

# The Mercer Atlanta and Regional Academic Center Student Handbook Supplement

All Mercer Atlanta, Douglas, and Henry Campus telephone numbers begin (678) 547-XXXX

It is the purpose of Mercer University to adhere to the rules and regulations, course offerings, and financial charges as announced in this handbook or in other publications. The University, nevertheless, hereby gives notice that it reserves the right to withdraw any subject, to change its rules affecting the admission and retention of students, or the granting of credit or degrees, or to alter its fees and other charges, whenever such changes are adjudged by it to be desirable or necessary. Attendance at Mercer University is a privilege, which may be forfeited by anyone whose conduct is adjudged as not consistent with the traditions, policies, and regulations of the University.

Produced by the Office of Student Affairs, this guide is a general reference for the Cecil B. Day Campus and Regional Academic Centers in Douglas and Henry Counties. For complete campus wide policies, the University handbook can be referenced on the website of the Provost: <http://provost.mercer.edu>. For specific program information, please refer to the Student Handbook for that college or school.

**Information and policies found in the University Student Handbook supersede any found in this document.**

*Italic denotes Mercer University Student Handbook Policies.*

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## Welcome to Mercer's Atlanta Campus and the Douglas and Henry County Regional Academic Center's 2021 – 2022 Academic Year!

If you are new to Mercer University's Atlanta Campus or the Douglas and Henry County Regional Academic Centers, I would personally like to welcome you to a supportive environment that reflects a unique blend of undergraduate, graduate and professional studies.

The Atlanta and Regional Academic Center Supplement to the University Handbook is a guide to the programs and services aimed at helping you achieve your academic goals and provide you additional resources for success. Policies found in this handbook are specific to your campus and are a reflection of the overall policies of the University. For detailed policies and protocols specific to your school or college, you may need to consult a handbook for that individual program.

The Student Affairs division strives to assist you in your journey to success. I hope you will acquaint yourself with our enthusiastic and knowledgeable team of professionals.

Our operations include:

- Access and Accommodations
- Campus Life
- Center for Career and Professional Development (CCPD)
- Counseling and Psychological Services (CAPS)
- Recreational Sports and Wellness
- Residence Life – Atlanta

ON behalf of Mercer University and staff, I wish you a year of great academic and personal success!



Richard Stilley he/him/his  
Associate Dean of Students  
Cecil B. Day Campus, Mercer University

# UNIVERSITY STUDENT CODE OF CONDUCT

Changes may be made to the Student Code of Conduct during the school year. The most up-to-date and complete version can be found in the University Student Handbook at <http://provost.mercer.edu/handbooks/studenthandbook.cfm>.

## COMMUNITY OF RESPECT

Mercer University strives to be a Community of Respect where everyone is held in mutual high regard. Because every human being is created in the image of God, each person deserves to be treated with respect and civility. Standards of conduct are based on the values of mutual respect:

### *Respect for Academic Integrity*

We value a community that encourages an academic atmosphere. We believe that honesty is important to learning.

### *Respect for Other Persons*

We value the worth of every individual in the community and we respect the dignity of each member in the community. We take responsibility for the consideration of the rights of others.

### *Respect for the University Community*

We value showing respect for the rights and property of others. We take responsibility to act to maintain University property.

### *Respect for Community Authority*

We acknowledge and value our privileges and rights as members of the University community. We take responsibility for acting to uphold community standards.

These values are codified into the following Student Code of Conduct, which includes a general overview of the process, a listing of unacceptable student conduct, possible sanctions, and other key information. This Student Code of Conduct applies to all students on all campuses, including online programs, and supersedes any student conduct policies and procedures previously used by colleges or programs. Program-specific regulations and policies (including professional standards) may apply to students beyond those outlined here and may be found in supplemental handbooks. Nothing in this policy prohibits these academic programs from pursuing additional review and action of professional standards as appropriate to their professions. Students are expected to be aware of and conduct themselves in a manner that complies with all applicable policies found in the University Student Handbook and related campus supplements. Academic violations are handled through a separate process found in the academic Honor Code.

## GENERAL POLICY

Mercer University is dedicated to the advancement of knowledge and learning and to the development of ethically responsible persons. University students are expected to uphold appropriate standards of behavior and to respect the rights and privileges of others. The University invites students to participate in the formulation of behavioral policies and to share in the responsibility for judicial decisions. These standards and procedures have been established to protect the University's educational purpose, to foster a sense of responsibility to the community, to provide for orderly conduct of its activities, to protect the members of the University from disrespect, and to safeguard the interest of the University community. Student conduct is expected to be lawful and in accordance with all federal, state, and local laws and University regulations.

In keeping with Mercer University's values, sanctions imposed on students found to be in violation of the Student Code of Conduct are designed to promote the University's educational mission, maintain community standards, and promote individual civility and growth.

Sanctions are also intended to maintain the safety of the University environment and the integrity of the University community. The processes for adjudicating violations of federal, state, and local laws and violations of the Student Code of Conduct are separate and may be pursued independently of one another. The University distinguishes its responsibilities for student conduct from the control functions of the wider community. The conduct of students both on campus and in the wider community is ordinarily of University concern when (a) the conduct interferes with the University's responsibility for ensuring members of the University full and equal opportunity to obtain their educational objectives, (b) the conduct interferes with the University's responsibility to protect the health, safety and general welfare of persons in the University community, or (c) the conduct negatively impacts the University's image and/or academic integrity. The University is not required to postpone disciplinary proceedings pending the outcome of any criminal proceeding.

The Student Code of Conduct applies to all University students in settings, which includes, but is not limited to, study abroad, international travel, online, and off-campus educational opportunities. The Vice President of Students (or designee) may modify non-substantive procedures in the effort to adjudicate violations.

Student organizations are responsible for the behavior of their members, alumni, or guests, when their actions evolve from or are in any way related to their association with activities of the organization on or off campus. Student organizations may be adjudicated in addition to any charges levied against the individual members. Student organizations that condone or encourage behavior that violates University or state regulations may be held responsible for such violations. See Non-Academic Misconduct Process for Student Organizations.

Authority for student discipline ultimately rests with the University President. For cases involving non-academic conduct violations, the President delegates this authority to the Vice President of Students (or designee), who in turn delegates it to the following designees to oversee, review, and pursue violations of the Student Code of Conduct.

Location	Primary Designee(s)
Macon Campus (including schools of Law and Medicine, as well as Columbus, Savannah, and the Macon Center)	Assistant V.P. Student Affairs Office Student Conduct Resolution Residence Life, Macon
Atlanta Campus (including all Atlanta graduate programs at the Douglas and Henry Centers)	Associate Dean of Students Residence Life, Atlanta

Students enrolled in online courses will be adjudicated in Macon or Atlanta as determined by the educational program in which they are enrolled. Should conflicts arise, that location will be determined by the Vice President of Students Affairs. Modifications to procedures to adapt to the physical location of the student may be implemented as long as the student is notified of the charges against them and provided with an opportunity to respond to the charges.

The Vice President of Students (or designee) has the authority to notify the person listed as the student's emergency contact (or other appropriate person) in cases of emergency or life-threatening incidents.

The Vice President of Students (or designee) may order any student or organization to cease and desist from any activity adjudged disruptive to the University. If the student or organization fails to cease and desist from such activity, the Vice President of Students (or designee) may immediately suspend the student pending a judicial hearing. Student organizations should refer to the Non-Academic Misconduct Process for Student Organizations.

## RESPONSIBLE ACTION GUIDELINES

The health and safety of students under the influence of alcohol and/or drugs should always supersede concerns related to conduct violations and/or subsequent University action. The University urges all students to recognize that violations of the law and University policy have consequences, but that these possible consequences should never outweigh or override the decision for providing proper care for the health and wellbeing of a fellow student in crisis.

In a health crisis situation involving alcohol and/or drugs, students are expected to notify appropriate staff to evaluate the situation immediately. Amnesty for minor violations of the student code of conduct will be considered in cases where a student is acting in good faith to rectify a situation, or when the situation involves a more egregious infraction that warrants reporting (for example, sexual misconduct and relationship violence). Amnesty may mean waiving formal judicial action, or imposing less harsh sanctions, and is at the discretion of the Vice President of Students, Associate Dean of Students, or designee.

## DEFINITIONS

University: Mercer University includes the main campus, all branch campuses, centers, and University international programs.

Student: Includes all persons either registered or taking courses at Mercer University, both full-time and part-time, pursuing undergraduate, graduate, or professional studies and those who attend post-secondary educational institutions other than Mercer University or who may reside in Mercer University residence halls. This includes non-degree seeking students. Persons who are not officially enrolled for a particular term but who have a continuing relationship with Mercer University are considered students (i.e. students enrolled in another college for a term, between semesters, internships, etc.)

Charged Student: Any student who has been formally charged with an alleged violation of the Student Code of Conduct.

Reporting Party: An individual reporting an alleged violation.

Responding Party: An individual alleged/ suspected of violating a university policy.

Faculty Member: Any person hired by Mercer University to conduct classroom activities.

Staff Member: Any person hired by Mercer University in a professional position to conduct University activities.

Member of the Mercer University Community: Any person who is a student, faculty member, or employee of Mercer University.

Mercer University Premises: Includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by Mercer University (including adjacent streets and sidewalks).

Organization: Any group who has been formally recognized by Mercer University as an organization.

Hearing Body: Any Mercer University official or panel authorized to review and evaluate student conduct charges and to impose sanctions upon students found to have violated the Student Code of Conduct.

Appeals: Appeals can be heard by any person or persons authorized by the Vice President of Students to consider an appeal from a hearing body's determination that the student has violated the Student Code of Conduct.

Student Justice: Student members trained in the procedures of the adjudication process and in the mechanics of preparing for a case.

Faculty/Staff Justice: Faculty/Staff members trained in the procedures of the adjudication process and in the mechanics of preparing for a case.

Shall: Is used in the imperative sense.

May: Is used in the permissive sense.

Preponderance of the Evidence: The weight of evidence used to adjudicate student conduct violations. This standard means that the evidence, taken as a whole, supports that it is more likely than not that the violation occurred or did not occur.

Investigator(s): The person assigned by the University to gather the facts and details related to an alleged violation of the Student Code of Conduct. Investigators may serve as witnesses to any case for which they investigated.

## **NON-ACADEMIC MISCONDUCT PROCESS FOR STUDENT ORGANIZATIONS**

Student organizations are expected to operate in accordance with the law, student organizational guidelines (as outlined by the Office of Campus Life), and with all University policies including the Student Code of Conduct. Student organizational recognition is not a right and can be evaluated and rescinded by the University at any time for any reason.

When the University becomes aware of any allegation of misconduct by a student organization, the Dean of Students in Macon or the Associate Dean of Students in Atlanta (depending on the primary location in which the organization exists) will assign a staff member to investigate and review the allegation(s) by meeting with any individual the staff member determines is warranted. In cases involving sensitive or confidential reporting (e.g., cases involving hazing, sexual misconduct, hospitalizations, etc.), the staff member investigating the case may use appropriate discretion in releasing information placed in the report to protect the identity and confidentiality of the reporting or involved student or witness. That staff member will meet with the organization to review the allegations related to the organization before making a recommendation back to the Dean or Associate Dean on their evaluation of policy infraction(s) and proposed sanctions, if any (including suspension or expulsion of an organization). The prior disciplinary history of the organization, the forthrightness and cooperation of the organization and its members during the proceedings, and the severity of the allegations may all be evaluated as part of this recommendation.

The Dean or Associate Dean will then choose to accept that recommendation, modify it, or conduct further inquiry on their own before finalizing the decision. This decision will then be communicated to the organization in writing. This decision is final; however, in cases in which a group can clearly substantiate that an egregious and obvious error occurred at some point in the determination, it may request the Vice President and Dean of Students to review the decision. This request must be made in writing within three days of receiving the decision and clearly outline and substantiate the error that was made. The Vice President and Dean of Students may then choose, but is not obligated, to review the case and make any modifications as deemed appropriate.

Nothing in this section prohibits the University from implementing an "interim suspension" as outlined in the Student Code of Conduct while the case is being investigated. Nothing in this policy prohibits the Associate Dean in Macon, the Associate Dean in Atlanta, or Vice President of Students from reviewing a case directly at any point.

## NON-ACADEMIC MISCONDUCT PROCESS FOR STUDENTS

### Procedure for Reporting Violations

All students and student organizations are expected to adhere to the standards of the Community of Respect. In affirmation to these standards, every student subscribes to the following pledge:

**"Having been accepted as a member of the Community of Respect of Mercer University, I pledge myself: to hold each person in high mutual regard; to uphold, respect, and defend the rights of every individual in the community; and to respect the community as a whole. I further pledge that I will not allow to go unreported any violation of the standards of our community."**

Each student is responsible for reporting all infractions of the standards valued by the Community of Respect. All students accept this responsibility when they enroll. If a student sees, knows, or hears of a violation, they are responsible for reporting the suspected violation to Mercer Police, the Vice President of Students, or an appropriate faculty/staff member of Mercer University.

Organizations are expected to investigate and self-report any violations of the Student Code of Conduct. Please refer to the Campus Life web page at <http://campuslife.mercer.edu/atlanta/student-orgs/policy/>.

### Procedures for Filing Charges

This process for review is initiated by either (1) the filing of a police report with Mercer University Police Department (or other law enforcement agency), (2) providing a signed written statement directly to the Vice President of Student Affairs (or designee), or (3) by filing an incident report or written statement with the Office of Housing and Residence Life. This information will then be reviewed by the designated authority (listed above) to determine the most appropriate action to be taken. This may result in conducting further investigation into the incident, resolving the conflict in an informal manner, referring the case to Housing, or initiating charges in accordance with the procedures contained in this code. Charges should be filed within ten (10) working days after receipt of all available information regarding the complaint. Charges cannot be filed that exceed one (1) year after the discovery of the incident.

In compliance with Title IX and other related federal mandates, cases involving Sexual Misconduct and Relationship Violence may require and involve additional investigatory, procedural, and adjudication standards that supersede any listed here. Please refer to the procedures outlined in the Sexual Misconduct and Relationship Violence Policy for complete information on these procedures. Should any policy or procedural guidelines conflict between these two policies, the Vice President of Students in consultation with the Title IX Coordinator is the final arbiter of procedural decisions. (Please refer to the Sexual Misconduct and Relationship Violence Policy in the University Handbook for complete policies and procedures).

### Charges

When a determination to charge is made, the designated office (primary designee) shall notify the student in writing of the charge(s) and the allegation(s) on which the charge(s) are based. This notice shall inform the student that they have five (5) regular business days in which to contact the designated office outlined in their charge letter to schedule an informational session, and to select the type of hearing forum in which to adjudicate the violation (unless pre-selected by the University). The informational session is a courtesy to students. If a student does not contact the University during this time, the University shall make a determination regarding the choice of hearing and will proceed with adjudication.

## HEARING BOARD OPTIONS

The charged student may have charges heard by a University Hearing Board or by a designated University Administrator selected and trained by the Dean/Associate Dean of Students in Macon or Atlanta. The Hearing Board or Administrator will review the case and make a recommendation to the Dean/Associate Dean of Students on the Macon and/or Atlanta (depending on primary location of the academic program related to the charged student) with regard to responsibility and sanctioning. (The Dean/Associate Dean of Students may hear cases directly if they choose to and do not have any clear conflicts of interest.) In electing one hearing forum, the student waives the right to the other. The University retains the right to pre-select the hearing forum at any point in the process. University Hearing Boards consist of two Mercer employees (either faculty and/or staff) and a student trained in university proceedings. However, in cases involving especially serious charges that potentially could result in expulsion or

suspension, the University may in its discretion require the charges to be heard at a specific campus location, and by a University panel that includes two Mercer employees (either faculty and/or staff), one student, and at least one representative from outside the University, to be selected by the University, with experience in contested adversarial hearings.

When two or more individual cases stem from the same incident, the same hearing body shall hear all cases when possible. Procedural modifications are permitted when incidents involve more than one individual charge or corresponding organizational charges. In such cases, the University may either pre-select the hearing body or consult with the students involved before making the determination. This hearing body will hear individual cases separately. In cases involving multiple students charged from the same incident, information obtained at one hearing may be used at another hearing if the charged student involved has the opportunity to review and to respond to any information that will be used against them, when possible.

For cases handled by the University's Office of Student Conduct Resolution in Macon, a board consisting of all students is an additional option for adjudicating minor student cases as determined by the Associate Dean of Students.

Decisions of all hearing bodies (University Hearing Boards and University Administrator) are recommendations to the Dean/Associate Dean of Students on the corresponding Macon and Atlanta campus, who in the interest of fairness, clarity, or consistency may choose to accept or modify the recommendations as necessary or refer a case back to the hearing body for further review. The Dean/Associate Dean of Students may consult with appropriate staff or the academic dean of a particular academic program before accepting or modifying the recommendation of a student in that program.

## **RIGHTS OF THE CHARGED STUDENTS**

1. Notice: Students charged with violations of the Student Code of Conduct will be provided notice via their official university e-mail address of the charge(s) against them and the allegations upon which the charge is based.
2. Hearing: Students shall be entitled to a prompt hearing. Students will be given an opportunity to present information, including witnesses, during a fair and impartial hearing.
  - The student may inspect documentary evidence presented at the hearing, may hear and question available adverse witnesses testifying at the hearing, and may present evidence and call witnesses.
  - If a called witness does not appear, the hearing body may consider their written or taped statements. However, the statement shall be weighted accordingly by the hearing body as the charged student has no opportunity to question the witness making the written or recorded statement.
  - Student questioning of witnesses may be modified in cases involving violations of the Sexual Misconduct and Relationship Violence Policy (see next section).
  - Witnesses for the hearing will be required to wait outside of the hearing until their point of participation.
  - The University may require any student or employee with information relevant to the charges to participate in the investigative process, provide any such information to the University investigators, attend the hearing and present that information to the hearing panel for consideration.
  - For cases in which information provided to the University requires confidentiality and/or sensitivity toward a witness (example includes but is not limited to Title IX allegations), an investigative summary may suffice in place of direct witness testimony. In such cases, the investigator may present the information obtained during the investigation at the hearing and answer questions.

In compliance with Title IX and related federal mandates, additional procedural rights for student Reporting Party's and Responding Party's involving violations of the Sexual Misconduct and Relationship Violence Policy apply and are outlined below.

## **SUPPLEMENTAL RIGHTS FOR CASES INVOLVING SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE**

When complaints are resolved through the University student judicial process related to sexual harassment, sexual assault, sexual exploitation, stalking, intimate partner violence, gender-based harassment, and retaliation related to sexual misconduct and relationship violence, the following rights will apply to both the Reporting Party and to the Responding Party:

1. To be accompanied by an advisor or person of support of their choice. (See additional advisement information in the "Conduct Hearing Guidelines" in the Student Code of Conduct).
2. To have an equal opportunity to present witnesses and evidence, as well as to speak on one's behalf.
3. To be made aware that responsibility for charges is determined using the "preponderance of the evidence" standard.
4. To have similar and timely access to information. All information is subject to FERPA protection and stipulations.
5. To submit questions to the hearing body to consider posing to the Reporting Party, Responding Party, and/or witnesses.
6. For the Reporting Party to be able to request alternative methods of inquiry (e.g. written questions or video conferencing) if needed when presenting testimony.
7. To have any non-relevant sexual history exempt from review. Decisions regarding relevancy issues will be determined by the hearing body.
8. To be notified in writing regarding the outcome of the complaint at every step of the process (i.e. initial hearing and any appeals). The University will not impose any "non-disclosure requirement" on either party as a condition for sharing this information.
9. To have the right to appeal the outcome as outlined in the appeal process. Both the Reporting Party and Responding Party are permitted one appeal.
10. To be free from harassment and/or retaliation during the process. This includes harassment and retaliation through third parties.
11. To submit an impact statement to be considered by the hearing body before the sanctioning phase to be used if the Responding Party is found responsible.

## **CONDUCT HEARING GUIDELINES**

All hearings are governed by the following guidelines. Procedures may be modified to expedite the proceeding as long as they do not jeopardize the charged student's fundamental rights or the fairness of the hearing.

1. Burden of Proof: The burden of proof rests with the University. The standard of proof shall be the "preponderance of the evidence." This standard means that the evidence, taken as a whole, supports that it is more likely than not that the violation occurred.
2. Pre-Hearing Informational Session: To assist the student in preparing for the hearing, a pre-hearing informational session will be available for the student. The informational session is a courtesy to students and not a requirement. This informational session will discuss the hearing procedures, inform the student of their rights and responsibilities, and allow the student the opportunity to review the available written information that will be presented at the hearing by the University. The student and their advisor shall have the opportunity to inspect the information at least three (3) regular business days in advance of the hearing whenever possible. Upon notification of the student's choice for a hearing body, the university shall schedule a hearing and notify the student in writing of the date, time, and location of the hearing at least three (3) regular business days in advance. A student may choose to waive, in writing, the three (3) regular business day notice and proceed with a hearing.
3. Decisions: Decisions of "responsible" or "not responsible" on the charge(s) shall be based solely on the evidence presented at the hearing. When multiple students are charged with the same violation and it is determined that an individual identified was not responsible for that specific violation, but was present and/or had knowledge that the violation was occurring, the hearing board/officer has the authority to find that student responsible for the lesser charge of "failure to report" without recharging the student and having a separate hearing.
4. Confidentiality: All hearings shall be closed and confidential. To protect the integrity of the judicial process, no audio or visual recordings of the hearing may be made other than by the hearing body.



5. Failure to Appear: If the charged student fails to appear at the hearing, the hearing may proceed in the student's absence and a decision rendered if the student has been properly notified of the hearing.
6. Official Record: An official record of the hearing shall be made by the presiding hearing officer for internal University use only. The record of the hearing may exist in written or audible form. No transcript is made. Students may request to inspect their record of testimony and case file after the hearing is closed. Records will be redacted to protect other students' FERPA rights. Written records are kept on file for seven (7) years.
7. Deliberations: Deliberations are closed and shall include only those members involved in the decision making process (including anyone assisting the University with the judicial process).
8. Notice of Decision: A written decision shall be available to the student within seven (7) regular business days following the hearing. This time may be extended in cases in which additional time is necessary for deliberations. If additional time is necessary, the charged student shall be notified. The decision letter shall contain a decision on each charge, the finding of fact and any recommended sanctions (if applicable).
9. Hold on Student's Records: The University may place a hold on the transcripts and/or registration of any student who fails to respond to a judicial notice or to ensure resolution of the case prior to transfer or graduation. All pending judicial matters must be resolved prior to a student's graduation, transfer from, or continued education at Mercer University. Holds may also be placed on records after graduation if the University becomes aware of any unresolved disciplinary issues.
10. Disabilities: Any student with a documented disability may request that reasonable accommodations be provided during the judicial process. This request must be made at least three (3) regular business days in advance of the hearing, and the accommodations must be approved by the Office of Access and Accommodation and the Associate Dean of Students.
11. Advisement: Students charged with a violation are permitted to bring one advisor of their choice to the hearing. The advisor shall serve as a consultant and cannot speak on behalf of the student during the proceedings. Students are required to address the hearing body in person on their own behalf. Consultation must take place in a manner that does not disrupt the proceedings. The advisor shall not serve as a witness or be charged in the case. Students must notify the Dean/Associate Dean of Students on the applicable campus at least five (5) class days prior to the hearing if they will be bringing an attorney as an advisor. When multiple students are charged from the same incident (or a related incident), students are not allowed to have the same advisor and/or person of support at any point during the judicial proceedings.
12. Witness: A witness is any student, staff, faculty member, or individual who has, or is believed to have, relevant knowledge to an event related to an alleged violation of the Student Code of Conduct.
13. Testimony: Testimony is expected to be provided orally in person. The presiding hearing officer determines relevancy of testimony. In situations where a witness is unable to be physically present, testimony may be obtained via telephone or video-conferencing. In cases where a witness cannot testify in person, their written statement and/or the testimony provided to a University investigator may be utilized and weighted accordingly. The University reserves the right to exempt certain witnesses from being called to provide testimony.

## **VIOLATIONS OF THE VALUES OF THE COMMUNITY OF RESPECT**

Violation of any of the following, or the aiding, abetting, condoning, or attempting to commit these offenses by a student, constitutes an offense that will result in disciplinary action. Please consult with the online University Student Handbook found at <http://provost.mercer.edu/handbooks/studenthandbook.cfm> for the most up-to-date and applicable definitions.

1. Forgery: Alteration or misuse of documents, records, or electronic communications.
2. Alcohol Misconduct:
  - A. Possession and/or consumption of alcoholic beverages including empty containers on Mercer University property or at University-sponsored events. (Professional and graduate programs may adopt policies related to alcohol that are more in line with the profile of their student body, as long as these policies are reviewed and approved in advance by the Provost).

- B. Any conduct taken under the influence of alcohol that endangers one's own health or safety or the safety of others.
  - C. Buying, selling, or distributing alcohol beverages to individuals under the age of 21.
  - D. Possession and/or consumption of alcohol or alcohol paraphernalia by individuals under the age of 21.
3. Threatening and Harassing Behavior:
- A. Threatening Behavior: Intimidation, hostility, coercion, or threats of physical violence.
  - B. Harassment: Language and/or physical acts, which degrade, insult, taunt, or challenge another person by any means of communication. This includes communication of threats, defamation of character, use of profanity, verbal assaults, derogatory comments, racist remarks, or behavior that places another person in a state of fear, anxiety, or emotional distress.
  - C. Bullying: Aggressive behavior where one person (or group of people) deliberately intimidates, abuses, or coerces an individual with the intention to hurt that person physically or emotionally. Acts of bullying can be physical, verbal, or relational.
  - D. Cyberbullying: Aggressive behavior where one person (or group of people) deliberately intimidates, abuses, degrades, insults, taunts, challenges, or coerces an individual with the intention to hurt that person physically or emotionally, that occurs through digital technology, such as text messages, e-mail, and/or material posted on social media sites.
4. Physical Assault: To injure or harm another person using violence or force (which includes fighting).
5. Endangerment: Actions that endanger one's own health or safety, the health or safety of another person, or the community.
6. Sexual Harassment: Unwelcome sex-based and/or gender-based verbal, non-verbal, written, online, and/or physical conduct of a sexual nature that is:
- sufficiently severe, or
  - persistent or pervasive, and
  - objectively offensive that it:
- Unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the University's educational, employment, social, and/or residential program from both a subjective (the reporting party) and objective (reasonable person) point of view.
- Hasn't even been ordered In these cases (quid pro quo,) there is generally a power differential. Sexual harassment can also occur when the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience or creates an intimidating, hostile, or offensive environment for working or learning (hostile environment).
- Sexual harassment can occur regardless of the relationship, job title or respective sex and/or gender of the parties. Same-sex harassment violates this policy, as does harassment by a student of a faculty member or harassment by a subordinate employee of a supervisor.
7. Sexual Assault (defined as follows):
- A. Non-Consensual Sexual Intercourse:
    - any sexual intercourse
    - however slight,
    - of any part of one person's body with any part of another person's body or an object,
    - that is without consent and/or by force.
- Intercourse includes:
- vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger; or oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact (by one person upon another person regardless of sex or gender).

B. Non-Consensual Sexual Contact is:

- any intentional sexual touching,
- however slight,
- of any part of one person's body with any part of another person's body or an object,
- that is without consent and/or by force.

Sexual contact includes:

- intentional contact includes but is not limited to the breasts, buttocks, groin, upper thigh, or genitals, or touching another with any of these body parts, or making one person sexually touch another person or themselves with or on any of these body parts; or
- any intentional bodily contact in a sexual manner (by one person upon another person regardless of sex or gender).

8. Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- invasion of sexual privacy;
- prostituting another individual;
- non-consensual observation, either by direct observation or digital, video or audio recording of nudity or sexual activity.
- unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;
- knowingly exposing someone to or transmitting an STI (Sexually Transmitted Infection) or HIV (Human Immunodeficiency Virus) to another person;
- intentionally or recklessly exposing one's genitals in non-consensual circumstances and/or inducing another to expose that individual's genitals.

9. Stalking: A course and/or pattern of conduct

- directed at a specific person
- that is unwelcome, and
- would cause a reasonable person to fear for that individual's or others' safety or to suffer substantial emotional distress.

Such conduct includes two or more acts by which the stalker directly, indirectly, or through third parties follows, monitors, observes, surveils, threatens, or communicates about a person or interferes their property.

10. Intimate Partner Violence (IPV): Any physical violence or psychological aggression occurring between intimate partners. Intimate partners include current or former spouses, a person whom the reporting party shares a child with, boyfriends or girlfriends, casual dating partners, romantic partners, and/or sexual partners. IPV can occur between heterosexual or same-sex couples and does not require sexual intimacy. IPV can manifest through both physical violence and/or psychological aggression and can vary in frequency and severity.

- A. Physical Violence is the intentional use of physical force with the potential for causing death, disability, injury, or harm. Physical violence includes, but is not limited to, scratching; pushing; shoving; throwing; grabbing; biting; strangulation; shaking; aggressive hair pulling; slapping; punching; hitting; burning; use of a weapon; and use of restraints or one's body, size, or strength against another person. Physical violence also includes coercing other people to commit any of the above acts.

- B. Psychological Aggression is the use of verbal and non-verbal communication which impacts another person mentally or emotionally and/or to exert control over another person. Psychological aggression can include expressive aggression (e.g., name-calling, humiliating); coercive control (e.g., limiting access to transportation, money, friends, and family; excessive monitoring of whereabouts); threats of physical or sexual violence; control of reproductive or sexual health (e.g., refusal to use birth control; coerced pregnancy termination); exploitation of vulnerability (e.g., immigration status, disability); and presenting false information to the victim with the intent of making them doubt their own memory or perception (e.g., mind games, manipulation).

11. Gender-based Harassment: Acts of verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation, gender identity or expression, but not involving conduct of a sexual nature, when a reasonable person would find such conduct:
  - sufficiently severe, or
  - persistent or pervasive, and
  - objectively offensive that it:
    - unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the University's educational, employment, social, and/or residential program from both a subjective (the reporting party) and objective (reasonable person) point of view.

Exclusion from an activity based on sexual orientation or gender identity or persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity may also violate this policy.
12. Retaliation: Any adverse action taken in response to an individual who has filed a report, testified, assisted, or participated in any manner in an investigation or proceeding under any University Policy (including the Academic Honor Code, Student Code of Conduct, or Sexual Misconduct and Relationship Policy). Retaliation includes intimidation, threats, harassment, or any type of adverse action taken against an individual in the attempt to deter them from addressing, reporting, or testifying on adverse conduct. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct.
13. Destruction/Damage of Property: Destruction, damaging or misuse of public or private property.
14. Theft or Possession of Stolen Property: Taking, possessing, or using property without proper authorization or permission.
15. Drug Misconduct:
  - A. Possession and/or consumption of drugs or any controlled substance prohibited by law.
  - B. Manufacturing, buying, selling, or distributing drugs or any controlled substance prohibited by law.
  - C. Possession of drug paraphernalia.
  - D. Any conduct taken under the influence of drugs that endangers one's own health or safety or the safety of others.
16. Possession and/or Use of Weapons, Firearms: Unauthorized possession or use of weapons, firearms, fireworks, or explosive devices (except for use in the Department of Military Science and in the rifle range). This includes, but is not limited to: BB guns, stun guns/Taser, air rifles, air pistols, paintball guns, edged weapons (i.e. blades no more than 2 inches), bow and arrows, and martial arts weapons. \*\*Weapons may be stored at Mercer Police. They may not be left in personal vehicles.
17. Disorderly/Disruptive Conduct: Acting in a violent manner in a public place toward another person causing reasonable fear of safety or conduct that puts a person's property in danger of being damaged or destroyed. It also includes use of abusive or inciting words toward another person intended to provoke violence or escalate a situation (also called "fighting words") without provocation. It also includes using obscene and/or vulgar language in a public setting or when communicating with professional staff and/or interrupting an event, program, academic, or living environment without appropriate cause.
18. Conduct Unbecoming: Any conduct which is determined to be potentially detrimental to the University's reputation or is in violation of the University's Community of Respect statement. This includes the display of indecent or offensive material, or engaging in indecent or lewd conduct and/or speech.
19. Hate Offenses: Offenses against a person or property motivated in part or in whole by an offender's bias against a race, disability, religion, ethnic origin or sexual orientation.
20. Failure to Report: Being present or having knowledge that a violation has occurred and failing to report the incident. [The University retains the right to find a student responsible for this charge in lieu of another if the hearing body determines that the student(s) involvement was sufficiently passive and/or warrants consideration for this lesser charge for any reason. In such cases, the University is not required to recharge the student or rehear the case to find the student responsible for this charge.]

21. Computer Misuse/Unauthorized access: Any misuse of or unauthorized access to a computer, distribution of falsified documents, computer system, network, software or data; or the unauthorized alteration, copying or distribution of software or data.
22. Hazing: Any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is a violation of this rule. Specific examples of hazing include but are not limited to:
  - A. Acts that embarrass, harass, or ridicule an individual
  - B. Acts that create excessive fatigue
  - C. Physical or psychological shocks
  - D. Morally degrading or humiliating games or activities
  - E. The wearing of signs or advertisements
  - F. Activities that involve late or early work sessions (not affiliated with a university academic program)
  - G. Quests, treasure, or scavenger hunts
  - H. Acts of servitude

Further information about Hazing can be found in the Office of Campus Life.
23. Unauthorized Entry or Use of Facilities: The unauthorized access to an area, room, or building.
24. Fire Alarms and Fire Safety Misconduct:
  - A. Inappropriate activation of any emergency warning equipment or the false reporting of any fire emergency.
  - B. Removal, damage, or tampering with fire safety or other emergency warning equipment belonging to a student, student organization, the University, or the Macon community.
  - C. Initiating and/or igniting of a fire.
  - D. Failure to evacuate during a fire alarm.
25. Possession and/or use Fireworks and Explosive Devices: Unauthorized possession and/or use of fireworks or explosive devices.
26. Furnishing False Information: Knowingly providing false or misleading information to a university official, to a hearing body, on a university document, or to a law enforcement agent or agency.
27. Failure to Comply: Noncompliance with the reasonable direction of university officials acting in the performance of their duties.
28. Campus Elections and Referendums Misconduct: Casting more than one ballot in any campus election or referendum or otherwise circumventing the prescribed procedures in an election process.
29. Student Identification Misconduct:
  - A. Failure of a student to carry their Mercer identification cards at all times or to allow anyone else to use their identification card.
  - B. False Identification. Using an ID in any form that is forged, altered, or otherwise intends to establish the false identity of a student. It includes knowingly using a fake ID to obtain access to events and/or resources or to purposely provide a false identity verbally.
  - C. Identity Theft. Deceptively using another student, non-student, or faculty/staff member's identification to access resources on or off campus, which includes ID cards, credit cards, email addresses, passwords, etc.
  - D. Unauthorized Representation. Unauthorized representation is when a student or organization falsely uses an emblem/name or falsely claims membership or affiliation with an organization such as any benevolent, fraternal, social, humane, or charitable organization which is entitled to the exclusive use of that name or emblem. This includes but is not limited to wearing badges, buttons, paraphernalia, logos as well as the unauthorized use of letterhead, symbols, or hand gestures associated with the organization being falsely represented.
30. Refusal to Vacate: Refusal to vacate a building, sidewalk, driveway, or private facility being used by the University for a student or department-sponsored activity when directed to do so by an authorized officer of the University.
31. Advertising/Media Misuse: Circulation or display of any media (i.e. electronic or paper) that contains matter that violates or is contrary to University policies or community values. This includes but is not

- limited to the display or promotion of alcoholic liquors, wines, or beers. This also includes displaying materials or information without proper approval from the University.
32. Solicitation/Fundraising: The solicitation of sales, services, memberships or gifts on campus without the permission of the Office of Campus Life.
  33. Unauthorized Visitation/Campus Housing: No unauthorized student, group of students, or organization shall enter or remain in restricted areas of residential facilities during non-visitation hours as published in the Housing Handbook.
  34. Contempt and/or Disregard for Judicial Procedures:
    - A. Failure to fully comply with all instructions and imposed sanctions of the university judicial system and Honor Council.
    - B. Coercing a student or organization member to give false information.
    - C. Engaging in conduct that disrupts the proceedings, lessens their authority or dignity, or otherwise obstructs justice on campus.
  35. Unsanitary or Unsafe Facilities: Failure to maintain a student organization, facilities, property, or surrounding property so as to prevent a potential danger to the health and safety of members of the University community.
  36. Cruelty to Animals: Intentionally or recklessly causing physical abuse or any form of suffering to animals.
  37. Gambling: Games of chance or bets in which participants commit money or anything of value in order to participate.
  38. Violation of Published University Regulations: Violation of any published Mercer University policies, rules, or regulations. This includes but is not limited to housing policies, computer policies, or other university policies directly related to departments, organizations, or clubs.
  39. Violation of Local, State, or Federal Law: Any violation of any local, state, or federal law.
  40. Greek Policy Violation and/or Unauthorized Recruitment/Membership Intake:
    - A. Failure to comply with all the instructions that guide membership into Greek organizations, which includes but is not limited to recruitment, timelines, events, activities, documentation, etc.
    - B. Participating, arranging, or engaging in unauthorized recruitment or intake processes known as "underground pledging." This includes coercing a student or organization to facilitate a process as well as students willingly engaging in a process not approved by the University or the affiliated national organization.

## SANCTIONS

The determination of sanctions is made in light of the unique facts and circumstances surrounding each individual case and the previous conduct history of the student. The Students found responsible of violations(s) of the Student Code of Conduct will be subject to one or more of the following sanctions:

1. Warning: Formal written notice to the student and official recognition that a violation has occurred.
2. Counseling Assessment: A recommendation to be evaluated by psychological services to help the student deal more effectively with their conduct issue.
3. Community Service: Performance of a preapproved service location for a prescribed number of hours to the local or university community.
4. Creative/Educational Sanctions: Attendance at educational programs, interviews with appropriate officials, planning and implementing educational programs, research papers, and other educational activities related to the violation.
5. Restriction: The withdrawal of specified privilege(s) for a definite period of time. Restrictions may include but are not limited to requirements such as not entering certain areas of housing or the campus, not contacting a certain individual or group, or not operating a motor vehicle on campus. Students may also be restricted from holding office in any student organization or participating in some activities.
6. Fines: Not to exceed \$150 per individual or \$300 per student organization.
7. Restitution: A payment of financial injury in cases involving theft, destruction of property, or deception.
8. Probation: A period of time during which any further violations of the Student Code of Conduct may impact or jeopardize the student's status in a specific manner. The four types of probation that can be imposed are as follows:

1. Conduct Probation: A specified period of time in which any future violations of the Student Code of Conduct can result in increased sanctions being imposed that exceed those of a student who is not on conduct probation.
2. Housing Probation: A specified period of time in which any future violations of the Student Code of Conduct will result in the termination of housing privileges and access to any university owned housing facilities.
3. Social Probation: Notice to an organization or student that all or a portion of social functions must cease for a designated period of time.
4. University Probation: A specified period of time during which any further violation of the Student Code of Conduct may result in suspension or expulsion. As part of this probation, students may be restricted from holding certain leadership positions or participating in some activities.
9. Forced Change of Residence: The temporary or permanent relocation of a student within housing.
10. Eviction from University Housing: Permanent removal from the housing system.
11. Suspension: The termination of the student's attendance or an organization's representation at the university for an indefinite or specified period of time. A suspension means that students may not be on University property or that an organization is prohibited from being recognized at any time without prior approval from the Vice President of Students or designee. Stipulations may be applied to either the student or organization as a condition for ending the suspension.
12. Expulsion: The permanent separation of the student from the University.
13. Deferred Degree: The holding of an academic degree for a specified period of time with or without conditions.
14. Withholding Degree: The withholding of a student's diploma for a specified period of time and/or denying a student participation in commencement activities if the student has a grievance pending, or as a sanction if the student is found responsible for an alleged violation.
15. Revocation of Degree: Revoking a degree awarded from the University for fraud, misrepresentation or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

## **APPEALS PROCEDURE**

For cases involving non-academic appeals, a student may appeal the original decision to the Vice President of Students within three (3) working days after receipt of the written decision (additional time may be requested for extenuating circumstances). The Vice President may choose to hear the appeal or designate an appropriate staff member from the academic program or location in which the student is enrolled to review the appeal and make a recommendation. No person may hear or decide an appeal if he or she participated in the hearing process. The appeal shall consist of a review of the prior proceedings; it shall not be another hearing. The student shall receive a written decision regarding the appeal.

Grounds for appealing a decision are:

1. A significant error in adhering to Mercer's procedural process, which prejudiced the accused to the extent that the student was denied a fundamentally fair hearing as a result of the error. Procedural flaws alone are not grounds for an appeal. Significant procedural errors that may have affected the verdict or sanction will be considered.
2. The emergence of new evidence that could not have been previously discovered and that, had it been represented at the initial hearing, would have substantially affected the original decision of the hearing body.
3. The imposition of sanctions which are disproportionate to the offense.

Student Status: The student's status on campus will remain unchanged pending the final decision and appeals process, except in cases involving interim suspensions (see Interim Suspension). The Vice President shall have the authority to act de novo to determine the issues of both responsibility and sanction(s). The decision of the Vice President of Students is final.

## **INTERIM SUSPENSION OF A STUDENT OR ORGANIZATION**

In certain circumstances involving a student's or organization's actions that may affect the safety, health, or general welfare of the student or the university community, the Vice President of Students, the Associate Dean of Students,

or Student Affairs designee on each campus may impose an interim suspension prior to the student or organizations conduct hearing. The Vice President of Students, the Associate Dean of Students, Student Affairs designee on each campus, and the Director of Housing and Residence Life have the authority to cancel a student's university housing contract under a separate process.

An interim suspension means that a student cannot be on university property, cannot attend classes, and cannot use university facilities unless otherwise stipulated. An interim suspension requires that the student or organization be notified in writing by the university. For organizations, it means immediate suspension of all or some of the activities associated with the organization as determined by the university.

The student or organization has the right to request a hearing on the interim suspension with the Vice President of Students. If requested, the hearing will be conducted within three (3) regular business days from the receipt of the student's written request by the Vice President of Students or designee. The scope of this hearing is solely on whether the interim suspension should continue until a hearing is conducted on the facts of the case.

Student disciplinary charges will be filed either when the interim suspension is imposed or as soon as possible thereafter. Student organizations should refer to the Student Organization Policy.

For cases in which a student is placed on interim suspension but subsequently found not responsible for all violations, the university will take the following steps: (1) correct any record of the change in enrollment status in the student's permanent records and reports in a manner compliant with state and federal laws; and (2) refund to the student a pro rata portion of any fees, charges for tuition, or other university specific fees and charges, as appropriate due to the temporary change in enrollment status.

## **PARENTAL NOTIFICATION POLICY**

Mercer University, like many other colleges and universities, is concerned about the health and safety of its students specifically where there is use and abuse of drugs and alcohol. Under the Family Educational Rights and Privacy Act (FERPA), institutions are permitted to release any and all information to parents, without the consent of the student, "if the student is a dependent for tax purposes under the IRS rules." FERPA allows colleges and universities to disclose information to parents if there is a health or safety emergency involving their student as well as to disclose information if the student is under the age of 21 and "has violated any law or policy concerning the use or possession of alcohol or a controlled substance." The Vice President of Students or designee will be the responsible University official to contact the parent or guardian. Students whose parents are divorced or separated have the option of designating the parent to be contacted. The Vice President of Students or designee may use discretion regarding parental notification in incidents where it is determined that extenuating circumstances exist that would directly and conclusively impact the situation negatively. Alternative guardian contact determinations will be made by the Vice President of Students or designee. The process of adjudicating any violations will be handled in accordance with the Student Code of Conduct.

Mercer University has opted to contact parents and/or legal guardians under the following conditions:

1. Mercer students, under the age of 21, found responsible for first time minor offenses involving alcohol in accordance with the Student Code of Conduct, will be dealt with directly without notification of their parents. "Minor offenses" are defined as non-life-threatening, non-threatening to the community, and not involving any other significant violations of the law or the Student Code of Conduct.
2. Enrolled students, under the age of 21, found responsible for two or more offenses involving alcohol will result in parental notification.
3. Enrolled students, under the age of 21, found responsible for offenses involving drugs will result in parental notification.
4. Incidents related to alcohol and/or drugs that are determined to be life threatening to the student, threatening to the community, or involving other significant violations of the law or the Student Code of Conduct may result in parental notification regardless of the number of offenses. An incident in which a student is transported to the hospital as a result of alcohol and/or drugs may also be determined to constitute a threat or disruption to the campus community depending on the circumstances.



## **NON-ACADEMIC CONDUCT RECORDS**

The Office of the Vice President of Students in Macon and Associate Dean of Students in Atlanta are the official custodians of all records involving non-academic misconduct. Student files involving cases that do not result in suspensions or expulsions shall be expunged seven (7) years after a decision is reached on a charge. Cases that result in suspensions or expulsions will be kept permanently. Statistical data and database information may be kept permanently at the university. Students have the right to view their files. Students found “not responsible” or cases in which charges are dropped are considered not to have a judicial record.

## **ACCESS AND ACCOMMODATIONS SERVICES FOR STUDENTS**

Mercer University is committed to making all of its programs, services and activities fully accessible to qualified students with disabilities. Students requesting to be recognized as an individual with a disability or requesting accommodations for a diagnosed physical, medical, psychological, or learning disability must first self-identify by registering with the Access and Accommodations Office. Appropriate and reasonable accommodations will be determined on a case-by-case basis upon review of the submitted documentation. The Access and Accommodations Office also offers voter registration information and assistance for students.

Please report any issues for physical access, such as non-working elevators, to the Access and Accommodations Office immediately. Students who believe they have been discriminated against or denied access to a program or service because of a disability should contact the Access and Accommodations Office. Further information on policies, procedures, and documentation requirements may be obtained by contacting the Access and Accommodations Office at 478-301-2810. All policies and procedures including Disability Grievance Procedures may be found at <https://access.mercer.edu/students/grievance/>.

## **CAMPUS EVENT ACCESSIBILITY POLICY**

All events that take place on campus must meet accessibility standards in accordance with the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) and the Rehabilitation Act of 1973 (Section 504). All event organizers must be familiar with this policy, comply with its scheduling and notice requirements, and make every effort to accommodate attendees at events who have disabilities.

### Responsibility for Making Events Accessible

As an institution that is required to comply with the ADAAA and Section 504, the University must make every effort to make all of its programs and activities accessible to those who wish to attend. To the extent readily achievable, this includes physical and programmatic access/accessibility as defined below. Accomplishing this goal requires coordination across campus, as well as the participation of those seeking an accommodation. However, primary responsibility for accessibility rests with the event organizer. The organizer will make a good faith effort to accommodate all persons with disabilities.

### Scheduling Events

The University will make every effort to schedule all events open to the public in an accessible space. For events open only to students, faculty and/or staff (i.e., the University community), event organizers shall make every effort to schedule such events in accessible spaces. If for any reason a University community event is scheduled in a space that is not accessible and the event organizer receives a request for an accommodation from an individual with a disability, the event organizer must work to find an alternate location that is accessible and/or assess alternative accommodations.

### Publicizing Events

Event organizers must place an accessibility notice statement in all materials announcing the event. This includes electronic communications such as e-mail, as well as print materials (e.g., banners, posters, flyers, brochures, "clings," postcards, etc.). The text must include the name and contact information for the individual, school, department, or other unit or group to contact for accommodations. Suggested text is set forth below.

#### Suggested Accessibility Notice Statement (long version)

"Please contact (event organizer) at (phone and e-mail) at least one week prior to the event to request alternative formats or accessible seating due to a disability. In all situations, a good faith effort (up until the time of the event) will be made to provide accommodations. "

#### Suggested Accessibility Notice Statement (short version)

"To request alternative formats or accessible seating due to a disability, please contact (event organizer) at (phone and e-mail) at least 7 days prior to the event date."

NOTE: It is not necessary to include an accessibility notice in communications regarding routine or standing meetings for small groups of individuals when none of the individuals is in need of an accommodation.

For more information, please see the Resources section of Access and Accommodations web page at <http://access.mercer.edu/> or contact the Access and Accommodations Office at 678-547-6823.

## **ACCESS AND ACCOMMODATIONS SERVICES FOR ATLANTA CAMPUS, DOUGLAS, AND HENRY COUNTY REGIONAL ACADEMIC CENTERS**

### **Mission:**

- Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit discrimination against individuals with disabilities.
- According to these laws, no otherwise qualified individual with a disability will, solely, by reason of their disability, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity of a public entity.
- With respect to post-secondary educational services, "qualified" means "an individual who meets the academic and technical standards requisite for admission or participation in the educational program activity with or without reasonable modifications to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services."
- It is Mercer University's goal to address the student's special needs to ensure that opportunities for academic success are made available.

### **Eligibility for Services:**

1. The student has a physical or mental impairment which substantially limits one or more major life activities (incl. walking, seeing, hearing, speaking, breathing, learning and working.)
2. The student has a documented record of such impairment from an appropriate medical, psychological or counseling professional, which upon initial submission to the Access and Accommodations Office is no older than five years. Beyond that, additional testing may be required at the student's expense.
3. The student with a disability should submit a semester request for a **Faculty Accommodation Form** within the **first two weeks of every new academic session**. The Access and Accommodations Office recognizes newly tested / diagnosed students throughout the semester. The student must request this form through the online platform *Accommodate* found at <http://access.mercer.edu/>.
4. **A Faculty Accommodation Form should be filled out each semester regardless of whether the student intends to utilize the services/accommodations or not.**
5. Students should work with each of their individual professors to determine if accommodations will be handled directly by the professor or the Access and Accommodations Office.
6. Students must notify the Access and Accommodations Office at least two weeks in advance of any and all exams for which that office is responsible for the accommodations. Newly tested students should submit documentation at least a week before any scheduled testing.
7. Students must maintain the same anticipated academic level in class as students without disabilities, attend class (meeting individual class/course requirements), and provide timely notification of specific needs.
8. **Accommodations are not retroactive in nature and are not active until approved.**

## SERVICES PROVIDED

The Access and Accommodations Office can arrange one or all of the following services for students with learning disabilities:

- Quiet/Private space for exams
- Extended exam time, usually time and a half, but up to twice the test time allotted, based on diagnosis
- Individual academic, personal, and career counseling through referral
- Tutoring through peers or Academic Resource Center (as available)
- Limited academic/career diagnosis or testing
- Faculty/staff consultation
- Reading and writing computer assisted software

Other services may be available on a case-by-case basis.

## WHERE TO FIND THE ACCESS & ACCOMMODATIONS OFFICE

For more information, contact the Access and Accommodations Office, Sheffield Student Center Suite 208 on the Atlanta Campus or call 678-547- 6823.

**To apply:** Please submit online application through Accommodate found under Student section at <http://access.mercer.edu/>

Students at the Atlanta Campus, Douglas and Henry County RACs can fax documentation to 678-547-6373.

All students are encouraged to contact the Access and Accommodations office in the early stages of their college planning. Access and Accommodations is better able to help students by informing them of specific support services available if students provide them with the most recent documentation of their learning/physical disability.

## CHILDREN AND GUESTS ON CAMPUS POLICY

The campuses, regional academic centers, and all other facilities of Mercer University are restricted to students, faculty, staff, and guests of the University, except when all or part of the University location, its buildings, or facilities are open to the general public for a designated time and purpose.

A “guest” of the University is a person invited by an officer, employee, or student to visit the campus at a specific time and place for a designated purpose. Personal guests of students are permitted as long as they restrict the length of their campus visits and abide by all appropriate guidelines and policies related to their visit, including those pertaining to Housing and Residential Life.

Arranging childcare is the personal responsibility of students who have children. Students are not authorized to bring children to a Mercer facility for extended periods of time. Frequent or lengthy visits of children are not permitted, as they may create disruptions and distractions and present a liability to the University for their safety. Children, other than those specifically enrolled in a youth specific program, may not attend class, use University equipment, or be left unattended on University property.

Childcare issues frequently arise when Mercer holidays and those of the child’s school do not match or when a child is sick and cannot attend school or daycare. Students must plan for these challenges in advance. Asking a faculty member to allow a child in class is not an option as faculty members are not authorized to allow children to attend class.

## COUNSELING & PSYCHOLOGICAL SERVICES (CAPS)

Counseling & Psychological Services (located in the Sheffield Student Center, Suite 215) serves as a comprehensive resource for the personal growth and life skills development of enrolled Mercer students. It is staffed by a full-time director, a full-time assistant director, and several part-time licensed professional counselors (LPC’s) who are prepared to assist students in a variety of areas including but not limited to the following:

- Anxiety

- Depression
- Stress Reduction
- Study Skills
- Interpersonal Relationships
- Family Conflicts
- Vocational and Career Issues

Counseling & Psychological Services is open Monday, Tuesday, Thursday, & Friday 9:00 AM – 5:00 PM; Wednesday 10:00 AM – 6:00 PM. Students at the Regional Academic Centers are eligible to visit both the Atlanta and Macon Counseling & Psychological Services. You can reach Atlanta Counseling & Psychological Services at 678-547-6060.

## **CRIME AWARENESS AND CAMPUS SECURITY**

Mercer University places a high priority on keeping its campuses/regional academic centers safe for its students, employees, and visitors. The Mercer Police Department has primary responsibility for the security of the campus. All Mercer Police officers are certified by the Georgia Peace Officer Standards and Training Council as having met the qualifications and training requirements for police officers in Georgia. They are authorized to exercise law enforcement powers, including the power of arrest, on all campuses.

Students, employees, and campus visitors are subject to all federal, state, and local criminal laws in addition to campus regulations. The Mercer Police Department maintains a cooperative working relationship with the local and state police to ensure that all laws are enforced. Mercer police officers may arrest individuals suspected of campus crimes or may detain such individuals for arrest by the local police. Local police agencies also provide back-up assistance to the University for any emergency that might require extensive police services.

The Mercer Police Department is a service-oriented department. Officers are available 24 hours a day, 365 days a year. In addition to routine patrols, the Department is happy to escort students or employees on campus at night as a safety precaution. Mercer Police can be reached at 478-301-4357 (Macon campus) or 678-547-6358 (Atlanta campus).

### **CRIME: CAMPUS STATISTICS**

Statistics concerning certain criminal offenses reported to have occurred on Mercer's campuses/ regional academic centers during the most recent calendar year and the two preceding calendar years are posted on the Mercer Police Department's website at <http://police.mercer.edu/security/>. A printed copy of the report is available upon request in the Human Resources Office, the Mercer Police Department, and the Student Affairs designee for your school.

### **CRIME: REPORTING CRIMES AND EMERGENCIES**

All students and employees of the University should take an active role in keeping the campuses and regional academic centers safe. Please report any incident or unusual activity on or near the campus to Mercer Police. If you have any doubts as to whether to report an incident that has occurred, you should report it. The Mercer Police Department can then determine whether the event requires further action.

All crimes should be immediately reported. Crime alerts are published when incidents on or near the campus could present threats to the University community. Your cooperation in making reports promptly assists the University in issuing timely warnings to the Mercer community.

Mercer allows victims or witnesses of crimes to confidentially report those crimes. Furthermore, Mercer encourages pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of the procedures for confidentially reporting criminal activity.

When reporting a crime, suspicious activity, or other emergency on campus, be sure to provide the following information:

- Your name
- Location of the incident you are reporting

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- A description of the scene and/or suspects
- A description of any vehicles involved in the incident, especially a license plate number if possible
- Your telephone number and address for report purposes

Before hanging up, be certain the dispatcher has all the needed information. Do not take matters into your own hands as this could result in serious injury.

You can reach Mercer Police by using one of the following numbers:

- |                                    |              |
|------------------------------------|--------------|
| • Mercer Police                    | 678-547-6358 |
| • Emergency Line for Mercer Police | 678-547-6911 |
| • University Switchboard           | 678-547-6000 |

## **DRUG AND ALCOHOL POLICY**

The possession or consumption of alcoholic beverages by students is prohibited on campus and at University-sponsored events. Public intoxication, consumption, or display of alcoholic liquors, wines, or beer on campus is prohibited. Use or possession of illegal drugs and drug paraphernalia is also prohibited.

Mercer University shares the widespread national concern with the serious threat to health, safety, and welfare posed by the unlawful use of drugs and the abuse of alcohol, especially in the workplace and on college campuses. Excessive use of alcohol and illegal drugs can cause serious health problems, and it can negatively affect the success of students in the educational and social areas of university life. For this reason, the University is adamantly opposed to alcohol and drug abuse and the unlawful possession, use, or distribution of drugs by members of the University community. Mercer University strictly prohibits such activities. The University conducts educational programs designed to lead its students into an understanding of the problems associated with drug and alcohol abuse and to enable them to make responsible choices on personal and social levels.

In addition to abiding by the regulations prescribed by the Mercer University Student Handbook, students must abide by all local, state, and federal laws pertaining to drug and alcohol use. Violations of such laws, whether they occur on or off campus, are subject to internal University investigation, review, and action. For more information about Mercer University's policy concerning drugs and alcohol, refer to the section titled "Drug-Free Workplace and Campus Program."

### **DRUG-FREE WORKPLACE AND CAMPUS PROGRAM (GENERAL)**

#### Introduction and Purpose

Mercer University shares the widespread national concern with the serious threat to health, safety, and welfare posed by the unlawful use of drugs and the abuse of alcohol, especially in the workplace and on college campuses.

As a matter of University policy, growing out of the University's historic mission and character and in keeping with applicable Federal and State laws<sup>1</sup>, the University has adopted and has implemented the following program to provide a drug-free workplace and campus/center for all its students and employees and to prevent the illicit use of drugs and abuse of alcohol.

#### Relationship to Other Policies

This program sets forth the minimum standards of conduct and requirements with respect to drug and alcohol abuse for all students and employees of the University. Other policies and standards of conduct concerning drugs and alcohol are included in other student handbooks, employee handbooks, and other University documents. These remain in full force and effect. Additional policies in this area may also be developed, subject to University approval, provided they are either consistent with this program or impose higher standards of additional requirements in furtherance of the purposes of this program. In the case of faculty members, violation of the standards of conduct in this program shall be considered "adequate cause" for termination of a faculty appointment. All actions taken and sanctions imposed under this program and related drug and alcohol policies shall be reviewed periodically to ensure consistent enforcement. Nothing in this program shall be interpreted to require the University to violate its obligations under other laws, including laws prohibiting discrimination against qualified handicapped individuals.

#### Standard of Conduct

The unlawful possession, use, distribution, dispensing, or manufacture of illicit drugs or alcohol at any time on any University property or as part of any University-sponsored activity is absolutely prohibited. (Professional and graduate schools may adopt policies more in line with the profile of their student body, as long as these policies are reviewed and approved in advance by the Provost.)

#### Convictions for Drug-Related Offenses

Any student or employee convicted of any drug-related criminal statute must notify the appropriate official, the senior Student Affairs officer (for students) or the Associate Vice President for Human Resources (for employees), in writing, no later than 5 days after such conviction regardless of where the offense occurred. This is because under Federal and State laws, any student convicted of a drug-related felony offense must be denied all Federal and State assistance, including Pell grants and Georgia Tuition Equalization Grants; and because the University must notify Federal agencies of drug-related convictions in the workplace of employees involved in work under a grant or contract. However, a criminal conviction shall not be necessary to find that a student or employee has violated these standards of conduct, and the University need not, and ordinarily will not, defer its own actions and sanctions pending the outcome of any criminal proceeding. Federal policy requires schools to advise students each semester as to the consequences of drug convictions. The Federal policy is as follows:

<sup>2</sup>A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for FSA funds. The student self-certifies in applying for aid that he is eligible; schools are not required to confirm this unless they have conflicting information. Convictions only count against a student for aid eligibility purposes (FAFSA question 23c) if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge (see drug abuse hold sidebar). Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when she was a juvenile, unless she was tried as an adult. The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

*1 Including the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, the Drug-Free Postsecondary Education Act of 1990 (Georgia), and related laws and regulations.*

*2 Federal Student Aid Handbook published by Dept. of Education; Volume 1, pages 15-16*

# of Offenses	Possession of Illegal Drugs	Sale of Illegal Drugs
<b>1st Offense</b>	1 year from date of conviction	<b>2 years from date of conviction</b>
<b>2nd Offense</b>	2 years from date of conviction	<b>Indefinite period</b>
<b>3+Offenses</b>	<b>Indefinite period</b>	

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period. Schools must provide each student who becomes ineligible for FSA funds due to a drug conviction a clear and conspicuous written notice of his loss of eligibility and the methods whereby he can become eligible again.

A student regains eligibility the day after the period of ineligibility ends (i.e., for a 1st or 2nd offense); or when they successfully complete a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program. Further drug convictions will make them ineligible again. Students denied eligibility for an indefinite period can regain eligibility after completing any of the following three options:



- 1) Successfully completing a rehabilitation program (as described below, which includes passing two unannounced drug tests from such a program);
- 2) Having the conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record; or
- 3) Successfully completing two unannounced drug tests which are part of a rehab program (the student does not need to complete the rest of the program).

In such cases, the nature and dates of the remaining conviction will determine when the student regains eligibility. It is the student's responsibility to certify that they have successfully completed the rehabilitation program; as with the conviction question on the FAFSA, it is not required to confirm the reported information unless there is conflicting information. When a student regains eligibility during the award year, Pell Grant, TEACH, and Campus-Based aid may be awarded for the current payment period and Direct Loans for the period of enrollment.

Standards for a qualified drug rehabilitation program:

A qualified drug rehabilitation program must include at least two unannounced drug tests and satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.
- If you are counseling a student who will need to enter such a program, be sure to advise the student of these requirements. If a student certifies that he has successfully completed a drug rehabilitation program, but you have reason to believe that the program does not meet the requirements, you must find out if it does before paying the student any FSA funds.

#### University Sanctions and Procedures

As a condition of employment or enrollment at Mercer, all employees and students must abide by these standards of conduct, and disciplinary sanctions will be imposed for violations. Among the sanctions that may be imposed are: reprimand, probation, suspension, expulsion or termination of employment, and referral for prosecution. Ordinarily the sanctions for drug-related violations will be suspension or termination of employment or enrollment. However, at the University's sole discretion, an employee or student maybe permitted to continue in employment or enrollment if he or she satisfactorily participated in an approved rehabilitation program.

Nothing in this policy is intended to affect the procedural rights of students or employees (including faculty members) under existing judicial board, grievance, or review procedures. However, once the University has determined, after reasonable inquiry, that a violation of this policy has occurred, the employee or student may be subject to immediate suspension (without pay, in the case of an employee) pending the conclusion of such procedures. If no existing procedures are in place for an alleged violation by a particular student or employee, the University will adapt other review procedures so as to ensure the individual the opportunity for a fair review, including the right to be heard.

Additional information may be found in your academic program's handbook.

#### State and Federal Legal Sanctions

Under Federal and State law, it is a crime to possess, manufacture, sell or distribute illicit drugs. Federal Trafficking Penalties may be found at [https://www.iecc.edu/files\\_user/CONS/Files/Federal\\_Trafficking\\_Penalties.pdf](https://www.iecc.edu/files_user/CONS/Files/Federal_Trafficking_Penalties.pdf).

### **HEALTH RISKS ASSOCIATED WITH DRUG OR ALCOHOL USE**

#### Drugs

*Narcotics* such as opium, morphine, and heroin can cause euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Heroin causes the body's pain reactions to be weakened and can result in coma due to the reduction in pulse rate. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma, and possible death. A person experiencing withdrawal from addiction to narcotics can

experience watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating.

*Depressants* such as barbiturates and quaaludes can cause disorientation, slurred speech, and senseless behavior. Depressant overdose results in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, and possible coma or death. Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

*Stimulants* such as cocaine and crack cause increased alertness or euphoria, increased heart rate, blood pressure, and respiratory rate. Immediate effects of use also include dilated pupils, insomnia, and loss of appetite followed by depression. Stimulant overdose results in agitation, increase in body temperature, hallucinations, convulsions, and possible death. Withdrawal symptoms include irritability, long periods of sleep, depression, and/or disorientation.

*Hallucinogens* such as Lysergic acid (LSD), amphetamines, mescaline, and phencyclidine (PCP) cause delusions, hallucinations and poor perception of time and distance. Users may experience anxiety, loss of control, confusion, and panic. Flashbacks can occur even when use has stopped. Amphetamines can cause rapid, irregular heartbeat, tremors, and collapse. Heavy users may act out irrationally. The effects of an overdose include psychosis and possible death.

*Cannabis* (Marijuana, Hashish) can cause euphoria, increased appetite, lowered inhibitions, and disorientation. Marijuana use can alter sense of time, reduce energy level and coordination, and impair short-term memory. The effects of an overdose include fatigue, paranoia, and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity, and decreased appetite. Long-term users may have a lowered immune system and increased risk of lung cancer.

#### Alcohol

Alcohol is a central nervous system depressant. Consumption of alcohol causes a number of changes in behavior that can result in dangerous and high-risk activities. A low dose of alcohol significantly impairs judgment, mental function, and coordination, and alters decision-making skills.

Alcohol consumption decreases the alertness and coordination needed to drive a car safely, increasing the likelihood of the driver causing an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts such as spouse or child abuse. Research demonstrates that the majority of violent behaviors and incidents on college campuses, such as date rape, fights, and vandalism, involve the use of alcohol. Moderate to high doses of alcohol cause drastic 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, much lower doses of alcohol will produce the effects just described. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the heart, liver, and brain. Studies have also linked an increased risk for various types of cancer, such as esophageal and breast, to heavy, long-term alcohol use.

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.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome resulting in mental retardation and/or irreversible physical abnormalities.

#### **COUNSELING, TREATMENT, AND REHABILITATION**

Employees and students who wish information about counseling and treatment programs, either for personal substance abuse or for family members or others, may contact the Human Resources Office (for employees) or the appropriate Senior Student Affairs Officer (for students).

**Human Resources - Atlanta campus:**  
Human Resources - Macon campus:

**678-547-6155**  
478-301-2005



**Student Affairs Office - Atlanta campus: 678-547-6824**  
Student Affairs Office - Macon campus: 478-301-2685

**Information and help is also available from:**

- Counseling & Psychological Services - Macon campus: 478-301-2862
- Counseling & Psychological Services - Atlanta campus: 678-547-6060
- Helpline Georgia for Substance Abuse: 1-800-338-6745

**Macon**

Coliseum Behavioral Health 340 Hospital Drive  
Macon, GA 31217  
478-741-1355

Lake Bridge Behavioral Health (Child and  
Adolescent Services) 3500 Riverside Drive  
Macon, GA 31210  
478-477-3829

Medical Center of Central Georgia The Psychiatric  
Pavilion  
777 Hemlock Street  
Macon, GA 31201  
Inpatient: Psychiatry and Detox  
478-743-1392  
Emergency Line  
478-743-HOPE

Dr. Dan E. Phillips (Psychiatrist)  
Department of Psychiatry & Behavioral Sciences  
Mercer University School of Medicine  
250 Martin Luther King Jr Blvd Macon, GA 31201  
478-301-4077

River Edge Behavioral Health Center 175 Emery  
Highway  
Macon, GA 31217  
478-751-4519

River Edge Recovery Center 3575 Fulton Mill  
Road Macon, Georgia 31206 Crisis Stabilization  
Unit 478-803-8617

**Atlanta**

Anchor Hospital  
5454 Yorktowne Drive  
Atlanta, Georgia 30349  
770-991-6044

DeKalb Crisis Center 450 Winn Way  
Decatur, GA 30031  
404-294-0499

Metro Atlanta Recovery Residences (MARR  
Addiction Treatment Center) [www.marrinc.org](http://www.marrinc.org)  
2815 Clearview Place  
Doraville, GA 30340  
1-800-732-5430

Northside Behavioral Health Services  
1140 Hammond Drive - Building J, Suite 1075  
Atlanta, GA 30328  
404-851-8960

Peachford Hospital 2151 Peachford Road  
Atlanta, GA 30338  
770-455-3200

Ridgeview Institute  
3995 South Cobb Dr., SE Smyrna, Georgia 30080  
770-434-4567 x3200

SummitRidge Hospital 250 Scenic Highway  
Lawrenceville, GA 30045  
678-442-5800

Talbott Recovery Campus 5448 Yorktowne Drive  
Atlanta, GA 30349  
770-994-0185

**Warner Robins**

HealthQwest  
Substance Abuse Treatment 607 Russell Parkway  
Warner Robins, GA 31088  
(Outpatient Drug & Alcohol Rehab)  
478-225-9860

Houston Medical Center Behavioral Science and  
Psychiatry 1601 Watson Blvd.  
Warner Robins, GA 31093  
(Mental & Substance Abuse Disorders)  
478-922-4821 (x7777)

Phoenix Center Behavioral Health Services 940  
GA Hwy. 96  
Warner Robins, GA 31088  
(Adult Mental Health & Substance Abuse)  
478-988-1222

**Savannah**

Center for Behavioral Medicine Memorial  
University Medical Center (Inpatient Psychiatric  
Services)  
5002 Waters Avenue  
Savannah, GA 31404  
912-350-3023

Michael Mobley, M.D. (Psychiatrist)  
4849 Paulsen Street, Suite 201  
Savannah, GA 31405  
912-354-8108

Manoj Dass, MD (Psychiatrist) Integrated  
Behavioral Center 1121 Cornell Avenue  
Savannah, GA 31406  
912-355-4987

Savannah Psychiatry 635 Stephenson Avenue  
Savannah, GA 31406  
912-352-2921

Recovery Place (Outpatient)  
Alcohol / Substance Abuse Treatment  
835 East 65th Street  
Savannah, GA 31405  
912-355-1440

RP Community Services (Outpatient)  
Alcohol / Substance Abuse Treatment 515 East  
63rd Street  
Savannah, GA 31405  
912-355-5938

Savannah Counseling Services, Inc. Gateway  
Behavioral Health  
800 East 70th Street Savannah, GA 31405  
912-790-6500

Willingway Hospital  
(Inpatient Alcohol/Substance Abuse/Detox) 311  
Jones Mill Road  
Statesboro, GA 30458

**Columbus**

The Bradley Center (Substance Abuse Services)  
2000 16th Avenue  
Columbus, GA 31901  
706-320-3700

Midtown Medical Center 710 Center Street  
Columbus, GA 31901  
706-571-1000

Talbott Recovery Center  
1200 Brookstone Centre Parkway, Suite 210  
Columbus, GA 31904  
706-341-3600

## EMERGENCY (MEDICAL) ON ATLANTA CAMPUS

The following steps should be followed when an accident, injury, or other related emergency on campus occurs:

Notify the **MERCER POLICE OFFICE** immediately, by dialing **6911** from ANY campus telephone nearest you. **IF THE CALL IS PLACED FROM AN OUTSIDE PHONE, CALL 911 FIRST, THEN CALL MERCER POLICE AT 678-547-6358 TO ALERT THEM TO AN EMERGENCY ON CAMPUS.** Give the location of the injured person and briefly describe the apparent injury. The **MERCER POLICE OFFICE** will then dispatch an officer to the scene, who will determine the appropriate emergency service to be notified, and direct any emergency vehicles to the scene on campus. No employee should assume the responsibility of transporting an injured or ill person.

If there is difficulty in reaching the **MERCER POLICE** by telephone, send another person to the **MERCER POLICE DEPARTMENT**. Assist the **MERCER POLICE** in filling out an injury report after the injured or ill person has been treated.

- Any attempt to render first aid or other treatment by an untrained party should be limited to only those steps necessary to sustain life and make the injured person as comfortable as possible.
- Remain with the injured party at all times until professional medical aid arrives. A police officer trained in first aid will be on hand as soon as possible to maintain order and render whatever assistance possible.
- After the injured person has been removed or treated by trained medical personnel, give the police officer on the scene as accurate a description as possible of the apparent cause of the accident and the nature of the injury.

By expediting professional medical treatment through a standard emergency procedure, the victim of a serious injury or illness stands a much greater chance of survival and avoidance of serious after-effects.

## EMERGENCY PREPAREDNESS PLAN

### GENERAL EMERGENCY RESPONSE GUIDELINES

1. All emergencies are different. Your first priority is to exercise caution and ensure your safety and the safety of the people in the immediate vicinity of the emergency.
2. Collect as much information about the situation as possible (nature of the emergency and specific location).
3. Immediately notify Mercer Police, the local police (911), or the Regional Academic Center (RAC) Coordinator for a RAC not located on the Macon or Atlanta campuses of the situation.

### Quick Emergency Contact Guide

#### Mercer Police

Macon Campus 478-301-2970

Atlanta Campus 678-547-6358

#### Information Hotlines

Macon Campus 478-301-5335

Atlanta Campus 678-547-6111

#### Regional Academic Center Coordinators:

Douglas County 678-547-6200

Henry County 678-547-6100

In the event of a broad emergency that has the potential to harm people and/or facilities, it is important for students, faculty, and staff to be aware of the following information:

Communication: In the event of an emergency, Mercer Police and the administration will provide alerts and vital information using a variety of formats including emergency text messages, emails, and the office phone system. It is important to note the following:

1. All Mercer faculty, staff, and students are strongly urged to register for emergency text messages.
  - Contact MU Information Technology (478-301-7000) or visit the website <http://it.mercer.edu/student/> for details on emergency alert registration
2. Faculty with policies prohibiting student cell phone use in the classroom should actively monitor their own cell phones for emergency text messages.
3. Initial notifications may be based on partial data, with the goal to inform campus or RAC occupants of a developing situation requiring immediate action to protect life, safety and facilities.

4. The messaging system will be used to deliver additional emergency information, or that the dangerous event and/or conditions are under control, or “all clear”.

Building Evacuation Instructions: When information about a threat is received in a building or facility, evacuation may be ordered by Mercer Police or RAC Coordinator/local emergency response personnel for a RAC not located on the Macon or Atlanta campuses.

1. When a fire alarm is activated, evacuation is mandatory.
2. Do not use elevators in an evacuation.
3. Close doors as you exit.
4. All individuals should move away from the building and/or facility in danger (500 feet, or follow instructions from emergency responders).

#### Examples of Evacuation of Facility / Clearance of Area

Fire / Gas Leak / Hazardous Material Release or Spill / Suspicious Package / Bomb Threat

Active Shooter Instructions: How to respond (options) if an active shooter is in your vicinity:

1. Run: if there is an accessible escape path, attempt to evacuate the premises.
2. Hide: if evacuation is not possible, find a place to hide where the active shooter is less likely to find you.
3. Fight: as a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the shooter.

Lockdown (Violent Acts): Should the University experience a violent act (such as an active shooter), a lockdown of the University may be ordered by Mercer Police or the RAC Coordinator/local emergency response personnel for a RAC not located on the Macon or Atlanta campuses. In such a situation, you should:

1. Immediately go to the closest enclosed area. If possible, choose a room without windows that has a locking door.
2. Lock and/or blockade the doors.
3. Turn out lights and draw blinds.
4. Silence your cell phone, remain quiet, and stay out of sight.
5. Wait for an “All Clear” signal or notice from Mercer Police and/or local emergency response personnel.
6. If outside during the notification, consider leaving the campus if possible.

#### Stay in Place (Severe Weather)

1. If possible, move to designated severe weather areas of the building.
2. Do not use elevators.
3. Avoid glass doors and windows.
4. Wait for an “all clear” signal or notice from Mercer Police and/or local emergency response personnel.

## **EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

Mercer University is committed to a policy of equal opportunity in employment without regard to race, color, national origin, disability, veteran status, sex, sexual orientation, gender identity, genetic information, age, or religion (except in limited circumstances where religious preference is both permitted by law and deemed appropriate as a matter of University policy). This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, transfer, leaves of absence, compensation, and training programs.

In addition, as a federal contractor, the University has adopted an Affirmative Action Plan in accordance with applicable legal requirements. This plan is reviewed and updated annually. Employees and applicants may access, upon request, the full affirmative action plan (absent data metrics) at locations and times posted in the Human Resources office.

Mercer University’s EEO policy, as well as its affirmative action obligations, includes the full and complete support of all divisions of Mercer University, including its President.

Mercer University will make reasonable accommodations for qualified individuals with known disabilities unless

doing so would result in an undue hardship. Mercer University prohibits any form of unlawful employee harassment based on race, color, national origin, disability, veteran status, sex, sexual orientation, gender identity, genetic information, age or religion.

Any employee with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, the Equal Opportunity Officer, the supervisor of the person behaving objectionably, or for sexual violence/sexual harassment with the Office of Civil Rights. Employees can raise concerns and make reports without fear of any form of retaliation.

Mercer University maintains an audit and reporting system to determine overall compliance with its equal employment opportunity mandates and to respond to any specific complaints applicants or employees file with the Mercer University's equal employment opportunity office. The Associate Vice President for Human Resources [1501 Mercer University Drive, Macon, GA 31207, phone 478-301-2786] is the Equal Opportunity/Affirmative Action Officer and is responsible for monitoring and coordinating compliance with this policy and applicable laws and regulations, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Executive Order 11246, and other federal and state laws.

## **FIREARMS, WEAPONS, FIREWORKS/EXPLOSIVES**

Firearms/weapons are not allowed on Mercer University campus or Regional Academic Center (RAC) facilities except when required for students who are in uniform (police, law enforcement officers, etc.) in an official duty status.

### **EXCEPTION POLICY**

A Mercer student attending class/conducting Mercer business while in uniform and determined to be in an official duty/emergency recall status by a local police and/or law enforcement department/agency (city police department, county sheriff, Georgia Public Safety, etc.) may have a firearm/weapon. The student must initiate request to have the firearm/weapon at a Mercer facility. Police or law enforcement department/agency must certify the officer- student is required to have the firearm/weapon while in uniform and on duty/emergency recall status and submit request to Mercer Police for approval to have firearm/weapon in a Mercer facility.

#### Procedures

1. Mercer student completes formal request to have firearm/weapon while in class or conducting other business with Mercer in a Mercer Campus or Regional Academic Center (RAC) facility.
2. The Police/Law Enforcement/Public Safety department/agency requiring the officer (Mercer student) to have a firearm /weapon while in class or conducting business in Mercer facilities (Campus or Regional Academic Center) certifies the requirement and sends request to Mercer University Police (MERPO) at the following address:  
Director of Mercer University Police  
1765 Winship Street  
Macon, GA 31207
3. Director of Mercer Police or Mercer Police designee approves the request. Approved requests are maintained in police files on the Macon and Atlanta campuses. MERPO forwards a copy of the approved request to the Dean of the officer-student's college/school for notification of faculty and to the Director of Operations, Regional Academic Centers for officer-students attending Regional Academic Center classes in Atlanta, Macon, Douglas County and Henry County,.
4. Director of RAC Operations maintains a file of the approved requests of uniform officers having firearms/weapons and provides a confidential list (Name, Student Number, Badge Number) to each RAC location center coordinator where student could attend class/conduct Mercer business.
5. Mercer staff or faculty may question an individual with a firearm/weapon to insure Mercer Police has approved his or her having the weapon/firearm in a Mercer University facility.

All other weapons are prohibited including, but not limited to, hunting weapons, BB guns, stun guns, air rifles, air pistols, paintball guns, bowie knives, daggers, dirks, slingshots, leaded canes, metal knife sharpeners, switchblade knives, blackjacks, metallic knuckles, and any sharp, pointed or edged instrument (except instructional supplies, unaltered nail files and clips, and tools used solely for preparation of food, instruction, and maintenance). All fireworks or explosives (defined as any substance prepared for the purpose of producing visible or audible effects by combustion, explosion, or detonation) are forbidden.

## FOOD IN CLASSROOM POLICY

The consumption of food is not allowed in labs or other specified classrooms across campus. Individual buildings have designated spaces within the building where food may be consumed. These spaces should be clearly marked.

## FUNDRAISING POLICY

All student organizations must receive approval to conduct fundraising events. The procedure for obtaining approval is as follows:

- Complete “Request to Fundraise” form available online
  - Visit [campuslife.mercer.edu](http://campuslife.mercer.edu)
  - Select “Atlanta”
  - Select “Student Organizations”
  - Select “Policies & Procedures”
  - Scroll to “To request fundraising approval...”
- “Request to Fundraise” form also available at the Campus Life Office (Sheffield Student Center 208.)
- Submit completed form to the Campus Life Office indicating the specific details of the fundraiser.
- Requests will be reviewed by the Associate Dean of Students.
- Permission, denial, or request for additional information will be given within seven (7) business days to contact person for organization making request.

***\*Pharmacy students are to follow the same procedure, but they are to submit the request forms to the School of Pharmacy’s Student Affairs office.***

## GRIEVANCE POLICIES AND PROCEDURES

### ACADEMIC GRIEVANCES AND APPEALS

Policy: Students have the right to bring grievances against a faculty member or an administrator and to appeal decisions concerning academic matters. A “grievance” is typically a complaint relating to some allegedly improper action or behavior. An “appeal” is typically a request for review of a routine judgment or decision. Such matters may include, but are not limited to failure to abide by requirements described in the course syllabus, arbitrary awarding of grades, discrimination based on race, color, national origin, disability, veteran status, sex, sexual orientation, genetic information, age, or religion (except in limited circumstances where religious preference is both permitted by law and deemed appropriate as a matter of University policy).

Time Frame: For grievances and appeals of any kind, students are required to initiate them with the appropriate faculty member no later than thirty (30) days from the completion of the term in which the course was offered. Grievances or appeals received after this period will not be honored.

Informal Resolution Procedure: Student grievance and appeal procedures encourage each student to handle complaints as close to the source as possible. If a student has a complaint against a faculty member, the student should first attempt to resolve the issue by an informal meeting with the faculty member involved. If this is not satisfactory, or if the student believes that they cannot discuss the complaint with the instructor, the student may follow the Formal Resolution Procedure.

Formal Resolution Procedure: The following protocol should be followed:

1. The student should meet with the appropriate department chair or program director after submitting to this person a formal written account of the grievance or appeal. This narrative must be submitted no later than thirty (30) days from the date on which the student was formally notified of the instructor’s decision.
2. If the grievance or appeal is not satisfactorily resolved by the department chair or program director, the student should meet with the associate dean after submitting to the associate dean a formal written account. This narrative must be submitted no later than thirty (30) days from the date on which the student was formally notified of the department chair’s or program director’s decision.
3. If the grievance or appeal is not satisfactorily resolved by the associate dean, the student should meet with the Provost after submitting to the Provost a formal written account of the grievance or appeal. This narrative must be submitted no later than thirty (30) days from the date on which the student was formally notified of the associate dean’s decision.

If the student has a grievance or appeal involving a dean, they should schedule an appointment with that dean in an attempt to resolve the matter. If the matter is not resolved or if the student believes that they cannot discuss the issue with that dean, the student may address the grievance or appeal to the Provost. In all academic grievance and appeal procedures, the decision of the Provost is the final University decision.

Once the University grievance or appeal procedure has been exhausted, the student can seek a solution outside the University by filing a complaint with the Georgia Nonpublic Postsecondary Education Commission (GNPEC). The details for filing a complaint with the GNPEC are located on their website and require a specific form. The student can access [www.gnpec.org](http://www.gnpec.org) and click on "File a Complaint" for this information.

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and program accreditors can be contacted to file a complaint if a student believes accrediting standards were violated or grievance procedures were unfair and applied inappropriately and inconsistently. The student can access SACSCOC at [www.sacscoc.org/policies.asp](http://www.sacscoc.org/policies.asp) and click on "Complaint Procedures against SACSCOC or Its Accredited Institutions"

for more information. A listing of all University accreditors with contact information can be found in the Mercer University catalog. [Note: The procedures associated with the accrediting agencies are not intended to be used to involve the agency in disputes between individuals and member institutions, or cause the agency to interpose itself as a reviewing authority in individual matters of admission, grades, granting or transferability of credits, application of academic policies, fees or other financial matters, disciplinary matters or other contractual rights and obligations.]

## **NON-ACADEMIC GRIEVANCES**

**Policy:** Mercer University recognizes the importance of providing an efficient procedure for a timely and fair resolution of a nonacademic grievance. Students are encouraged to use the process to resolve allegations concerning (1) a University employee, (2) administrative policies or procedures, and/or (3) a University program, service, or activity.

**Informal Resolution Procedure:** Many grievances can get resolved via informal personal meetings, phone calls, or e-mails directly with the employee or office responsible for the grievance. Whenever possible, students are encouraged to exercise these avenues of communication first. However, should these avenues not rectify the grievance, or the student wishes to bypass the informal resolution process, then the formal grievance process below should be implemented.

**Formal Resolution Procedure:** When a student wishes to file a formal grievance that is nonacademic in nature and does not already have a stated appeal or grievance process as prescribed by law or the institution, they should follow this procedure:

1. The student should submit the grievance in writing to the supervisor of the University employee responsible for the action or event that forms the basis of the grievance. This statement should contain a brief statement of the grievance and the remedies sought, and be clearly labeled "Formal Grievance" for tracking purposes. A copy of the statement must also be presented to the Associate Vice President of Human Resources and the Vice President of Students. The grievance should be submitted to the employee's supervisor within ten (10) days of the action or event that forms the basis of the grievance.
2. The supervisor will meet with the respondent to discuss the grievance within ten (10) days of receipt of the written grievance. The employee's supervisor will reply in writing to the student with the results of the discussion and plans for further action, if any, within ten (10) days of the meeting. A copy of this reply will be provided to the Associate Vice President of Human Resources and the Vice President of Students.
3. If the student is not satisfied with the results from the supervisor and wants the grievance to be considered further, the student will have an opportunity for appeal as follows:
  - (a) In the case of grievances concerning employees, policies, procedures, or programs of a nonacademic nature within a specific school or college, the student may appeal to the Dean with responsibility for the employee's unit and request a meeting in order to seek a resolution. This appeal must begin within ten (10) days after the employee's supervisor has completed consideration of the grievance and responded in writing to the student. A written reply from the Dean indicating the results of the meeting and including further action, if any, to be taken will be sent to the student within ten (10) days after consideration of the grievance. A copy of the appeal and the response from the Dean must be provided to the Associate Vice President of Human Resources and the Vice President of Students.



If the student is not satisfied with the decision of the Dean, the student may appeal in writing to the Provost with responsibility for the school or college and request a meeting. The appeal must begin within ten (10) days of the date the Dean has completed consideration of the grievance and responded in writing to the student. A written reply by the Provost indicating the results of the meeting and including further action, if any, to be taken will be sent to the student within ten (10) days after consideration of the grievance. The decision of the Provost with responsibility for the employee's unit will be the final University decision on the grievance. A copy of the appeal to the Provost and the Provost response will be copied to the Associate Vice President of Human Resources and the Vice President of Students.

Once the University grievance or appeal procedure has been exhausted, the student can seek a solution outside the University by filing a complaint with the Georgia Nonpublic Postsecondary Education Commission (GNPEC). The details for filing a complaint with the GNPEC are located on their website and require a specific form. The student can access [www.gnpec.org](http://www.gnpec.org) and click on "File a Complaint" for this information.

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and program accreditors can be contacted to file a complaint if a student believes accrediting standards were violated or grievance procedures were unfair and applied inappropriately and inconsistently. The student can access SACSCOC at [www.sacscoc.org/policies.asp](http://www.sacscoc.org/policies.asp) and click on "Complaint Procedures Against SACSCOC or Its Accredited Institutions" for more information. A listing of all University accreditors with contact information can be found in the Mercer University catalog. [Note: The procedures associated with the accrediting agencies are not intended to be used to involve the agency in disputes between individuals and member institutions, or cause the agency to interpose itself as a reviewing authority in individual matters of admission, grades, granting or transferability of credits, application of academic policies, fees or other financial matters, disciplinary matters or other contractual rights and obligations.]

- (b) In the case of grievances concerning employees, policies, procedures, or programs of a nonacademic nature outside of the administrative organization of a specific school or college, the student may appeal to the Vice President with responsibility for the employee's unit and request a meeting in order to seek a resolution. This appeal must begin within ten (10) days after the employee's supervisor has completed consideration of the grievance and responded in writing to the student. A written reply from the Vice President indicating the results of the meeting including further action, if any, to be taken will be sent to the student within ten (10) days after consideration of the grievance. The decision of the Vice President with responsibility for the employee's unit will be the final University decision on the grievance. A copy of the grievance and their response will be submitted to the Associate Vice President of Human Resources and the Vice President of Students.

Once the University grievance or appeal procedure has been exhausted, the student can seek a solution outside the University by filing a complaint with the Georgia Nonpublic Postsecondary Education Commission (GNPEC). The details for filing a complaint with the GNPEC are located on their website and require a specific form. The student can access [www.gnpec.org](http://www.gnpec.org) and click on "File a Complaint" for this information.

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and program accreditors can be contacted to file a complaint if a student believes accrediting standards were violated or grievance procedures were unfair and applied inappropriately and inconsistently. The student can access SACSCOC at [www.sacscoc.org/policies.asp](http://www.sacscoc.org/policies.asp) and click on "Complaint Procedures Against SACSCOC or Its Accredited Institutions" for more information. A listing of all University accreditors with contact information can be found in the Mercer University catalog. [Note: The procedures associated with the accrediting agencies are not intended to be used to



involve the agency in disputes between individuals and member institutions, or cause the agency to interpose itself as a reviewing authority in individual matters of admission, grades, granting or transferability of credits, application of academic policies, fees or other financial matters, disciplinary matters or other contractual rights and obligations.]

The Associate Dean of Students or Student Affairs designee on each campus serves as a resource for students seeking assistance with grievance procedures.

### **OTHER GRIEVANCES**

A number of specific grievance policies and procedures that are prescribed by law, accrediting body, or organization are available to students.

- Equal Opportunity and Affirmative Action Policy/Title IX (Contact Human Resources)
- Disability Policy and Grievance Procedure <http://access.mercer.edu/students/grievance/> (Contact ACCESS and Accommodations)
- Family Educational Rights and Privacy Act (FERPA) complaints are directed to the US Dept. of Education (Contact Office of the Registrar)
- Sexual Misconduct or Relationship Violence (Contact Human Resources)
- Accrediting bodies (Specific contact information for each accrediting body is listed in the Mercer Catalogs)

## **HEALTH AND WELFARE OF STUDENTS, MENTAL AND PHYSICAL**

Mercer University recognizes that the challenges and stresses associated with attending college can be overwhelming at times. In order to provide confidential counseling, support, and guidance to students who seek assistance, Mercer University maintains the counseling services on the Macon and Atlanta Campuses (both provide services to Regional Academic Center Students). However, when it is determined that a serious threat of harm exists for a student, either to themselves or to others, the University is obligated to take proactive action to address this threat.

The University considers any situation in which a student poses a risk for harm to self or others as a serious matter. In cases involving attempted suicide or other life-threatening behavior, the University's first priority is to ensure the student's safety and well-being. If you know that a student has or is attempting to harm themselves, immediately notify Mercer Police. The Associate Dean of Students or Student Affairs designee on each campus will then be contacted to evaluate the situation. At any point, Mercer Police and/or the Associate Dean of Students or Student Affairs designee may make the determination to notify the parents of a student if they believe a substantial health and safety risk exists. A student attempting suicide or exhibiting other life-threatening behavior will not be allowed to return to the University campus or the residence halls until he or she has received approval from the Associate Dean of Students or Student Affairs designee.

## **HEALTH INSURANCE**

University policy mandates that all enrolled students (except those in distance learning and in the Regional Academic Centers) must maintain health insurance coverage. Students are automatically charged by the University for health insurance every time they register for six or more hours of classes. This charge can be removed by completing the online waiver form before the end of the waiver period. To complete the waiver process, go to <https://bursar.mercer.edu/studentinsurance/>. Students must complete the waiver before the stated deadline. Failure to complete this form before the deadline will result in insurance being purchased for you and charged to your account.

## **HOUSING WITHOUT ACTIVE ENROLLMENT**

Mercer University policy stipulates that individuals not registered in courses are ineligible to reside on campus or use the University's facilities or services. Individuals not registered for classes will be actively evicted from housing.

However, Mercer recognizes the need to offer a grace period to non-enrolled individuals who are actively seeking to address and correct reasonable financial or registration issues during the official add/drop period. Therefore, the following policy will apply:

1. The Office of the Bursar will notify the Office of Residence Life one day after add/drop of any non-enrolled individuals who have accrued charges for room and board but are not registered for courses during that term.
2. Residence Life will then contact each of these individuals and notify them (in person or by email notification) that they have 48 hours to correct their registration and/or financial obligations.

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If the situation is not resolved at the end of the 48 hour period, these individuals will be required to immediately vacate their housing premises. Verification of resolution must be in writing from the office in question, or by direct phone call from that office, to the Office of Residence Life.

## INCLEMENT WEATHER

For the most accurate, up-to-date information about campus closings or class cancellations due to inclement weather, please refer to the following media:

- RAVE Alerts Sign up to receive at [http://it.mercer.edu/student/Telecommunications/emergency\\_alert\\_registration.htm](http://it.mercer.edu/student/Telecommunications/emergency_alert_registration.htm)
- Website [www.mercer.edu](http://www.mercer.edu)
- Hotline 678-547-6111
- Radio WSB-AM 750
- TV WSB-TV

## IMMUNIZATION POLICY

The Mercer University Immunization Form is required. It must be completed and signed by the student and then returned to the Student Health Center along with an official copy of the student's immunization (vaccine) record. Students are encouraged to keep a copy of the documents for their personal records.

All students born after 1956 must provide a statement of immunization against Measles, Mumps, and Rubella (MMR), giving the month, day, and year of immunization. A statement of "up to date" is not sufficient. Two doses of Measles (Rubeola) vaccine, two doses of Mumps vaccine, and one dose of Rubella are required. Students must have been at least 12 months old when the first Measles dose was received

If a student is unable to provide dates of immunization to Measles, Mumps, and Rubella, they may document immunity by blood test at the student's expense. If this testing shows no immunity to Measles, Mumps, or Rubella, the student may register following documentation of the first dose of MMR, with the second to follow in thirty (30) days, if required.

A completed Tuberculosis (TB) screening questionnaire is required of all new students (page 2 of the Mercer Immunization form). Students at risk for TB will be required to have a PPD skin test (Mantoux). The Tine Tuberculosis test is not acceptable. Students should be tested regardless of prior BCG vaccination. Any student with a positive skin test will be required to provide a report of a normal chest x-ray (done after the positive PPD) to be eligible to register. A physician should evaluate individuals with a positive tuberculosis skin test.

Do not assume that childhood immunizations are adequate; requirements have changed during the past several years. Medical facilities in the U.S. and in other countries are required to keep records of vaccinations. Additional sources of immunization information include doctors' offices, health departments, and schools. Students should make copies of the completed health form for their own files, and then mail/email/fax the original forms. Do not rely on health care providers, family members, or other colleges to mail the forms.

Exemptions from compliance with the immunization policy include:

1. Religious exemption: The student must provide a notarized letter from an official of the religion, such as an ordained minister or priest, affirming that the required immunizations are in conflict with the beliefs or practices of the religion. Then name of the organization must be specified in the letter, and the letter must be provided on the organization's letterhead.
2. Medical exemption: Must be written on office stationery, signed by a MD (not a relative of the student), and stamped with his/her office stamp. The letter should state the reason for the exemption, and whether the exemption is temporary or permanent.

Immunizations for the following diseases are recommended, but not mandatory: chickenpox (varicella), hepatitis A, hepatitis B, polio, and tetanus. The most recent tetanus booster should have been within the past ten (10) years. Immunization against meningococcal meningitis is recommended for college students.

Some academic programs have additional immunization requirements. Students are advised to check with their college or school program for any additional requirements.

## INFORMATION TECHNOLOGY POLICY

The Mercer University Information Technology Policy (the “Policy”) contains Mercer’s philosophy and requirements governing use of its information technology resources by students, faculty, staff, and others who have been given authorization, either explicitly or implicitly, to access those resources. Mercer University expects each member of the community to use Mercer’s information technology resources (including connections to resources external to Mercer that are made possible by Mercer University’s information technology resources) responsibly, ethically, and in compliance with the Policy, relevant laws, and all contractual obligations to third parties. The use of Mercer University’s information technology resources is a privilege. If a member of the Mercer community fails to comply with this Policy or relevant laws and contractual obligations, that member’s privilege to access and use of Mercer’s information technology resources may be revoked. The use of Mercer University’s information technology resources to send communications to Mercer or non-Mercer persons or entities typically identifies the sender as belonging to the Mercer University community. Each member of the community should, therefore, recognize that any such communication might reflect on how Mercer University is perceived by not only the Mercer community, but also the public at large.

By adopting the Policy, Mercer University recognizes that all members of the Mercer community are bound not only by the Policy, but also by local, state, and federal laws relating to electronic media, copyrights, privacy, and security. Other Mercer University policies that relate to this Policy and also apply to Mercer University students, faculty, and staff (collectively, the “community”) can be found in the Mercer University Student, Faculty, and Employee Handbooks. Each member of the Mercer University community is expected to be familiar with this and all other relevant policies. A complete copy of Mercer’s Information Technology Policy can be found at <http://it.mercer.edu>.

### PEER-TO-PEER FILE SHARING

#### Prohibition against Unauthorized Distribution of Copyrighted Material

The Mercer University Information Technology Access and use Policy found at [http://it.mercer.edu/student/hardware\\_software/it\\_access\\_and\\_use\\_policy.htm](http://it.mercer.edu/student/hardware_software/it_access_and_use_policy.htm) strictly prohibits any form of copyright infringement, including the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Section 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the website of the U. S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially the FAQ’s at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

In addition to the civil and criminal penalties outlined above, students who engage in illegal downloading or unauthorized distribution of copyrighted materials using the University’s information technology system will also be referred to the Office of Student Conduct Resolution and be subject to disciplinary sanctions, up to and including suspension from the University, under the Student Code of Conduct.

### INSTITUTIONAL PLANS TO COMBAT THE UNAUTHORIZED DISTRIBUTION OF COPYRIGHTED MATERIAL

The [Mercer University Information Technology Access and Use Policy](#) describes the measures that the University has developed and implemented to effectively combat the unauthorized distribution of copyrighted material. These measures include the following:

- On an annual basis, enrolled students are notified by email of the institutional policies and sanctions related to the unauthorized distribution of copyrighted material. This notice includes the exact

electronic address at which this information is posted and a statement that the University will provide a paper copy of this information on request.

- In order to use Mercer computing resources, all members of the University community endorse the Information Technology Access and Use Policy, which includes a section on copyright compliance. The Policy is included in numerous University publications, and links to the Policy are included in numerous departmental websites.
- Posters are placed in student computer labs and elsewhere on campus to inform members of the University community about institutional policies prohibiting illegal file sharing.
- The Department of Information Technology periodically briefs members of Student Government about copyright, illegal file sharing, and related issues.
- Mercer University currently utilizes a Procera appliance to monitor and shape bandwidth usage by P2P and other applications. The University also has the ability to limit the number of simultaneous traffic flows from its residence hall and wireless networks. When a system is detected using excessive bandwidth, the IT Department contacts the owner to ensure that the bandwidth consumption is for legal purposes and that the user is aware of Mercer policies concerning illegal file sharing.
- Mercer provides a timely response to all notices of copyright infringement under the Digital Millennium Copyright Act.

### **ALTERNATIVES TO ILLEGAL FILE SHARING**

There are a number of organizations that provide links to websites offering legal alternatives for viewing music, movies, and other copyrighted materials online. Some examples include:

- EDUCAUSE Legal Sources of Online Content (<http://www.educause.edu/legalcontent>)
- Recording Industry of America (RIAA) Legal Music Sites (<https://www.riaa.com/resources-learning/music-services/>)
- Motion Picture Association of America (<http://www.mpaa.org/contentprotection/get-movies-tv-shows>)

## **INTELLECTUAL PROPERTY POLICY**

### **POLICY ON INVENTIONS, PATENTS, AND LICENSING**

#### Preamble and Objectives

Mercer University is dedicated to teaching, research and the expansion of knowledge. Although the University does not undertake research or developmental work principally for the purpose of developing patents and commercial applications, patentable inventions sometimes result from the research activities carried out wholly or in part with University funds and facilities. It is the policy of the University to assure the utilization of such inventions for the common good and, where appropriate, to pursue patents and licenses to encourage their development and marketing.

Mercer University has established the following policies and procedures with respect to inventions, patents, and licensing in order to:

- promote the University's academic policy of encouraging research and scholarship
- serve the public interest by providing an organizational structure and procedures through which inventions which arise in the course of University research may be made available to the public through established channels of commerce
- encourage, assist, and provide tangible rewards to members of the University community — faculty, staff, and students — who make inventions processed under this policy
- establish principles and uniform procedures for determining the rights and obligations of the University, inventors, and research sponsors
- enable the University to retain title to inventions resulting from federally sponsored research; and
- produce funds for further investigation and research and for the overall needs of the University

#### Ownership of Inventions

- Inventions arising from research financed by the Government are controlled by the terms of the applicable grant or contract. Where the University is permitted to retain title to such inventions and chooses to do so, University patent policies will control.
- Inventions arising from research or other work sponsored by nongovernmental entities are controlled by the terms of the sponsored agreement, if applicable, and if not, by University patent policies.
- Inventions arising from research or other work conducted by University employees or students on their own time and without significant use of University funds or facilities shall be considered the sole

property of the inventor and may be commercialized by the inventor at their own expense. However, by mutual agreement such inventions may be managed by the University under the terms of this policy. The University will not construe the payment of salary from unrestricted funds or the provision of office or library facilities as constituting significant use of University funds or facilities.

- Inventions resulting from research or other work conducted by University employees or students on University time or with significant use of University funds or facilities shall be considered the property of the University. Any income received by the University as a result of licensing or otherwise commercializing these inventions shall be shared with the inventor as provided below. If the University does not wish to undertake patenting and commercialization of such an invention, and if there are no restrictions by any outside sponsor, the University may release its proprietary interest to the inventor.
- Any use of the University's name in connection with the commercialization of an invention by an individual shall be approved in advance by the University.

#### Division of Income

- Any income resulting from inventions managed by the University under this policy shall be shared as follows:
  1. First \$10,000 of Net Income received:
    - (a) 75% to the inventor
    - (b) 15% to the inventor's College or School
    - (c) 10% to the University
  2. Net Income received above \$10,000:
    - (a) 50% to the inventor
    - (b) 25% to the inventor's College or School
    - (c) 25% to the University
- "Net Income" is defined as gross royalties and/or other receipts minus the costs incurred by the University for the patent application, interferences, development, licensing, and patent enforcement.
- Co-inventors share the inventor's portion in proportions agreeable to themselves.
- The college or school share shall be administered by the Dean to support research programs in the inventor's department or division.
- Fifty percent (50%) of the University's share, after defrayment of patent-related costs not otherwise covered, shall be used to support, or offset the costs of, research in the inventor's college or school, with the advice and counsel of the Dean.

#### Disclosure

- Inventions arising in the course of sponsored projects should be promptly disclosed to the Office of the Senior Vice Provost for Research, with simultaneous disclosure to the principal investigator or project supervisor where applicable. The circumstances of the invention will be reviewed with those involved and the inventor will be notified in writing of the proposed disposition.
- Inventions falling within Section D of Article II above, or about which there is a doubt as to ownership, or which the inventor wishes to have managed by the University, should be promptly disclosed to the Office of the Senior Vice Provost for Research. Within six weeks of the receipt of the disclosure, the inventor will be notified in writing of the determination of ownership (if in doubt) and the proposed disposition.

#### Invention Management

- For all inventions managed by the University under this policy, the University will at no expense to the inventor make reasonable efforts to evaluate the interest of others in commercializing the invention, seek licenses and options for licenses, have applications for patents filed and prosecuted, and otherwise manage the inventions or arrange for their management by recognized patent management organizations.
- The University will normally evaluate potential commercial use of an invention prior to the filing of a patent application. Options to license and other contractual arrangements appropriate in the circumstances will normally be sought as early as possible as a validation of potential commercial use. If the University determines that neither commercial possibilities nor the potential contribution to the public good warrants proceeding further, the invention will be returned to the inventor and shall belong to the inventor unless such action is precluded by prior agreement with sponsors.
- In licensing, sale or other disposition of rights to inventions, the University will seek to guard against

repressive practices. Royalty rates shall be reasonable and consistent with the goal of effectively transferring technology in the public interest. Where feasible, the University will grant nonexclusive, reasonable royalty-bearing licenses to all qualified licensees. The University recognizes, however, that nonexclusive licensing may not always be effective in bringing the invention to the commercial market in a satisfactory manner, and thus may grant an exclusive license if it determines that such is required in the public interest to encourage the marketing and eventual public use of the invention. In all cases, the University shall reserve to itself a non-exclusive, royalty-free license to make or have made and to use the invention within Mercer University for its own purposes.

- In those cases where the University has obtained a patent without obligation to sponsors, if no arrangement has been made for commercial development within a reasonable period from the date of issuance of the patent, ownership of the patent will revert to the inventor upon request.

#### Publication

Inventors should be aware that a publication disclosing the invention prior to the filing of a U. S. patent application is a bar to the grant of certain foreign patents and can bar the grant of a U. S. patent if the publication occurred a year prior to the filing date. Accordingly, the University may request a temporarily delay in a publication which discloses an invention to permit a U. S. patent application to be filed but in no event longer than three months.

#### Disputes

Any disagreement between an inventor and the Office of the Senior Vice Provost for Research concerning rights in an invention shall be resolved by the President, who may appoint an ad hoc committee to make findings of fact and recommendations to him.

#### Revision or Termination

This policy may be changed or discontinued at any time by action of the Board of Trustees. Any such change or discontinuance shall not affect rights accrued prior to the date of such action.

#### Patent Agreements

This policy, as amended from time to time, shall be deemed to be a condition of initial or continuing employment of every University employee and a condition of enrollment and attendance of every student who works on any research project under University control. All such employees and students will be expected, upon request, to sign agreements incorporating the terms of this policy. Failure to sign such agreements, however, shall not affect the applicability of the policy nor relieve any employee or student from the obligations imposed.

### **COPYRIGHT POLICY**

Mercer University's academic mission is to teach, to learn, to create, to discover, to inspire, to empower, and to serve. This mission is best promoted by creating an intellectual environment that encourages and rewards creativity and innovation. Mercer supports the development, production, and dissemination of intellectual property by its faculty, staff, and students.

Mercer affirms its commitment to the personal ownership of original works of authorship by their individual creators, whether the creators work alone or with others, and whether they work privately or as members of the Mercer community (faculty, staff, and students). Accordingly, copyright to unpublished works is held by the author or creator, or heirs or assigns, unless a written transfer of copyright has been made to another party.

## **INTERNATIONAL STUDENTS POLICY**

For current legal information regarding status as an international student, please go to the following website: <http://international.mercer.edu/international-student-and-scholar-services/>.

### **MERCER'S INTERNATIONAL PROGRAMS**

Mercer's diverse international programs are designed to help students prepare for a culturally diverse and competitive global society. The Office of International Programs is an academic support unit of the University. Its mission is to facilitate international education through study abroad and exchange experiences, international student advising, and English language development for non-native speakers. Click on the following links for more information on each of these areas of focus.



- Study Abroad <https://www.mercerabroad.com/>
- The English Language Institute <http://international.mercer.edu/english-language-institute/>

## INTERNATIONAL STUDENTS

- International Student & Scholar Services <http://international.mercer.edu/international-student-and-scholar-services/>
- What every F-1 visa holder needs to know <http://international.mercer.edu/international-student-and-scholar-services/f1-students/>
- What every J-1 visa holder needs to know <http://international.mercer.edu/international-student-and-scholar-services/j1-scholars/>
- International Programs Staff <http://international.mercer.edu/international-student-and-scholar-services/contact-us/>

## MISSING STUDENT POLICY REPORTING

If a member of the University community (faculty, staff, student, parent, alumni) has reason to believe that a student is missing, that community member will refer the case immediately to the Mercer Police Department. For Regional Academic Center students, the community member may contact Mercer Police directly or the Center Coordinator who, in turn, must report the missing student to Mercer Police and the Regional Academic Center Director of Operations.

Mercer Police will work collaboratively with others to contact and locate the student. All reasonable efforts will be made to locate the student and determine his or her state of health and well-being. The efforts include, but are not limited to:

- Phone call to student
- Email to student through Mercer email account (or other known e-mail addresses)
- Messages through social networking websites if possible
- Contact with all professors to determine last day of attendance in each class
- Contact with Housing staff (Resident Advisor or Residence Life Coordinator) and roommate(s) if student is residential (Housing and/or Mercer Police will make a welfare entry into the student's room)

If the student is located through these attempts, a determination will be made regarding their health and well-being. If necessary, a referral to Counseling & Psychological Services, Health Services, and other appropriate offices may be made at that time. The Associate Dean of Students, Student Affairs designee, or Mercer Police will also encourage the student to contact the community member who initiated the search or follow up with that person directly.

## POLICY

If the student is not located through the above measures and has been verified to be missing for more than 24 hours, then the following actions will be taken within the next 24 hours by Mercer Police (or the Director of Operations for RAC):

1. Notification will be made (where and when applicable and appropriate) to the appropriate Associate Dean of Students or Student Affairs designee for the particular college/campus in which the student is enrolled, the student's academic advisor, the counseling staff, and health center staff.
2. The Police, Associate Dean of Students, and/or Student Affairs designee will make contact with the student's emergency contact and, for non-emancipated students under 18 years of age, a custodial parent or guardian. Students should register and continually update emergency contact information on MyMercer.

Students who reside in on-campus housing are also provided an opportunity to identify a confidential emergency contact individual during check-in. This person(s) will also be contacted within 24 hours after the student is determined to be missing unless the student is under 18 years of age and not emancipated, in which case a custodial parent or guardian will be notified as mandated by law.

Once notified, the parent/guardian/emergency contact person may need to work with Mercer Police to submit additional information with outside law enforcement agencies in order to expand the investigation.

## MOTORIZED VEHICLE POLICY

Motorized vehicles and transportation, outside of authorized golf carts, maintenance equipment, and support mobility devices for disabled individuals, are not permitted on university sidewalks. Segways and hover boards are expressly prohibited from the campus.

## OFFICIAL COMMUNICATION

All students are assigned a Mercer e-mail address. Mercer University will use this address for any official e-mail correspondence to students. In the event of an emergency, Mercer will utilize multiple methods, including emergency text messaging, to notify students. Students are expected to maintain and update their cell phone numbers via MyMercer.

## PARKING AND TRAFFIC REGULATIONS

Mercer Police is responsible for parking enforcement at Mercer University. All vehicles on the Macon and Atlanta campuses as well as Regional Academic Centers must be registered each year and each vehicle must display a parking decal. The decals are free. Vehicles should be registered before the first day of class. Vehicles can be registered 24 hours a day, seven (7) days a week at Mercer Police. The tag number is necessary to obtain a decal. If the vehicle or the tag number changes, notify Mercer Police the next business day.

Mercer does not issue handicap access parking decals. Permanently or temporarily disabled persons who require handicap access must see their doctor about getting a permit issued by the State of Georgia. Application forms are available at the Mercer Police station. Only a law enforcement officer can authorize a handicap access space without a decal. Vehicles must be registered with Mercer Police even if the driver possesses a handicapped permit.

### ALL DECALS MUST BE PLACED ON THE LOWER FRONT WINDSHIELD ON THE DRIVER'S SIDE.

Possession of a decal does not guarantee a parking space. The responsibility for locating a proper space rests with the driver, not the University. The lack of a parking space (i.e., being late for class or work, parking illegally for a short time, leaving flashers on) are not valid excuses for parking illegally. The absence of a sign prohibiting parking does not mean drivers can park illegally.

More information on the parking system, tickets, and appeals is available from the departmental website at <http://police.mercer.edu/parking/>. Special parking brochures are available at Mercer Police.

## REFUND POLICY

A student who FORMALLY RESIGNS from school prior to the last day of the drop/add period for any term of enrollment will be entitled to a 100% credit of tuition and fees charged for the current term.

A student who FORMALLY RESIGNS from school after this date may be entitled to a prorated credit of the tuition and fee charges if certain criteria are met as described in this policy. The criteria for the Mercer Institutional Refund Policy are based upon federal mandates established by the Federal Return Policy which took effect at all of the Mercer campuses on August 15, 2000, replacing all existing refund policies throughout the University.

### To FORMALLY RESIGN a student must drop or withdraw from all courses for the term by:

Personally completing and returning an official Term Withdrawal form obtained from their school's Registrar's Office, or

Phoning their school's Registrar's Office and having an official Term Withdrawal form completed for them.

The completed form must be received in the Registrar's Office before the resignation process can be finalized.

Resignation calculations will be based upon the date the Term Withdrawal form is received in the Registrar's Office. No charges are assessed for housing when a student resigns prior to the first day of class for the term.

When a student resigns after the end of the official drop/add period, housing refunds are calculated based on the percentages allowable under the Federal Return Policy Refund Schedule. Additional charges for housing will be assessed on a prorated basis from the time of withdrawal until the student vacates the room and returns their keys. Once all calculations are complete, the Office of the Bursar will bill the student for any outstanding balance.



When the University has assessed charges in error, a full credit and/or refund of the charges will be made. Financial Aid awards and disbursements for students who formally resign from the University after the last day of drop/add each term will be returned to the original source of funds in accordance with the Federal Return Policy.

Mercer University will maintain a fair and equitable refund policy by adherence to this Institutional Refund Policy in all programs, in all schools, and on all campuses. This policy is subject to change if there are future changes to the Federal Return Policy or other Federal, State, Accrediting Agency, or Institutional policies with which it may conflict. The Student will be notified in writing of the Committee's decision.

For all questions regarding payments, refunds, or financial aid, please refer to the [University Catalog](#) or contact the Registrar's Office (678) 547-6263 or <http://registrar.mercer.edu/> or contact the Bursar's Office 678-547-6121 or <https://bursar.mercer.edu/>.

## RELIGIOUS OBSERVANCE POLICY

Mercer University is respectful of the religious practices of members of the student body. Students who will be absent from class for religious observances must confer with their instructor(s) regarding the date of the absence at the beginning of each semester or session or at least two (2) weeks prior to the dates of the absence. The disposition of missed assignments will be arranged between instructor and student. If a mutually satisfactory solution is not reached, the right to establish a reasonable alternative is reserved by the instructor. Students who feel that their academic performance will be compromised by the alternative assignment/examination timetable may ask that the instructor's dean review the instructor's decision.

## RIGHTS OF STUDENTS

*Community of Respect* ensures certain rights of its members. The University values the following student's rights:

- Free inquiry, expression, and assembly as long as conducted in a manner that does not infringe upon the rights of others.
- Freedom from unreasonable invasion of the privacy of the individual's person, residence, papers, personal effects, and University records.
- Right to due process and equal protection under the University's judicial system.
- Freedom to pursue educational goals; the right to free exchange of ideas, thoughts, and viewpoints.
- Freedom of association for students who meet the University's standards for participation in co-curricular and extracurricular activities.

## RIGHTS PERTAINING TO EDUCATIONAL RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords students at Mercer University certain rights with respect to their educational records. These rights include:

1. The right to inspect and review a student's educational records within 45 days of the day the Office of the Registrar receives a written request for access. The student should submit to the Registrar a written request that identifies the record(s) the student wishes to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the Registrar does not maintain the records, the student shall be advised of the correct official at the University to whom the request should be addressed.
2. The right to request the amendment of the student's educational records if the student believes them to be inaccurate. The student may ask the University to amend a record that they believe is inaccurate. The student should write the Registrar, clearly identify the part of the record they want changed and specify why it is inaccurate. If the University decides not to amend the record as requested by the student, the Registrar (or another appropriate official, if the record is maintained by another office) will notify the student of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when the student is notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's educational record except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A "school official" is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement personnel and health staff); a person or company with whom the University has contracted (such as an

attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks. A school official has a "legitimate educational interest" if the official needs to review an educational record in order to fulfill their professional responsibility. Another exception which permits disclosure without student consent is disclosure to officials of another school, school system, or institution of post-secondary education where a student seeks or intends to enroll. Upon the request of an institution in which a student seeks or intends to enroll, the University will forward the student's education records to the requesting institution. Upon request, the student may obtain a copy of the record that was disclosed and have an opportunity for a hearing as provided above. As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

4. The right of a currently enrolled student to request that their "directory information" not be released by Mercer University. The University, at its discretion and without the written consent of the student, may release "directory information," which includes the following items: student name, address, e-mail address, telephone number, date and place of birth, academic program, dates of attendance, degrees and honors received, most recent previous institution attended, participation in officially recognized activities and sports, and photographs or video images. A student request for non-disclosure of the above items must be filed with the Office of the Registrar.
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Mercer University to comply with the requirements of FERPA. The name and address of the office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

## SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE POLICY

*(Includes sexual harassment, sexual assault, sexual exploitation, stalking, intimate partner violence, and gender-based harassment)*

### INTRODUCTION

As required by Title IX, Mercer University is committed to maintaining an environment free from discrimination on the basis of sex and/or gender and where the dignity and worth of all members and visitors of the University community are respected. Sex discrimination, which includes, but is not limited to, sexual harassment, sexual assault, intimate partner violence (IPV), stalking, and gender-based harassment, harms the environment the University seeks to maintain and is unequivocally prohibited. Mercer University has developed its policy on Sexual Misconduct and Relationship Violence (SMRV) in accordance with Title IX of the Education Amendments and the Violence Against Women Act to reaffirm the University's commitment to address sexual misconduct and relationship violence and take steps to prevent its reoccurrence and remedy its effects. This policy explains the rights and options for employees, students, and visitors with reports regarding sexual misconduct and relationship violence, as defined below, and provides a grievance procedure for handling reports. Employee reports regarding other forms of sex discrimination will be handled in accordance with the grievance procedures outlined in the faculty and staff

handbooks (Faculty Handbook, Section 2.10 and Non Faculty Handbook, Section 4/Grievance Procedures).

This policy applies to all University students and employees, campus visitors, and employees of third parties doing business with the University, regardless of sexual orientation, gender identity, or location. All members of the University community are expected to conduct themselves in a manner that does not negatively affect an individual's school or work experience or the overall school environment, whether on University premises or at any off-campus location. University administrators and supervisors have the responsibility for implementing steps designed to prevent and eliminate sexual misconduct and relationship violence within the areas they oversee.

Under Title IX, individuals reporting an allegation related to sexual misconduct and/or relationship violence have the right to timely resolution; to have the University conduct a prompt, fair, and impartial investigation; and to have interim steps taken to ensure the safety and wellbeing of the individuals involved and the University community. These procedures will be conducted by officials who receive training on issues related to sexual harassment, sexual assault, sexual exploitation, intimate partner violence, and gender-based harassment, as well as how to conduct a hearing process that protects safety, promotes accountability and ensures fairness. The University will communicate regular investigatory updates to the reporting party and the person against whom the allegation or report of sexual misconduct or relationship violence is made. If a responding party is found to have violated this policy, serious sanctions will be used to prevent the reoccurrence of sexual misconduct and relationship violence and address its effects. Mercer University, Campus Sexual Violence Elimination Act (Campus SAVE) and Title IX prohibit retaliation (See Retaliation). The University will take reasonably calculated steps to prevent retaliation and will evaluate responsive actions as necessary for any retaliatory acts.

### **PRESERVING EVIDENCE**

A person who has experienced sexual misconduct and/or relationship violence is encouraged to make every effort to preserve evidence, even if they have not made a decision regarding whether to report the violation. A medical exam, preferably by a Certified Forensic Nurse (CFN) or Sexual Assault Nurse Examiner (SANE), is an important way for a health provider to properly collect and preserve evidence. In order to assist with this process, the reporting party should not: bathe or shower, use the restroom, change clothes, comb hair, clean up the area where the incident occurred, or move anything the alleged perpetrator may have touched. While the emergency room and/or a Sexual Assault Nurse is obligated to report the alleged assault to police, the reporting party may choose whether to press charges.

### **CONFIDENTIALITY, PRIVACY, AND REPORTING**

If an individual has knowledge of or has experienced sexual violence, it is particularly important, for the protection of both the reporting party and the University community, that the incident be reported immediately.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate University officials- thereby offering options without any obligation to inform University officials.

### **CONFIDENTIAL REPORTING**

Staff at Counseling Services on all campuses and the University Minister's office are considered confidential reporters when acting in the capacity of their role as a counselor.

### **MANDATORY REPORTERS – RESPONSIBLE EMPLOYEES**

All University employees (faculty, staff, and administrators), and resident advisors are expected to immediately report actual or suspected discrimination or harassment to appropriate University officials, though there are some limited exceptions (see above). Conversations are kept as private as possible, but information about alleged incidents of sexual misconduct and relationship violence must be shared with the Title IX Coordinator. Additionally, information may be shared with relevant administrators to ensure the safety of the campus community.

If University administrators, faculty or staff know, or reasonably should have known, that sexual misconduct and/or relationship violence has occurred, receive a report or obtain other information indicating possible sexual misconduct and/or relationship violence, they must take immediate steps to ensure the problem is addressed, even if the problem or alleged problem is not within their area of oversight. They do so by reporting the behavior of concern to the appropriate authority charged with investigating such reports.

Mercer Police can assist the reporting party in evaluating criminal action as needed and/or notifying the appropriate law enforcement authorities, if the individual so chooses. Reporting the incident to the police does not mean the reporting party must press charges, but it does help assure that the individual receives assistance in deciding how to proceed with criminal charges and preserving and collecting evidence necessary for criminal prosecution. The sooner an incident is reported, the easier it is to preserve and collect necessary evidence. (See Preserving Evidence above).

The University takes requests for confidentiality seriously, and will evaluate a Reporting Party's request for confidentiality in the context of University's responsibility to provide a safe and nondiscriminatory environment for all students, including the Reporting Party. However, should University officials receive credible reports that a Responding Party has allegedly perpetrated several acts of sexual violence against different students, and/or that multiple reports are emerging from a particular location or student organization, that pattern of conduct may trigger an investigation into the conduct, and may be expanded to include whether other students have been subjected to sexual violence by that Responding Party or organization. In such cases, as appropriate, the University will take affirmative steps during the investigation to inform the Responding Party that the University made the decision to go forward despite being requested not to do so by the Reporting Party.

### **TITLE IX COORDINATOR**

The University's Title IX Coordinator oversees compliance with all aspects of the sexual misconduct and relationship violence policy. The Coordinator reports directly to the Vice President for Audit and Compliance. Questions about this policy should be directed to the Title IX Coordinator. Individuals wanting to make a report relating to discrimination or harassment and/or making inquiries concerning the application of Title IX at Mercer University may contact the Title IX Coordinator:

Sharon Stellato JD,  
Title IX Coordinator  
315 Newton Chapel (Macon Campus)  
478-301-2788  
[Stellato\\_sl@mercer.edu](mailto:Stellato_sl@mercer.edu) or  
[TitleIX@mercer.edu](mailto:TitleIX@mercer.edu)

**Individuals reporting an incident regarding SMRV where the Title IX Coordinator is identified as the responding party may contact:**

James Calhoun  
Vice President for Audit and Compliance  
310 Newton Chapel  
1501 Mercer University Dr., Macon, GA 31207  
478-301-2300  
[Calhoun\\_j@mercer.edu](mailto:Calhoun_j@mercer.edu)

**Individuals experiencing harassment or discrimination always have the right to also file a formal grievance with government authorities:**

#### **Headquarters:**

Office for Civil Rights  
U.S. Department of Health and Human Services  
Services 200 Independence Avenue, S.W.  
Room 509F HHH Bldg.  
Washington, D.C. 20201  
[OCR@ed.gov](mailto:OCR@ed.gov)  
<http://www.ed.gov/ocr>

#### **Regional Office:**

Office for Civil Rights  
U.S. Department of Health and Human  
Sam Nunn Atlanta Federal Center, Suite 16T70  
61 Forsyth Street, S.W.  
Atlanta, GA 30303-8909  
800-368-1019

### **UNIVERSITY DEFINITION OF OFFENSES**

#### **1. Sexual Harassment:**

Unwelcome sex-based and/or gender-based verbal, non-verbal, written, online, and/or physical

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conduct of a sexual nature that is:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive that it:

Unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the University's educational, employment, social, and/or residential program from both a subjective (the reporting party) and objective (reasonable person) point of view.

Sexual harassment can occur when submission to the conduct is made a term or condition of employment, status in a course, program, or activity; or submission to or rejection of such conduct is used as the basis for an academic, employment or placement decision affecting the individual. In these cases (quid pro quo) there is generally a power differential. Sexual harassment can also occur when the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience or creates an intimidating, hostile, or offensive environment for working or learning (hostile environment).

Sexual harassment can occur regardless of the relationship, job title or respective sex and/or gender of the parties. Same-sex harassment violates this policy, as does harassment by a student of a faculty member or harassment by a subordinate employee of a supervisor.

## **2. Sexual Assault (defined as follows):**

### **A. Non-Consensual Sexual Intercourse:**

- any sexual intercourse
- however slight,
- of any part of one person's body with any part of another person's body or an object,
- that is without consent and/or by force.

Intercourse includes: vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue or finger; or oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact (by one person upon another person regardless of sex or gender).

### **B. Non-Consensual Sexual Contact is:**

- any intentional sexual touching,
- however slight,
- of any part of one person's body with any part of another person's body or an object,
- that is without consent and/or by force,

Sexual contact includes:

- intentional contact includes but is not limited to the breasts, buttocks, groin, upper thigh, or genitals, or touching another with any of these body parts, or making one person sexually touch another person or themselves with or on any of these body parts; or
- any intentional bodily contact in a sexual manner (by one person upon another person regardless of sex or gender).

## **3. Sexual Exploitation:**

Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- invasion of sexual privacy
- prostituting another individual
- non-consensual observation, either by direct observation or digital, video or audio recording of nudity or sexual activity
- unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;

- knowingly exposing someone to or transmitting an STI (Sexually Transmitted Infection) or HIV (Human Immunodeficiency Virus) to another person
- intentionally or recklessly exposing one's genitals in non-consensual circumstances and/or inducing another to expose that individual's genitals

**4. Stalking:**

- a course and/or pattern of conduct
- directed at a specific person
- that is unwelcome, and
- would cause a reasonable person to fear for that individual's or others' safety, or to suffer substantial emotional distress.

Such conduct includes two or more acts by which the stalker directly, indirectly, or through third parties follows, monitors, observes, surveils, threatens, or communicates about a person or interferes with his or her property.

**5. Intimate Partner Violence (IPV)**

Any physical violence or psychological aggression occurring between intimate partners. Intimate partners include current or former spouses, a person whom the reporting party shares a child with, boyfriends or girlfriends, casual dating partners, romantic partners, and/or sexual partners. IPV can occur between heterosexual or same-sex couples and does not require sexual intimacy. IPV can manifest through both physical violence and/or psychological aggression and can vary in frequency and severity.

- Physical violence is the intentional use of physical force with the potential for causing death, disability, injury, or harm. Physical violence includes, but is not limited to, scratching; pushing; shoving; throwing; grabbing; biting; strangulation; shaking; aggressive hair pulling; slapping; punching; hitting; burning; use of a weapon; and use of restraints or one's body, size, or strength against another person. Physical violence also includes coercing other people to commit any of the above acts.
- Psychological aggression is the use of verbal and non-verbal communication which impacts another person mentally or emotionally, and/or to exert control over another person. Psychological aggression can include expressive aggression (e.g., name-calling, humiliating); coercive control (e.g., limiting access to transportation, money, friends, and family; excessive monitoring of whereabouts); threats of physical or sexual violence; control of reproductive or sexual health (e.g., refusal to use birth control; coerced pregnancy termination); exploitation of vulnerability (e.g., immigration status, disability); and presenting false information to the victim with the intent of making them doubt their own memory or perception (e.g., mind games, manipulation).

**6. Gender-based Harassment:**

Acts of verbal, nonverbal, graphic, or physical aggression; intimidation; or hostile conduct based on sex, sex- stereotyping, sexual orientation, gender identity or expression, but not involving conduct of a sexual nature, when a reasonable person would find such conduct:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive that it:
  - unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the University's educational, employment, social, and/or residential program from both a subjective (the reporting party) and objective (reasonable person) point of view.

Exclusion from an activity based on sexual orientation or gender identity or persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity may also violate this policy.

**7. Retaliation:**

Any adverse action taken in response to an individual who has filed a report, testified, assisted, or participated in any manner in an investigation or proceeding under any University Policy (including the academic honor code, student code of conduct, or Sexual Misconduct and Relationship Policy). Retaliation includes intimidation, threats, harassment, or any type of adverse action taken against

an individual in the attempt to deter them from addressing, reporting, or testifying on adverse conduct. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct.

## **ADDITIONAL APPLICABLE DEFINITIONS**

Reporting Party: The person directly affected by an allegation or report of sexual misconduct or relationship violence.

Responding Party: The person against whom the allegation or report of sexual misconduct or relationship violence is made.

Third Party Reporter: The person who reports an allegation of sexual misconduct or relationship violence on behalf of the Reporting Party.

Reasonable Person Viewpoint: OCR's standards require that the conduct be evaluated from the perspective of a reasonable person in the same position considering all the circumstances.

Consent: Clear, knowing, and voluntary words or actions that give permission for specific sexual activity. It is active, not passive.

- Silence, in and of itself, cannot be interpreted as consent.
- Consent can be given by words or actions as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in sexual activity.
- Consent to any one form or condition of sexual activity cannot automatically imply consent to any other forms or conditions of sexual activity.
- Current and/or previous relationships or prior consent cannot imply consent to future sexual acts.
- Once given, consent can be withdrawn at any time.
- Coercion, force, or threat of either, invalidates consent (see Force).
- In order to give effective consent, one must be of legal age, which is 16 years in Georgia.

Incapacitation: A state in which someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).

- Sexual activity with someone known to be – or based on the circumstances, should reasonably have been known to be – incapacitated constitutes a violation of this policy.
- Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.
- This policy also covers a person whose incapacity results from mental disability, sleep, unconsciousness, or involuntary physical restraint.

Force: the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats,) and coercion that overcomes free will or resistance or produces consent.

- Coercion is unreasonable pressure for sexual activity.
- Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual.

## **OTHER REPORTING OPTIONS**

**Reports of sexual misconduct and relationship violence may be made to any of the following:**

### **Atlanta Campus:**

Counseling and Psychological Services 678-547-6060 (Confidential)

Mercer Police 678-547-6358  
Title IX Coordinator 478-301-2788  
Dean of Students 678-547-6821  
Associate Vice President for Human Resources 478-301-2005  
Residence Life Staff 678-547-6823

**Columbus Campus:**

Columbus Police Department 706-653-3400\*  
Title IX Coordinator 478-301-2788  
Dean, Columbus Campus 706-223-5119  
Associate Vice President for Human Resources 478-301-2005

**Macon Campus:**

Counseling and Psychological Services 478-301-2862  
(Confidential) Mercer Police 478-301-2970  
Title IX Coordinator 478-301-2788  
Vice President and Dean of Students 478-301-2685  
Associate Vice President for Human Resources 478-301-2005  
Law School Dean of Students 478-301-2602  
Medical School Dean of Students 478-301-5570  
Residence Life Staff 478-301-2687

**Regional Academic Centers:**

Henry and Douglas, students call Atlanta Mercer Police 678-547-6358 Title IX  
Coordinator 478-301-2788  
Associate Vice President for Human Resources 478-301-2005  
Director of Operations for the Centers 678-547-6370  
Center Coordinator for that location

**Savannah Campus:**

Chatham County Police Department 912-652-6500\*  
Title IX Coordinator 478-301-2788  
Dean, Savannah Campus 912-721-8144  
Associate Dean for Student Affairs, Savannah Campus 912-721-8144  
Associate Vice President for Human Resources 478-301-2005  
Office of Faculty Affairs, Savannah Campus 912-721-8144

\*As these law enforcement agencies are not affiliated with Mercer University, a Reporting Party must either report the incident to one of the University agencies listed above or request that the police report be forwarded directly to Mercer Police to ensure proper review by the University.

**SERVICES AND RESOURCES**

The following services and resources are available for both the Reporting Party and Responding Party on-campus and in the local community:

**Atlanta (DeKalb County)**

- Counseling & Psychological Services, Atlanta: 678-547-6060 (Confidential)
- Day League Crisis Center, Decatur: 404-377-1428 (Crisis Line)  
website: <http://www.dayleague.org>  
email: [info@dayleague.org](mailto:info@dayleague.org)  
Counties: [DeKalb](#), [Newton](#), [Rockdale](#)
- DeKalb Medical Center (SANE Nurse available): 404-501-1000  
2701 N. Decatur Rd., Decatur
- DeKalb Medical Hillandale: 404-501-8000  
2801 DeKalb Medical Parkway, Lithonia
- DeKalb County District Attorney's Office: 404-371-2561
- Stone Mountain Circuit Public Defender Office: 404-371-2222



**Columbus (Muscogee)**

- Counseling & Psychological Services, Macon: 478-301-2862 (Confidential)
- Sexual Assault Support Center, Inc., Columbus: 706-571-6010 (Crisis Line)  
email: [crccenter@aol.com](mailto:crccenter@aol.com)
- Columbus Regional Midtown Medical Center (SANE Nurse available): 706-571-1000  
710 Center Street, Columbus  
Counties: [Chattahoochee](#), [Harris](#), [Marion](#), [Muscogee](#), [Talbot](#), [Taylor](#)
- Columbus District Attorney's Office: 706-653-4336
- Chattahoochee Circuit Public Defender Office: 706-653-4301

**Douglasville (Douglas County)**

- Counseling & Psychological Services, Atlanta: 678-547-6060 (Confidential)
- Douglas County Task Force (SANE Program): 678-715-1196 (Crisis Line)  
website: <http://www.douglasktaskforce.com>  
email: [dctaskforce@yahoo.com](mailto:dctaskforce@yahoo.com)  
County: [Douglas](#)
- Wellstar Douglas Hospital (SANE Nurse available if called ahead of time): 770-949-1500  
8954 Hospital Dr., Douglasville
- Douglas County District Attorney's Office: 770-920-7292
- Douglas County Public Defender's Office: 770-949-1096

**McDonough (Henry County)**

- Counseling & Psychological Services, Atlanta: 678-547-6060 (Confidential)
- Southern Crescent Sexual Assault Center, Jonesboro  
(All sexual assault examinations are done by a SANE nurse here instead of at the hospital)  
770-477-2177 (Crisis Line)  
website: <http://scsacinc.wix.com/scsac>  
email: [support@scsac.org](mailto:support@scsac.org)  
Counties: [Butts](#), [Clayton](#), [Fayette](#), [Henry](#), [Lamar](#), [Pike](#), [Spalding](#)
- Henry County District Attorney's Office: 770-288-6400
- Flint Circuit Public Defender Office: 770-288-7460

**Macon (Bibb County)**

- Counseling & Psychological Services, Macon: 478-301-2862 (Confidential)
- Crisis Line and Safe House of Central Georgia, Inc., 478-745-9292 (Crisis Line) website: <http://cl-sh.org>  
Counties: [Bibb](#), [Crawford](#)
- Navicent Health Emergency Room: 478-633-1000  
777 Hemlock Street, Macon
- Coliseum Hospital Emergency Room: 478-746-4646  
350 Hospital Drive, Macon
- Bibb County District Attorney's Office: 478-621-6427
- Macon Circuit Public Defender Office: 478-621-5950

**Savannah (Chatham County)**

- Counseling & Psychological Services, Macon: 478-301-2862 (Confidential)
- Rape Crisis Center of the Coastal Empire, Inc., Savannah: 912-233-7273 (Crisis Line) or 888-241-7273 (Tollfree) website: <http://www.rccsav.org/>  
email: [advocate@rccsav.org](mailto:advocate@rccsav.org)  
Counties: [Bryan](#), [Chatham](#), [Effingham](#), [Evans](#), [Liberty](#), [Long](#), [Tattnall](#)
- Candler Hospital (SANE Nurse available), 912-819-6000  
5353 Reynolds St., Savannah
- Chatham County District Attorney's Office: 478-621-6427
- Eastern Circuit Public Defender Office: 912-447-4901

**The following resources are also available to the Reporting Party and Responding Party:**

- National Sexual Assault Hotline 800-656-4673
- National Domestic Violence Hotline 800-799-7233
- Georgia Crisis & Access Line 800-715-4225
- Financial Planning Assistance, AVP of Financial Planning 478-301-2226
- Immigration and Visa Assistance, Director of International Programs 678-547-6151

**TIMELY WARNING**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to Mercer Police in an accurate and timely manner. Timely warnings will be issued when incidents on or near the campus, in the judgment of the Chief of Mercer Police, constitute an imminent or continuing threat to the University community. Timely warnings will not contain information regarding the Reporting Party's identity. The warning will be issued both through the Mercer email system and text messaging system to students, faculty and staff.

**SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE GRIEVANCE PROCEDURES**

**Step 1: A Report is Made**

Once an individual Reporting Party reports an alleged incident of Sexual Misconduct and Relationship Violence (SMRV) to a University employee, that University employee must immediately notify their supervisor, and/or contact the Associate Vice President for Human Resources or designee (herein after referred to simply as the AVP- HR) if the accused individual (Responding Party) is an employee, or the Associate Dean of Students or designee (herein after referred to simply as the Dean of Students) if the accused individual (Responding Party) is a student. The Associate Dean of Students or the AVP-HR will then notify the Title IX Coordinator of the report. The report may also be filed directly with the Title IX Coordinator. If both the Reporting Party and the Responding Party are employees, grievance procedures are outlined in the Non-Faculty Employee Handbook and in Section 2.10 of the University Faculty Handbook.

The Reporting Party will be encouraged to seek out immediate medical care, offered counseling support, and provided the opportunity to file an official report with either campus or local police. However, the Reporting Party has the right to decline to notify the police at this time. Whether the Reporting Party wishes to speak with the police or not, an intake meeting with the Title IX Coordinator, AVP-HR or the Associate Dean of Students will be scheduled as soon as possible. If a Reporting Party is under the age of 18, the circumstances surrounding the report will be evaluated in order to determine whether contact will be made with the parents, legal guardian, and/or emergency contact person.

**Step 2: Intake Meeting**

Meeting with the Reporting Party. Upon receipt of notice of any allegation of SMRV, the Title IX Coordinator, Associate Dean of Students, and/or AVP-HR will schedule an individual intake meeting with the Reporting Party in order to provide to the Reporting Party a general overview of this policy. This intake meeting should include the following:

- The Reporting Party is advised in writing of their rights and options under Title IX and offered the opportunity to report the case to law enforcement (with assistance from the University). The Reporting Party is notified that by doing so, the Reporting Party is not obligated to pursue charges against the Responding Party.
- The Reporting Party is advised of the importance of preserving and providing evidence.
- A discussion of the interim measures that can be taken to protect the Reporting Party from contact and/or potential retaliation from the Responding Party or any related organization (see Interim Measures) including his or her right to seek a protective order, a restraining order, a no contact order, or similar lawful order from a criminal, civil or tribal court, and the University's obligation to help enforce any protective order.
- The Reporting Party is advised of their right to have the case investigated by a trained Title IX investigator and of the University's obligation to actively investigate the report to the extent made possible by the Reporting Party (see Investigation).
- Upon completion of the investigation, a student Reporting Party is advised of their option to have the case evaluated for possible informal resolution or possible student judiciary charges against the Responding Party (if Responding Party is a student) or to take no further action. (See Resolution below).

- If the Reporting Party does not wish to share any information involving the case at this time, a follow-up meeting should be scheduled after the Reporting Party has had adequate time to process the intake meeting information and their options by the Title IX Coordinator, Associate Dean of Students and/or AVP-HR to obtain written verification of this decision.

Meeting with Responding Party. As appropriate, the Title IX Coordinator, Associate Dean of Students, and/or AVP-HR will schedule an initial intake meeting with the Responding Party to provide a general overview of this policy. This intake meeting should include the following:

- The Responding Party is provided with notice that a report has been made
- The Responding Party is advised in writing of rights and options under Title IX.
- The Responding Party is advised of the importance of preserving and providing evidence.
- A discussion of the interim measures that can be taken/have been implemented to protect the Reporting Party from contact and/or potential retaliation from the Responding Party or any related organization (see Interim Measures) including the right to seek a protective order, a restraining order, a no contact order, or similar lawful order from a criminal, civil or tribal court, and the University's obligation to help enforce any protective order.
- The Responding Party is provided with a list of on and off-campus resources services.

#### Interim Measures

The University will take appropriate interim measures as is reasonably practical under the circumstances to support, protect, minimize contact with and/or potential retaliation by the Responding Party or related organizations toward individuals making a report of alleged sexual harassment, sexual assault, sexual exploitation, stalking, and intimate partner violence. These actions will be assessed and/or coordinated by the Title IX Coordinator, Student Affairs, and/or Human Resources professional. Interim measures may include further protective action deemed appropriate concerning the interaction of the individuals, including, but not limited to, directing appropriate University officials to alter the student's academic schedule, University housing, and/or University employment arrangements.

Mercer Police, the Title IX Coordinator, Associate Dean of Students, and/or AVP-HR may impose a "no-contact" order, which typically will include a directive that the parties refrain from having any contact with one another, directly or through third parties, whether in person or via electronic means, pending the investigation and, if applicable, the hearing. When taking steps to separate the Reporting Party and the Responding Party, the Title IX Coordinator, Associate Dean of Students, and/or AVP-HR will seek to minimize unnecessary or unreasonable burdens on either party. Note, however, that this obligation does not preclude the University from evaluating and implementing an interim suspension, if deemed warranted.

#### **Step 3: The Investigation**

If the University determines there is sufficient information upon which to conduct an investigation, the Title IX Coordinator, Associate Dean of Students, and/or AVP-HR will notify both parties on the status of proceeding with the investigation. Upon following up with the Reporting Party and Responding Party, the Title IX Coordinator, and/or the Associate Dean of Students will reiterate the University's obligation under Title IX and explain the student investigative options being utilized.

Trained Title IX investigators will be assigned to the case. The Title IX Coordinator will notify both parties of the investigation and the names of the investigators. The investigators will conduct a full review of the allegations, including interviewing Reporting Party, Responding Party, and available relevant witnesses. If the Reporting Party wishes to have the case investigated without their identity disclosed, the Title IX Coordinator, Associate Dean of Students, and/or AVP-HR will discuss the parameters of the investigation and limits with the Reporting Party before proceeding. The Title IX Coordinator will provide direction and oversight to the investigators to comply with this request. The Title IX Coordinator will retain authority to make decisions regarding the parameters of the investigation. The investigator(s) will compile a summary presented in a written report (Investigative Report) to the Title IX Coordinator. The Title IX Coordinator will share the report with the Associate Dean of Students for student cases and the Associate VP for Human Resources for cases involving employees. Investigations will be conducted in a timely manner designed to provide all parties with an impartial resolution. However, the length of the process may vary depending on the complexity of the case, the number of witnesses, and extenuating circumstances. The Title IX Coordinator will maintain a copy of the final report.

Investigative Reports: An official record of the investigation (Investigative Report) shall be made by the presiding Title IX investigators for internal University use only. Interviews by investigators will not be recorded by anyone other than the University. Prior to the completion of the investigation, any person directly participating in the investigation (i.e. Responding Party, Reporting Party, and/or witnesses) may request to and review their own (and only their own) statements and/or testimony and offer clarifications or additional information as needed. Once the investigation is completed, the Responding and Reporting Parties will be provided an opportunity to review a copy of the Investigative Report, however, identifying information of students and employees may be redacted to protect students' FERPA rights and employee confidentiality. The Reporting and Responding parties will not be permitted to make a copy of the investigative report in any form (photograph, photocopy, electronic copy, written copy, etc.).

Law Enforcement Related Investigation: The Reporting Party has the option to proceed with a law enforcement investigation in conjunction with the non-law enforcement investigation at any point in the process.

#### **Step 4: Resolution**

Based on the information available from the Title IX investigation, the Associate Dean of Students in consultation with the Title IX Coordinator for student cases, and the AVP for Human Resources for employee cases in consultation with the Title IX Coordinator, will review the summary and make a decision on how to proceed. A request may be made by the Title IX Coordinator, Associate Dean of Students or AVP-HR for further information or clarification by the trained Title IX investigator before making this determination. This may include additional interviews or statements. The following options are available at this stage:

A. No Further Action. Based on the entirety of the circumstances, the University may choose to take no further action.

If no action is taken, both the Reporting Party and Responding Party (except in cases where the Responding Party is unknown, is not covered by this policy, or the Reporting Party has asked to remain anonymous) will be notified in writing and a copy of the investigation and documentation supporting this decision will be sent to the Title IX Coordinator.

B. Informal Resolution. A Reporting Party who wishes to file a report, but does not wish to pursue Formal Resolution, may request a less formal proceeding, known as "Informal Resolution." Whether this request for an informal instead of formal resolution is granted is at the discretion of the Associate Dean of Students/AVP-HR in consultation with the Title IX Coordinator. Mediation is not an option for SMRV cases. Informal Resolution will be handled by the Associate Dean of Students for student cases, and by the AVP-HR for employee cases, and may include a formal warning about the Responding Party's behavior, stipulations on contact, educational activities, or other actions as determined by the Associate Dean of Students/AVP-HR. Informal Resolutions will be held as part of the student's or employee's disciplinary record, subject to student and employee confidentiality laws.

Any Informal Resolution must be reviewed by the Title IX Coordinator before being finalized. The terms of the Informal Resolution will be communicated to both the Reporting Party and the Responding Party in writing. In cases where both the Reporting Party and Responding Party are students, if either party does not agree with the outcome and/or stipulations during the Informal Resolution process, the case may be referred for review under the Formal Resolution process.

C. Formal Resolution. A review is conducted by the appropriate disciplinary process applicable to the Responding Party(s) (student or employee):

For Employees: Within 30 days of receipt of the report of the investigation, the AVP-HR will implement appropriate disciplinary action, up to and including termination, for the employee. The AVP-HR retains the right to request additional information deemed necessary to clarify any questions or issues and to determine responsibility. The decision of the AVP-HR will be shared simultaneously with both the Reporting Party and Responding Party. A copy will be sent to the Title IX Coordinator for review. If dismissal of a faculty member is recommended by the AVP-HR, faculty members may exercise their rights as outlined in section 2.08 of the Faculty Handbook.

For Student Responding Parties: The case is forwarded for charges and processing under the

Student Code of Conduct procedures. For detailed information on charges, options for adjudication, procedures, and Reporting Party and Responding Party rights, consult the Student Code of Conduct.

In the Formal Resolution process for students, both the Reporting Party and Responding Party should be offered the opportunity to be present during the hearing; to make any statements they wish to make prior to concluding the hearing; to have an advisor of their choice present at the hearing or any related meetings; and to submit impact statements. The Reporting Party and the Responding Party will be given similar and timely notice of meetings and access to materials that will be used in meetings or proceedings.

Mercer University uses the preponderance of evidence (also known as “more likely than not”) as a standard of proof of whether a violation of the SMRV policy occurred.

The hearing body retains the right to request additional information deemed necessary to clarify any questions or issues and to determine responsibility. The final results of this hearing body will be shared simultaneously with both the Reporting Party and Responding Party. A copy will be retained in the Title IX Coordinator’s records.

### Sanctions

If a violation of this SMRV Policy is found, the determination of sanctions is made in light of the unique facts and circumstances surrounding each individual case and the previous conduct history of the responding party.

Students found responsible for violations(s) of the Sexual Misconduct and Relationship Violence Policy will be subject to sanctions that include, but are not limited to, one or more of the following:

- Warning: Formal written notice to the student and official recognition that a violation has occurred.
- Counseling Assessment: A recommendation to be evaluated by psychological services to help the student deal more effectively with his/her conduct issue.
- Community Service: Performance of a preapproved service location for a prescribed number of hours to the local or University community.
- Creative/Educational Sanctions: Attendance at educational programs, interviews with appropriate officials, planning and implementing educational programs, research papers and other educational activities related to the violation.
- Restriction: The withdrawal of specified privilege(s) for a definite period of time. Restrictions may include but are not limited to requirements such as not entering certain areas of housing or the campus, not contacting a certain individual or group, or not operating a motor vehicle on campus. Students may also be restricted from holding office in any student organization or participating in some activities.
- Fines: Not to exceed \$150 per individual or \$300 per student organization.
- Restitution: A payment of financial injury in cases involving theft, destruction of property, or deception.
- Probation: A period of time during which any further violations of the Student Code of Conduct may impact or jeopardize the student's status in a specific manner. The four types of probation that can be imposed are as follows:
  - **Conduct Probation**. A specified period of time in which any future violations of the Student Code of Conduct can result in increased sanctions being imposed that exceed those of a student who is not on conduct probation.
  - **Housing Probation**. A specified period of time in which any future violations of the Student Code of Conduct will result in the termination of housing privileges and access to any University-owned housing facilities.
  - **Social Probation**. Notice to an organization or student that all or a portion of social functions must cease for a designated period of time.
  - **University Probation**. A specified period of time during which any further violation of the Student Code of Conduct may result in suspension or expulsion. As part of this probation, students may be restricted from holding certain leadership positions or participating in some activities.
- Forced Change of Residence: The temporary or permanent relocation of a student within housing.
- Eviction from University Housing: Permanent removal from the housing system.
- Suspension: The termination of the student's attendance or an organization's representation at the University for an indefinite or specified period of time. A suspension means that students may not be on University property or that an organization is prohibited from being recognized at any time

without prior approval from the Vice President of Students or designee. Stipulations may be applied to either the student or organization as a condition for ending the suspension.

- Expulsion: The permanent separation of the student from the University.
- Deferred Degree: The holding of an academic degree for a specified period of time with or without conditions.
- Withholding Degree: The withholding of a student's diploma for a specified period of time and/or denying a student participation in commencement activities if the student has a grievance pending or as a sanction if the student is found responsible for an alleged violation.
- Revocation of Degree: Revoking a degree awarded from the University for fraud, misrepresentation or other violation of University policies, procedures or directives in obtaining the degree or for other serious violations committed by a student prior to graduation.

Faculty or staff found responsible for violations(s) of the Sexual Misconduct and Relationship Violence Policy will be subject to sanctions that include, but are not limited to, one or more of the following:

- Required training
- Required research and education, including writing a report on a certain topic(s)
- Verbal reprimand or warning – reminded of policy
- Written reprimand or warning with a copy placed in employee's personnel file
- Performance improvement plan
- Informal or formal counseling by Human Resources or counseling services
- No contact directive
- Review of Title IX reporting procedures
- Syllabus and/or materials going forward are required to indicate content
- Prohibit use of personal email addresses
- Reassignment
- Realignment or removal of certain responsibilities, including eliminated as an Advisor
- Restricted access from or suspension of certain University privileges, University events or University property
- Revocation or deferral of honorary distinctions or designations
- Loss of eligibility for phased retirement
- Loss of pay
- Ineligibility for annual pay increase
- Revocation of tenure
- Demotion
- Non-reappointment
- Probation
- Suspension
- Resignation in lieu of termination
- Early termination of employment or other contracts
- Termination
- Referral for prosecution

#### **Step 5: Appeal**

Either party may appeal the results of the resolution process. Both parties will be informed simultaneously, in writing, of the procedures for appealing the results.

If the Responding Party is a student, appeals should be handled in accordance with the Student Code of Conduct and directed to the Associate Dean of Students within three (3) working days after receipt of the written results.

If the Responding Party is an employee, appeals from either the Reporting Party or Responding Party should be directed to the Executive Vice President for Administration and Finance within ten (10) working days after receipt of the written results.

#### **Grounds for Appeal**

Any such appeal shall be in writing and shall state the grounds for the appeal. Grounds for appealing the results are:

1. A significant error in adhering to Mercer's procedural process which prejudiced the accused to the extent that the student was denied a fundamentally fair hearing as a result of the error. Procedural flaws alone are not grounds for an appeal. Significant procedural errors that may have affected the verdict or sanction will be considered.
2. The emergence of new evidence that could not have been previously discovered and that, had it been represented at the initial hearing, would have substantially affected the original decision.
3. The imposition of sanctions which are disproportionate to the offense.

For cases where the Responding Party is a student, the Associate Dean of Students shall make a decision. The Associate Dean of Student's decision is final. For cases where the Responding Party is an employee, the Executive Vice President for Administration and Finance shall make a decision within 30 working days of receipt of the appeal. The Executive Vice President's decision is final.

Both parties will be notified simultaneously, in writing, about any changes that occur prior to the time the results become final and the outcomes of any appeal. A copy will be sent to the Office of Human Resources for faculty and staff, and to the Title IX Coordinator. A copy will be sent to the Associate Dean of Students for students and to the Title IX Coordinator. The University will follow the law in protecting the Reporting Party's and Responding Party's privacy. The University will protect Reporting Party privacy, including publicly available records, and will withhold Reporting Party identity to the extent permissible by law.

#### **ADDITIONAL INFORMATION AND RESOURCES**

Mercer University takes the issue of sexual and intimate partner violence seriously and annually offers a variety of prevention, training, and education programs aimed at creating awareness and increasing safety for our community. For information on these programs, as well as information and resources related to bystander intervention programs, warning signs of abusive behavior, and other safety tips, contact the Title IX Coordinator at 478-301-2788. It is imperative that Reporting Party of any of the above offenses take immediate steps to preserve evidence after an incident occurs, and report the violation immediately.

## **SOCIAL MEDIA GUIDELINES ([See University Suggested Guidelines Here](#))**

### **SOLICITATION & DISTRIBUTION OF LITERATURE**

Students may not solicit business of any type, including the selling of products or services, without having been invited or given permission by an official of the university. Students may distribute literature by posting on approved bulletin boards and kiosks. Distribution that includes placing literature/product samples on cars or in university mailboxes is strictly prohibited. Postings are approved through the Campus Life Office located on the 2<sup>nd</sup> floor of Sheffield Student Center (Suite 208). Any unauthorized persons soliciting or distributing on campus are to be immediately reported to Mercer Police 678-547-6358.

### **STUDENT HEALTH**

Student Health provides medical health services to all currently enrolled Mercer students. The Student Health Clinic (Located in 206 Sheffield) is staffed by two part-time nurse practitioners and one administrative assistant, all supported by underwritten protocols of a physician consultant. Our physician is onsite for ½ day three times a month for visits and consultations via appointment. A variety of services, treatments, and medications are made available to students. The Student Health center is open Monday through Friday 8:00 AM – 4:00 PM. They are closed daily for lunch from 1:00 – 1:30 PM. The Student Health center can be reached at 678-547-6130. Please visit our website at <https://shc.mercer.edu/> for details regarding our services.

**Reminder:** All Atlanta enrolled students must have and maintain current health care insurance. If a student fails to submit proof of private insurance, the university will purchase health insurance for that student. These costs will be added to the student's tuition bill.

### **STUDENT ORGANIZATIONS & CAMPUS ACTIVITIES**

There are a variety of clubs and organizations on campus specific to your college or school. There are a growing number of campus-wide groups that you can also join, which include Alpha Kappa Alpha, Toastmasters, Black Student Union of Mercer Atlanta, A Moment of Magic, Golden Cure, and the Mercer Board Game Club. To get involved, share a program idea, or if you are interested in starting a new club or organization that would be open to



the campus community, contact Richard Stilley, Associate Dean of Students, 208 Sheffield Student Center at 678-547-6823. We will work with you to establish your group.

**Delta Sigma Theta (currently inactive)** is a University recognized sorority (currently not active). Established in 1913 at Howard University, Delta has clearly established itself as a public service organization that strives to confront the problems of African Americans and hence, all Americans. This organization invites any undergraduate woman to apply for membership. For more information, please email [dsttaumicron@yahoo.com](mailto:dsttaumicron@yahoo.com).

**Alpha Kappa Alpha Sorority, Inc.** was founded January 15, 1908 at Howard University and is deeply rooted in service, sisterhood, and scholarship. Open to all women, AKA has initiated such prominent individuals as Coretta Scott King, Maya Angelou, and Toni Morrison. Alpha Kappa Alpha has enhanced the quality of collegiate life on every campus it has graced. For more information, contact Kenda Crenshaw (President) at [akasigmaphi1908@gmail.com](mailto:akasigmaphi1908@gmail.com).

**Toastmasters** is an international organization that gives you powerful tools to get ahead, build strong leadership skills, develop better speaking and presentation skills, gain self-confidence, and boost your ability to collaborate and inspire. Find your inner leader by learning how to speak in front of a group with confidence and work with others in a positive, supportive environment. For more information, contact Dr. Julie Petherbridge, [petherbrid\\_j@mercer.edu](mailto:petherbrid_j@mercer.edu).

If you have experience in planning activities or have ideas of what you think would be fun and interesting, contact your school or college's student governance group or contact the Campus Life Office, 208 Sheffield Student Center at 678-547-6823 or you can email [stilley\\_r@mercer.edu](mailto:stilley_r@mercer.edu).

## TOBACCO-USE POLICY

Mercer University is committed to the health and well-being of the members of its student body, faculty, and staff. The University not only has a vested interest in the vitality of its students and those who administer and operate the University's programs of education, research, and service, but also wishes to promote the advancement of health in general and the maintenance of a healthful environment. The University and its medical, nursing, pharmacy, and health science schools, moreover, have substantial commitments to health-related research and teaching.

The Surgeon General of the United States has determined that cigarette smoking is the largest preventable cause of illness and premature death in the United States; it is associated annually with the unnecessary deaths of thousands of Americans. Research findings now indicate that users of smokeless tobacco and non-smokers who are regularly exposed to tobacco smoke are also at increased risk.

In response to these considerations, the University has adopted as its goal that of achieving an environment as close to tobacco free as possible. The following guidelines are designed to achieve a relatively tobacco-free environment on the Mercer campuses

- Smoking is prohibited in all indoor locations. All buildings on all campuses are tobacco and smoke-free. This includes vapor/electronic smoking devices.
- Smoking is prohibited within 25 feet of all building entrances, air intakes, and windows.
- Residence hall public spaces (lobbies, hallways, lounges, recreation areas, restrooms) and rooms are tobacco-free.
- Use of smokeless tobacco products is prohibited in all university facilities except in individual residence hall rooms and apartments.

It is the responsibility of each member of the Mercer community to observe this Tobacco-Free Policy and these guidelines. This policy relies on the thoughtfulness, consideration, and cooperation of smokers and non-smokers for its success. Individuals who are smoking inside a building must be directed to the outdoors. Visitors must observe this Tobacco-Free Policy. Department heads, building stewards, and sponsors/hosts of University events are responsible for visitors' compliance with the University's Tobacco-Free Policy. The University expects a good faith, common sense, and courteous approach by students and employees in resolving conflicts within the requirements of this policy.

Violation of policies should be reported to Student Affairs for students and Human Resources for employees.

## VOTER REGISTRATION REQUIREMENTS OF THE HIGHER EDUCATION AMENDMENTS

Mercer provides enrolled students the opportunity to apply to register to vote or to update their voter registration records at least once a year. Voter registration information is available at the following locations:

- Macon Campus: Tarver Library, the Office of the Vice President and Dean of Students, and the ACCESS and Accommodation Office.
- Atlanta Campus: Swilley Library and the Associate Dean of Student's Office (Sheffield 208)
- Regional Academic Centers: Program Coordinators' offices

For further information on this amendment, contact Student Affairs at 478-301-2685 (Macon campus), 678-547-6823 (Atlanta campus), or 678-547-6370 (Regional Academic Centers). Students with a disability may obtain information and assistance in filling out the cards from ACCESS and Accommodations at 478-301-2778 (Macon campus) or 678-547-6823 (Atlanta campus). Students may also obtain voter registration applications at <http://www.statelocalgov.net/50states-secretary-state.cfm>. Notice regarding this information will be sent to each student during the fall and spring semesters of each academic year.

## WITHDRAWALS, ADMINISTRATIVE OR MEDICAL

The mental and physical welfare of a student can have a significant impact on their academic and developmental success in college. Mercer University provides qualified medical and mental health services for students through Mercer Student Health and Counseling & Psychological Services on the Macon and Atlanta main campuses. Under normal circumstances, students may withdraw from classes through the eleventh week of fall or spring semester; course withdrawals are not permissible after this deadline. However, medical or psychological situations may arise that jeopardize a student's ability to continue enrollment at the University. In such instances, the student may request to be administratively withdrawn from the University. This request should be directed to the appropriate Student Affairs designee on the campus or program at which the student is enrolled. The Student Affairs designee will make a judgment about the need for an administrative medical withdrawal and once properly evaluated and approved, will implement the appropriate procedures for the withdrawal. Each course in which the student was enrolled will be assigned the grade of "W". Appropriate medical documentation may be required to evaluate a request for withdrawal.

Once a student has been administratively withdrawn from the University, they must present clear evidence of the remediation of the difficulties before they may be granted readmission to the University. This evidence may include documentation from an appropriate physical or mental health professional about the treatment the student has received. For more information about administrative or medical withdrawals, contact the Office of Student Affairs at 678-547-6823.

## THE MERCER UNIVERSITY ALMA MATER

On the city's western border reared against the sky  
Proudly stands our Alma Mater As the years roll by  
(Chorus)  
Forward ever be they watchword Conquer and prevail.  
Hail to thee, O Alma Mater! Mercer, Hail, all Hail!  
Cherished by thy sons and daughters Mem'ries sweet shall throng  
**Round our hearts, O Alma Mater As we sing our song.**

This guide is a general reference for the Cecil B. Day Campus and Regional Academic Centers in Douglas and Henry County. For complete campus wide policies, the University handbook can be referenced on the website of the Provost: <http://provost.mercer.edu>. For specific program information, please refer to the Student Handbook for that college or school.

**Information and policies found in the University Student Handbook supersede any found in this document.**