

Fontbonne University

Policy Manual Volume II

Campus Community Policies



Fontbonne University
Policy Manual - Volume II
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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, gender, gender orientation, national or ethnic origin, or disability in employment or in the administration of its educational policies, admission policies, scholarship and loan programs, or athletic and other school-administered programs. 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 employment discrimination.

The Fontbonne University coordinator for Title IX and Section 504 of the Rehabilitation Act of 1973 and the EEO Coordinator for other laws and regulations prohibiting discrimination is

Vice President for Finance and Administration

Fontbonne University

6800 Wydown Boulevard

St. Louis, MO 63105-3098

Phone: (314) 719-8017

Fax: (314) 719-8023

If the allegations of discrimination or retaliation allege involvement of the Vice President for Finance and Administration, then notification of the complaint shall be made to the Executive Vice President for Strategy and Operations. The University will thoroughly and promptly investigate all complaints and take corrective or disciplinary action when appropriate.

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.

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.

2.1.2.2.1 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: 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. 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.

2.1.2.3 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, must immediately notify:

Vice President for Finance and Administration

Fontbonne University

6800 Wydown Boulevard

St. Louis, MO 63105-3098

Phone: (314) 719-8017

Fax: (314) 719-8023

If the Vice President for Finance and Administration is the person alleged to be engaged in the harassment, notification shall be made to the Executive Vice President for Strategy and Operations.

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 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. 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.

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 manual, Volume V, paragraph 5.8). At the discretion of the University Administration, separate investigations may be conducted, or the investigations may be merged.

False reports of discrimination or harassment are subject to possible discipline under the University's code of student conduct or the employee handbook.

2.1.2.4 Investigation Procedures

2.1.2.4.1 Level I- Informal Procedure

Informal procedures are designed to work out a mutually agreeable solution to a problem. 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. 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.

If the complainant, the accused, or the University designee, chooses not to participate in the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, the complainant may utilize the formal procedure.

2.1.2.4.2 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. This 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, or, in the case of OPTIONS students, will inform the Dean of the Ecklekamp College of Global Business and Professional Studies.

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 then 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 of the findings of the investigation by the Vice President for Finance and Administration.

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 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 for Academic Affairs must meet with the complainant and with the alleged harasser or discriminator. The written decision of the Vice President 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 for Academic Affairs, then written request for appeal shall be made to another member of the Office of the President.

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 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: ocv.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.

<u>Types</u>	<u>Location</u>	<u>Custodian</u>
Admission Records of Matriculated Students	Registrar's Office Ryan Hall	Registrar
Academic Records	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
Financial Records	Business Office Ryan Hall	Controller
Financial Aid Records	Financial Aid Office Ryan Hall	Director of Financial Aid
Credential Files (Until they are phased out)	Student Affairs Office Medaille Hall	Vice President for Student Affairs
Complaint Resolution	Student Affairs Office	Vice President

(non-academic)	Medaille Hall	for Student Affairs
Occasional Records	The appropriate office will	The University staff
(Education records not	collect such records, direct	persons who maintain such
included in the types above	the student to their location	occasional systems records
such as minutes of faculty	or otherwise make them	
committee meetings, copies	available for inspection and	
of correspondence in offices	review	
not listed, etc.)		

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).

2.1.5.2.2 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 Academic Dean. 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 Alcohol and Drug Use

Under the Federal statute for drug and alcohol abuse prevention in higher education institutions, 20 U.S.C. §1011i, Fontbonne University must certify that it has adopted and implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. Accordingly, the

following policy has been implemented, effective October 1, 1990. The policy will be reviewed biennially. This certification requires Fontbonne to distribute annually the elements of this program or writing to all students and employees. To obtain a copy of this report, you may contact the Student Affairs Office in Medaille Hall (314-889-1411) or download a copy at www.fontbonne.edu/daappolicy.

2.2.2.1 Policy Statement

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 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.

I. 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.

II. 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.

- A. During special Caf' events, such as dances or activity nights, beer and wine service maybe made available in the Caf' along with a full range of non-alcoholic beverages. Event sponsors must contract with AmeriServe in order for alcohol to be served. Food service and non-alcoholic beverages are required when alcohol is served. Students and other persons 21 years of age or older must provide proof of age, if requested, before being served. Distribution of alcohol to anyone under the age of 21 is prohibited. No alcoholic beverages may be brought in to the Caf' or removed from the Caf'. Alcohol advertising (e.g., "B.Y.O.B") for any on or off-campus event is not permitted. Intoxicated persons will be prohibited from entering school-sponsored events, and intoxicated guests are not allowed to be escorted into the residence halls. Fontbonne's Public Safety Office should be contacted in the event that an intoxicated student or guest needs transportation.
- B. No alcoholic beverages are allowed in unapproved areas. Unapproved areas include but are not limited to lounges, hallways, courtyards, and outside of buildings. In addition, St. Joseph's Residence Hall aspires to be an alcohol-free building: no alcoholic beverages are allowed by residents or guests, even if they are 21 or older.

While Fontbonne respects students' right to privacy, it retains its right to enter residence hall rooms if there is sufficient reason to believe that University policies have been violated.

- C. 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.

III. Because of Liquor license restriction from the State of Missouri, St. Louis County, and the City of Clayton, 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. Please allow 48 hours advance notification.

Policies for Serving Alcohol on Clayton Campus

Because of liquor license restrictions from the State of Missouri, St. Louis County, and the City of Clayton, 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. Please allow 48 hours advance notification.

Ameriserve Procedures:

1. Ameriserve bartenders/servers must be 21 years of age and be knowledgeable about the drinks being mixed and/or served. Ameriserve supervisors will successfully complete TIPS training available through Grey Eagle Distributors.
2. Alcoholic beverages will be served by the individual glass, bottle, or can. No pitchers of beer will be served. Ameriserve will determine and monitor the number of drinks served to individuals.
3. Depending upon the nature of the event, Ameriserve bartenders/servers will card and stamp individuals.
4. Individuals, organizations, and departments 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.
5. Ameriserve bartenders/servers are responsible for reporting any disruptions in the serving area to Public Safety.

Organization and Department Responsibilities:

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 hour charge for a bartender with a two hour minimum and a \$50.00 per bar set-up fee. The organization or department sponsoring the event will be billed for the bartenders' service. There cannot be a cash exchange.
2. 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.*
3. 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.

4. Student organizations cannot request that alcohol be served at an event. The request must come from the student organization faculty/staff advisor.
5. The individual, organization, or department sponsoring the event is responsible for ensuring that individuals do not bring alcohol into an event or take alcohol away from an event. Opened and unopened containers cannot be removed from the premises.
6. During normal hours of operation for the Dunham Student Activity Center snack bar, alcohol may not be served by an organization or department at sponsored events in this location. Alcohol may only be served if the snack bar is closed.
7. Sponsors of events at which alcohol will be served may request permission from the appropriate Vice President or General Services Manager to hire caterers (other than Ameriserve) that have their own liquor licenses. A copy of the caterer's insurance certificate and copy of the liquor license must be submitted with each request. Third party caterers must comply with all provisions of this policy.

Individuals, organizations, and departments will be held accountable if failing to comply with these policies and may be denied permission to serve alcohol at future events.

2.2.2.2 Legal Sanctions

2.2.2.2.1 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."

2.2.2.2.2 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.)

2.2.2.2.3 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.

2.2.2.3 Health Risks

2.2.2.3.1 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.

2.2.2.3.2 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.

2.2.2.4 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
1. The provisions of health insurance for Fontbonne employees cover, with limitations, treatment for alcohol and drug dependency.
2. The provisions of the Employee Assistance Program include counseling for substance abuse.

2.2.2.5 Disciplinary Sanctions

1. 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.
2. Faculty: Faculty discipline is described in this volume and in Volume IV, Faculty Employment Policies.
3. Staff: The University staff discipline is described in this volume and in Volume V, Personnel Policies for Administrators and Staff.
4. Students: The alcohol and drug-related guidelines for student conduct are contained in this volume, the Code of Student Character and Conduct, the Residence Hall Handbook, and 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.

2.2.3 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.

2.2.4 Smoking Policy

2.2.4.1 Policy Statement

Fontbonne University is a smoke -free campus. Smoking is prohibited on all University property, including all buildings, outdoor spaces and in University-owned vehicles. Smoking 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 smoking 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.

2.2.4.2 Enforcement

Voluntary compliance with the smoke-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 non-smoking 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.

2.2.5 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, 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.

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 extension HELP (4357)
- Director of Public Safety by dialing extension 8024
- Student Affairs by dialing 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 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 the 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 of Residential Life and Resident Assistants.
7. Director of the South County location.
8. Director of the Brentwood location.
9. Faculty members teaching an off campus course.
10. 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/campusdirectory/publicsafety/departmentactivitylog.htm>

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.

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. [Emergency Response Manual](#).

2.3.4.1.1 Authorization and Procedural Changes

This manual has been authorized and approved by the Office of the President 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 Office of the President.

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)	0
(719-)	(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, firelanes, 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 st floor hallways
Fine Arts Building	1 st 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 st floor hallway near room 105, hallway near book store
Anheuser-Busch Hall	1 st floor hallway, men's bathroom on 1 st floor and 1 st 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)

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, firelanes, 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 after shocks.
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, firelanes, 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)

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 can not 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)	0
(719-)	(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. 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.

2.5 Copyright Policy

The purpose of this policy is to provide a summary of U.S. copyright law as it relates to the use of copyright-protected works at Fontbonne University, and to provide guidelines and procedures for obtaining copyright permission to use these works. U.S. copyright law contains many gray areas, and the goal of this policy is to provide administrators, faculty, librarians, students, and employees with a standard approach for addressing complex copyright issues. This policy provides practical advice and procedures on copyright-related matters; however, it is not a substitute for legal advice, and proper legal advice should be obtained when necessary. This policy applies to all Fontbonne University students, faculty, staff, and any other users of University computing facilities.

2.5.1 What is Copyright?

Copyright is an area of law that provides creators and distributors of creative works with an incentive to share their works by granting them the right to be compensated when others use those works in certain ways. Specific rights are granted to the creators of creative works in the U.S. Copyright Act (title 17, U.S. Code). If you are not a copyright holder for a particular work, as determined by the law, you must ordinarily obtain copyright permission prior to using or reproducing that work. However, there are specific exceptions in the Copyright Act for certain uses, including the Fair Use Provision and the TEACH Act, that allow use without obtaining permission under specific conditions.

2.5.2 What is Protected by Copyright?

The rights granted by the Copyright Act are intended to benefit "authors" of "original works of authorship". These works include literature, drama, music, architecture, maps, choreography, pantomime, fine art, photographs and other graphic works, sculpture, and audiovisual creations. This means that virtually any creative work that you come across is almost certainly protected by copyright. Among the exclusive rights granted to those authors of such works are the rights to reproduce, distribute, publicly perform, and publicly display their works.

These rights provide copyright holders control over the use of their creations and an ability to benefit, monetarily and otherwise, from the use of their works. Copyright also protects the right to "make a derivative work," such as a movie from a book; the right to include a work in a collective work, such as publishing an article in a book or journal; and the rights of attribution and integrity for "authors" of certain works of visual art. Copyright law does not protect ideas, data, or facts.

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 and may be used freely, without the need to obtain permission

For assistance in determining whether an item is under copyright protection, use this chart:
<http://copyright.cornell.edu/resources/docs/copyrightterm.pdf>.

See Appendix 2.5.2.1 for guidelines on works in the public domain.

2.5.3 Fair Use

An exemption to the copyright law is found in Section 107 of the Code. Under the “fair use” provision, a reproduction of someone else’s copyright-protected work is likely to be considered fair if it is used for one of the following purposes: criticism, comment, news reporting, teaching, scholarship and research.

In addition to meeting one of these purposes, a determination as to whether the reproduction is fair use must also 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.

A claim of Fair Use is based on a balancing of these four factors. The law does not state exactly what constitutes a fair use. Fair use requires a very circumstance-specific analysis as to whether a particular use or reuse of a work may indeed be considered fair use.

To avoid confusion and minimize the risk of copyright infringement, Fontbonne University interprets the following situations as fair use:

- Quotation of short passages in a scholarly or technical work for illustration or clarification of the author's observations.
- Reproduction of material for classroom use where the reproduction is unexpected and
- Spontaneous – for example, where an article in the morning's paper is directly relevant to that day's class topic.
- Use in a parody of short portions of the work itself.
- A summary of an address or article, which may include quotations of short passages of the copyright-protected work.

If your use does not meet the above criteria and the work is protected by copyright, you should complete the “Checklist for Fair Use” in the Appendix to determine whether it is necessary to obtain permission from the copyright holder or its agent to use the work.

See Appendix 2.5.3.1 for “Checklist for Fair Use”

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 a work protected by copyright law.

2.5.5 Types of Use

2.5.5.1 Classroom Handouts

If the handout is a new work for which you could not reasonably be expected to obtain permission in a timely manner and the decision to use the work was spontaneous, you may use that work without obtaining permission. However, if the handout is planned in advance, repeated from semester to

semester, or involves works that have existed long enough that one could reasonably be expected to obtain copyright permission in advance, complete the Checklist for Fair Use and then obtain copyright permission prior to using the work, if necessary.

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 generally licensed by the 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 you protection against a claim of copyright infringement.

2.5.5.3 Distance education and course management systems (i.e., Blackboard)

The use of print copyrighted materials in a distance education or course management system (CMS) requires the same permissions as those used in a face-to-face classroom, and instructors should follow the same procedures as outlined above when considering use of materials in this environment. If the use is planned, repeated, or involves works that have existed long enough that one could reasonably expect to receive a response to a request for copyright permission, you will likely need to obtain copyright permission. A Fair Use evaluation will help in the determination. See the “Checklist for Fair Use” in the Appendix.

A Notice of Copyright should be included in each course utilizing a CMS, 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.”* These are usually included in the Blackboard shell for each course.

In 2002, the Technology, Education and Copyright Harmonization (TEACH) Act revised the existing exemptions for the performance and display of copyright-protected materials in distance education and course management systems. The TEACH Act includes several safeguards to prevent unauthorized use of copyrighted materials:

1. Materials must be used within the context of the course at the direction of the instructor.
2. Materials must be accessible only by students of the course.
3. Materials must be available only during the period of the course.
4. Materials must limit the performance of certain works (i.e., literary or musical works) to reasonable and limited portions.

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

In lieu of digital copies of articles, persistent links from licensed electronic resources (databases) can be inserted into an online course without violating copyright law. Clicking on this link in the course management system will take the student directly to the article in the licensed electronic resource. Fontbonne University Librarians can explain how to locate persistent links if you need assistance.

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 obtaining copyright permission. If the instructor wishes to reproduce additional copies of a work 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 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.

Photocopiers and scanners on campus will display an appropriate notice to remind users of their rights and responsibilities when using the equipment. An example is provided:

<p style="text-align: center;">NOTICE:</p> <p style="text-align: center;">WARNING CONCERNING COPYRIGHT RESTRICTIONS</p> <p>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.</p> <p>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.</p>
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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." The CONTU guidelines state that requesting and receiving more than five articles from a single periodical within a calendar year or a total of six or more copies of articles published within five years prior to the date of request would be too many under CONTU. If the articles or items being copied have been obtained through a digital license, you must check the license to see under what terms and conditions, if any, interlibrary loan is permitted.

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 e-Books, 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 you 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 primarily addresses obstacles that make it difficult for qualified students to obtain a college education, but is also includes specific statements requiring colleges and universities to comply with digital copyright laws.

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 on this website as appropriate.

Last updated-June 2010

2.5.9 Archival Copying In the Library

It is permissible to photocopy copyright-protected works in the Fontbonne University Library 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. If not, the next step would be to complete the Checklist for Fair Use to discover whether an exemption is possible. When required, permission to use copyright-protected materials should be obtained prior to using those materials. It is best to obtain permission in writing (e-mail is sufficient). 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 Model Permissions Letters.

2.5.10.1 Fact Finding Questions

Once you have identified the materials you want to use and determined that copyright permission is required, you must locate the copyright holder. 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.

The Copyright Office of the Library of Congress (www.loc.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.

2.5.10.2 Information in your Permission Request

The copyright holder or its agent will require the following information in order to provide you with 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 which you wish to reproduce 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 How long can an educator use copyright protected material when invoking fair use?

Probably only once! An educator must consider the notion of spontaneity, which indicates that the window between the inspiration to use material and the actual use at the appropriate point in teaching must be so small as to prohibit seeking and receiving permission from the copyright holder.

2.5.12.3 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.

2.5.12.4 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, it can be digitized as long as it can reasonably be described as deteriorating. The original must also be retained.

2.5.12.5 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.

2.5.12.6 What if I request permission and they don't respond?

Lack of response does not translate into a passive grant of permission to use. See Question 2.5.12.8 below.

2.5.12.7 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.

2.5.12.8 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.

2.5.12.9 How 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 if 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.

2.5.12.10 How do I know if the work I want to use is covered by a campus license?

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

2.5.12.11 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.

2.5.12.12 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 encrypted. The TEACH Act does not permit you to make a DVD of your online clips to be distributed to your students.

2.5.12.13 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.

2.5.12.14 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.

2.5.12.15 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.

2.5.12.16 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: <http://office.microsoft.com/en-us/tou.aspx>. 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.

2.5.12.17 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>

2.5.12.18 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 Executive Vice President of Strategy & Operations. 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 Executive Vice President of Strategy & Operations.

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 submit it to the department by calling (314) 889-1467, by e-mail at pr@fontbonne.edu, by fax at (314) 719-3655, or by dropping off in the mailroom.

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 Human Subjects and Animal Research Policies

2.7.1 Institutional Review Board Policies

2.7.1.1 Use of Human Subjects in Research

The rights of human beings who are asked to participate as subjects 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 subjects 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 subjects in research. In order to do this, the University is responsible for providing review and approval of all research which involves human subjects. 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 subjects in research has been assigned to the Institutional Review Board. The primary function of the board is to assist the investigator in the protection of the rights and welfare of human subjects. Investigators should not bear the sole responsibility for determining the standards of ethical conduct of research involving human subjects. It is necessary for others, who are

independent of this research, to share in this responsibility. The use of human subjects 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 45 C.F.R. Part 46. The Office of the Vice President for Academic Affairs is the administrative office for the Institutional Review Board. One of the Associate Deans for Academic Affairs is the Chairperson of the Institutional 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 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 Review Board which will determine if a major change has taken place. It is the responsibility of the Institutional 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 subjects must contact the Office of the Vice President for Academic Affairs ((314) 889-1401) for information about procedures and sample consent forms.

2.7.1.2 Use of Animals in Research

Fontbonne University will adhere to policies in handling nonhuman animals in a manner which contributes to the understanding of basic principles underlying behavior and to advancing the welfare of both human and nonhuman animals. Teaching and research will be conducted in a manner consistent with relevant laws and regulations. In addition, ethical concerns will mandate that the handling of nonhuman animals will take into consideration costs and benefits of procedures involving animals before proceeding with the research.

In working with nonhuman animals, guidelines will be followed that will assure that compliance with applicable federal, state, local, and institutional laws and regulations will be followed. The following guidelines will be enforced:

1. Justification of the research:

Research should be undertaken with a clear scientific purpose. There should be reasonable expectations that the research will:

- a. Increase knowledge of the processes underlying the evolution, development, maintenance, alteration, control, or biological significance of behavior;
- b. Determine the replicability and generality of prior research;
- c. Increase understanding of the species under study; and
- d. Provide results that benefit the health or welfare of humans or other animals.

2. Personnel:

Individuals conducting research should be sure that personnel involved with animals in research are familiar with the animals and the regulations controlling their handling and care.

3. Care and housing of animals:

- a. The facilities housing the animals should meet current regulations and guidelines.
- b. All procedures carried out on animals should ensure that they are appropriate and humane.

2.7.1.3 Institutional Review Board

2.7.1.3.1 Membership

In keeping with Federal Regulations, the Institutional Review Board will be composed of at least five voting members who are from a variety of disciplines and sufficiently qualified to review research in terms of:

1. Acceptability of the research;
2. Institutional regulations;
3. Safeguarding the rights and welfare of human subjects;
4. Applicable laws; and
5. Standards of professional conduct.

At least one member must not be affiliated with the institution (and not part of the immediate family of an affiliated person). At least one member's primary concerns must be in a non-scientific area, and at least one member's primary concerns must be in scientific areas. Members are selected by the Vice President for Academic Affairs. Special experts may be invited by the Institutional Review Board to consult but they shall not vote.

2.7.1.3.2 Procedures

1. The Institutional Review Board members are selected by the Vice President for Academic Affairs.
2. The Institutional 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 Review Board members by mail. The researcher shall be notified of the Institutional Review Board decision within two weeks.
4. "Expedited review status" requests for approval will be reviewed by at least three Institutional Review Board members by mail. The researcher shall be notified of the Institutional Review Board decision within three weeks.
5. "Full review status" requests will be reviewed at a full meeting of the Institutional Review Board. A majority of the Institutional Review Board must be present and include one member who is not actively engaged in human participation research. The researcher shall be notified of the Institutional Review Board decision within four weeks.
6. The Institutional Review Board shall use as minimal criteria the Code of Federal Regulations, 45 C.F.R. Part 46.
7. If proposed research is disapproved, the Institutional 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 Subjects in Research

2.7.1.4.1 Category Form and Procedures

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

2.7.1.4.2 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 45 C.F.R. 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 subjects 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 subjects 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.

2.7.1.4.3 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.)

2.7.1.4.4 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 Review Board for the Protection of Human Subjects in Research

Office of the Vice President for Academic Affairs
Fontbonne University
6800 Wydown Blvd.
Clayton, Missouri 63105
(314) 889-1401.

2.7.2 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 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 project,s and trips.

Any Fontbonne students intending to drive Fontbonne employees and/or 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 other University owned or rented vehicles is at the discretion of the activity sponsor. Planned University-sponsored activities include, but are not limited to, class field trips, athletic contests, service projects, and trips.

Fontbonne University departments, organizations, or groups may use University rented vehicles or privately-owned vehicles if traveling by automobile to University-sponsored events. 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 packet. 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.

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) 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 will 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 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 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. If more than one vehicle is being used, ensure that vehicles travel in close proximity of each other and stay in contact by walkie-talkie, 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. 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 Accidents

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.

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:

	<u>Annual</u>	<u>Term</u>
Full-time faculty and staff	\$120	\$70
Part-time faculty and staff	\$75	\$50
Commuter students: more than 6 hours	\$120	\$70
Commuter students: 6 or less hours	\$75	\$50
Off -campus site students	\$45	\$25
Resident students	\$130	\$75
Summer term tags		\$15

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 \$3 and a three day tag is \$5. The passes 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.

You may choose to park at our off-site lot and ride the shuttle bus to Fontbonne. Fontbonne has an off-site parking area at the old CBC high school (6501 Clayton Rd.). It is open on school days from 8 a.m. to 11 p.m., Monday through Thursday and 8 a.m. to 7 p.m. on Friday. A free shuttle bus runs from this lot to the main campus every 10 to 15 minutes. The last shuttle will leave Fontbonne 10 minutes prior to the lot closing time. The shuttle service will stop earlier each night if the parking area empties prior to the closing time of the lot. A parking hang tag is required for parking at this location.

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 www.fontbonne.edu in the Public Safety section. 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 2nd 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 all 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 Student Development 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 Student Development 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 Office 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 Student Development.
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 Office of Campus Ministry organizes a wide variety of activities: Sunday evening Mass, Coffeehouse, lunchtime discussions, Friday afternoon Mass, local service projects, alternative spring break service trips, spiritual direction and pastoral counseling. All events are open to all people: all ages, all backgrounds, all faith traditions – all who want to help their spirits grow and are trying to find God in their lives.

When the Sisters of St. Joseph were founded in 1650, their focus was serving those around them in whatever way they could, hoping that God would work through them to touch the people they served. The Sisters referred to this as “connecting neighbor to neighbor, and neighbor with God.” Fontbonne's campus ministry office continues this 350+-year-old tradition in today's world, connecting with students wherever they are.

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

Hot breakfast, continental breakfast, full course lunch and dinners, soup and salad bar, pizza and deli bar, fruit, desserts, and beverages are available on a cash basis/declining balance to all members of the campus community in the dining room located on the first floor of Ryan Hall. Resident students can use their meal plans here. Special events and services can be contracted through the food service director.

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. Faculty and staff mailboxes are also located here. Mailroom personnel can assist you in getting messages to faculty, administrators, and resident students.

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.

The campus mailroom can send standard letters (including foreign), postcards, certified return-receipt mail, and packages (within the U.S. only). The mailroom will sell individual stamps or the mail room can meter the mail. 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. Students can send packages from home addressed to the mailroom. All transactions will be processed only by local checks or cash.

The mailroom cannot send insured mail, packages, or registered mail to foreign countries. 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.

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 2.3.3.1.1: Campus Crime Report Form

FONTBONNE UNIVERSITY CAMPUS CRIME REPORT

DATE OF INCIDENT: _____

DATE OF REPORT: _____

NATURE OF INCIDENT AND DISPOSITION _____

LOCATION OF INCIDENT (IF BRANCH CAMPUS, PLEASE SPECIFY) _____

NAMES OF FONTBONNE STUDENTS OR EMPLOYEES INVOLVED: _____

NAMES OF NON-FONTBONNE PERSONS INVOLVED: _____

WERE THE POLICE OR OTHER SECURITY OFFICERS INFORMED OF THIS INCIDENT? YES___ NO___

IF SO, PLEASE STATE THEIR NAMES? _____

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 2.5.2.1: When U.S. Works Pass into the Public Domain
By Lolly Gasaway * University of North Carolina**

Definition: A public domain work is a creative work that is not protected by copyright and which may be freely used by everyone. The reasons that the work is not protected include: (1) the term of copyright for the work has expired; (2) the author failed to satisfy statutory formalities to perfect the copyright or (3) the work is a work of the U.S. Government.

DATE OF WORK	PROTECTED FROM	TERM
Created 1-1-78 or after	When work is fixed in tangible medium of expression	Life + 70 years¹(or if work of corporate authorship, the shorter of 95 years from publication, or 120 years from creation²
Published before 1923	In public domain	None
Published from 1923 - 63	When published with notice³	28 years + could be renewed for 47 years, now extended by 20 years for a total renewal of 67 years. If not so renewed, now in public domain
Published from 1964 - 77	When published with notice	28 years for first term; now automatic extension of 67 years for second term
Created before 1-1-78 but not published	1-1-78, the effective date of the 1976 Act which eliminated common law copyright	Life + 70 years or 12-31-2002, whichever is greater
Created before 1-1-78 but published between then and 12-31-2002	1-1-78, the effective date of the 1976 Act which eliminated common law copyright	Life + 70 years or 12-31-2047 whichever is greater

¹ Term of joint works is measured by life of the longest-lived author.

² Works for hire, anonymous and pseudonymous works also have this term. 17 U.S.C. § 302(c).

³ Under the 1909 Act, works published without notice went into the public domain upon publication.

Works published without notice between 1-1-78 and 3-1-89, effective date of the Berne Convention Implementation Act, retained copyright only if efforts to correct the accidental omission of notice were made within five years, such as by placing notice on unsold copies. 17 U.S.C. § 405. (Notes courtesy of Professor Tom Field, Franklin Pierce Law Center and Lolly Gasaway)

LOLLY GASAWAY Last updated 11-04-03

Chart may be freely duplicated or linked to for nonprofit purposes. No permission needed. Please include web address on all reproductions of chart so recipients know where to find any updates.
(<http://www.unc.edu/~unclng/public-d.htm>)

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 for your course or project.

Name: _____

Date: _____

Course: _____

Semester: _____

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

Total Favoring _____

Against Fair Use

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

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

Total Favoring _____

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 Against _____

Four Factor Totals:

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

Totals

For Fair Use

Against Fair Use

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

**Based on *Fair Use Check List* from The Copyright Clearance Center:

http://www.copyright.com/Services/copyrightoncampus/basics/fairuse_list.html

Retrieved April 11, 2010

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: <https://www.cu.edu/ip/copyright/downloads/TeachActChecklist.pdf> Retrieved 4/11/2010

Appendix 2.5.10.1: Model Permissions Letters

You can use the sample letters on this page as models for your formal requests for permission.

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://www.copyright.columbia.edu/model-permissions-letters>; Updated: Wed, 04/16/2008 - 18:07

Model 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: _____

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 subjects' 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 Subjects in Research

Screened for Exempt Status Form

Complete and return this form to:

Institutional Review Board for the Protection of Human Subjects in Research

Office of the Vice President for Academic Affairs

202 Ryan Hall, Fontbonne University

6800 Wydown Blvd.

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 subjects cannot be identified.
3. ____ This study involves surveys and/or interview procedures or observations of public behavior and
 - a. ____ subjects 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. ____ Subjects 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).

Subjects

Age Range: _____ Number of Subjects: _____

How are subjects 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 subjects will be involved. Specify what will be done to or for the subjects (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 subjects. 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 Review Board for the Protection of Human Subjects in Research
Office of the Vice President for Academic Affairs
Fontbonne University
6800 Wydown Blvd.
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):

Subjects

Age range: _____ Number of subjects: _____

Specify how subjects 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 subjects will be involved. Specify what will be done to or for the subjects (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 subjects. 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
Address

Advisor's E-mail

**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 Subjects Research may be expedited and not subject to full review procedures when what is being proposed does not expose the subjects 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 subjects 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 subjects 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 subjects' behavior and the research will not involve stress to subjects.
10. Research on drugs or devices for which an investigation new drug exemption or an investigational device exemption is not required.

Appendix 2.9.1.1: Driver Contract and Trip Approval Form



Driver Contract and Trip Approval Form

Sponsors must complete and submit this Driver Contract and 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: _____

Event Description: _____

Public Safety Officer's
Signature Indicating

Printed Name of Driver	ID#	Driver's Signature	Driver is Approved

The 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



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.

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



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