 INTRODUCTION**

Fontbonne's emergency response manual outlines activities to enhance the protection of lives and property through the effective use of our resources. Activities included in this document are responses to emergencies that cannot be handled by routine measures and preventive measures to help reduce exposure to unsafe conditions.

This manual was developed specifically for the use by Fontbonne administrators in response to emergencies. It should be used as a guideline in training faculty, staff, and students to respond properly during an emergency.

It should be noted that the guidelines describing the response to emergency situations are general in nature. This is to allow flexibility in dealing with the unpredictable and unique circumstances surrounding each emergency. While this manual does not cover every conceivable situation, it does supply the basic administrative guidelines necessary to cope with any emergency occurring at Fontbonne.



Section 2.3.4.2 is a summary of emergency response procedures. The complete Emergency Response Manual is also available on the Public Safety Website. <https://www.fontbonne.edu/campus-life/public-safety/emergency-procedures/>

#### **2.3.4.1.1 Authorization and Procedural Changes**

This manual has been authorized and approved by the President's Cabinet for Fontbonne University. The Public Safety Department has the responsibility of maintaining this manual. All requests for procedural changes, suggestions or recommendations should be submitted in writing to the Public Safety Department for review. All changes to this manual will be approved by the President's Cabinet.

#### **2.3.4.1.2 Scope**

These procedures apply to all people who frequent property owned or operated by Fontbonne University. This includes faculty, staff, student, and visitors. For the purposes of this manual, contract employees permanently assigned to Fontbonne University will be held to the same expectations as Fontbonne University employees in regards to preparing and training their employees in accordance to this manual.

#### **2.3.4.1.3 Responsibilities**

It is the responsibility of all vice presidents to:

- Ensure each department under their supervision is furnished a copy of this manual. Additional copies may be downloaded from the Public Safety section of the Fontbonne web site.
- Ensure changes in this manual are disseminated to those holding copies of this manual. Vice presidents will have changes submitted to them.
- Issue an annual statement to their departments reminding supervisors, directors, and faculty members of their responsibility as outlined in the Emergency Response Manual.

Each director, supervisor, and faculty member should read and be familiar with the contents of this manual. All directors and supervisors are responsible for people under their supervision. Faculty members are responsible for the students in their classes. Responsibilities of directors, supervisors, and faculty members in regard to this manual are outlined below:

##### **During Normal Conditions**

- Ensure their faculty/staff/students are aware of the appropriate response to emergencies as well as the evacuation procedures for their specific building and/or work area. The guidelines in Addendum A may be reproduced, circulated, and used as training aid in fulfilling this responsibility. See section 4.2 for further details regarding training.
- All unsafe practices and conditions observed should be stopped or reported to either the Physical Plant Office at extension 4564 or the Public Safety Office at extension 4357 (HELP).
- All suspicious activities and illegal acts you observe should be reported immediately to the Public Safety Office at extension (719- ) 4357 (help).

##### **During Emergency Conditions**

- Report all emergencies to either the Public Safety Office (extension 4596) or the Fontbonne operator (dial 0). If no one can be reached, dial 911.

- If evacuation is necessary, activate the building alarm and/or alert others of the emergency.
- Help move people to safety.
- Request emergency assistance.
- Assist emergency response personnel if assistance is requested.
- Fulfill recovery responsibilities as detailed in section 3 of the manual.

#### **2.3.4.1.4 Public Relations**

Fontbonne University has basic guidelines to observe during a crisis situation in regard to releasing information:

1. Only authorized persons from the Communications & Marketing Department will release information to or talk with the media or other persons concerning emergencies involving Fontbonne University. Authorization to release information or make statements will be channeled through the crisis team.
2. Only factual information will be released. Information will be openly and honestly released. The media will be given as much information as possible, both the good and bad news.
3. The campus community will be kept informed through one-on-one meetings and voice mail.

All requests for information concerning campus emergencies will be directed to the Communications & Marketing Office at extensions 314-889-1402, 314-889-1483, or 314-889-1467.

Timely reports will be made to Communications & Marketing in order to keep them informed with up-to-date information.

Communications & Marketing will notify the switchboard operator when an emergency occurs. Instructions will be given concerning the appropriate response to questions. A voice or email message will be distributed to the campus community with the same information.

If individuals from the media appear on campus, the Communications & Marketing Office should be notified immediately. An area away from the emergency will be established for the media where a member from the Communications & Marketing Department will release information regarding the situation. Members of the media are restricted to this area. Only authorized people from the Communications & Marketing Department will release information or talk to the media.

### **2.3.4.2 EMERGENCY RESPONSE**

#### **2.3.4.2.1 Reporting an Emergency**

All emergencies should be reported to the Public Safety Office by dialing extension:

**4357 (HELP) or 0**

(719-4357) (Fontbonne University operator, 8 a.m. – 4:30 p.m., Monday through Friday).

Should you need the police, fire department, or an ambulance and no one listed above can be reached,

Dial: **911** (9-911)

When you call to report an emergency, stay calm and speak slowly. Give the following information:

- State, “This is an emergency call.”
- Describe the exact location.
- Carefully explain the problem.
- Identify yourself and your phone number.
- DO NOT HANG UP UNTIL YOU ARE TOLD TO DO SO.
- You may be asked to stay by the phone or be given other instructions.

If anyone is available, dispatch one individual to a location near the emergency to meet and escort responding personnel to the site of the emergency. Ask witnesses to remain at the emergency site and help keep non-participants away. Emergency personnel will take control of the situation when they arrive. Neither you nor the witnesses should leave until you have been told that you are no longer needed.

#### **2.3.4.2.2 Building Evacuation**

The guidelines below should be followed when evacuating any building:

1. All building evacuations will occur when an alarm sounds and/or upon verbal instructions. Building fire alarms are activated by the directions listed on the pull stations. Pull stations are located by the fire stairwell doors on every floor of every building. If a building alarm system is inoperable, individuals will need to be verbally alerted. In the event of a gas leak, do not activate the building alarm system. Alert people verbally to evacuate the building.
2. Leave by the nearest marked exit and alert others to do the same. Do not enter any area marked by a hazardous material warning sign. If time permits, secure or take your personal purse, wallet, etc. with you.
3. Assist people with disabilities in exiting the building. Remember that elevators are reserved for people with disabilities. DO NOT USE THE ELEVATORS IF THE BUILDING IS BEING EVACUATED DUE TO FIRE.
4. Once outside, proceed to a clear area that is at least 500 feet away from the affected area. Keep streets, fire lanes, hydrant areas and walkways clear for emergency personnel. Faculty members should account for their students by conducting a head count.
5. Do not return to an evacuated building unless you are told to do so by a Fontbonne official.
6. During periods of inclement weather, you will be directed to go to another building.

#### **2.3.4.2.3 Tornadoes**

You should know and understand the following terms:

- **TORNADO WATCH:** A tornado watch is issued by the National Weather Service when conditions are favorable for a tornado to occur. You should be prepared to take immediate action if a tornado warning is issued.
- **TORNADO WARNING:** A tornado warning is issued by the National Weather Service when a tornado has been sighted and moving towards your area. You should take immediate action if the tornado warning sirens sound.
- **TORNADO DRILL:** A tornado drill is an exercise for practicing our response for a tornado warning.

Individuals on University property will move to emergency reporting areas for tornadoes when the St. Louis County emergency sirens sound. You will stay in the reporting areas until the all clear has been issued by the National Weather Service. Public Safety will monitor the Weather Service broadcasts and announce the all clear on a voice message. The message may be heard by calling extension **8091**. If the weather sirens sound again after the all clear has been given, individuals will move back to the emergency reporting areas until a new all clear announcement is released.

The procedures below will be followed when the tornado sirens sound:

1. You should move to the tornado emergency reporting area for your building. See table 2.1. You should sit with your head against the wall with your head down if the storm strikes. Faculty members should account for their students by taking a head count.
2. As you leave your office or room, close all windows and doors. If time permits, secure or take your personal purse, wallet, etc. with you.
3. All people should remain in the emergency reporting areas until the all clear has been given.
4. All damage and injuries resulting from the storm should be reported to the Department of Public Safety by dialing extension 4596 or 0. Public Safety will call for emergency assistance and make the proper notifications.

If damage from the storm creates an emergency which requires evacuation of the building:

1. Activate the building alarm and walk to the nearest marked exit. Alert others to do the same. Do not enter any area marked by a hazardous material warning sign.
2. Assist people with disabilities in exiting the building. Remember that elevators are reserved for people with disabilities. **DO NOT USE THE ELEVATORS IF THE BUILDING IS BEING EVACUATED DUE TO FIRE.**
3. Once outside, proceed to a clear area that is at least 500 feet away from the affected area. Keep streets, fire lanes, hydrant areas and walkways clear for emergency personnel. Faculty members should account for their students by conducting a head count.
4. Do not return to an evacuated building unless you are told to do so by a Fontbonne official.

Table 2.1 Tornado Reporting Areas

Dunham Student Activity Center	Training room, northwest stairwell, walkway to weight room
East Building	1 <sup>st</sup> floor hallways, away from windows
Fine Arts Building	1 <sup>st</sup> floor restrooms and lower level hallways
Library	Basement
Medaille Hall	Basement, Mezzanine Lounge and bathrooms between suites
Physical Plant	Tunnel and basement
Ryan Hall	1 <sup>st</sup> floor hallway near room 105, hallway near book store, away from windows
Anheuser-Busch Hall	1 <sup>st</sup> floor hallway away from windows, men's bathroom on 1 <sup>st</sup> floor and 1 <sup>st</sup> floor stairwells
St. Joseph's Hall	Hallway between lounges

#### 2.3.4.2.4 Fires

All emergencies should be reported to the Public Safety Office by dialing extension:

**4357 (HELP) or 0**

(719-4357) (Fontbonne University operator, 8 a.m. – 4:30 p.m., Monday through Friday).

Should you need the police, fire department, or an ambulance and no one listed above can be reached,

Dial: **911** (9-911)

Do not attempt to extinguish a fire unless:

- You first report the fire to the Public Safety Department.
- You have been trained and know how to properly use a fire extinguisher.
- You can safely extinguish the fire with the type and size of fire extinguisher on hand.

**DO NOT ATTEMPT TO PUT THE FIRE OUT IF THERE IS ANY DOUBT IN YOUR MIND AS TO WHETHER YOU CAN SAFELY DO IT.**

The procedure below should be followed in case of fire:

1. Activate the building fire alarm and/or alert people verbally. All people should exit by the nearest marked exit. Do not enter any area marked by a hazardous material warning sign. Close all room doors as you exit. **DO NOT LOCK DOORS IF SMOKE OR THE SMELL OF SMOKE IS PRESENT.** If time permits, secure or take your personal purse, wallet, etc. with you.
2. Assist people with disabilities in exiting the building. Do not use the elevators. Smoke is the greatest danger in a fire. If it is necessary, stay near the floor where the air is less toxic.
3. Once outside, move to a clear area that is at least 500 feet away from the affected area. Keep streets, fire lanes, hydrant areas and walkways clear for emergency personnel. Faculty members should account for their students by conducting a head count.
4. Dispatch one individual to a location near the emergency to meet and lead emergency responders to the site of the emergency.
5. Do not return to an evacuated building unless you are told to do so by a Fontbonne official.

**NOTE:** If you become trapped in a room or building during a fire and a window is available, place an article of clothing (shirt, coat, etc.) outside the window as a marker for emergency rescue crews. If a window is not present, stay near the floor where the air is less toxic. If you are in a room, place a wet towel or jacket at the base of the door. Shout at regular intervals to alert emergency crews of your location.

#### 2.3.4.2.5 Earthquakes

During an earthquake, remain calm and quickly follow the steps below:

1. **IF INDOORS:** Take cover under heavy furniture, in interior doorways, or against an interior wall. Stay away from windows, glass and exterior doorways. Avoid bookcases, cabinets or other structures that may fall. Do not attempt to leave the building.
2. **IF OUTDOORS:** Move quickly to an open area away from buildings, trees, utility poles and electrical lines. Do not attempt to enter a structure or building.

3. **IF IN A VEHICLE:** Stop as quickly as safety permits away from buildings, trees, utility poles and overhead lines. Stay in the vehicle for the protection it provides.
4. After the initial shock, evaluate the situation. If the facilities are damaged or medical help is needed, contact the Public Safety Office giving them all relevant information. Protect yourself at all times and prepare for aftershocks.
5. If an emergency exists which requires emergency evacuation, activate the building alarm and walk to the nearest marked exit. Alert others verbally to do the same. Do not enter any area marked by a hazardous material warning sign.
6. Assist people with disabilities in exiting the building. Remember that elevators are reserved for people with disabilities. **DO NOT USE THE ELEVATORS IF THE BUILDING IS BEING EVACUATED DUE TO FIRE.**
7. Once outside, move to a clear area that is at least 500 feet away from the affected area. Keep streets, fire lanes, hydrant areas and walkways clear for emergency personnel. Faculty members should account for their students by conducting a head count.
8. Do not return to an evacuated building unless you are told to do so by a Fontbonne official.

#### **2.3.4.2.6 Armed Intruders**

If you observe an armed individual on campus, you should report the situation immediately to Public Safety by dialing extension:

**4357 (HELP) or 0**

(719-4357) (Fontbonne University operator, 8 a.m. – 4:30 p.m., Monday through Friday).

Should you need the police, fire department, or an ambulance and no one listed above can be reached,

Dial: **911** (9-911)

Public Safety will insure 911 is called and keep people away from the affected area until the police arrive.

If you are in the affected area, you should alert others in the immediate vicinity and:

##### **Response to Intruder Shooting at Your Building**

Turn out the room lights, and lay on the floor. Consider crawling to a hallway away from the intruder.

##### **Response to Armed Intruder in Your Building**

Turn out the room lights, shut and lock the room door and move to a point in the room where you cannot be seen from the hallway.

##### **Response to Armed Intruder If You Are Outdoors**

Run to the closest structure that will shield you from the sight of the intruder. If nothing is close, run perpendicular from the intruder until you reach safety.

Unless you are in immediate danger, all people in the affected area should remain in place until instructions are received from emergency responders.

#### **2.3.4.2.7 Loss of Utilities**

During normal working hours, utility failures should be reported to the Physical Plant Office at extension (889-) 1404 or (889-) 4564. After normal working hours, utility failures should be reported to the Public Safety Office at extension (719-) 4358 (HELP). In the event there is an electrical failure that affects Ryan Hall, the campus telephone system may be inoperable and notification should be made in person.

If an emergency exists which requires evacuation of a building, follow the guidelines in section 2.2 of this manual, Building Evacuation.

Special consideration is needed for a gas leak. If a gas leak is detected, cease all activity and begin building evacuation. Do not switch on or off lights or other electrical equipment and do not activate the building alarm system. Verbally alert people to evacuate. The operation of any electrical items may cause arcing and can trigger an explosion.

#### **2.3.4.2.8 Medical Emergencies**

All medical emergencies should be reported to the Public Safety Office by dialing extension:

**4357 (HELP) or 0**

(719-4357) (Fontbonne University operator, 8 a.m. – 4:30 p.m., Monday through Friday).

Should you need the police, fire department, or an ambulance and no one listed above can be reached,

Dial: **911** (9-911)

#### **Emergency Medical Situations**

Emergency medical situations include:

- Unconsciousness
- Convulsions
- Inability to breathe or breathing with severe difficulty
- Severe chest pain
- Severe bleeding
- Possible fractures of the spine or major bones

For these situations, you should:

1. Report the situation stating, “This is a medical emergency.” Give the exact location of the victim, your name and describe the nature and severity of the medical problem. Do not hang up until you are told to do so. This procedure applies to all serious injuries and illnesses occurring on campus including those in the athletic areas, work areas, classrooms, residence halls, etc.
2. If available, send someone to a location near the emergency to meet and lead emergency responders to the scene.
3. Do not move the victim unless there is imminent threat of further injury.

4. After calling for help, administer first aid. Never provide or attempt to provide first aid beyond the scope of your training. No medication of any type may be given.
5. Ask all witnesses to remain until emergency responders arrive. Do not leave until you are told to do so.
6. Assist emergency responders on request.

If you are aware of an individual on campus that is seriously sick, injured, or appears to be having an unknown problem, you should report the situation to Public Safety by dialing (719-) 4357 (HELP). A Public Safety officer will respond to evaluate the situation.

NOTE: An ambulance will be called at the request of the victim regardless of the extent of the injuries or illness.

### Non-Emergency Medical Situations

Non-emergency medical situations include:

- Minor illnesses like colds, sore throat, flu, fever, etc.
- Minor injuries such as sprains, bruises, cuts, scratches, etc.
- Health related concerns.

If a person has a non-emergency medical problem, the individual's supervisor, faculty member, coach, or sponsor has the responsibility to ensure proper attention is received. Proper attention may include referring resident students to their R.A., helping to arrange transportation to the hospital, making a telephone call for the sick/injured individual, advising individuals to seek medical treatment from their personal physician, etc.

An ambulance will be called at the request of the victim even if the illness or injury is not considered to be an emergency.

Remember that no medication of any type will be given and you will not administer first aid beyond the scope of your training.

### 2.3.4.2.9 Catastrophic Emergencies

If an emergency occurs in our community where there is widespread injury to people or damage to property and immediate assistance from the police, fire department, and ambulance service is unavailable, everyone should:

- Evacuate damaged buildings and/or areas where danger exists
- Help with the evacuation of handicap and injured people
- Note location of trapped or unconscious people
- Administer first aid
- Follow the instructions given by University officials

Individuals on campus at the time of the emergency will be asked to register at the Information Center which will be located in the Interfaith Chapel in Medaille Hall. All hazardous conditions and the location of trapped, injured, or unconscious people should be reported at the time of registration. After registering, individuals should go to the Assembly Area in DSAC and wait for further instructions. If



you have first aid training, you should go to the First Aid Station in DSAC. If needed, Fontbonne officials will seek volunteers from this Assembly Area to help with emergency efforts.

All students and visitors wishing to leave campus may do so after informing the Information Center of their decision.

All faculty and staff members are asked to remain on campus until the situation can be evaluated. All employees not needed for the emergency response will be released. All released employees choosing to leave Fontbonne should inform the Information Center of their decision to leave prior to departing campus.

Individuals choosing to leave campus should carefully evaluate the chances of reaching their destination before beginning their journey.

### **2.3.5 Pranks**

Fontbonne University prohibits any type of prank, including but not limited to, signs, letters, communications concerning threats, or suspicious substances imitating anthrax or other chemicals. The University will not tolerate such actions.

### **2.3.6 Snow Schedule**

Please refer to Policy Manual volume VII, section 7.3.4.15 for information on the snow schedule.

## **2.4 INFORMATION TECHNOLOGY POLICIES**

### **2.4.1 Information Technology and Electronic Communications Policy**

All information technology systems and all electronic communications systems, and all information and communications transmitted by, received from, and stored in these systems, as well as any software, hardware, and business equipment, including but not limited to servers, computers, printers, copy machines, facsimile machines, telecopiers, telephone systems, E-mail systems, and Internet systems, are Fontbonne University property and are to be used for job-related purposes. All persons who use the University's information technology systems or electronic communications systems must follow the procedures described in this policy, and any other procedures required by the University.

#### **2.4.1.1 PERSONAL USE OF UNIVERSITY EQUIPMENT & SYSTEMS**

Employees may make limited personal use of the University's information technology systems or electronic communications systems only if it does not interfere with their work and does not adversely reflect upon the University. Any such use is subject to the sole discretion of the University.

Employees who make personal use of Fontbonne University's equipment or systems do so at their own risk and with the understanding that the University may access or monitor the use of such equipment at any time. The University's monitoring may include inspecting, retrieving, or downloading current, stored, or deleted material.

Employee's personal files (i.e. those not related to the conduct of university business) should not be stored on university-owned computers or network resources. The university will not retrieve any personal files for an employee (based on their request or of their designee) from any of its computer systems for any reason either during the period of employment or upon termination of employment. Likewise, employees should not destroy or remove any work product created during employment.

Improper use of the University's computers, telephone systems, E-mail systems, and Internet systems, including the creation or dissemination of offensive jokes or remarks, or pornographic material, will not be tolerated. An employee will be held liable for any non-work-related data or files which he or she creates, copies, or downloads in Fontbonne University's. Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

#### **2.4.1.2 INFORMATION TECHNOLOGY & ELECTRONIC COMMUNICATIONS PROCEDURES**

1. All University information contained in University systems is to be used for its authorized purpose only. Unauthorized access, copying, or dissemination of University information is prohibited. Unauthorized persons are prohibited from accessing this information.
2. All access codes for University systems, including but not limited to files, computers, servers, E-mail systems, and Internet systems, are University property. No employee may use an access code that has not been issued to that employee or that is unknown to the University.
3. Unauthorized configuration or setup changes to any University equipment or systems are prohibited.
4. No hardware or equipment of any kind can be attached to or installed in University equipment or systems without prior authorization from the IT Department.
5. No data, files, software, or Email or Internet downloads are to be brought into University equipment or systems without prior authorization from the IT Department.
6. University anti-virus procedures must be followed when entering any data, files, software, or Email or Internet downloads into University equipment or systems.

#### **2.4.1.3 COMMUNICATIONS PRIVACY**

The University expects all users of electronic communications systems to respect the general privacy of any user. As set forth above, the University, including any supervisor, may access or monitor electronic communications systems.

#### **2.4.1.4 GUIDELINES FOR COMMUNITY MESSAGE BOARD E-MAILS**

Community Message Board informational e-mails may be sent by Fontbonne faculty and staff or by students who represent a registered student organization and have the approval of the Director of Student Activities and Leadership Programs. E-mails must clearly identify the topic in the subject line. All fund-raising announcements or requests must be approved by the Institutional Advancement Office.

While the Fontbonne community is open to and respects differing points of view, messages may not be sent which are not compatible with our institutional mission, values, and Catholic identity or which violate a campus policy.

In the event that the content of a message may be considered controversial, the sender should seek the advice of his/her divisional vice president.

#### **2.4.1.5 SOCIAL MEDIA POLICY**

When participating in social media or on social networking sites, employees should be respectful to Fontbonne, other employees, students, co-workers and competitors. Employees should be aware that actions captured via images, posts or other online comments can reflect that of Fontbonne. When participating in social media or on social networking sites, do not reference faculty, staff or students

without their express consent. Anyone posting inappropriate content on Fontbonne's social networking sites may be subject to discipline.

## **2.5 COPYRIGHT POLICY**

### **2.5.1 What is Copyright?**

Copyright law, as defined in Title 17 of the United States Code, protects "original works of authorship fixed in a tangible medium of expression" for a limited period. Copyright protection affords the creator the legal right to reproduce, distribute, publicly perform and publicly display their works. Copyright applies both to traditional media (books, records, etc.) and to digital media (electronic journals, web sites, etc.) and protects anything set in a fixed format, including, but not limited to, the following:

1. literary works
2. musical works
3. dramatic works
4. pantomimes and choreographic works
5. pictorial, graphic, and sculptural works
6. motion pictures and other audiovisual works
7. sound recordings
8. architectural works

Ownership of a copyrighted work includes the right to control the use of that work during the term of the copyright. Use of such work by others requires either permission from the author or reliance on an exemption to the law, such as the fair use provision. Failure to do one or the other will expose the user to a claim of copyright infringement for which the law provides remedies including payment of money damages to the copyright owner.

Copyright law does not protect ideas, data or facts.

### **2.5.2 What is the Duration of Copyright?**

In the U.S., the general rule of copyright duration for a work created on or after January 1, 1978 is the author's life plus 70 years after the author's death. This is often referred to as "life-plus-70". Works created by companies or other types of organizations generally have a copyright term of 95 years. Copyright durations vary for works created before January 1, 1978. Once a work no longer carries copyright protection it passes into the Public Domain, meaning it is not protected by copyright law, and may be used freely, without the need to obtain the permission of the creator.

For assistance in determining whether an item is under copyright protection, use this chart: <http://copyright.cornell.edu/resources/docs/copyrightterm.pdf> (last retrieved 4/28/16).

### **2.5.3 Exemptions to Copyright Law**

Several options exist for those wanting to avoid the need to ask permission of a copyright owner:

1. Fair Use
2. The TEACH Act
3. Public Domain works

#### 4. Creative Commons Licenses

##### 2.5.3.1 FAIR USE EXEMPTION

An exemption to the copyright law is found in Section 107 of the Code. Under this “fair use” provision, a reproduction of a copyright-protected work is likely to be considered fair if it is used for criticism, comment, news reporting, teaching, scholarship or research AND take into consideration these four factors:

1. The purpose and character of use (principally, whether for commercial or nonprofit educational use);
2. The nature of the copyright-protected work;
3. The amount and substantiality of the portion used; and
4. The effect of the use upon the potential market for or value of the copyright-protected work.

**Educational use, on its own, does not constitute a fair use.** Courts have repeatedly ruled that a claim of Fair Use is based on a balancing of the four factors above. The law does not state exactly what constitutes a fair use. Claiming this exemption requires a very circumstance-specific analysis as to whether a particular use or reuse of a work may indeed be considered fair use.

Faculty should complete the “Checklist for Fair Use” in the Appendix to determine whether this exemption can legally be claimed. If an honest evaluation determines that it is not a Fair Use, explore the possibilities of using less of the work or using a different work altogether. If this is not possible, it is necessary to obtain permission from the copyright holder or its agent to use the work. Faculty should retain the completed Checklist for Fair Use in the course file to prove due diligence was undertaken in the event of a copyright claim.

See Appendix 2.5.3.1 for “Checklist for Fair Use”

##### 2.5.3.2 THE TEACH ACT

The Technology, Education and Copyright Harmonization (TEACH) Act of 2002 addresses copyright issues related to distance education by accredited, non-profit educational institutions. Since the legislation did not define "distance education" TEACH applies to any online course whether the student is on or off campus.

Works that an instructor would normally show or play during class - a movie or music clip, images of artwork or a poetry reading - are covered. However, it does not cover materials to be used by students outside of class time - textbooks, supplemental readings, etc. The instructor must include a notice of copyright on all online courses, similar to the following: *“The materials on this course website are for the use of the students enrolled in this course for purposes associated with this course and may not be retained or further disseminated.”* At Fontbonne, this notice is usually included in the Blackboard shell for each course.

TEACH allows:

- Posting that would normally be used in a face-to-face class session, to a limited number of students in a specific course
- Performance of entire **non-dramatic** works (poetry or short story reading, standalone pieces of music such as a song or a concert piece, documentaries, interviews, etc.)
- Reasonable and limited portions of other works (films, videos, dramatic musical works)

TEACH does not allow:

- Transmission of textbook materials
- Transmission of materials "typically purchased or acquired by students"
- Transmission of works developed specifically for online uses
- Conversion of material from analog to digital when the digital version is protected by technological means or is unavailable
- Uses of unlawfully acquired copies
- Electronic reserves or electronic course packs

The TEACH Act does not replace Fair Use or digital license agreements but acts as a supplement. The instructor will need to determine which best serves the intended purpose of the material to be used. If the use is beyond Fair Use, permission must be obtained. Digital or electronic content is subject to the same copyright restrictions as an analog work.

See Appendix 2.5.5.3.1 for TEACH Checklist which will clarify whether permission needs to be obtained to use specific material in an online course.

### **2.5.3.3 PUBLIC DOMAIN**

A public domain work is a creative work that is not protected by copyright and which may be freely used by everyone. Works fall into the public domain for three main reasons:

1. the term of copyright for the work has expired
2. the author failed to satisfy statutory formalities to perfect the copyright
3. the author of the work is the U.S. Government

As a general rule, most works enter the public domain because of old age. This includes any work published in the United States before 1923. Another large block of works are in the public domain because they were published before 1964 and copyright was not renewed. (Renewal was a requirement for works published before 1978.)

The far right column of this chart shows what is in the public domain:

<http://copyright.cornell.edu/resources/docs/copyrightterm.pdf> (last retrieved 4/28/16).

### **2.5.3.4 CREATIVE COMMONS LICENSES**

Creative Commons licenses work with the copyright law, allowing creators to modify the permissions needed to use their works. For example, using a Creative Commons License, a creator may allow reuse of their work without permission as long as they are given attribution and the work is not used in a commercial endeavor. This is only one example of the types of licenses available: <https://creativecommons.org/about/> (retrieved 4/29/16).

When looking for material to use in a course, Creative Commons materials are a good option.

### **2.5.4 Plagiarism**

Plagiarism is the act of taking another's work and passing it off as one's own. To avoid plagiarism it is necessary to give proper credit to the author of the work being used. However, it is possible to properly credit the author and still be in violation of copyright law. These are two separate issues and both need to be addressed when using any work protected by copyright law.

## **2.5.5 Types of Use**

### **2.5.5.1 CLASSROOM HANDOUTS**

For materials under consideration in a face-to-face course that the instructor did not create, see Section 2.5.3 on Fair Use above. As suggested, complete the Checklist for Fair Use and obtain copyright permission prior to using the work, if necessary.

When posting articles to the Course Management System (CMS) consider posting links instead. In lieu of digital/PDF copies of articles, persistent links from licensed electronic resources (databases) or directly from the internet can be inserted into an online course without violating copyright law. Clicking on the link in the CMS will take the student directly to the article. Fontbonne University librarians can explain how to locate persistent links from licensed electronic resources (databases) if assistance is needed

### **2.5.5.2 COURSEPACKS**

**All** articles, chapters and other individual works used in print or electronic coursepacks require copyright permission. Copyright permission for coursepacks is usually granted for an academic period. To reuse a coursepack in subsequent academic periods (e.g.: semester, quarter, trimester, etc.), permission may need to be obtained again. Many copyright holders provide time-sensitive permission because their own rights may be time-sensitive and could be transferred to different copyright holders at any time.

When ordering coursepacks it is important to clarify who in your department will obtain permission for the coursepack. Deferring responsibility for copyright permission will not provide protection against a claim of copyright infringement.

### **2.5.5.3 DISTANCE EDUCATION AND COURSE MANAGEMENT SYSTEMS (I.E., BLACKBOARD)**

For materials under consideration in an online course that the instructor did not create, see Section 2.5.3.1 on Fair Use and Section 2.5.3.2 on the TEACH Act above. As suggested, complete the Checklist for Fair Use and obtain copyright permission prior to using the work, if necessary.

### **2.5.5.4 LIBRARY RESERVES**

Providing that the instructor or the Fontbonne University Library owns a copy of a publication, the instructor may request that the Library place that copy on reserve without the need to obtain copyright permission. Articles are not generally accepted for Library Reserves as these should be posted to the CMS. If the instructor wishes to reproduce additional copies of a work (i.e., article) and place them on reserve for students to review, the instructor must obtain copyright permission before these items will be put on reserve.

### **2.5.5.5 PHOTOCOPYING**

Photocopying is subject to a fair use analysis as well. A single photocopy of a portion of a copyright-protected work, such as a copy of an article from a scientific journal made for research, may be made by the individual without permission. Photocopying all the assignments from a book recommended for purchase by the instructor, making multiple copies of articles or book chapters for distribution, or copying material from consumable workbooks, all require permission. The person making the photocopies is responsible for following copyright law.

All photocopiers and scanners on campus will display an appropriate notice to remind users of their rights and responsibilities when using the equipment:

## **NOTICE: WARNING CONCERNING COPYRIGHT RESTRICTIONS**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specific conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses a photocopy or reproduction for purposes in excess of "fair use", that user may be liable for copyright infringement.

### **2.5.5.6 REQUESTING ARTICLES THROUGH INTERLIBRARY LOAN (ILL)**

The Fontbonne University Library may participate in interlibrary loan / document delivery without obtaining copyright permission provided that the "aggregate quantities" of articles or items received by the patron do not substitute for a periodical subscription or purchase of a work. Fontbonne University follows the CONTU guidelines for defining "aggregate quantities."

### **2.5.6 Copyrights of Students**

Fixed works of an academic nature including, but not limited to, essays, research papers, artistic works, and homework assignments submitted by the student in the course of their study at Fontbonne University remain the property of the student. By submitting such works, the student gives the University the right to share such works with other faculty members, retain for reference and assessment and/or submit such works to an anti-plagiarism service.

### **2.5.7 Use of Technology and the Digital Millennium Copyright Act (DMCA)**

Copyright protection does not disappear just because technology makes it possible for users to copy material at the click of a mouse. The 1998 Digital Millennium Copyright Act makes it illegal for anyone to tamper with technological means of controlling access. This includes electronic protections on eBooks, DVDs and CDs as well as resources found on the Internet.

### **2.5.8 Digital Copyright Compliance & Peer-to-Peer File Sharing**

Peer-to-peer applications include programs used to share large files, such as music and movies among client computers. While these programs can be used for legitimate purposes that do not violate copyright laws, they are most often used to transmit copyrighted works without the consent of the copyright owner.

Downloading, copying and sharing material (i.e., music, movies, games, and software applications) for which the copyright holder has not given permission is against the law and in violation of Fontbonne University's Acceptable Use Policy for computing resources.

The Higher Education Opportunity Act (HEOA) of 2008, also referred to as H.R.4137, was signed into law on August 14, 2008. The HEOA includes specific statements requiring colleges and universities to comply with digital copyright laws.

Beginning in July 2009, Fontbonne University has instituted the following:

- Distribution of an annual announcement to all faculty, staff and students that the distribution of copyrighted materials without proper permissions is subject to both civil and criminal penalties
- Implementation of a bandwidth shaping device to deter unlawful file sharing
- Distribution of information on legal alternatives for file sharing

The University reserves the right to initiate penalties for violations as listed in its Acceptable Use Policy. These policies will be reviewed regularly by Fontbonne University's Vice President for Information Technology and updated as appropriate.

## **2.5.9 Archival Copying in the Library**

It is permissible for the Fontbonne University Library staff to photocopy copyright-protected works without obtaining permission from the copyright owner, under the following circumstances:

### **2.5.9.1 ARCHIVAL REPRODUCTIONS OF UNPUBLISHED WORKS**

Up to three reproductions of any unpublished work may be made for preservation or security or for deposit for research use in another library or archive. This may be a photocopy or digital reproduction. If it is a digital reproduction, the reproduction may not be made available to the public outside the library or archive premises. Prior to receiving any of the three reproductions permitted under this provision from another library or archive, the Fontbonne University Library or Archive must make a reasonable effort to purchase a new replacement at a fair price. The reproducing library or archive must also own the work in its collection.

### **2.5.9.2 REPLACEMENT OF LOST, DAMAGED OR OBSOLETE COPIES**

The Fontbonne University Library may make up to three reproductions, including digital reproductions, of a published work that is lost, stolen, damaged, deteriorating or stored in an obsolete format. Any digital reproductions must be kept within the confines of the library (that is, available on its computer but not placed on a public network.)

## **2.5.10 How to Obtain Copyright Permission**

When deciding to use a work in the classroom, the instructor should first determine if the work is in the Public Domain or is available with a Creative Commons license. If not, the next step would be to complete the Checklist for Fair Use and/or the TEACH Act Checklist (as appropriate) to discover whether an exemption is possible. When required, written permission to use copyright-protected materials should be obtained prior to using those materials. It is best to obtain permission in writing. Instructors should keep a copy of this permission with course materials.

The length of time necessary to obtain permission may vary and, where possible, it is recommended to start the permissions procedure at least six months prior to the time the materials will be used. If quicker permission is needed, let the copyright owner know this and he/she may be able respond more quickly.

See Appendix 2.5.10.1 for Sample Permission Letter.

### **2.5.10.1 FACT FINDING QUESTIONS**

Once it is determined that copyright permission is required, the copyright holder must be located. If the copyright holder is not listed on the work, locating the appropriate person or entity to grant permission may take some investigative and creative work. A good place to start is with the publisher. Additionally, the Copyright Office of the Library of Congress (<http://copyright.gov/>) may be of assistance in locating a copyright owner if the work is registered. Note, however, that copyright protection is automatically granted to all works upon creation and that registration with the Copyright Office is not required. Inability to locate the author or publisher of a given work does not mean the material can be freely used (see Frequently Asked Questions 2.5.12.5-7 below)

### **2.5.10.2 INFORMATION IN YOUR PERMISSION REQUEST**

The copyright holder or its agent will require the following information in order to provide permission:



- Title of the material
- Creator/author of the material
- Publisher of the material
- Description of material
- ISBN or ISSN, if applicable
- Date of publication, if applicable
- Purpose for reproduction of the item (research, commercial, educational, etc.)
- How the material is to be reproduced (e.g., photocopied, digitized)
- Where the reproduced material will be used or will appear and for how long
- Notice that the material will be used in a password-protected course management system

Remember to request permission “for the life of the course”, not just for one semester, if possible.

### **2.5.11 Violations of Copyright Law**

Violating copyright law carries with it serious legal ramifications, including the possibility of lawsuit by the copyright holder. Abiding by copyright law is also a matter of professional ethics. Penalties can be costly, both financially and professionally. Fontbonne University expects all faculty and staff members to comply with current law in the exercise of their job. Failure to do so puts both the individual and the institution at risk.

### **2.5.12 Frequently Asked Questions**

Adapted from *Using Copyrighted Works in your Teaching – FAQ: Questions Faculty and Teaching Assistants Need to Ask Themselves Frequently* by Peggy Hoon, J.D.(2007) and *Show Me... Copyright from Wrong*, A presentation at MOBIUS Annual Conference 2008 by Suzanne L. Schlep, University Copyright Specialist.

#### **2.5.12.1 ISN'T ALL EDUCATIONAL USE FAIR USE?**

No! Each user of copyright protected material is responsible for compliance. Each use must be carefully assessed. If the material is not in the public domain or licensed to allow use, an exemption (Fair Use or TEACH Act) must be appropriately invoked and documented, or permission should be sought.

#### **2.5.12.2 CAN'T EVERYTHING ON THE WEB BE USED WITHOUT PERMISSION?**

No! The work is likely copyrighted and should be treated as such. Assessment needs to be made when the site says that it is in the public domain or can be used for teaching. Those claiming to give such permission may not be the legitimate copyright holder. Such claims will not protect violators should a copyright holder object to use. Look for ‘Terms & Conditions’ or ‘Terms of Use’ or similar link for information about permissions necessary for use of information on the site. These links are often near the bottom of the webpage.

#### **2.5.12.3 I HAVE A VHS TAPE THAT IS GETTING WORN OUT. CAN I DIGITIZE IT?**

If the work is available in a digital format, buy it to show in your class. If not available in digital format and it is a legal copy, it can be digitized as long as it can reasonably be described as deteriorating. The original must also be retained.

#### **2.5.12.4 CAN I COPY A CHAPTER OR ARTICLE AS A HANDOUT FOR MY LECTURE?**

You may be able to do this but you must evaluate according to the Fair Use exemption for your answer. Also, remember that copyright law never restricts you from directing your students to a link for a copyrighted work.

#### **2.5.12.5 WHAT IF I REQUEST PERMISSION AND THEY DON'T RESPOND?**

Lack of response does not translate into a passive grant of permission to use.

#### **2.5.12.6 WHAT IF THE WORK IS OUT OF PRINT? IS THAT THE SAME AS OUT OF COPYRIGHT?**

No! An “out of print” work may still be protected by copyright and should be approached as a work still in print.

#### **2.5.12.7 WHAT IF I CAN'T FIND CONTACT INFORMATION FOR THE COPYRIGHT HOLDER? FOR EXAMPLE, THE PUBLISHER IS OUT OF BUSINESS OR THE AUTHOR IS DECEASED.**

These situations present the problem of a work whose copyright holder cannot be located, despite reasonable efforts. The US Copyright Office has recognized this problem, calling such works “orphan works”. Work is being done to mitigate the liability risk involved in using such works. At the present time, however, educators must make individual decisions concerning use of such works, including evaluating the risk of liability. Those who proceed with use should document and preserve their efforts to locate the copyright holder.

#### **2.5.12.8 DOES THE SETTING OF THE CLASS – FACE-TO-FACE OR ONLINE – AFFECT HOW I CAN USE A WORK?**

The law allows different uses in different settings:

- If the use is in a face-to-face classroom, fair use or use of campus-licensed works affects determination about whether permission is needed.
- If the setting is an online course, the TEACH Act can affect the determination.
- If the course is a combination of both settings, consider which setting offers the best opportunities for the use you have in mind.

#### **2.5.12.9 HOW DO I KNOW IF THE WORK I WANT TO USE IS COVERED BY A CAMPUS LICENSE?**

You can check the digital resources / databases available on the Fontbonne University Library's website. If you have questions, contact your Library Liaison who can assist you.

#### **2.5.12.10 DOES THE TEACH ACT ALLOW THE STREAMING OF WHOLE COPIES OF MUSIC OR MOTION MEDIA?**

No! Other than permission, there is currently NO justification or protection for streaming *whole* copies of music or motion media. Licensed media may be available for this use –Films on Demand, for example. Contact your Library Liaison for details.

#### **2.5.12.11 CAN I USE ALL OR PART OF A COPYRIGHTED MOVIE OR PIECE OF MUSIC IN MY ONLINE CLASS?**

In order to fit within the TEACH ACT guideline, you may use a “reasonable” portion of a movie or piece of music. (This differs from a face-to-face class where you may play the entire work.) The copy you excerpt from must be a lawfully made copy and not specifically designed and marketed for online courses.

You may digitize the reasonable portions you intend to use from a VHS or other non-digital version as long as there is no digital version available or the digital version is not encrypted. The TEACH Act does not permit you to make a DVD of online clips to be distributed to your students.

#### **2.5.12.12 CAN I DISPLAY A COPYRIGHTED PICTURE, IMAGE, GRAPH, COMIC OR CHART IN MY ONLINE CLASS?**

Yes, as long as it is a work you would have shown in a face-to-face classroom setting and you comply with the other general TEACH Act requirements.

#### **2.5.12.13 CAN A FACULTY MEMBER SCAN A COPYRIGHTED ARTICLE AND POST IT AT A PASSWORD PROTECTED COURSE SITE FOR A LIMITED TIME?**

Compliance with TEACH, fair use, or copyright permission is required. An easier answer would be to insert a persistent link from a licensed electronic resource into your course site, if available.

#### **2.5.12.14 IF INSTRUCTORS SCAN ARTICLES, CREATE PDF FILES, AND POST IN COURSE MANAGEMENT SYSTEMS LIKE BLACKBOARD, ARE THEY COVERED BY TEACH?**

This is a very broad question and contains multiple permutations and scenarios. It is unlikely that displaying an entire article in a course website would be permitted under TEACH since TEACH only authorizes displays in an amount comparable to what would be typically displayed in a live classroom setting. As noted above, posting within a course management system like Blackboard does not relieve the faculty member from the requirements of copyright law. Consider, instead, providing a persistent link in Blackboard for your students from one of Fontbonne Library's electronic resources. There are no copyright issues involved with this option.

#### **2.5.12.15 ARE IMAGES AND CLIP ART DOWNLOADED FROM MICROSOFT COPYRIGHTED?**

Nothing is exempt from copyright. You are bound by the terms of Microsoft's End User License Agreement when using clips from their website. If you have a valid license for MS Office, you can make personal use of the clips but may not use them in a logo or create an item to be sold from the clipart, i.e., a book of clipart images.

#### **2.5.12.16 CAN I USE A CARTOON IN CLASS -- FACE-TO-FACE OR ONLINE?**

Again, consider the Fair Use provisions and the TEACH Act. If you need to request permission, this site might be helpful: <http://www.cartoonstock.com>

### Appendix 2.5.3.1: Checklist for Fair Use

#### Fair Use Checklist

#### Fontbonne University



Please complete and keep a copy of this form for each possible “fair use” of a copyrighted work with your course or project files.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Course: \_\_\_\_\_

Semester: \_\_\_\_\_

Keeping in mind the use you propose, check off each option as appropriate:

1. Purpose & character of the use:

**Favoring Fair Use**

- ☐ Non-profit
- ☐ Education
- ☐ Research
- ☐ Criticism
- ☐ Journalism
- ☐ Parody

Total Favoring \_\_\_\_\_

**Against Fair Use**

- ☐ For profit or commercial use
- ☐ Entertainment
- ☐ To save costs
- ☐ Other purpose

Total Against \_\_\_\_\_

2. Nature of the copyrighted work:

**Favoring Fair Use**

- ☐ Published
- ☐ Out of print

Total Favoring \_\_\_\_\_

**Against Fair Use**

- ☐ Unpublished
- ☐ Creative or fictional (i.e., music, play scripts, poetry, short stories, fictional novels, paintings, etc.)

Total Against \_\_\_\_\_

3. Amount and substantiality of the portion to be used:

**Favoring Fair Use**

- ☐ Just enough to serve a fair use purpose
- ☐ Small percentage of total

**Against Fair Use**

- ☐ Heart of the work
- ☐ More than is needed to serve purpose
- ☐ Large percentage of the total

Total Favoring \_\_\_\_\_

Total Against \_\_\_\_\_

4. Effect of use on the potential market:

**Favoring Fair Use**

- ☐ Copy is not a substitute for the original product
- ☐ Copy is not for sale or widely distributed
- ☐ Copy is not available through licensed databases
- ☐ Parody – has a different market
- ☐ Orphan work – cannot locate copyright holder

**Against Fair Use**

- ☐ Copy is substitute for original product
- ☐ Copy competes in sales of original product
- ☐ Copy is widely distributed
- ☐ Copy is available through licensed databases
- Copyright holder has established permissions market

Total Favoring \_\_\_\_\_

Total Against \_\_\_\_\_

**Four Factor Totals:**

	<b>For Fair Use</b>	<b>Against Fair Use</b>
--	---------------------	-----------------------------

- |                                  |  |  |
|----------------------------------|--|--|
| 1. Purpose of the use            |  |  |
| 2. Nature of the material copied |  |  |
| 3. Amount of the material copied |  |  |
| 4. Commercial effect             |  |  |

Totals

\_\_\_\_\_

Tie-breaker: In ties, reexamine the second and fourth factors to break the tie.

**\*\*Based on *Fair Use Check List***

**<https://copyright.columbia.edu/content/dam/copyright/Precedent%20Docs/fairusechecklist.pdf>**

Retrieved April 28, 2016.

### **Appendix 2.5.5.3.1: TEACH Act Checklist**

To ensure your copyrighted use complies with the TEACH Act you must satisfy **all** of the following:

- My institution is a nonprofit accredited educational institution or a governmental agency
- It has a policy on the use of copyrighted materials
- It provides accurate information to faculty, students and staff about copyright
- Its systems will not interfere with technological controls within the materials I want to use
- The materials I want to use are specifically for students in my class
- Only those students will have access to the materials
- The materials will be provided at my direction during the relevant lesson
- The materials are directly related and of material assistance to my teaching content
- My class is part of the regular offerings of my institution
- I will include a notice that the materials are protected by copyright
- I will use technology that reasonably limits the students' ability to retain or further distribute the materials
- I will make the materials available to the students only for a period of time that is relevant to the context of a class session
- I will store the materials on a secure server and transmit them only as permitted by this law
- I will not make any copies other than the one I need to make the transmission
- The materials are of the proper type and amount the law authorizes:
  - Entire performances of nondramatic literary and musical works
  - Reasonable and limited parts of a dramatic literary, musical, or audiovisual works
  - Displays of other works, such as images, in amounts similar to typical displays in face-to-face teaching
- The materials are not among those the law specifically excludes from its coverage:
  - Materials specifically marketed for classroom use for digital distance education
  - Copies I know or should know are illegal
  - Textbooks, coursepacks, electronic reserves and similar materials typically purchased individually by the students for independent review outside the classroom or class session
- If I am using an analog original, I checked before digitizing it to be sure:
- I copied only the amount that I am authorized to transmit
- There is no digital copy of the work available except with technological protections that prevent my using it for the class in the way the statute authorizes

*From:* <http://copyright.uncc.edu/copyright/TEACH/teachtools> -- Retrieved 4/28/16

### **Appendix 2.5.10.1: Sample Permission Letter**

You can use the sample letter as a model for your formal requests for permission.

#### **2.5.1.1 INSTRUCTIONS FOR REQUESTING PERMISSION TO USE COPYRIGHTED MATERIAL**

- The request should be sent, together with a self-addressed, stamped return envelope, to the individual copyright holder (when applicable) or permissions department of the publisher in question. Be sure to include your return address, telephone and fax numbers, and the date at the top of the letter.
- Be sure to confirm the exact name and address of the addressee, and call the person or publishing house to confirm the copyright ownership. A telephone call might provide important information that can eliminate much of the uncertainty and waiting for a reply.
- Email permissions are legally acceptable in most cases, but getting a genuine signature is usually best.
- State clearly who you are, your affiliation with Fontbonne University, and the general nature of your project.
- Describe precisely the proposed use of the copyrighted material. If necessary or appropriate, attach a copy of the quotations, diagrams, pictures, and other materials. If the proposed use is extensive, such as the general use of an archival or manuscript collection, describe it in broad yet reasonably specific terms. Your objectives are to eliminate any ambiguities and to be sure the permission encompasses the full scope of your needs.
- When you do use the work, give full credit as appropriate.

-- From Columbia University Libraries / Information Services, Copyright Advisory Office:

<http://copyright.columbia.edu/copyright/permissions/requesting-permission/model-forms/> Retrieved 4/28/16

(Sample letter on next page)

## Sample Permission Letter

[Date]

[Letterhead or Return address]

[Rights holder name and address]

Re: [Name of work for which permission is requested]

Dear [Sir or Madam] [Permissions Editor] [Personal name, if known]:

I am on the faculty of Fontbonne University where I teach in the [your department] department. I am in the process of creating [describe your project]. In my research, I have found the following work: [name of work under copyright]. I believe that you hold the copyright to this work and that it would have important educational value for my students. I would like your permission to include the following material from [name of work under copyright] in [name of your project]:

[Citation with source information]

[Describe how the project and material will be used].

It will be accessible to [describe users].

If you do not control the copyright on all of the above mentioned material, I would appreciate any contact information you can give me regarding the proper rights holder(s), including current address(es). Otherwise, your permission confirms that you hold the right to grant the permission requested here.

I would greatly appreciate your consent to my request. If you require any additional information, please do not hesitate to contact me. I can be reached at:

[Your contact information]

A duplicate copy of this request has been provided for your records. If you agree with the terms as described above, please sign the release form below and send one copy with the self-addressed return envelope I have provided.

Sincerely,

[Signature]

[Typed name]

---

Permission granted for the use of the material as described above:

Name & Title: \_\_\_\_\_

Company/Affiliation: \_\_\_\_\_

Date: \_\_\_\_\_



### **2.5.1.2 USE OF UNIVERSITY NAME, SEAL, AND LOGO**

The University's name, seal, and logo are the exclusive property of the University and, consequently, may not be used in connection with goods or services offered by any outside organization without the prior permission of the Associate Vice President for Marketing and Communications. Members of the campus community publish a considerable number of reports in the form of bulletins, circulars, scientific articles, monographs, and books, some of which are copyrighted and others of which are not. Material from such recognized publications is, of course, quotable, and proper recognition should be given to both the individual author and to the University in connection with such quotations.

Official stationery may not be used in connection with "outside activities" except with respect to those academic and scholarly activities described above. No report or statement relating to outside activities may have the name of the University attributed to it. The use of official University titles for personal gain or publicity is prohibited without the written approval of the Associate Vice President for Marketing and Communications.

Members of the campus community, either individually or collectively, shall not officially use the name, seal or logo of the University in any activity outside of the regular work of the University. Violation of this rule is regarded as sufficient cause for dismissal or expulsion.

## **2.6 COMMUNICATIONS AND MARKETING POLICIES**

The Communications and Marketing Department looks for potential news stories that highlight faculty, staff and student activities and achievements. The office develops appropriate stories as news releases or media advisories to St. Louis area news media and other relevant media outlets. Members of the campus community with potential story ideas should draft a brief description and email it to [pr@fontbonne.edu](mailto:pr@fontbonne.edu). You can also call 314-889-1467.

If members of the campus community are contacted directly by the news media for interviews, photos, or video on campus, they should notify the Communications and Marketing Department immediately before committing to any involvement.

### **2.6.1 Fundraising Coordination**

Such activities are welcomed. However, to avoid conflicting programs, our University policy is that no person or organization on campus is authorized to solicit a corporation for a donation or gift-in-kind in the name of the University without advance written authorization from the Vice President for Institutional Advancement. This includes the solicitation of ads for ad books, sponsorships, gifts of equipment, or direct contributions of money, plus anything else that qualifies as a "donation."

### **2.6.2 Alumni**

No person or organization on campus should send mailings or other communications to alumni or groups of alumni without advance written authorization from the Vice President of Institutional Advancement.

## **2.7 RESEARCH POLICIES**

### **2.7.1 Use of Human Participants in Research**

The rights of human beings who are asked to participate in research projects must be protected. Among these are the right not to be harmed, the right to self-determination, the right to privacy, the right to obtain services, the right to self-respect and dignity, the right to confidentiality, and the right to withdraw or refuse to participate without recrimination. Most importantly, human participants have the right of informed consent. (See Appendix 2.7.1.1). The policies and procedures outlined in this statement seek to secure these rights.

Fontbonne University affirms its policy to safeguard and respect the rights and welfare of human participants in research. In order to do this, the University is responsible for providing review and approval of all research which involves human participants. All research conducted at or sponsored by Fontbonne University whether subject to or exempt from prior review, must:

1. Adhere to the Belmont Principles;
2. Be in compliance with the Nuremberg Code or one of the ethical codes developed by various professional associations; and
3. Adhere to the policies and procedures set forth herein.

This applies to all research, irrespective of funding, carried on at the University or under the University's auspices.

The responsibility to protect human participants in research has been assigned to the Institutional Research Review Board. The primary function of the board is to assist the investigator in the protection of the rights and welfare of human participants. Investigators should not bear the sole responsibility for determining the standards of ethical conduct of research involving human participants. It is necessary for others, who are independent of this research, to share in this responsibility. The use of human participants is a privilege granted to the investigator rather than a right. The policies and procedures of this board are designed to meet minimal criteria established by Federal law and regulations. See Title 45 C.F.R. Part 46). The Office of the Vice President for Academic Affairs is the administrative office for the Institutional Research Review Board.

Depending on the nature of the research and the degree of risk, there are varying levels of review. Three levels of review have been established:

1. Exempt status;
2. Expedited review; and
3. Full review.

The Institutional Research Review Board approval of a research endeavor will be valid for a period of one year from the date of the approval. A proposal or research in progress in which the instruments and/or methodology is changed must be resubmitted to the Institutional Research Review Board which will determine if a major change has taken place. It is the responsibility of the Institutional Research Review Board to determine what constitutes a major change in a proposal. Major changes in approved proposals require a review and re-approval by the board.

Research should not be initiated until confirmation of exemption or approval has been received. Anyone intending to do research involving human participants must contact the Office of the Vice President for Academic Affairs (314-889-1401) for information about procedures and sample consent forms.

### **2.7.1.1 INSTITUTIONAL RESEARCH REVIEW BOARD**

### **2.7.1.2 MEMBERSHIP**

Please refer to Policy Manual I section 1.6.3.6.

### **2.7.1.3 PROCEDURES**

1. The Institutional Research Review Board members are appointed by the Vice President for Academic Affairs.
2. The Institutional Research Review Board shall meet once a year to review procedures and changes in regulations.
3. “Exempt review status” requests for approval will be reviewed by two Institutional Research Review Board members. The researcher shall be notified of the Institutional Research Review Board decision within two weeks.
4. “Expedited review status” requests for approval will be reviewed by at least three Institutional Research Review Board members. The researcher shall be notified of the Institutional Research Review Board decision within three weeks.
5. “Full review status” requests will be reviewed by all members of the Institutional Research Review Board. A majority of the Institutional Research Review Board must approve the proposal. The researcher shall be notified of the Institutional Research Review Board decision within four weeks.
6. The Institutional Research Review Board shall use as minimal criteria for approval, the Code of Federal Regulations, Title 45, Part 46.
7. If proposed research is disapproved, the Institutional Research Review Board shall include a written statement of reasons for its decisions and give the investigator an opportunity to respond.

### **2.7.1.4 REQUEST FOR APPROVAL OF THE USE OF HUMAN PARTICIPANTS IN RESEARCH**

#### **2.7.1.4.1 Category Form and Procedures**

All research involving human participants must be approved by the Fontbonne University Institutional Research Review Board before the research is begun. Choose the appropriate level of review, check the correct category, and attach the appropriate application form to your proposal. In conformity with U.S. Department of Health and Human Services regulations, there are three separate avenues for review. Please make sure that you submit the appropriate form. Direct any questions to the Office of the Vice President for Academic Affairs at (314) 889-1401.

### **2.7.1.5 SCREENED FOR EXEMPT STATUS REVIEW**

The exempt category covers research of minimal or no risk in the following situations: (For more detailed descriptions and limitations consult Title 45, Part 46.101(b)). (See Appendix 2.7.1.4.1.1 for request forms.)

1. In established or commonly accepted educational settings, involving normal educational practices.
2. Involving the use of educational tests, survey procedures, interview procedures, or observation of public behavior, if:

- a. The participants cannot be identified, either directly or through the identifiers linked to the subject;
  - b. The subject's responses, if they become known outside the research, could not place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing, employability, or reputation;
3. Research involving educational tests not otherwise allowed under (2) if the participants are elected or appointed public officers or candidates or federal statute requires without exception the confidentiality of the personally identifiable information;
  4. The use of existing data;
  5. The evaluation of public benefit or service programs conducted by or subject to the approval of the department or agency head; and
  6. Taste and food quality and consumer acceptance.

#### **2.7.1.6 EXPEDITED REVIEW**

Expedited Review covers all research in which risk to the subject is minimal, such as procedures involving small amounts of blood, dental plaque, moderate exercise, voice recording, etc. A complete and updated list of eligible research is published in the Federal Register by the Office for Human Research Protections. (See Appendix 2.7.1.4.1.2 for Expedited Review Guidelines.)

#### **2.7.1.7 FULL REVIEW**

Full Review involves more risk to the subject than exempt or expedited. Full review covers:

1. All research not falling into the other two categories.

Please complete and return with the appropriate application form to:

Institutional Research Review Board for the Protection of Human Participants in Research  
Office of the Vice President for Academic Affairs  
Fontbonne University  
6800 Wydown Blvd.  
St. Louis, Missouri 63105  
(314) 889-1401

### **2.7.2 Use of Animals in Research**

The wellbeing of all animals used in research projects is a priority in any project carried out by the University. Any research conducted at or sponsored by Fontbonne University that requires the use of animals is subject to review by the Institutional Animal Care and Use Committee (IACUC) and will conform to the rules and conditions set forth in the Animal Welfare Act. This applies to all research, irrespective of funding, carried on at the University or under the University's auspices.

The responsibility to protect vertebrate animal participants in research has been assigned to the IACUC, which has authority to require that personnel involved in vertebrate animal care have been properly trained, that the use of vertebrate animals is necessary and humane, and that the vertebrate animal care procedures used prior to and during all experimental protocols are appropriate and keep animal discomfort to a minimum. Requests for the acquisition and use of vertebrate animals must be submitted to the IACUC using the form available through the Office of Academic Affairs. The project must be approved prior to

the purchase or acquisition of the animals in question. Approvals are for one year, and may be renewed on an annual basis. (See Appendix on page 85).

### **2.7.3 Scientific Misconduct**

Misuse of data and/or procedures in a scientific endeavor include fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data. Accepting that science depends on a foundation of trust and understanding that individuals engaged in a scientific study (or studies) are subject to human frailties and temptations, it must be stated that once misconduct is detected, it must be dealt with quickly in order to sustain that atmosphere of trust which is necessary for science. Scientists are expected to conduct themselves in a trustworthy manner and to take collective responsibility for detecting, judging, and controlling scientific misconduct.

## **2.8 MISCELLANEOUS POLICIES**

### **2.8.1 Transportation Policies and Procedures**

#### **2.8.1.1 GENERAL INFORMATION**

Any **Fontbonne employees** intending to drive Fontbonne students or prospective students on a planned University-sponsored activity *in University rented vehicles or in privately-owned vehicles* must be approved by Fontbonne University as an authorized driver in accordance with section two of this document, must hold a Missouri Class E driver's license or equivalent from another state, and must adhere to the guidelines stated in this document. Planned University-sponsored activities include, but are not limited to, class field trips, athletic events, service projects and trips, and prospective student visits.

Any **Fontbonne students** intending to drive Fontbonne employees and/or students or prospective students on a planned University-sponsored activity in a *University rented vehicle* must be approved by Fontbonne University as an authorized driver in accordance with section two of this document and must adhere to the guidelines stated in this document. Students are not permitted to drive University-owned vehicles. Final permission for an authorized student driver to drive is at the discretion of the activity sponsor. Planned University-sponsored activities include, but are not limited to, class field trips, athletic events, service projects and trips, and prospective student visits.

**Fontbonne students** intending to drive prospective students on a planned University-sponsored activity in a *privately owned vehicle* must be approved by Fontbonne University as an authorized driver in accordance with section two of this document and must adhere to the guidelines stated in this document. Final permission for an authorized student to drive is at the discretion of the activity sponsor.

Groups traveling internationally may rent vehicles only for limited usage with permission of the group's divisional Vice President. The University entity responsible for organizing the trip is responsible for costs associated with the rental of vehicles for their trip and must comply with the provisions of the rental agreement or contract made with the respective rental company. Because of identified risk factors, **no 15 passenger vans may be used**. The maximum number of people in all vehicles will not exceed the number of factory-installed safety belts. Every University-rented vehicle will carry proof of Fontbonne's insurance unless traveling outside the United States. Individuals using University-rented vehicles must get proof of Fontbonne's insurance from the Vice President for Finance and

Administration. It is not necessary to purchase the collision/damage waiver offered by rental companies unless traveling outside the United States.

Groups that choose to travel by airlines, trains, buses, etc., will follow the regulations stated in this document if they require rental vehicles for additional transportation once they reach their destination.

Groups intending to drive University rented vehicles or privately-owned vehicles for University-sponsored travel must complete the Driver Contract and Trip Approval form, use properly licensed and insured vehicles, and be driven by authorized drivers. A copy of such form is attached at the end of this document. Signed authorization from the group's divisional Vice President and compliance with the guidelines stated in this document are required for trip approval. Failure to adhere to the guidelines stated in this document will jeopardize future trip approvals.

**Any individual who chooses to travel as a driver or as a passenger in University rented vehicles or privately-owned vehicles to attend or take part in any University-sponsored activity assumes all risks and responsibilities of such travel. The University's insurance provides collision and liability coverage on rental vehicles when the vehicles are rented in the University's name and are used for University-sponsored events. Privately-owned vehicles that are used for University-sponsored events are not covered by the University's insurance.**

Current weather and road conditions will be taken into consideration when planning any trip and sources such as the Automobile Club of America (AAA) and state highway patrol offices will be consulted. Cancellation of any trip is warranted if driving conditions are considered too dangerous, a judgment that trip sponsors must defer to the appropriate divisional Vice President or designee. If a group is planning a trip to a region that is known for poor weather and road conditions during particular times of the year, the group will keep in mind the possibility of cancellation.

### **2.8.1.2 AUTHORIZED DRIVERS**

Only Fontbonne University employees (or in certain cases, individuals receiving compensation for their services from the University or serving in a contractual or volunteer capacity) and currently enrolled Fontbonne students are permitted to qualify as Authorized Drivers. A Driving Record Release Form requesting driver authorization must be turned in to the Public Safety Department seven (7) days prior to the trip. A copy of such form is provided in Appendix 2.9.1.2.1.

#### **2.8.1.2.1 Driver Authorization Requirements**

1. Potential drivers must be at least 21 years of age and have a valid state-issued driver's license.
2. Fontbonne employees and other individuals paid by Fontbonne or volunteers must obtain a Class E Missouri Driver's License or comparable license from another state.
3. All potential drivers will grant permission to the University to check their driving record history as maintained by the state in which the driver is licensed. This release form will be submitted to the University's Public Safety Department at least seven (7) working days in advance of the trip/activity departure time to allow sufficient processing time.
4. The Fontbonne Public Safety Department will approve or deny driver authorization based upon the following established criteria:
  - a. Individuals are not authorized to drive if they have received more than two moving violations, or more than one speeding violation, within the last 24 months.

- b. Individuals with serious violations will not be authorized to drive until a review of the records can be completed on a case by case basis. These violations include, without limit, vehicular manslaughter, careless or reckless driving, driving under the influence, leaving the scene of an accident, etc.
- c. Individuals who technically meet the general guidelines but have a prolonged history of moving violations will not be authorized until a review of the records is completed.
- d. If an individual's driving record meets the above criteria, he/she will be approved as an Authorized Driver. Authorized Drivers will be approved as such on an annual basis.

#### **2.8.1.2.2 Authorized Driver Duties and Responsibilities**

1. Comply with University guidelines stated in this document.
2. Obey all traffic regulations.
3. Ensure that all drivers and passengers wear seatbelts.
4. Ensure that there is no drinking of alcoholic beverages or smoking in vehicles.
5. Ensure that no one drives more than three hours at a time without taking a break of at least one-half hour.
6. On extended trips, if more than one vehicle is being used, ensure that vehicles travel in close proximity of each other and stay in contact by cell phone, or other communication device. Cell phones may not be used by a driver while driving.
7. Fontbonne employees present on the trip are responsible for making decisions regarding driving breaks, road conditions, weather conditions, and other factors that may affect driving safety while on the trip. If no Fontbonne employee is present or able to make such decisions, then it is the responsibility of Authorized Student Drivers.
8. Ensure, when possible, the immediate suspension of driving privileges if a moving violation is received while operating a university-sponsored vehicle.
9. Report any moving violation to the Public Safety Office. The driving privileges of any Authorized Driver are automatically revoked whenever the individual receives a moving violation. Individuals who receive a moving violation must resubmit a Driving Record Release form. Driving records must be re-evaluated before revoked driving privileges are restored.
10. Pay traffic fines for any violation(s) incurred by driver.

#### **2.8.1.3 ACCIDENTS**

##### **2.8.1.3.1 General Information**

In the event of an accident, an Authorized Driver will follow the guidelines below and complete the Accident Report Form, regardless of the extent or nature of the damage caused or incurred. A copy of such form is provided in Appendix 2.9.1.3.1.1 at the end of this volume. If an accident occurs that is determined to be the fault of an authorized driver, the cost of repairs or a \$250 deductible, whichever is greater, will be charged to the driver's department or organization. If the vehicle is rented, there may be additional procedures as defined in the rental agreement.

### **2.8.1.3.2 Instructions in the Event of an Accident**

If an accident occurs while a group is using University rented vehicles for transportation to a University-sponsored activity, an Authorized Driver is responsible for following these instructions regardless of the extent or nature of the damage caused or incurred.

1. Contact the police or other local emergency response personnel. (In most areas, emergency personnel can be reached by dialing 311 or 911 on any cell phone.)
2. Take necessary steps to prevent additional accidents at the scene.
3. Remain at the scene of the accident until a police report has been taken.
4. If there are injuries to any members of the group that require transportation to a hospital or emergency room facility, record the name, address and phone number of the facility to which injured individuals are taken.
5. Do not make any oral or written statements regarding who was at fault in causing the accident.
6. Contact designated emergency contact person for any individuals injured.
7. Contact Fontbonne's Public Safety Department to report the accident and any injuries. Public Safety can be reached at (314) 889-4357 (HELP).
8. Contact the Divisional Vice President with administrative oversight for the group.
9. Complete an Accident Report Form. Keep a copy for the group and submit a copy to the Vice President for Finance and Administration (upon return to Fontbonne or by fax (314) 719-8023, if needed immediately).
10. If the accident involves a rented vehicle, in addition to following the guidelines above, comply with any instructions provided by the rental company.

### **2.8.1.4 EMERGENCY REPAIRS & TOWING**

If a University-rented vehicle is inoperable, the Authorized Driver is responsible for complying with procedures as defined in the rental agreement.

1. Use a Fontbonne University credit card if available to pay for repair expenses. If a Fontbonne credit card is not available, a personal credit card may be used and reimbursement obtained from the University. If the repairs are occurring during regular business hours, you may contact Fontbonne's Assistant Controller, (314) 719-8028 for a University credit card authorization.
2. Keep copies of invoices and any parts that are replaced.
3. Complete an Emergency Repair and Towing Report Form and submit it, with invoices and any replaced parts, to Fontbonne's Physical Plant upon return to Fontbonne (or fax invoice, if needed immediately, to (314) 889-4543). A copy of such form is provided in Appendix 2.9.1.4.1 at the end of this volume.

### **2.8.1.5 ADMINISTRATIVE OVERSIGHT**

#### **2.8.1.5.1 Trip Sponsors**

Trip Sponsors are responsible for ensuring that individuals participating in the University-sponsored activity understand and agree to adhere to the regulations in this document.



#### **2.8.1.5.2 Divisional Vice Presidents**

Each Vice President is responsible for determining that the steps necessary for trip approval have been completed by groups in their area of oversight and then making the decision to approve or deny the request.

#### **2.8.1.5.3 Public Safety Department**

The Public Safety Department is the coordinating office for the driver authorization process. In this role, the Public Safety Department will:

1. Process each Driving Record Release form to obtain driving record reports.
2. Evaluate each driver's record in accordance with established criteria to determine driver eligibility.
3. Notify the supervisor or sponsor listed on the Driving Record Release form if approval is denied.
4. Maintain a Driving Record Information File of Authorized Drivers.

#### **2.8.1.5.4 Vice President for Finance and Administration**

The Vice President for Finance and Administration will provide proof of insurance forms to individuals renting vehicles to be used for school sponsored functions.

### **2.8.2 Parking Policies**

#### **2.8.2.1 GENERAL PARKING INFORMATION**

The Fontbonne University parking areas are for use by students, faculty, staff, registered visitors and other individuals conducting business for or authorized by the University. Fontbonne University assumes no liability for loss or damage to any vehicle or its contents while parked or operated on University property.

All parking regulations are strictly enforced 24 hours a day. It is assumed that individuals parking on campus are familiar with and agree to adhere to all parking regulations. The Fontbonne University Public Safety Department has been charged with the duty of enforcing parking regulations. Parking citations will be issued for all observed violations.

During peak periods, parking on campus is difficult. If you choose to park off campus on Wydown Blvd. or other close locations, please observe the City of Clayton's parking regulations. The police enforce these regulations rigorously.

The campus speed limit is 15 m.p.h.

#### **2.8.2.2 PARKING REGISTRATION**

All vehicles operated and parked on Fontbonne University property are required to be registered and display either a current parking tag or a valid visitor's pass. A parking tag is not required for vehicles parked off campus.

Visitors conducting business with Fontbonne University from 8 a.m. to 4:30 p.m., Monday through Friday, are required to register in the Information Office, Room 101 in Ryan Hall. After normal working hours, visitors should register in the Public Safety Building across from St. Joseph's Hall. Visitors seeing students are required to register in the Public Safety Building. A parking "GUEST" pass will be issued to each visitor during the registration process. It is your responsibility to insure that your

visitors are properly registered and aware of our parking regulations. Your guest may not use your hang tag.

Parking hang tags are required to be displayed on all vehicles operated and parked on campus by members of the Fontbonne community. This includes all faculty, staff, and students working, attending class, or using the facilities on campus. Food Service, Bookstore, and other contract employees assigned to the Fontbonne campus are also required to obtain a parking hang tag for their vehicle. Parking hang tags are sold in the Business Office, Room 215 in Ryan Hall.

Hang tags are sold for your personal use. Your tags may not be given away, resold, or used by other people. Misused tags will be forfeited. Citations will also be issued for the misuse of tags and violators will lose their campus parking privileges for 12 months.

Students living in the residence halls are required to purchase a resident tag. This authorizes overnight parking. Residents may not have more than one registered vehicle on campus at any given time.

Commuter students on campus after 12 a.m., Sunday through Thursday or after 2 a.m. on Friday and Saturday should register for the evening with Public Safety.

Students attending classes at an off-campus site who are either required or choose to come to the main campus must purchase a parking permit or a daily parking pass if they wish to park on campus. The cost for an annual or term parking tag is discounted for off-site students.

Your parking tag is designed to hang on the rear view mirror of your vehicle. The tag number must be facing towards the front of the vehicle. It is your responsibility to insure the complete tag is visible. If your tag is blocked by tinting or otherwise not clearly visible, your vehicle is subject to ticketing.

Tags may be purchased by the school year or term:

Full-time faculty and staff	\$130	\$80
Part-time faculty and staff	\$85	\$60
Commuter students:		
(more than 6 credit hours)	\$150	\$90
Commuter students: 6 or less hours	\$100	\$70
Off -campus site students	\$55	\$35
Resident students	\$160	\$95
Summer term tags		\$30

Parking hang tags may not be returned for a refund and Fontbonne does not replace lost or stolen tags.

If you wish to park on campus and you do not have a regular parking tag or your tag is not available, a daily parking tag may be purchased. Daily parking passes are sold in the Business Office. A one day tag is \$2 and a three day tag is \$4, a seven day tag is \$7 and a monthly tag is \$25. The one and three day tags may also be purchased after hours at the Public Safety Office.

Faculty, staff, students, and contract employees may not use "GUEST" hang tags. A \$50 fine will be assessed for misuse of a "GUEST" hang tag.

The purpose of a parking hang tag is to identify vehicles that have been authorized to park on University property. The tag is used to help identify unauthorized parkers and does not guarantee the availability of a parking space.

### **2.8.2.3 PARKING AREAS**

Parking lots on campus are open to all Fontbonne parkers unless restricted by signage. The parking of a vehicle is prohibited in any portion of a parking area that does not have a “lined” parking space. Improperly parked vehicles are subject to ticketing, booting, and towing.

The Horseshoe is reserved for employee parking Monday through Friday from 8 a.m. to 5 p.m. Students may park in the Horseshoe after 5 p.m. Reserved spaces are marked by signs. The visitor spaces in the Horseshoe are reserved strictly for visitors from 8 a.m. to 10 p.m., Monday through Friday.

### **2.8.2.4 VIOLATIONS**

Fines will be assessed for violating provisions of these regulations as outlined below:

Parking Without Authorized Tag:	\$25	Fire Lane:	\$25
Unauthorized Overnight Parking:	\$25	Tag Misuse:	\$50
Careless/Imprudent Operation:	\$50	Visitor’s Space:	\$25
Improperly Displayed Tag:	\$25	15-Minute Zone:	\$50
Moving/Violating Traffic Cone:	\$50	No Parking Area:	\$25
Unauthorized Parking Area:	\$25	Reserved Area:	\$50
Occupying 2 Spaces:	\$25	Faculty/Staff Zone:	\$25
Handicapped Zone:	\$50	Wheel Locking Fee:	\$50

Parking fines will be reduced by \$10 if paid within 2 working days from the date of the ticket. The wheel lock fee may not be reduced. Tickets paid at the reduced rate may not be appealed.

Using an altered or forged hang tag is a crime. Violators will be ticketed, lose their campus parking privileges for 12 months, and are subject to criminal prosecution.

If you are a student, all assessed fines will be applied to your account. No grades or transcripts will be issued until outstanding fines are paid. Registration for the next term cannot be completed until fines are paid.

Individuals not having a student account with Fontbonne must pay outstanding fines within 7 days from the date the ticket is issued. Individuals not paying assessed fines within this grace period will lose their privilege to park on campus. Vehicles owned or operated by these individuals will be placed on the wheel lock list. A charge of \$50 plus the amount of the outstanding fines must be paid before a locked vehicle is released. Employees are encouraged to apply for payroll deduction in the Business Office to pay for outstanding parking fines before being placed on the wheel lock list.

An individual receiving 4 or more tickets in a 30-day period or 8 tickets within one academic term will be classified as a habitual violator. With each subsequent parking violation, vehicles owned or operated by habitual violators will be wheel locked until the assessed fine is paid.

All fines should be paid at the Business Office, Room 215 Ryan Hall, between 8:30 a.m. and 4:30 p.m., Monday through Friday. If you wish to pay by mail, please include your name, telephone number, and the parking ticket number with your payment. Your payment should be mailed to: *Fontbonne University, Business Office, 6800 Wydown Blvd., St. Louis, Missouri, 63105-3098.*

### **2.8.2.5 PARKING APPEALS**

Parking tickets may be appealed. Appeal forms are available from the Department of Public Safety or the Mailroom. You may also appeal on-line at

[https://griffinnet.fontbonne.edu/ICS/Everything\\_Money/Public\\_Safety\\_-\\_Parking\\_Appeal.jnz](https://griffinnet.fontbonne.edu/ICS/Everything_Money/Public_Safety_-_Parking_Appeal.jnz)

Appeals must be filed with the Public Safety Department within 7 working days from the date of the ticket you are appealing. Appeals not received within this time period will not be considered. Fines will not be payroll deducted or applied to an account until the initial appeal process has been completed. Forgetting to hang your tag, not knowing the parking regulations, running late, and the lack of a parking space are not considered acceptable reasons to appeal a parking ticket.

A second appeal may be made to the Parking Appeal Board if you feel your first appeal was not fairly considered. Appeals to the Board must be submitted in writing only on the Board appeal form. Second appeals must be received within 21 days from the date of the ticket that you are appealing. Forms for this appeal may be obtained from the Public Safety Director's office, Room 101-B in Ryan Hall.

### **2.8.2.6 VEHICLE TOWING**

Individuals violating our parking regulations are subject to having their vehicles immobilized by the use of a wheel lock. This is done in lieu of towing vehicles from our property. However, vehicles are subject to immediate towing if they are parked or left unattended in a location that impedes traffic, blocks an unloading zone, fire lane, or otherwise creates a safety hazard.

Vehicles not properly licensed, not in operating condition or that have been or appear to have been abandoned are subject to towing. If your vehicle becomes disabled, please notify the Department of Public Safety.

An immobilized vehicle is subject to towing after 48 hours if it remains unclaimed or if outstanding fines remain unpaid.

Vehicles are towed at the expense of the owner. Fontbonne is not responsible for damage to towed vehicles or to vehicles that have been immobilized using a wheel lock. Contact the Department of Public Safety at extension (314) 719-4357 (HELP) for information regarding towed vehicles.

If you have visitors on campus to see you, please have your guests register at the Public Safety Office across from St. Joseph's Hall. Visitors will be issued a guest pass for their vehicles. Unregistered vehicles are subject to ticketing, booting, and towing. If no one is available at the Public Safety Office please go the Information Office located on 2<sup>nd</sup> floor of Ryan Hall.

## **2.8.3 Library**

The library supports the mission, curriculum, and values of Fontbonne University:

1. By providing a gateway to information resources for learning, teaching, and research;

2. By teaching information literacy skills for life-long learning; and
  3. By offering quality user-centered information services to all members of the Fontbonne community.
- Additional policies of the University library are available in the library.

### **2.8.4 Bulletin Boards**

Bulletin boards are located in some campus buildings. Some boards are identified for use and are used by specific departments or campus organizations. Others are open for posting of notices.

Below are guidelines for posting notices:

1. All signs must have the stamp of approval from the Student Affairs office. Signs without this stamp will be removed. The Director of Leadership Education and Student Activities or designated representatives within the Student Affairs office are the only people who can approve signs to be posted. Departments and student organizations that have their own bulletin board do not need approval to hang signs on their own board.
2. Only registered student organizations, departments, and offices may post signs on public campus bulletin boards.
3. Job listings outside of the Fontbonne community are to be posted only in the Career Office job-listings binders or on the Fontbonne Career Services website.
4. Any signs selling materials, goods, or services can be posted only on the Community Boards, which are located in Medaille Hall and in the DSAC Caf. Only one copy may be posted at each location.
5. Any individual member of the Fontbonne community who wishes to post a sign (other than on the Community Board) must have the sponsorship of a department, office, or registered student organization. For example: If a student wants to post a sign about cutting down all trees in the world, he would need to get sponsorship from a student organization or a department (i.e. Student Activities). The sponsoring body must have its name on the sign.
6. Any non-Fontbonne organization wishing to advertise events on campus must be sponsored by a Fontbonne student organization, office, or department. The sponsoring Fontbonne body must have its name on the sign.
7. All signs will be dated when approved and must be taken down by the sponsor two weeks after the date on the sign. The Director of Leadership Education and Student Activities may consider longer postings on a case by case basis.
8. Signs may not be hung on any type of glass (i.e. doors or windows). The Department of Residential Life reserves the right to hang signs on the doors and windows of the residence halls in order to get necessary information to the students on campus. It is up to individual departments or offices to decide to post signs on their own glass doors or windows.
9. Lawn signs are permissible but must be approved by the Director of Leadership Education and Student Activities.
10. If a student organization fails to follow this posting policy, it will lose its right to hang signs.
11. No sign will be approved that advertises anything that violates any University policy.
12. The fact that a flyer or notice is posted on a campus bulletin board does not mean that the University endorses the message.

13. Internal postings may be hung in the following locations:

- a. Ryan Hall: student dining hall, back entrance to right of wood walls; front main doors entering or exiting the dining hall; stairwells, first floor stairwells next to door; arcade entrance to building right wall.
- b. East Building and Anheuser-Busch Hall: arcade entrance to the right on wall; horseshoe entrance to the right on wall; bulletin boards by stairwells.
- c. Library: ask someone at desk to post.
- d. St. Joseph's Hall: bulletin board next to elevator; first floor fire doors.
- e. Medaille Hall: second floor doors; bulletin boards, walls to right of main entrance.

14. Any signs displayed in unapproved areas will be removed.

### **2.8.5 Solicitation and Distribution of Materials**

Employees, students, or other persons affiliated with the University may not engage in any form of solicitation or canvassing to the University community or to the general public for the purpose of raising funds or support for any University organization or activity without such written approval. Persons who are neither an employee, student or otherwise affiliated with Fontbonne University may not engage in any form of solicitation or in the distribution of any literature or any other materials at any time on any of the University's premises without prior written authorization of the University President or a designee. An employee may not solicit for any purpose or distribute any materials or literature of any kind, to other employees, when either employee is on working time

### **2.8.6 Reservation of Facilities**

Campus facility rental requests are coordinated by the General Services Office. For information on facility rental policies, availability, and rental rates, please contact the General Services Manager at (314) 719-8037. The University reserves the right to rent to individuals and organizations that are in support of its missions and values, as determined by the University in its sole discretion.

### **2.8.7 Campus Ministry**

The Department of Campus Ministry offers liturgies, prayer services, faith sharing groups, alternative spring break trips, and opportunities for conversation and dialogue for the campus community

### **2.8.8 University Bookstore**

The Fontbonne Bookstore is located in Ryan Hall on the first floor. It is a full service bookstore offering new and used textbooks. Other items stocked are imprinted sportswear, greeting cards, imprinted gift items, personal convenience items, and other merchandise for University students. Individuals may pay by cash, check, Visa/MasterCard, Discover, or American Express.

### **2.8.9 Lost and Found**

All lost articles, found anywhere on campus, should be given to the Public Safety officer on duty. Individuals are encouraged to put their names on all personal articles. Call extension 4357 (HELP) for assistance.

### **2.8.10 Non-liability of the University**

Fontbonne accepts no liability for the debts of its students, nor will the University act as an agent for outside organizations in collecting student debts. The University is not responsible for injuries or losses of property.

### **2.8.11 Theft**

Fontbonne is not responsible for replacement, reimbursement, or investigation of lost or stolen personal property. Missing items should be reported to the Student Affairs office and the Public Safety Office.

### **2.8.12 Food Services**

There are two dining locations on campus: The Ryan Hall Dining Room and the Griffin Grill in the Dunham Student Activities Center.

### **2.8.13 Mail Service**

Resident students' mailboxes are located near the east entrance of Medaille Hall. Messages, with the student's name and box number on the outside, can be left in the campus mailroom which is located on the first floor of Ryan Hall. Incoming mail is sorted and delivered to student mailboxes daily except for weekends and holidays. Packages or pieces of mail too big for the mailbox will be held in the mailroom for pick-up. A note of such a package will be placed in the student's mailbox. Faculty and staff mailboxes also are located in the mailroom in Ryan Hall. Mailroom personnel can assist in getting messages to faculty, administrators, and resident students.

The campus mailroom can send standard letters (including foreign), postcards, certified return-receipt mail, and packages (within the U.S. only). A book of stamps may be purchased in the Business Office. Larger packages can be sent via UPS or Federal Express from the mailroom for an additional pick-up charge plus postage. Check with the mailroom for the current additional pick-up fee. All transactions will be processed only by local checks or cash.

The mailroom can send standard letters and post cards to addresses outside the United States, and cannot send insured mail, packages, or registered mail to those addresses and must be taken to a local Post Office. There is an outside mailbox between Ryan and the East Building. Mail is scheduled to be picked up from this box at 10:00 a.m., 12:54 p.m., and 5:00 p.m. Monday through Friday and 12:00 noon on Saturday.

### **2.8.14 Phone Service**

To report trouble with a phone line, or if you have questions regarding telephone services, please contact the information technology office located on the third floor of Ryan Hall, ext. 8095. Between the hours of 4:30 p.m. and 8:00 a.m., call ext. 1498 and leave a voice mail message that includes your name, room number, extension, and description of the trouble you are experiencing.

### **2.8.15 Vending Machines**

A variety of snack, juice, and soda machines are located on the first and or second floors of classroom buildings and residence halls. Soda and snack machines are also located on the first floor of the DSAC. Additional snack, juice, soda, coffee, sandwich, and ice cream machines are located on the first floor of Ryan Hall. There is a change machine located in Ryan Hall on the first floor. See the mailroom for refunds on the vending machines for damaged products, complaints or suggestions for better service.

### **2.8.16 Bicycles**

Bicycles are welcomed and encouraged on campus. There are bike racks in front of Medaille Hall and along the side of the Library. All bikes should have some form of owner identification. Unattended bikes should be locked and secured. All resident students must register their bicycles with Public Safety. All bicycles must be removed at the end of the spring semester term. Any bicycles left after the end of the spring term will be removed and disposed of.

### **2.8.17 Nursing Room**

Fontbonne University is committed to complying with the Patient Protection and Affordable Care Act ("PPACA") requirements to provide reasonable breaks and private locations for employees to express breast milk for up to one year after giving birth.

Fontbonne supports staff, faculty, and students who are breastfeeding by offering a designated nursing room, located in the Student Affairs Office on the first floor of Medaille Hall. This room provides a clean, private, comfortable space, an electrical outlet, a chair, and a table for the breast pump and is available during normal business hours of 8:00am-4:30pm, Monday-Friday when the University is open.



**Appendix 2.0.1 Acknowledgment and Receipt of the Fontbonne University Policy Manuals**

I acknowledge that I have received access to the Fontbonne University Policy Manuals that are applicable to me, and I will review and comply with their contents.

I understand and agree that all provisions in the Policy Manuals must be followed at all times. I understand that the University reserves the right to make any adjustments or changes at the University's discretion.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Read, understand, sign, date and return this Acknowledgement form to Director of Human Resources.

**APPENDIX 2.1.5.2 ACCESS TO HIGHER EDUCATION**

*ACADEMIC ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES*

**FONTBONNE UNIVERSITY**



**THE KINKEL CENTER FOR ACADEMIC RESOURCES  
Fontbonne University Library, Second Floor**

**6800 Wydown Boulevard  
St. Louis, Missouri 63105**

**Kevin Pelzel, JD  
Director of The Kinkel Center for Academic Resources and  
Section 504/ADA Coordinator  
Fontbonne University Library, Second Floor  
(314) 889-4571 or (314) 719-3627  
email: [kpelzel@fontbonne.edu](mailto:kpelzel@fontbonne.edu)  
fax: (314) 719-3614**

## **Notice of Non-Discrimination**

Fontbonne University does not discriminate on the basis of race, color, religion, age, sex, gender identity, sexual orientation, national origin, disability, genetic information, or any other characteristic protected by applicable law in employment or in the administration of its educational policies, admission policies, educational programs, scholarship and loan programs, or athletic and other programs and activities. Furthermore, Fontbonne University prohibits retaliation against anyone who either opposes unlawful discrimination, assists or participates in an investigation of a complaint of discrimination, or exercises that person's rights under any law that forbids discrimination.

The Fontbonne University coordinators for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Titles VI and VII of the Civil Rights Act of 1964 and other laws and regulations prohibiting discrimination are:

Vice President for Finance and Administration  
Fontbonne University  
6800 Wydown Boulevard  
St. Louis, MO 63105  
Phone: (314) 719-8017  
Fax: (314) 719-8023

Director of Academic Services  
Fontbonne University  
6800 Wydown Blvd.  
St. Louis, MO 63105  
Phone: (314) 719-3627  
Fax: (314) 719-3614

Questions about this non-discrimination policy and any complaints of discrimination shall be directed to either of these coordinators.

Fontbonne University complies with the Family Educational Rights and Privacy Act of 1974, Public Law 93-380, as amended.

## ***Fontbonne University's Mission Statement***

***"Undergraduate and graduate programs are offered in an atmosphere characterized by a commitment to open communication, personal concern, and diversity."***

***(Fontbonne University Mission Statement, 2009)***

The following document addresses the need for the inclusion of all students into the academic life of Fontbonne University. It is the intent of Fontbonne University to offer academic accommodations to qualified students with documented physical or mental impairments, unless the University can demonstrate that the academic requirements are essential to the instruction being pursued or to any directly related licensing requirement, or that the academic accommodations would fundamentally alter the course or would result in an undue burden.

### ***What is the Americans with Disabilities Act (ADA)?***

The Americans with Disabilities Act of 1990 and the Americans with Disabilities Amendments Act of 2008 (collectively termed "ADA") are the civil rights guarantee for persons with disabilities in the United States. They provide protection from discrimination for individuals on the basis of disability.

The Americans with Disabilities Act of 1990 upholds and extends Section 504 of the Rehabilitation Act of 1973, which states:

***"No otherwise qualified person with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."***

### ***Who is a "person with a disability" as defined by the ADA and Section 504?***

The term "disability" means, with respect to an individual:

1. Having a physical or mental impairment which substantially limits one or more major life activities of the individual;
2. having a record of such an impairment; or,
3. being regarded as having such an impairment.

A "physical or mental impairment" means (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genitor-urinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. Physical or mental impairments include, but are not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

### ***What is a "major life activity"?***

Major life activities include, but are not limited to, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, speaking, breathing, learning, working, caring for oneself, and performing manual tasks. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

### ***Who is a qualified person with a disability under Section 504?***

A "qualified person with a disability" is one who meets the requisite academic and technical standards required for admission or participation in the post-secondary institution's programs and activities. Section 504 protects the civil rights of individuals who are qualified to participate and who have disabilities as defined by the ADA and Section 504.

### ***Who is eligible for services?***

Any Fontbonne University student is eligible for services under the following conditions:

- The student has an obligation to self-identify that he or she has a disability and that he or she needs accommodation.
- A student must submit a *Request for Academic Accommodations* form to the Director of the Kinkel Center for Academic Resources who serves as the Fontbonne University Section 504/ADA Coordinator. The Kinkel Center is located on the second floor of the Library. Any request for an academic accommodation or a support service must provide the specific instructors' names for notification of the academic accommodation, as well as the student's signature. Because students' instructors change each semester, the student requesting an academic accommodation or support service must submit a new form each semester if he or she is requesting an accommodation or support service related to his or her class work.
- The student must submit reasonable, appropriate, and verifiable documentation that complies with Section 504 of the Rehabilitation Act and Title III of the Americans with Disabilities Act. The University will request documentation for the purpose of establishing a disability in order to help the University work interactively with the student to identify appropriate accommodations or services. The focus will be whether the documentation adequately establishes the existence of a current disability and the individualized need for an academic accommodation or service. It is expected that the student will submit documentation at the time of the request, but, when necessary, a grace period of 30 days will allow students to present documentation unless extenuating circumstances exist and additional time is needed.

- The documentation required by Fontbonne University will vary according to the type of disability. For instance, an attending physician usually documents health impairments. Hearing impairments should be documented by an audiogram administered by a licensed and certified audiologist. If it is necessary for the University to confer with the health care provider(s) or other professional(s) to determine the reasonable, appropriate accommodation, a release will be requested from the student.
- To ensure that Fontbonne University is able to provide the appropriate academic accommodation or support service, the student must provide Fontbonne with reasonable notice of his or her need for the academic accommodation or support service. Some requests may take several weeks to process, such as books in an alternative format or specific electronic devices necessary for learning. The Director of The Kinkel Center for Academic Resources (Director) will notify instructors via email of academic accommodations at least two weeks prior to the scheduled first day of class for the semester. Therefore, students should submit a request for academic accommodations to the Director, along with any supporting documentation, at least 30 days before the semester begins or as soon as reasonably possible.

***After a student has provided documentation of a disability, what happens next?***

1. After the documentation has been received and reviewed (please allow 48 hours for this process), a student may make an appointment at the Kinkel Center for Academic Resources to request specific accommodations or fill out the *Request for Academic Accommodations* form. The specific accommodations requested must be substantiated by information that was presented in the documentation.
2. At the time of the appointment, the ADA Coordinator will engage in an interactive process to determine an appropriate academic accommodation based on the student's disability supporting documentation.
3. The ADA Coordinator may need to secure additional information or speak with the referring party. The Coordinator will ask for a signed release before anyone is contacted.
4. Accommodations for disabilities at Fontbonne University are individualized to meet the needs of the specific student. After a determination has been made regarding reasonable and appropriate accommodations or support services, the Director will notify, via email, instructors listed on the *Request for Academic Accommodations* form of the approved academic accommodations at least two weeks prior to the scheduled first day of class for the semester.
5. Instructors and faculty are notified **only** about the accommodations; the nature of the student's disability is not specified. All documentation regarding a student's disability is treated as confidential and is secured in a locked file in the office of the Director of the Kinkel Center for Academic Resources. Notification of accommodations occurs through campus email at least two weeks before the beginning of the semester (assuming the student has sought an accommodation and provided the required documentation in advance of the start of the semester), or within 48 hours of receipt of the *Request for Academic Accommodations* form.

***Testing Accommodation - Student Responsibilities:***

1. When the student wants a test with accommodations, it is the student's responsibility to:
  - Sign up for a proctor through the online scheduling program that is available on the Kinkel Center for Academic Resources web site. Students who need to have a scribe or have their tests read aloud must request these services at least 48 hours in advance of the test to allow time for adjustment of staff schedules. It is not the instructor's or faculty member's responsibility to schedule a test for a student.
  - Remind the instructor that the student needs to have a test administered in the Kinkel Center. This notification should occur not less than 48 hours before the test so that the test can be forwarded.

- Notify the ADA Coordinator immediately if accommodations are not being made or if there is any question about the implementation of academic accommodations.

***Testing Accommodation - Faculty Responsibility:***

Tests should be delivered to the Kinkel Center by the instructor or a designee in a sealed envelope that gives specific directions for the administration of the test. These envelopes are available in the mailroom, Ryan Hall, first floor, and in the Kinkel Center. If more than one test is to be given, each test should have its own envelope, for security reasons.

***Family Education Rights and Privacy Act of 1974 (FERPA) Regulations:***

University students are regarded as adults by colleges and universities. Because of the regulations specified in the Family Education Rights and Privacy Act of 1974 (FERPA), Fontbonne University generally will not release information about accommodations to parents or guardians of students with disabilities without the student's written authorization.

***Fundamental Alterations to Course***

The University does not have to provide an academic accommodation if the University demonstrates that the academic accommodation fundamentally alters the course or would result in an undue burden, or that the academic requirements are essential to the instruction being pursued or to any directly related licensing requirement.

***What are some of the typical accommodations or support services that may be made available to Fontbonne students with learning disabilities?***

- Note-takers
- Tutors
- Testing in a reduced-distraction environment
- Tests that are read aloud or taped
- Instructor notification
- Advising and counseling

Accommodations are arranged on a case-by-case basis by the Fontbonne Section 504/ADA Coordinator to insure that the individual needs of students are being addressed. Accommodations are determined by an examination of documentation provided by the student and through consultation with the individual student. It is sometimes necessary to examine the nature and the cost of a specific accommodation and to determine whether or not providing the accommodation will cause an undue financial or administrative hardship for the University.

***What some of the typical academic accommodations or support services that may be made available to students with physical disabilities?***

There are a variety of orthopedic/mobility disabilities resulting from congenital conditions, accidents, or progressive diseases. Some disabilities are temporary in nature. Accommodations for these disabilities may include:

- Accessible location for class or meetings with faculty
- Extra time to get to classes, particularly in inclement weather
- Special seating in classrooms
- Note-takers, use of tape recorders
- Testing accommodations
- Accessible parking spaces
- Lockers to store materials

***Exclusions:***

Section 104.44(d)(2) of the regulations regarding the Rehabilitation Act provides that personal attendants, individually prescribed devices (such as wheelchairs), readers for personal use or study, or other devices or services of a personal nature are the responsibility of the student, not the University.

***What should I do if I need books in an accessible format?***

It is the responsibility of students to acquire textbooks for courses. If a student requires a textbook in an alternative format such as on tape, CD, or electronic format, the student must order the materials in a timely fashion, usually six to eight weeks before the beginning of the semester. Information on various services is available in the Kinkel Center for Academic Resources.

***What are some of the discriminatory acts that are prohibited by the ADA and Section 504?***

Colleges and universities receiving federal financial assistance must not discriminate in the recruitment, admission, or treatment of students. Students with documented disabilities may request modification, accommodations, or auxiliary aids that will enable them to participate in and benefit from all post-secondary educational programs and activities. Post-secondary institutions must make such changes to ensure that the academic program is accessible by all students, unless the University can demonstrate that the academic requirements are essential to the instruction being pursued or to any directly related licensing requirement.

Under the provisions of Section 504, universities and colleges may **not**:

- Limit the number of students with disabilities admitted;
- Except under circumstances specified in the Rehabilitation Act of 1973 regulations, make pre-admission inquiries as to whether or not a student is disabled;
- Use admission tests or criteria that inadequately measure the academic qualifications of disabled students because special provisions were not made for them;
- Exclude a qualified student with a disability from any course of study;
- Limit eligibility to a student with a disability for financial assistance or otherwise discriminate in administering scholarships, fellowships, internships, or assistantships on the basis of disability;
- Counsel a student with a disability toward a more restrictive career;
- Measure student achievement using modes that adversely discriminate against a student with a disability.

**Code of Student Conduct Violations**

**Every Fontbonne University student is subject to the rules of conduct as specified in the University Code of Student Conduct. There are no exceptions or exemptions for students with disabilities, or for any other Fontbonne University students.**

***What recourse is available to a student who feels that his or her needs for accommodation are not being met?***

If a student is not satisfied with any decision by the University involving accommodations, modifications, or auxiliary aids or services, or otherwise believes she or he has been discriminated against on the basis of disability, the student may contact the designated coordinator and/or file a complaint of discrimination in accordance with the University's anti-discrimination grievance procedure set forth in Fontbonne University Policy Manual Volume II, Campus Community Policies, section 2.1.2. The student may contact the Director of the Kinkel Center for Academic Resources prior to or after a complaint of discrimination is filed to attempt to resolve the complaint informally, but any informal or voluntary resolution attempts after a complaint is filed will not delay the investigation of the complaint.

***Where can a student go to request academic accommodations?***

For academic accommodations, contact:

Kevin Pelzel

Director of the Kinkel Center for Academic Resources and Section 504/ADA Coordinator

Fontbonne University Library, Second floor

Phone: (314) 889-4571 or (314) 719-3627

E-mail: [kpelzel@fontbonne.edu](mailto:kpelzel@fontbonne.edu)

Fax: (314) 719-3614

For requests or inquiries regarding other accommodations, including auxiliary aids or services, or modifications of policies or procedures to participate in a program, service or activity, or the existence and location of services, activities and facilities that are accessible to and usable by individuals with disabilities, please contact the Section 504/ADA Coordinator, above.

*Fontbonne University offers academic accommodations to students with documented physical or mental impairments. Any Fontbonne student is eligible for academic accommodations or special services if:*

- 1. The student self-identifies that he or she has a physical or mental impairment and needs an academic accommodation based on his or her individual needs;*
- 2. The student submits a request for an academic accommodation to the Director of the Kinkel Center for Academic Resources, along with any supporting documentation, at least 30 days before the semester begins or as soon as reasonably possible; and*
- 3. The student provides reasonable, appropriate, and verifiable supporting documentation of the physical or mental impairment at the time of the request for an academic accommodation or within 30 days after the request, unless extenuating circumstances exist.*

*For requests or inquiries regarding other accommodations, including auxiliary aids or services, or modifications of policies or procedures to participate in a program, service, or activity, or the existence and location of services, activities, and facilities that are accessible to and usable by individuals with disabilities, please contact the Section 504/ADA Coordinator, Kevin Pelzel, JD at 314-719-3627, 314-889-4571, or [kpelzel@fontbonne.edu](mailto:kpelzel@fontbonne.edu).*

1350641.3



**APPENDIX 2.3.3.1.1: CAMPUS CRIME REPORT FORM**

**FONTBONNE UNIVERSITY CAMPUS CRIME REPORT**

DATE OF INCIDENT: \_\_\_\_\_

DATE OF REPORT: \_\_\_\_\_

NATURE OF INCIDENT AND DISPOSITION \_\_\_\_\_

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LOCATION OF INCIDENT (IF BRANCH CAMPUS, PLEASE SPECIFY) \_\_\_\_\_

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---

NAMES OF FONTBONNE STUDENTS OR EMPLOYEES INVOLVED: \_\_\_\_\_

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---

NAMES OF NON-FONTBONNE PERSONS INVOLVED: \_\_\_\_\_

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WERE THE POLICE OR OTHER SECURITY OFFICERS INFORMED OF THIS INCIDENT? YES\_\_\_ NO \_\_\_

IF SO, PLEASE STATE THEIR NAMES? \_\_\_\_\_

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NAME OF PERSON MAKING THIS REPORT: \_\_\_\_\_

This form is used for compliance with the Crime Awareness and Campus Security Act of 1990 (PL 101-542). As required by the Department of Education, crimes statistics must be compiled and submitted to the Department of Education annually for: (1) murder, (2) rape, (3) robbery, (4) aggravated assault, (5) burglary, (6) motor vehicle theft, (7) liquor law violations, (8) drug abuse violations, (9) weapons violations and (10) any crime where a person is injured. A security log must be maintained and open for inspection for all reported incidents.

Please return completed forms to:

Fontbonne University  
Director of Public Safety  
6800 Wydown Blvd.  
St. Louis, MO 63105

**APPENDIX 2.7.1.1:            ESSENTIAL ELEMENTS OF THE CONSENT FORM**

The following information shall be provided to each subject in seeking informed consent:

1. An explanation of the purposes of the research including the expected duration of the subject's participation, a description of all procedures and the identification of any procedures that are experimental.
2. A description of any foreseeable risks or discomforts to the subject.
3. A description of any benefits to the subject or to others which may reasonable be expected from the research.
4. A statement describing the extent to which confidentiality of records identifying the subject will be maintained.
5. An explanation of whom to contact for answers to pertinent questions about the research and research participants' rights, and whom to contact in the event of a research-related injury to the subject.
6. A statement that participation is voluntary, refusal to participate will involve no penalty or loss of benefits to which the subject is otherwise entitled, and the subject may discontinue participation at any time without penalty or loss of benefits to which the subject is otherwise entitled.

### Sample Consent Form

You are invited to participate in a study of *(state what is being studied)*. We hope to learn *(state what the study is designed to discover or establish)*. You were selected as a possible participant in this Study because *(state why and how the subject was selected)*.

If you decide to participate, we (or: \_\_\_\_ and associates) will *(Describe the procedures to be followed, including their purposes, how long they will take, and their frequency. Describe the discomforts and inconveniences reasonably to be expected, and estimate the total time required. Describe the risks reasonably to be expected, and any benefits reasonably to be expected.)*

*(If applicable, describe appropriate alternative procedures that might be advantageous to the subject, if any. Any standard treatment that is being withheld must be disclosed.)*

Any information obtained in connection with this study that can be identified with you will remain confidential and will be disclosed only with your permission. In any written reports or publications, no one will be identified or identifiable and only aggregate data will be presented. *(If you will be releasing information to anyone for any reason, you must state the persons or agencies to whom the information will be furnished, the nature of the information to be furnished, and the purpose of the disclosure).*

*(If the subject will receive compensation, describe the amount or nature. If there is a possibility of additional costs to the subject because of participation, describe it. If there is a possibility of a research-related physical injury, information as to the medical treatment and compensation available should be included.)*

Your decision whether or not to participate will not affect your future relations with the *(institution or agency)* in any way. If you decide to participate, you are free to discontinue participation at any time without affecting such relationships.

If you have any questions, please ask us. If you have any additional questions later, *(name and phone number)* will be happy to answer them.

You will be offered a copy of this form to keep.

-----

You are making a decision whether or not to participate. Your signature indicates that you have read the information provided above, have had your questions answered, and you have decided to participate. You may withdraw at any time without prejudice after signing this form should you choose to discontinue participation in this study.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent or Legal Guardian  
*(Include this line if applicable)*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Investigator

\_\_\_\_\_  
Date

**APPENDIX 2.7.1.4.1.1: REQUEST FOR APPROVAL OF THE USE OF HUMAN PARTICIPANTS IN RESEARCH**

**Screened for Exempt Status Form**

**Complete and return this form to:**

Institutional Research Review Board for the Protection of Human Participants in Research  
Office of the Vice President for Academic Affairs  
Fontbonne University  
6800 Wydown Boulevard  
Clayton, Missouri 63105

Principal Investigator: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

Project title: \_\_\_\_\_

Department \_\_\_\_\_ Projected starting date: \_\_\_\_\_

This study is covered under exemption category for the following reason(s): (check all that apply)

1. \_\_\_\_ This study will be conducted in an established or commonly accepted educational setting involving normal educational practices.
2. \_\_\_\_ This study involves the use of educational tests and participants cannot be identified.
3. \_\_\_\_ This study involves surveys and/or interview procedures or observations of public behavior and
  - a. \_\_\_\_ participants cannot be identified, either directly or through the identifiers linked to the subject.
  - b. \_\_\_\_ the subject's responses, if they become known outside the research, cannot place the subject at risk of criminal or civil liability or be damaging to the subject's financial standing or employability.
  - c. \_\_\_\_ the research does not deal with sensitive aspects of the subject's own behavior.
4. \_\_\_\_ Participants are 18 years of age or older.
5. \_\_\_\_ This study involves the use of existing data.
6. \_\_\_\_ This study is an evaluation of Federal Research and/or Federal program(s).

**Participants**

Age Range: \_\_\_\_\_ Number of Participants: \_\_\_\_\_

How are participants chosen (classes, referral, canvassing, etc.; be specific)? Enclose a copy of the consent form to be used.

**ABSTRACT:** Clearly state the purpose of the study (hypothesis) in which human participants will be involved. Specify what will be done to or for the participants (beyond information in the consent form.) Remember that research data can only be reported in aggregate or in a form which protects the confidentiality of research participants. Attach a copy of your proposal.

\_\_\_\_\_  
Signature of principal investigator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Faculty Research Advisor  
(If applicable)

\_\_\_\_\_  
Printed Name of Advisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Advisor's Phone Number

\_\_\_\_\_  
Advisor's email address

**RESEARCH SHOULD NOT BE INITIATED UNTIL YOU HAVE RECEIVED CONFIRMATION OF EXEMPTION**

Approved by:

\_\_\_\_\_  
Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

This approval is valid for one year from chairperson's approval date.

### **Expedited or Full Review Form**

University and Federal policies require that each project involving studies on humans be reviewed to consider: 1) the rights and welfare of the individual(s) involved, 2) the appropriateness of the methods used to secure informed consent, and 3) the risk and potential benefits of the investigation.

The following information is necessary for this review. Complete each item as applicable. If an item is not applicable, indicate this by "NA".

Return completed form to:

Institutional Research Review Board for the Protection of Human Participants in Research  
Office of the Vice President for Academic Affairs  
Fontbonne University  
6800 Wydown Boulevard  
Clayton, Missouri 63105

This proposal is submitted for: Expedited Review \_\_\_\_ Full Review \_\_\_\_

Principal Investigator: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-mail: \_\_\_\_\_

Project Title: \_\_\_\_\_

Department \_\_\_\_\_ Projected Starting Date: \_\_\_\_\_

Proposal has been (will be) submitted to funding agency (give agency and date).

\_\_\_\_\_  
Name and address of person(s) at funding agency and/or University who should receive notice of IRB approval (other than investigator):

\_\_\_\_\_  
\_\_\_\_\_

Participants

Age range: \_\_\_\_\_ Number of participants: \_\_\_\_\_

Specify how participants are to be chosen. Enclose a copy of the consent form to be used. This should ordinarily be the Fontbonne University form. Attach an explanation for use of a different form.

**ABSTRACT:** Clearly state the purpose of the study (hypothesis) in which human participants will be involved. Specify what will be done to or for the participants (beyond information in the consent form.) Remember that research data can only be reported in aggregate or in a form which protects the confidentiality of research participants. Attach a copy of your research proposal.

\_\_\_\_\_  
Signature of Principal Investigator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Faculty Research Advisor  
(if applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Advisor

\_\_\_\_\_  
Advisor's Phone Number

\_\_\_\_\_  
Advisor's E-mail Address

**RESEARCH SHOULD NOT BE INITIATED UNTIL YOU HAVE RECEIVED  
CONFIRMATION OF EXEMPTION**

Expedited review status will be reviewed by at least three IRB members by mail. The researcher shall be notified of the IRB decision by mail within three weeks. If applicable, a copy of the decision will be mailed to the advisor.

Full review status requests will be reviewed at a full meeting of the IRB. A majority of the IRB must be present and include one member whose primary concerns are non-scientific. The researcher shall be notified of the IRB decision within four weeks. If applicable, a copy of the decision will be mailed to the advisor.

\_\_\_\_\_  
Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

This approval is valid for one year from Chairperson's approval date.

#### **APPENDIX 2.7.1.4.1.2: EXPEDITED REVIEW GUIDELINES**

Proposals for Human Participants Research may be expedited and not subject to full review procedures when what is being proposed does not expose the participants to risk either to their persons or to their privacy.

The same materials must be submitted for an expedited review as for a full review. The only difference is the length of time required for the review and the number of IRB members who will review the proposal.

Examples of expedited review procedures include:

1. Collection of hair and nail clippings, in a non-disfiguring manner, deciduous teeth, and permanent teeth, if patient care indicates a need for extraction.
2. Collection of excreta and external secretions including sweat, uncannulated saliva, placenta removed at delivery, and amniotic fluid at the time of rupture of the membrane prior to or during labor.
3. Recording of data from participants 18 years of age or older using non-invasive procedures routinely employed in clinical practice. This includes the use of physical sensors that are applied either to the surface of the body or at a distance and do not involve input of matter or significant amounts of energy into the subject or an invasion of the subject's privacy. It also includes such procedures as weighing, testing sensory acuity, electrocardiography, electroencephalography, thermography, detection of naturally occurring radioactivity, diagnostic echography, and electroretinography. It does not include exposure to electromagnetic radiation outside the visible range (for example, X-rays, microwaves).
4. Collection of blood samples by venipuncture, in amounts not exceeding 450 milliliters in an eight-week period and no more often than two times per week, from participants 18 years of age or older and who are not pregnant.
5. Collection of both supra- and subgingival dental plaque and calculus provided the procedure is not more invasive than routine prophylactic scaling of the teeth and the process is accomplished in accordance with accepted prophylactic techniques.
6. Voice recording made for research purposes such as investigations of speech defects.
7. Moderate exercise by healthy volunteers.
8. The study of existing data, documents, records, pathological specimens, or diagnostic specimens.
9. Research on individual or group behavior or characteristics of individuals such as studies of perception, cognition, game theory, or test development, where the investigator does not manipulate participants' behavior and the research will not involve stress to participants.
10. Research on drugs or devices for which an investigation new drug exemption or an investigational device exemption is not required.



<b>FONTBONNE UNIVERSITY</b> <b>THE INSTITUTIONAL ANIMAL CARE &amp; USE COMMITTEE (IACUC)</b> <b>APPLICATION TO USE VERTEBRATE, NON-MAMMALIAN ANIMALS IN RESEARCH</b>
--

<b>Application Submission Date</b> <input style="width: 80px;" type="text"/>	<b>Approval Date:</b> <input style="width: 80px;" type="text"/>
<b>Expiration Date:</b> One year from approval date	<b>Approval Number:</b> <input style="width: 80px;" type="text"/>
<b>Protocol Status (mark one)</b>  <div style="display: flex; justify-content: space-around;"> <div><input type="checkbox"/> <b>New</b></div> <div><input type="checkbox"/> <b>Amendment</b></div> <div><input type="checkbox"/> <b>Annual Renewal*</b></div> </div>	<b>Chair, Fontbonne University IACUC:</b>

\*If there have been no changes to the project and procedures utilized, the annual renewal need only reference the original approval number, with a statement indicating that it is an unaltered request for renewed approval.

The Fontbonne University IACUC follows guidelines and procedures found in the Guide to the Care and Use of Laboratory Animals in its oversight responsibility regarding the use of vertebrate animals for study purposes. The animal use application must be complete enough to give the committee the necessary information to make its determination. Failure to complete the application in its entirety for **all** animals used will be grounds for denial of the request.

It is assumed that all use of animals falls under the category of research which adds to the scientific knowledge base, and no request to use vertebrate animals solely for the purpose of instruction will be approved.

### I. Title, Dates and Personnel

<b>Title of Project:</b>	
<b>Inclusive dates of study:</b>	
<b>List all personnel who will be directly involved with animal care or use.</b>	<b>Fontbonne University PI (Include title and rank):</b>
	<b>Fontbonne University CoPI or assisting faculty:</b>
	<b>Fontbonne University Staff (if other than above):</b>
	<b>Fontbonne University Students:</b>
	<b>Other:</b> (if non-Fontbonne University personnel will be involved, contact information must be provided)
<b>Project approved by appropriate chair or dean?</b>	<input type="checkbox"/> <b>N</b> <input type="checkbox"/> <b>Y</b> <b>Name:</b>

### II. ANIMALS: Give information below for each vertebrate animal to be used in the study. If more than one species is involved, please copy the table and provide information separately for each.

**a. Proposed Vertebrate Study Animal (please include genus and species):**

**b. Is a simulation, tissue-culture line, or any other replacement available for this study?**

☐

N

☐

Y If yes, explain why it is not being used

**c. Approximate number of animals required over the duration of the study.**

**d. How will animals be acquired, and for what length of time will they be kept?**

☐

Animals will be wild and will remain free for the duration of their participation in the study. All procedures performed will be non-invasive procedures.

☐

Animals will be wild and be captured for only the time required to perform non-invasive or minimally invasive procedures. Animals will be released where they were captured.

☐

Animals will be purchased from a vendor or supplier, and maintained for the duration of the study. An animal welfare plan is included below.

☐

Other; please explain.

**e. Location of animal use.**

In the wild: give location and provide permits or contact information for the approving individual for the location.

On-campus Housing: give location and any pertinent specifics regarding containment

Location of Experimentation:

**f. Will any non-standard husbandry methods be employed?**

☐

N

☐

Y If yes, you will need to explain the nature of the method in detail in part II.

**g. Please list any anticipated sources of discomfort during the study and the sedation, anesthesia or analgesia that will be employed to minimize this discomfort.**

**h. Please list any methods of euthanasia that will be employed. Please refer to <https://www.avma.org/KB/Policies/Documents/euthanasia.pdf> for guidelines on methods of euthanasia.**

i. Will animals be genetically modified over the course of the experiment?

☐

N

☐

Y If yes, please outline how release to the natural environment will be prevented.

j. Will animals be maintained after the study has been completed?

☐

N

☐

Y If yes, please explain how they will be housed and cared for for the duration of their natural life.

**III. Scientific significance, rationale and justification of vertebrate animal use:** Briefly describe the scientific significance that justifies the use of vertebrate animals. Include a comment describing how you will limit the number of animals needed, and exposure of animals to unnecessary stress or discomfort.

**IV. PI qualification and training:** Briefly describe the experience that the PI has with this animal, or the training that the PI will receive prior to initiation of the study.

**V. Description of husbandry required:** If standard housing and care are being used, indicate the reference procedure that you will be following. If novel husbandry practices are to be employed, please describe them in detail. In all cases, the researcher will be responsible for keeping records documenting the care of the animals.

**VI. Description of all research procedures involving vertebrate animals.** If surgeries will be performed, comment on the technique, methods of pain management, and post-operative recovery plan.

Procedures involving wild animals:

Procedures involving captive wild animals:

Procedures involving animals housed on campus:

**VII. Training for participants in the project:** Please describe level of interaction for any faculty, staff, or students who will be assisting in the study, along with the training that will be required for each individual. The researcher will be responsible for keeping records documenting the adequate training of personnel involved.

**VIII. IACUC Committee Review:**

I have reviewed the attached animal use application and find it to be scientifically valid and consistent with Fontbonne University IRB/IACUC policy.

\_\_\_\_\_  
Signature (Authorized reviewer) Name & Title (typed)

\_\_\_\_\_  
Signature (Authorized reviewer) Name & Title (typed)

\_\_\_\_\_  
Signature (IACUC Chair) Name & Title (typed)

**APPENDIX 2.9.1.1: DRIVER CONTRACT AND ACTIVITY/TRIP APPROVAL FORM**



**Driver Contract and Activity/Trip Approval Form**

Sponsors must complete and submit this Driver Contract and Activity/Trip Approval Form to their Vice President at least three working days prior to the day of departure.

Indicate below the type and number of vehicles to be used for the trip.

University-Rented Vehicles \_\_\_\_\_ Privately Owned Vehicles \_\_\_\_\_

Sponsor: \_\_\_\_\_ Dept: \_\_\_\_\_ Tel/Ext: \_\_\_\_\_

Destination: \_\_\_\_\_ Departure Date: \_\_\_\_\_ Return Date: \_\_\_\_\_

Activity/Trip Description:

---



---

Public Safety Officer's  
Signature Indicating

Printed Name of Driver

ID#

Driver's Signature

Driver is Approved


The activity/trip sponsor will ensure that all drivers know and agree to abide by the Fontbonne University transportation policies and procedures.

Sponsor's Signature: \_\_\_\_\_ Vice President Approval: \_\_\_\_\_

**APPENDIX 2.9.1.2.1: DRIVING RECORD RELEASE FORM**



**AUTHORIZED DRIVER DRIVING RECORD RELEASE FORM**

**All information must be completed before further processing. Please print clearly.**

**List below the name and telephone number of the driver's sponsor (supervisor or the individual requesting the driver be authorized to operate a vehicle):**

**Sponsor's Name:** \_\_\_\_\_ **Telephone/Extension Number:** \_\_\_\_\_

**Driver's Fontbonne ID #** \_\_\_\_\_

**Driver's Last Name:** \_\_\_\_\_

**Driver's First Name & Middle Initial:** \_\_\_\_\_

**Driver's Birth date (m/d/y):** \_\_\_\_\_ **Driver's Social Security #** \_\_\_\_\_

**Driver's License Number:** \_\_\_\_\_ **State Issued:** \_\_\_\_\_

**Attach copy of driver's license in the space provided below:**

The signature below authorizes Fontbonne University to request a driving record reference check from the state in which driver is licensed to drive. This authorization expires 60 days after the date on this form and approval to drive must be renewed annually. By signing, I also acknowledge that I have received the University's transportation policy.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**APPENDIX 2.9.1.3.1.1: ACCIDENT REPORT FORM**



**Fontbonne University**  
Learn more. Be more.

**ACCIDENT REPORT FORM**

UNIVERSITY-RENTED VEHICLE \_\_\_\_\_ PRIVATELY-OWNED VEHICLE \_\_\_\_\_

**Date** \_\_\_\_\_ **Time** \_\_\_\_\_

Location \_\_\_\_\_

Police Department/Officers Responding

Department \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

Officer's Name \_\_\_\_\_ Police Report Number \_\_\_\_\_

Fontbonne Driver Information

Name \_\_\_\_\_ ID Number \_\_\_\_\_

Other Driver Information

Name \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

License Plate Number \_\_\_\_\_ State \_\_\_\_\_

Insurance Company \_\_\_\_\_ Telephone Number \_\_\_\_\_

Agent's Name \_\_\_\_\_ Policy # \_\_\_\_\_

**Briefly Describe What Happened** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**ACCIDENT REPORT FORM**

**Page 2**

**Witness and Injury Information**

Witness ☐ Injured ☐ Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number ( \_\_\_\_ ) \_\_\_\_\_

Witness ☐ Injured ☐ Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number ( \_\_\_\_ ) \_\_\_\_\_

Witness ☐ Injured ☐ Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number ( \_\_\_\_ ) \_\_\_\_\_

Witness ☐ Injured ☐ Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number ( \_\_\_\_ ) \_\_\_\_\_

Witness ☐ Injured ☐ Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number ( \_\_\_\_ ) \_\_\_\_\_

Witness ☐ Injured ☐ Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number ( \_\_\_\_ ) \_\_\_\_\_

Return a copy of this form to the Vice President for Finance and Administration



**APPENDIX 2.9.1.4.1: EMERGENCY REPAIRS AND TOWING REPORT FORM**



**Fontbonne University**  
Learn more. Be more.

**EMERGENCY REPAIRS and TOWING REPORT FORM**

Vehicle Number \_\_\_\_\_ Mileage \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Name of Vehicle Driver \_\_\_\_\_

**Tow Information**

Towing

Company

Address

City, State, Zip

Telephone

Number

Location

Towed

Address

City, State, Zip

Telephone

Number

Reason for Tow

Cost of Tow\*

**Repair Information**

Repair Shop

Address

City, State, Zip

Telephone

Number

Type of Repairs

Cost of

Repairs\*

Name of Driver Authorizing Repairs or Towing \_\_\_\_\_

Signature of Driver Authorizing Repairs or Towing \_\_\_\_\_

\*All invoices should be attached to this form

## APPENDIX 2.9.1 TUBERCULOSIS POLICY GLOSSARY OF TERMS

**Chest x-ray:** A chest X-ray is a picture of the chest that shows your heart, lungs, airway, blood vessels, and lymph nodes.

**Local health department:** St. Louis County Health Department

**Latent Tuberculosis Infection (LTBI):** a condition in which a person is infected with *Mycobacterium tuberculosis*, but does not currently have active **tuberculosis** disease.

**Matriculation:** to become a student at a school usually in a college or university.

**Mycobacterium tuberculosis:** pathogenic bacterial species and the causative agent of most cases of tuberculosis (TB).

Registration hold: notation on a student's account preventing action on the student's account such as registration for classes.

Risk Screening: questionnaire presented to students, faculty and staff regarding tuberculosis history to determine whether there is any potential exposure to tuberculosis presented by the student or employee.

Tuberculosis: commonly known as TB, is a bacterial infection that can spread through the lymph nodes and bloodstream to any organ in your body but is most often found in the lungs. While most people who are exposed to TB never develop symptoms because the bacteria can live in an inactive form in the body, TB bacteria can become active. In an active state, TB bacteria cause death of tissue in the organs they infect and can be fatal if left untreated.

Tuberculin skin test: A tuberculin skin test (also called a Mantoux tuberculin test) is done to by putting a small amount of TB protein (antigens) under the top layer of skin on your inner forearm. If you have ever been exposed to the TB bacteria (*Mycobacterium tuberculosis*), your skin will react to the antigens by developing a firm red bump at the site within 2 days.

The TB antigens used in a tuberculin skin test are called purified protein derivative (PPD). A measured amount of PPD in a shot is put under the top layer of skin on your forearm. This is a good test for finding a TB infection. It is often used when symptoms, screening, or testing, such as a chest X-ray, show that a person may have TB.