Welcome to the Merrimack College Student Handbook 2015 – 2016!

The Merrimack College Student Handbook is a publication of the Division of Mission and Student Affairs. It is the responsibility of all students to become familiar with campus policies and procedures. The Student Handbook contains important information associated with student life, community standards, and additional campus policies. It also contains helpful information and links to campus resources.

Updates to the Student Handbook may be made periodically throughout the year. The latest version can be found at:

www.merrimack.edu/handbook

Printed copies may be requested through the Office of the Dean of Students. Questions regarding the Student Handbook should be forwarded to:

Office of the Dean of Students
Rm. #370, Sakowich Campus Center

Cover Design by Kelli Readey, Class of 2016
# Introduction

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Merrimack College Mission Statement

Augustinian Values

Letter from Father Ray Dolgos, OSA, Ph.D., Vice President, Mission & Student Affairs

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INTRODUCTION

The Merrimack College Student Handbook is a publication of the Division of Mission and Student Affairs. It contains helpful information about student life, student organizations and events as well as links to information and campus resources. It also contains critical information for students and their families regarding campus policies and procedures and the student conduct process.

The handbook can be found online at http://www.merrimack.edu/handbook.

Updates to the handbook may be made periodically throughout the year. It is the responsibility of all Merrimack College students to become familiar with and abide by these campus policies and procedures. Provisions of this handbook are not to be regarded as an irrevocable contract between the student and the college. The college reserves the right to change any provision or requirement at any time within the student’s term of enrollment.

MISSION STATEMENT

Our mission is to enlighten minds, engage hearts, and empower lives. Inspired by the Catholic faith and the Augustinian tradition of seeking truth through inquiry and dialogue, our vision is to:

- prepare students to adapt creatively to tomorrow’s realities through excellence in the liberal arts, sciences, and the professions;
- build a community of scholars welcoming and respecting a diversity of backgrounds, experiences, beliefs, and perspectives;
- cultivate the intellectual, moral, spiritual, physical, and personal awareness needed to make wise choices for life, career, and service;
- encourage and support scholarly work that contributes to the wisdom on which society bases its decisions;
- engage other educational institutions, industry, and agencies of social change in collaborative efforts fostering a just, peaceful, and sustainable world.

AUGUSTINIAN VALUES

The life and thought of Saint Augustine of Hippo (354-430 CE) serve as a foundation for the Catholic intellectual humanism of Merrimack College. The educational and spiritual traditions of the Order of Saint Augustine (1244 CE) also enrich our academic community. Merrimack College celebrates its Augustinian mission and affirms the following values that are ours by heritage and grace.

Before all else our College is a community of scholarship and service whose members support and challenge each other in a wholehearted pursuit of knowledge, holding one another to the highest intellectual and ethical standards.

Knowledge grows into wisdom when we recognize the limits of reason and of our individual perspectives, attend to the common good, and fashion the changes inspired by learning.

The pursuit of excellence in teaching and learning requires diligent study, freedom of thought, dedication to dialogue, and collegial respect for each person’s experience.

The contemplation and reflection encouraged by the intellectual life inspire an ethical sensibility as well as a prophetic critique of social structures in light of justice and peace. The great texts of human history, including sacred scriptures, call us to continuing dialogue as our varied religious and philosophical convictions enrich our Catholic mission.

Our lifelong pursuit of truth and understanding can be for Christians an expression of the inner pilgrimage with Christ the Teacher, for adherents of all faiths part of the search for God, and for everyone a journey of hope amidst the ever-expanding horizons of human experience.

These values invite all members of our community to learn, teach, work and study in ways appropriate to their discipline and their service, and in a manner that makes Merrimack College a vibrant Augustinian academic community.
Dear Merrimack Students,

It is my pleasure and privilege to welcome you to the 2015-16 Academic Year at Merrimack College and to present this Student Handbook as a guide to facilitate your safety, wellbeing, and success. In addition to providing you with an outstanding academic preparation for life, career, and service, Merrimack College is committed to facilitating the growth of its students into self-aware, compassionate, responsible, ethical leaders. I believe that a truly successful Merrimack student is not only one who is highly competent and qualified in his or her professional field of study but also one who can freely contribute his or her unique gifts and talents to others with confidence, assume full responsibility and accountability for his or her choices and actions, develop the skills to engage in healthy, respectful, and enriching relationships with others at every level of intimacy and commitment, and develop an instinctive sensitivity for the needs of others.

The rules, processes, and procedures outlined in this handbook are all in the service of facilitating your success as a student and as a person worthy of the trust others will place grounded in your own personal integrity and responsibility. This handbook is a practical application of the Mission and Vision of Merrimack College, the Catholic and Augustinian Tradition, the standards of community life that invite all of us to the practical application of the wisdom of that tradition.

I sincerely hope that you will receive this handbook in the spirit in which it is given to you, namely as a source of support, encouragement, and wisdom leading you to decisions and actions that will serve you well personally and allow this community to be a place that we can all be proud to call our home.

Sincerely,

Father Ray Dlugos, OSA, Ph.D.
Vice President for Mission and Student Affairs
ACADEMIC INTEGRITY POLICY
The academic purpose of attending college is to pursue knowledge and truth, a purpose wholeheartedly embraced by St. Augustine in his own intellectual life. The collegial pursuit of knowledge and truth depends on cooperation and trust between student and teacher, among students, and between the student and the college. This pursuit involves learning methods of research and writing whereby such knowledge and truth are both learned and subsequently conveyed through competencies and skills acquired through academic study.

Academic integrity is fundamental to creating and maintaining an atmosphere of cooperation and trust. It is thus a concern for everyone in the college community. The academic integrity code below is designed to help students understand what is not permissible in their academic and intellectual lives at the college. It seeks to protect students from unintentional acts of dishonesty and to preserve the trust inherent in the student-teacher relationship, which is compromised if suspicion arises regarding the integrity of a student’s work. The code is also designed to inform students of the rules which will be used to judge academic integrity infractions.

Academic Integrity Code
In the broadest sense, academic dishonesty results from any attempt to gain an unfair advantage over others. The following definitions and examples are meant to guide you as students in the matter of avoiding academic dishonesty in your studies at the college. The code is also designed to inform you of the rules which will be used to judge academic integrity infractions.

Cheating
While taking a test, quiz, or examination, you must rely on your own mastery of the subject and not attempt to receive help in any way not explicitly approved by the instructor. For example, students cannot use books, notes, study aids, assistance from electronic devices, or another’s work without the instructor’s permission.

Trying to take someone else’s examination or trying to have someone else take your own examination is prohibited, as is lying about a class absence or about the need for an extension on a paper or exam, claiming that an exam or paper has been submitted but lost by the instructor, or changing exam answers after the exam has been returned. Obtaining, in advance, specific questions on any test, quiz, or examination not authorized by the instructor is likewise prohibited. Similarly, purchasing a term paper or copying another student’s work and submitting it in whole or in part as your own are prohibited and constitute plagiarism (see below).

Team or collaborative projects, however, where students are told by their instructor to work together and the submission represents joint effort, are permissible.

Fabrication
You must not falsify, invent, alter, or use in a deliberately misleading way any information, data, or citations in any assignment. For example, making up or changing data or results or relying on someone else’s results in an experiment or lab assignment is prohibited, as is citing sources that either do not exist or have not been actually used or consulted.

Complicity
You must not help or attempt to help another student commit an act of academic dishonesty as, for example, allowing another student to cheat from your exam or assignment or helping another student on a take-home exam.

This prohibition does not apply to team projects where students are directed by their instructor to work together.

Plagiarism
Plagiarism is intellectual theft. At Merrimack, the failure to acknowledge the intellectual contributions of others is considered plagiarism. It is important to avoid even unintentional plagiarism by being familiar with accepted ways to acknowledge sources and by developing good note-taking and research habits. The explanations and examples below are designed to help you avoid plagiarism.

The most common way to acknowledge the reliance or indebtedness to someone else’s work is to provide footnotes, end-notes, in-text citations, or other documentation. Commonplace knowledge such as well-known dates, proverbs, or colloquial expressions seldom require documentation, but you should consult your instructor or cite the source if you are in doubt. In general, the harder it would be for someone to find the fact you have mentioned, the more likely you need to acknowledge its source. It is your responsibility to show
clearly when and where you are relying on others, in part because your readers may wish to learn from the same sources you have used.

Since the internet has made information so readily available and the indebtedness of students to sources of many kinds raises issues of how best to handle sources, the following instructions are meant to be helpful in avoiding plagiarism. They are not, however, a substitute for instructions from your particular teachers.

- It’s plagiarism if you use someone else’s words without acknowledgement. If you use someone else’s words, not only must you give the source, but you must also put these words in quotation marks or use some other appropriate means of indicating that the words are not your own. This requirement applies to spoken as well as written words and mathematical formulations, whether or not they have been formally published.

- It’s plagiarism if you use someone else’s ideas, facts, data, or arguments without acknowledgement, even if the words you use are your own. If you use someone else’s examples, reasoning, or experimental results, you must acknowledge that use. Paraphrasing, summarizing, or rearranging someone else’s words, ideas, or results does not alter your indebtedness to the source, which must be acknowledged.

- It’s plagiarism if you acknowledge someone in a way that will lead a reader or listener to think your indebtedness is less than it actually was. If you use a whole paragraph worth of ideas from a source and include as your final sentence a quotation from that source, for example, you must indicate that your indebtedness includes more than just the quotation. If you simply put a page number after the quotation, you will lead your reader to think that only the quotation comes from the source. Instead, make clear that you have used more than the quotation.

Since online information is so readily available and cut-and-paste procedures are so easy to use, you must understand and use accepted techniques for citing internet sources and must be particularly on guard not to claim authorship of any idea or words of another. Since many internet sources do not include an author’s name, it is easy to assume that the work is part of the public domain and may be used without acknowledgement. This is not the case. All work taken from another must be acknowledged. The same rules apply to citing internet sources as apply to citing print sources, but the form of the citations may differ. Information on how and when to properly cite sources is available from your instructor. You can also seek help from staff in McQuade Library or visit the library’s webpage: “How to Cite Sources,” http://libguides.merrimack.edu/content.php?pid=117804. Help is also available at the Writing Center located in McQuade Library.

The words or ideas of a roommate or tutor or of an encyclopedia, or notes from another class all require acknowledgement. Introductions and notes from books also require acknowledgement. Speak with your instructor about the best way to handle such acknowledgements for your particular class.

- It’s still plagiarism if you use unacknowledged material accidentally or even unintentionally. Avoiding plagiarism begins with good note-taking, research, and essay-drafting habits. Take careful notes on sources, keeping track of these sources throughout the various stages of the writing process. Notes should identify the information you have obtained and where you acquired it so that later you can acknowledge your indebtedness accurately. A paper can be plagiarized even if you have simply forgotten that you used a certain source, or even if you have included material accidentally without remembering that it was taken from another source. One of the most common problems is that students write a draft of a paper without proper documentation, intending to go back later to “put in the references.” In some cases students accidentally hand in such papers instead of the documented version, or they forget to include some citations in their final draft. The fact that the wrong draft was submitted is not a defense against an accusation of plagiarism. In general students are held accountable for the work that they actually hand in, rather than the work they intended to hand in.

Appropriation
You must acknowledge the original source when using or incorporating an existing work into the production of a new work for a variety of purposes such as creating parody, offering commentary, or extending meaning and/or expression through a new context for the original work. Appropriation is particularly relevant to the fine arts. It is an expressive option that requires attention to legal and historical practice and responsibility since copyright and other laws may be involved. You should acknowledge the original source(s) according to your instructor’s guidelines.
Multiple Submissions
You must not submit academic work for a class which has been done for another class unless your instructor gives prior approval. In any assignment, an instructor is justified in expecting that a certain kind of learning will be taking place. Handing in something done previously may preclude this learning.

Unsanctioned Collaboration
When doing out-of-class projects or assignments, you must work individually unless collaboration has been expressly encouraged or permitted by your instructor. In many disciplines, collaboration is considered not simply a vital tool for learning, but more importantly, one of the primary means for generating knowledge. Thus it is expected, encouraged, and in some cases mandatory that students collaborate with each other, with faculty, and with tutors as they complete their assignments. You should follow your instructor’s guidelines with respect to whether and what kind of collaboration is permissible with regard to an assignment or project. You should follow your instructor’s guidelines with respect to seeking the help of tutors for a graded assignment and to the manner of the acknowledgement of such help. If you are in doubt as to whether collaboration is acceptable, you should assume that you are expected to do your work independently unless cooperation is specifically authorized by the instructor. When in doubt, ask your instructor.

Penalties for Academic Dishonesty

Individual Course Penalty
The academic course penalty will be determined by your instructor. A student who violates the academic integrity code in a course may receive an F for the course, or, at the discretion of the instructor, a less severe penalty. If you withdraw from any course in which you have been accused of an academic integrity violation for which the penalty is F for the course, the Provost/Vice President for Academic Affairs will record the grade of WF on your transcript.

College Penalty
If the course penalty results in failure for the course, you will be referred to the instructor’s academic dean. The severity of the violation may, in the judgment of the dean and upon the recommendation of the instructor, require an additional college penalty beyond failure for the course. A college penalty may result in such actions as suspension or expulsion from the college. Your academic dean will be notified of the action.

If not expelled from the college, you must complete an educational program devised by the office of the Provost/Vice President for Academic Affairs and supervised by your academic dean, to help you come to a fuller understanding of the academic integrity code. If you fail to complete the educational program to the satisfaction of your dean, and within the timelines specified by your dean, a hold will be placed on your transcript until the program has been completed.

Right of Appeal
If you acknowledge the integrity infraction but believe that the course grade penalty is inappropriate, you may appeal the grade through the normal college procedure for resolving grade disputes. Your instructor can inform you of the process as can your academic advisor or your academic dean.

If you acknowledge the integrity infraction but believe the college penalty, if one has been imposed by the instructor’s dean, is inappropriate, you may appeal the dean’s penalty to the Provost / Vice President for Academic Affairs (VPAA). All college penalty decisions are reviewed by the Provost / VPAA.

If you believe that you have not committed an integrity infraction, your instructor or your instructor’s dean will refer your case to the Academic Integrity Board (AIB). You may also appeal directly to the AIB.

If you withdraw from the college before your appeal is completed, the Provost / VPAA will enter the grade of WF on your transcript for the course and any reapplication for admission to the college may be denied.
Academic Integrity Review Procedures
These procedures cover all cases where students are alleged to have committed infractions of the academic integrity code. Materials on academic integrity violations will be considered an internal and confidential record. These materials will be retained in the files of the Provost / VPAA until the student graduates or withdraws from the college. At that point, the files will be removed and destroyed.

Note: All references to “dean” in the following procedures are to the instructor's academic dean unless otherwise indicated.

Reporting the Violation
The Academic Integrity Code helps students understand what is permissible and what is not regarding academic course conduct. Any additional requirements an instructor seeks to impose must be specifically published and accessible to students on either an instructor’s course syllabus and/or course website.

1. If an instructor believes that a student has violated the academic integrity code, the instructor will, under normal circumstances, notify the student, allowing the student an opportunity to respond. Depending on the circumstances, the instructor may choose to notify the student orally or in writing. At his or her sole discretion, the instructor may take a variety of actions, including taking no action, requiring the student to redo the work or complete an alternative piece of work, giving the student a failing grade for the assignment in question, or giving the student a failing grade for the course, which requires written notification to the student.

2. When an instructor assigns as penalty a failing grade for the course, the instructor must also report the matter in writing to the instructor’s department chair. If the department chair has questions, the chair may refer the matter back to the instructor for further discussion or clarification. Unless the instructor wishes to withdraw the action, the department chair will report the matter to the dean. The dean will notify the Provost / VPAA’s office of the instructor's action.

If the dean decides to impose a college penalty, then such a penalty can include suspension or expulsion from the college. The dean may request further consultation with the instructor, the department chair, or the student before imposing such a penalty.

3. Students who believe an academic integrity violation by others has occurred should report the suspected violation to the instructor. If the instructor does not act on the report, students may also report the matter to the instructor’s department chair, the instructor’s academic dean, or to their own academic dean who will report the complaint to the instructor's academic dean. The instructor’s department chair or academic dean will investigate and determine how to proceed.

Appeals

Appealing the Course Grade Penalty
If a student believes the course grade penalty imposed by the instructor is inappropriate, the student can appeal the course grade through the normal college procedure for resolving grade disputes.

Appealing the College Penalty
If a student believes the college penalty imposed by the dean is inappropriate, the student may appeal the college penalty to the Provost / Academic Vice President.

Appealing the Allegation
If a student denies that an academic integrity violation has occurred, the dean will refer the matter to the Academic Integrity Board (AIB). A student may also appeal directly to the AIB.

Upon receiving notice from the dean that an alleged academic integrity violation has occurred and the student(s) involved have denied the allegation, the Provost / VPAA will direct the Chair of the AIB to assemble a hearing panel consisting of faculty and student members of the AIB (see "Composition and Procedures of the Academic Integrity Board"). If several students are involved in one case, the dean may request that the panel consider the situation of all involved students, even if one or more do not deny having committed an academic integrity offense. The panel will make a determination regarding whether academic dishonesty has occurred and convey its findings to the dean, who will advise the student and the instructor of their rights of appeal.

The sole purpose of the hearing panel is to determine whether an academic integrity violation has occurred.
If the hearing panel determines that a violation has occurred, the original action of the instructor will stand, subject to decision on any appeal of the board’s findings (see #4 below, “Appealing the Findings of the Academic Integrity Board”). The Chair of the AIB will notify in writing at the same time the instructor’s academic dean and all parties of the hearing panel’s findings. If the student believes, nonetheless, that the instructor’s action is inappropriate, the student may appeal the grade through the normal college procedure for resolving grade disputes. The grade appeal process will only consider the grade and not reconsider or review the decision that an academic integrity violation has occurred.

If the hearing panel determines that a violation has occurred, the dean may impose on the student a college penalty. If, in the dean’s judgment, there are no extenuating or mitigating circumstances and the penalty for the academic integrity violation assigned is expulsion from the college, the dismissal and the reason for the dismissal may be noted on the student’s transcript.

If the hearing panel determines that a violation has NOT occurred, the Chair of the AIB notifies in writing the instructor’s dean and all parties, at the same time, of the hearing panel’s findings. The instructor’s department chair will then request that the instructor re-grade the student’s work based on the premise that no violation has occurred. If the instructor refuses, the instructor’s department chair will follow the normal college procedure for resolving grade disputes to resolve the matter.

**Appealing the Findings of the Academic Integrity Board**

Findings of the hearing panel of the Academic Integrity Board (AIB) can be appealed in writing to the dean by either the student(s) or the instructor within five (5) business days. There are only two grounds for an appeal: (1) there was a material procedural error in the panel’s review of the case; (2) new evidence not reasonably available to the panel at the time of its deliberations has come to light.

After reviewing the records of the hearing panel, written materials submitted with the request for an appeal of the panel’s findings, and the results of any further consultations with the parties, the dean may either affirm the finding of the hearing panel or remand the case to the hearing panel on the basis of either or both grounds for appeal.

If the case is remanded to the hearing panel, the panel will review and correct any substantiated violation of procedure and examine any new evidence; it will once again forward its findings to the dean. At this point, the dean will review the findings to be sure the grounds for the appeal of the hearing panel’s original findings have been addressed. If so, the findings of the board will stand.

**Required Educational Program**

Once the determination has been made that an academic integrity violation has occurred, either by admission of the student(s) or findings of the hearing panel of the Academic Integrity Board (AIB) and the penalty is not expulsion from the college, the student’s academic dean, in consultation with the AIB Chair, will require the student to complete a program of education and reflection on the meaning and importance of academic integrity. This program will be designed by the office of the Provost / VPAA and may include written exercises, community service, and/or participation in an integrity educational program supervised by the college.

If the educational program is not completed in a timely and satisfactory manner as determined by the student’s academic dean, the student’s dean will impose a hold on the student’s academic records, thus preventing the student from registering for further courses, transferring coursework to another institution, or graduating until the conditions of the educational program have been met.

**Composition and Procedures of the Academic Integrity Board**

The Academic Integrity Board (AIB) is the appeals mechanism for allegations of academic integrity code violations. It consists of faculty members and students. From its ranks come the members of a hearing panel for any case of alleged academic dishonesty. The sole purpose of the hearing panel is to determine whether an academic integrity violation has occurred. The hearing process is an internal community-based procedure governed by the policies of Merrimack College and is limited to members of the Merrimack College community as defined below.
Membership
The Provost / Vice President for Academic Affairs (VPAA) will constitute the membership of the AIB according to the requirements below. Except for the Chair of the AIB, who is a member of the Provost/VPAA’s staff, AIB members will normally serve three-year terms to provide experience and continuity to the hearing panels.

1. A Chair of the AIB from the Provost / VPAA’s office who will have faculty status, as defined in the Faculty Senate Constitution and Bylaws. The job of the Chair will be to oversee the academic integrity policy at the college, including insuring that incoming students are aware of the code, that the code is widely disseminated and regularly communicated, working with faculty and academic support staff in devising ways that promote and support academic integrity, devising an educational program to aid understanding of academic integrity by students who have violated the code, and overseeing all procedures of the AIB, including the training of board members on issues such as conflicts of interest, the importance of confidentiality, and how to assess evidence.

2. At least five (5) fulltime faculty with at least one faculty person from each of the college’s disciplinary divisions (business, humanities, science and engineering, social science) chosen by the Faculty Senate. The faculty will normally serve for three-year terms.

3. At least four (4) undergraduate students chosen by the Student Government Association drawn from each of the college’s disciplinary divisions (business, humanities, science and engineering, social science) who have at least sophomore status. Students will serve for the duration of their tenure at the college or up to three years. If a vacancy in the board occurs, the Provost / VPAA will ask the Faculty Senate and/or the Student Government Association to fill the respective vacancy.

The Hearing Panel
A hearing panel will be formed from the membership of the AIB to hear cases involving an alleged breach of the academic integrity code. A new panel for each case will be formed by the Chair of the AIB on the basis of availability and impartiality. A panel will consist of six (6) members from the following AIB membership categories:

The Chair of the AIB, who will be a non-voting member, who will provide continuity among the various hearing panels, convene and preside over the proceedings, and assure compliance with the requirements of reviewing the complaint at all levels including the hearing process; one faculty member, preferably from the school of the course involved in the alleged violation; two (2) other faculty members, preferably one from the student’s school if different from that of the course instructor; two (2) students.

The Hearing Panel Review Process
1. When a case is referred to the AIB, the Provost / VPAA’s office will ask the Chair of the AIB to convene a hearing panel to determine if a violation has occurred. Normally the panel will be convened within thirty (30) days of receipt of notification. If the violation occurred prior to the final exam in the course, the hearing panel will, if possible, be convened prior to the scheduled time of the final exam. If the violation is reported during the examination period or between semesters, the hearing panel will, if possible, be convened within thirty (30) days after the beginning of the next fall or spring semester.

2. The Chair of the AIB will inform in writing the student(s), the instructor, the instructor’s department chair, the instructor’s dean and the student’s dean (and, if appropriate, any additional or other complainant) of the time, place, and membership of the hearing panel. The AIB Chair will do so within a reasonable time to permit adequate preparation for the hearing. The hearing will not be delayed if a student cannot be reached for lack of a correct address in the college’s student record system. If the student fails to appear for the hearing, the hearing panel will make its judgment on the basis of the evidence presented at the hearing, and the student will forfeit any right to a further hearing or appeal.

3. Members of the hearing panel will disqualify themselves from hearing a case if they feel there is a conflict of interest or a perceived conflict of interest. A disqualified member will be replaced by another member of the same membership category, if possible (see “The Hearing Panel” above for the definition of categories). If another member of the same membership category is not available, the Chair of the AIB will select another member of the AIB to fill the vacancy. In no case, however, will the number of students on the hearing panel exceed two. If the AIB Chair cannot perform the responsibilities of chairing the hearing panel either because there is a real or perceived conflict of interest or other special circumstance that prevents it, then the Provost / VPAA will provide a person to serve as hearing panel chair, preferably a past or present member of the AIB.
An accused student or a complainant may object to any single panel member assigned to the case. The objection must be written and received by the AIB Chair at least two (2) business days before the hearing. Upon ruling that a challenge is valid, the AIB Chair, after notifying the student and complainant, will replace the challenged member with another from the same category if possible. If another member of the same category is not available, the AIB Chair will select another member of the AIB to fill the vacancy.

4. The student(s), the instructor, and the instructor’s chair may attend the hearing. Each may, with the approval of the AIB Chair, address the panel. Any member of the panel may question the student(s) or the instructor. The student may present relevant evidence, including witnesses, in support of his or her position. The hearing will be conducted at the college and is closed to the public (including parents, legal guardians, and legal counsel). The AIB Chair will preside but not vote. Formal rules of evidence will not apply. The AIB Chair may admit or exclude witnesses during the testimony of other witnesses and may exclude any person who, in the Chair’s judgment, disrupts the proceeding. The student or instructor may each be accompanied by a student or faculty member whose role is limited to advising the student or instructor. This adviser may not make statements, examine witnesses, or otherwise intervene. Advisers cannot be attorneys in any case.

5. The hearing panel will deliberate among themselves with no other persons present and make its determination by confidential majority vote based on the evidence. The sole purpose of the panel is to consider whether an academic integrity violation has occurred. The panel does not make recommendations on issues such as mitigating circumstances or the severity of the punishment. All materials and discussions with respect to any case are considered confidential educational records and are protected by the Family Educational Rights and Privacy Act (FERPA), and any release of case materials is guided by the college’s FERPA guidelines. All communications follow the official Merrimack College communication policy as outlined in the Student Handbook.

The minutes of the hearing or hearings are the responsibility of the AIB Chair and will be part of the official confidential file to be kept by the Chair of the AIB in the Provost / VPAA’s office. The minutes should include the names of the student(s), the faculty member, the panel members, and any witnesses, advisers, or other individuals who attended the hearing, and should tell the result of the panel's decision. The minutes should not include the actual vote count. The Chair may, at his or her sole discretion, also summarize information that was brought up in the hearing but that does not appear in the record.

6. The Chair of the Academic Integrity Board will notify in writing the instructor’s dean and all parties, at the same time, of the hearing panel’s findings.

**Academic Dishonesty Sanction Guidelines**

<table>
<thead>
<tr>
<th>Violation</th>
<th>Sanction</th>
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<tbody>
<tr>
<td>Copying answers from other students on exam (quiz, test, other course work).</td>
<td>F for the course.</td>
</tr>
<tr>
<td>One person allowing another to cheat from his or her exam (quiz, test, other course work).</td>
<td>F for the course.</td>
</tr>
<tr>
<td>Possessing or using material during exam (crib sheets, notes, books, etc.) which is not expressly permitted by the instructor.</td>
<td>F for the course.</td>
</tr>
<tr>
<td>Taking exam from room and later claiming that the instructor lost it.</td>
<td>F for the course and further disciplinary action.</td>
</tr>
<tr>
<td>Failing to submit an assignment and later claiming that the instructor lost it.</td>
<td>F for the course and further disciplinary action.</td>
</tr>
<tr>
<td>Changing answers after an exam (quiz, test, or other course work) has been returned.</td>
<td>F for the course and further disciplinary action.</td>
</tr>
<tr>
<td>Fraudulent possession of exam prior to administration.</td>
<td>F for the course and further disciplinary action.</td>
</tr>
<tr>
<td>Obtaining a copy of an exam or answer key prior to administration.</td>
<td>F for the course and further disciplinary action.</td>
</tr>
<tr>
<td>Having someone else take an exam.</td>
<td>F for the course and further disciplinary action for both students.</td>
</tr>
<tr>
<td>Plagiarism</td>
<td>F for the course.</td>
</tr>
<tr>
<td>Submission of purchased term papers or papers written by others.</td>
<td>F for the course and further disciplinary action.</td>
</tr>
<tr>
<td>Submission of the same term papers to more than one instructor, where no previous approval has been given.</td>
<td>F for the course and further disciplinary action.</td>
</tr>
<tr>
<td>Unauthorized collaboration on an assignment.</td>
<td>F for the course for both students.</td>
</tr>
</tbody>
</table>
BOOKSTORE
Location: Merrimack Athletics Complex

The official bookstore of Merrimack College is located in the Merrimack Athletics Complex. The store meets the academic and personal needs of all students, faculty, staff and visitors. Students may purchase or rent new and used textbooks, as well as merchandise like clothing, hats, blankets, gifts and more.

CENTER FOR ACADEMIC ENRICHMENT
Location: McQuade Library, Third Floor

The Center for Academic Enrichment provides a wide range of opportunities to students wishing to enhance their academic performance. Students taking advantage of these opportunities will develop the strong foundation in academic skills, an understanding of college policy, and self-advocacy that they will need for effective learning throughout college and after graduation. The Center for Academic Enrichment both conducts proactive assessments of student’s needs and responds to the level of success they wish to attain.

Located on the third floor of the McQuade Library, the Center for Academic Enrichment offers workshops, programs, tutoring, individual and/or group meetings to all students. Topics include: academic expectations, time management, preparing for tests, dealing with test anxiety, effective reading, and study skills. Handouts on these subjects are also available in the Center for Academic Enrichment.

MATHEMATICS CENTER
Location: McQuade Library, Third Floor

The Mathematics Center is a unique and valuable resource for Merrimack College students of all majors, providing a central location where students can collaborate with tutors and with one another to become better learners of mathematics.

During the fall and spring semesters, the Math Center also offers a number of workshops to help students be more successful in their mathematics (and other) courses. All students in Day, Graduate, and Continuing Studies courses are welcome to visit the Math Center and to attend workshops.

MCQUADE LIBRARY

McQuade Library fosters the intellectual growth of the Merrimack community of lifelong learners and serves as a valuable center of information resources and customized instruction.

McQuade Library is an evolving center for learning, study and research. Rich in traditional print materials, media, and digital resources, it provides work spaces for groups as well as quiet corners for solitary study. Skilled and dedicated staff members are ready to assist students with anything from a simple article request to a full-scale research project, facilitating use of the broad-ranging collections both physical and virtual.

O’BRIEN CENTER FOR STUDENT SUCCESS
Location: Sakowich Campus Center, Second Floor

One of the most important things college can do for you is help you find a career path that is exciting, rewarding, inspiring, or all of the above. At Merrimack College, we make this easier than usual—by teaching, advising, and equipping all Merrimack students to successfully navigate the path from college to career through personal planning services, real life work experience, and professional job search assistance.

The O’Brien Center for Student Success staff offer a wealth of resources, including career fairs and panels, researching employment opportunities, on-campus interviews, and extensive one-on-one advising to help you identify your interests, explore your options, and pursue your employment or graduate study goals.
REGISTRAR

Location: Austin Hall, First Floor

Our mission is to serve Merrimack College students as accurately, thoroughly and quickly as possible on all aspects of course information, scheduling, registration, records maintenance, verification and other services related to academic progress.

If you are a currently enrolled student, please log on to myMack for more registrar-related information including forms, calendars, schedules, and policies.

STEVENS SERVICE LEARNING CENTER

Location: Sakowich Campus Center, Third Floor

At Merrimack College, our Augustinian tradition and our connections with the neighborhoods around the College have always inspired us to seek community service opportunities in abundance. Through our service learning program, our students are able to incorporate these service experiences into their academic studies.

Established in 1998 through a grant from the Stevens Foundation, the Stevens Service Learning Center anchors the service learning program. We maintain strong relationships with more than 75 placement sites in the Merrimack Valley, including elementary schools, boys and girls clubs, nursing homes and elder care programs, day care centers, homeless shelters and soup kitchens, court systems, and many other service organizations in need.

WRITING CENTER

Location: McQuade Library, Third Floor

The Writing Center offers free writing consulting service to all members of the college community. Students can make use of the Writing Center to grow more independent and confident in their academic, personal, and professional writing. We work with writers at all levels because every writer can benefit from a thoughtful, informed reader’s response during the writing process.

The Writing Center provides help in a variety of areas, including:

- Choosing topics
- Organizing writing projects
- Solving specific writing problems, from getting started to editing/proofreading
- Developing research abilities
- Creating individual writing styles
- Developing PowerPoint presentations
- Developing skills in written English, if English is not your first language
CAMPUS RESOURCES

BURSAR’S OFFICE
Location: Austin Hall

Student Accounts
Students are encouraged to email, call or visit the Bursar’s Office to resolve billing questions and to obtain information regarding their accounts. Statements of student accounts are available on MyMack. It is the student’s responsibility to monitor the account to ensure that all outstanding balances are paid in full. Students are expected to maintain their accounts in good standing and should seek guidance in the event that full payment of tuition and fees may be delayed. Please note that no student will be allowed to receive any degree, certificate or academic transcript until financial accounts with the College have been previously and satisfactorily settled.

Tuition
Full-time tuition is charged to all students who meet the following enrollment criteria:

- All day degree students enrolling in 12 or more credit hours, in any combination of day and continuing education courses, up to the maximum hours allowed.**
- All day degree students enrolling in 12 or more credit hours through a combination of Merrimack College and NECCUM day division courses.
- All other students enrolled in 12 or more credit hours in any combination of day and continuing education courses.

** A credit overload fee will apply when a student exceeds 19 credit hours.

Payment of Charges
Payment in full must be received before attendance in class is permitted. Students applying for loans should make application no later than six weeks prior to the start of the semester.

- Online payments can be made through Tuition Management Systems at www.afford.com/merrimack. Payments via E-check are free. Credit/Debit card payments (American Express, Discover, MasterCard & Visa) are also accepted. A convenience fee will be charged to the cardholder for this service.
- Payment in person can be made at the Bursar’s Office with cash or check.
- Payment by check may be mailed to Merrimack College, Department 338, PO Box 8000, Buffalo NY 14267-0002. Please detach and include the top portion of the statement with your payment.

Delinquent account balances are subject to a late payment penalty. A late payment penalty is also assessed when an application for student loan or other form of aid is received by the college after the due date. The College reserves the right to add reasonable cost of collection to any account not paid when due.

Note: A fee may be assessed for checks returned by the bank.

Scholarships
Recipients of outside organization scholarships should forward a copy of their award letters to the Bursar’s Office upon notification of the award.

Refunds
Refunds of credit balances are made within federal guidelines. Students may elect to carry a credit balance into the following semester. Ten business days are required to process a refund. The College cannot refund loan or scholarship money not yet received.

Health Insurance
The Commonwealth of Massachusetts requires every full-time and part-time student enrolled in an institution of higher learning in Massachusetts to participate in a student health program or in a health benefit plan with comparable coverage. A part-time student is defined as a student participating in at least 75% of the full-time curriculum. All full-time and part-time students as previously defined are automatically billed for the insurance. If you have comparable coverage you must complete an online waiver by the published due date set by the College, otherwise you will be held responsible for the cost of the insurance premium.
Waiving the College's Health Insurance
If you have other insurance coverage and do not require the College's insurance, you must complete an online waiver at www.GallagherKoster.com/Merrimack. Not all plans provide comparable coverage in Massachusetts such as out-of-state Medicaid plans, Commonwealth Care, certain HMOs and managed care plans. Be sure to check with your insurance company before waiving coverage. Short-term coverage (coverage that is not in place for the entire academic year) is not comparable coverage and requires enrollment in the College’s plan.
Waivers for the fall 2013 semester must be completed no later than September 9, 2013. Students who do not complete the waiver by September 9 will be responsible for the charged premium even if they are covered by another plan.
Waivers for the spring 2014 semester must be completed no later than February 3, 2014. Students who do not complete the waiver by February 3 will be responsible for the charged premium even if they are covered by another plan.

Withdrawal Refund Policy for Tuition and Fees:
- Prior to end of first week: Full Refund
- Prior to end of the second week: 50% refund
- Prior to end of the third week: 25% refund
- After the third week: NO REFUND

CAMPUS MINISTRY
Location: Sakowich Campus Center, Third Floor

Inspired by the Gospel of Jesus Christ and the college’s Catholic and Augustinian heritage, the Grace J. Palmisano Center for Campus Ministry at Merrimack College fosters the spiritual development of the entire Merrimack community: students, faculty, staff and administrators, by helping them grow in their friendship with God and to utilize their strengths and talents in service to God’s people. We invite all members of our community to recognize and respond to God’s call by participating in liturgies, retreats, service outreach, sacramental preparation, faith education, pastoral care, spiritual direction and other programs, in order to help bring about a world of peace, justice and harmony. Our programs are open to members of all faiths, to enrich lives outside the classroom.

CENTER FOR THE STUDY OF JEWISH/CHRISTIAN/MUSLIM RELATIONS
Location: Sullivan Hall, First Floor

Cultivating the practice of Abrahamic hospitality, the Center for the Study of Jewish-Christian-Muslim Relations at Merrimack College educates for religious, ethical, and cultural literacy. We seek to counter destructive prejudice and increase mutual understanding among peoples of diverse beliefs.

OFFICE OF THE DEAN OF STUDENTS
Location: Sakowich Campus Center, Third Floor

This office is an advocate for students in all areas of campus life. Merrimack is a special place where students are able to explore their passions and step outside of their comfort zones, and this office works to enable students to achieve this potential. Here, students can find the Dean of Students, the Director of Community Standards, the Director of Residence Life and the Wellness Educator.

DISABILITY SERVICES
Location: McQuade Library, Third Floor

Merrimack College is committed to working to empower all of its students to achieve their fullest potential. The mission of the ADA Office is to provide equal access to higher education for students with diagnosed disabilities as defined by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendments Act of 2008 (ADAAA).

Students who are interested in receiving services through the ADA Office must:
1. Identify themselves as a student with a disability;
2. Request services;
3. Submit documentation of their disability; and,
4. Schedule an appointment to meet with the ADA Academic office to review documentation and develop a plan.

The ADA Academic Coordinator will review potential accommodations and develop an Accommodation Plan with the student. Students are encouraged to take a proactive role in accessing services.

Reasonable Accommodations must be directly linked to functional limitations determined by a comprehensive review of documentation. Reasonable Accommodations which provide equal access to education must not interfere with academic/technical standards or essential course requirements.

Students without documentation who are interested in receiving services should contact the ADA Office. The ADA Office can provide information with regard to accessing disability documentation.

The ADA Academic Coordinator works closely with the ADA Compliance Coordinator and the ADA Compliance Team in addressing access issues on campus.

Located on the third floor of the McQuade Library in the Center for Academic Enrichment, the ADA Office is open during regular college hours. Students who are interested in receiving accommodations or have questions about documentation guidelines are encouraged to contact our Disabilities Coordinator at 978-837-5140 or via email Elaine.divincenzo@merrimack.edu.

Merrimack College does not offer a separate program for students with disabilities. Students with disabilities are encouraged to participate in College programs and extracurricular activities. If a student requires specialized services, the ADA Office will provide referrals to outside organizations.

**FINANCIAL AID**

*Location: Austin Hall, First Floor*

**Eligibility for Financial Aid:**
To receive financial aid at Merrimack a student must:

A. File the Free Application for Federal Student Aid (FAFSA);
B. Be a citizen of the United States, a permanent resident, or eligible non-citizen;
C. Enroll in a degree-granting program of study;
D. Have received their high school diploma or GED;
E. Be registered with Selective Service, if required;
F. Not be convicted of a drug-related crime in the last year;
G. Not be in default from previous student loans;
H. Make satisfactory academic progress toward the completion of his or her course of study. The complete schedule of the College’s statement on satisfactory academic progress follows and is also available upon request from the Office of Financial Aid.

**Financial Aid Satisfactory Academic Progress Standards**

*Qualitative Standards:*
Satisfactory academic progress requires a cumulative GPA of 2.0 or better by the end of your second academic year.
Quantitative Standards: Students must successfully earn 67% of their cumulative attempted credits. In addition, you will not be eligible to receive federal financial aid once you have attempted more than 150% of the normal credits required for your degree. For full-time students this means the student must complete their degree within 6 years.

Note:
- All transfer and summer credits are calculated toward the satisfactory academic progress standard whether taken at Merrimack College or any other institution.
- Grades of F, W, unofficial withdrawal or N are considered attempted, but not earned credits.
- Students can repeat courses as many times as required to pass the course. However, if a student wishes to repeat a course to improve their grade, they can only receive aid for courses repeated one time.

Review of Satisfactory Academic Progress
Satisfactory Academic Progress for federal and state financial aid will be reviewed at the end of each Spring semester. If the cumulative grade point average falls below the minimum standard and/or the student falls behind in earned credits, the student will be notified by the Office of Financial Aid, and may appeal in writing by completing the required process below. Once the appeal is received, the Office of Financial Aid will notify student of future eligibility.

The review of Satisfactory Academic Progress for financial aid purposes is based on a student's entire academic record, even if the student did not receive financial aid during previous semesters of enrollment.

Appeal
Students who do not meet the minimum Satisfactory Academic Progress requirements for financial aid have the opportunity to appeal when special circumstances exist. Conditions when a student may appeal include death of a relative, injury or illness of the student, or other extenuating circumstances. In order to appeal, a student must submit a completed Satisfactory Academic Progress appeal form, including personal statement and supporting documentation. In addition, the student must meet with his/her academic advisor to develop an academic plan, outlining the steps required to meet Satisfactory Academic Progress standards.

If a student's appeal is approved, they will be placed on financial aid probation, and will continue to receive financial aid while on probation. At the end of this probation period, the student's academic record will be reviewed to evaluate progress and determine continued eligibility.

Denied appeals will result in the student being ineligible for financial aid until minimum Satisfactory Academic Progress standards are met.

Appeals will be granted only one time during your enrollment at Merrimack. Exceptions may be made in certain circumstances. After an appeal is granted, if the student fails to meet the terms outlined in their academic plan, he or she will become ineligible for financial aid until the minimum standards for Satisfactory Academic Progress are met. All courses, including summer and transfer courses, are calculated toward Satisfactory Academic Progress whether they are taken at Merrimack College or any other institution.

Re-Establishing Financial Aid Eligibility
A student may regain financial aid eligibility by successfully meeting the College's SAP policy requirements or successfully meeting the requirements of an established academic plan.

Application Information
All students who wish to apply for financial aid should file the Free Application for Federal Student Aid (FAFSA) online at www.fafsa.gov.

Freshman applicants should file by February 15.
Transfer students applying for Fall should file by April 30.
Transfer students applying for Spring should file by December 1.

Current students must file the FAFSA renewal prior to April 1 and meet Merrimack's standards for satisfactory academic progress for financial aid. The Merrimack College Federal School Code is 002120 and must be included on your FAFSA.
FITNESS CENTER
Location: Sakowich Campus Center, Second Floor

The Anthony Sakowich Recreation Complex on the first and second floors of our Sakowich Campus Center features a fitness area with cardio equipment, free weights, circuit training, aerobics/dance studio, indoor jogging/walking track, and basketball and volleyball courts. Merrimack students, faculty, and staff have free use of all fitness facilities but must present a valid Merrimack ID.

HAMEL HEALTH AND COUNSELING CENTER
Location: Between Monican Centre and St. Thomas Apartments

The Hamel Health and Counseling Center offers both health and counseling services for all Merrimack students currently enrolled in one or more classes. Hours of operation are Mondays and Thursdays 8:30 a.m. - 6:00 p.m. and Tuesdays, Wednesdays and Fridays 8:30 a.m. – 5:00 p.m. The Center is closed on weekends and holidays per the college calendar. Students are able to make appointments during business hours, Monday –Friday by calling Center at 978-837-5441. Students are able to walk-in to the Center during clinical hours and for any urgent matters. Services are free and confidential to all Merrimack students.

Counseling Services
The counseling staff consists of licensed psychologists and clinical social workers who provide crisis intervention, short term counseling, assessment, referral, and consultation services. Counseling services are completely confidential except in cases where there is a risk of imminent danger or threat of harm to an individual or to the community. Students access the counseling service by calling or stopping by the Center to make an appointment. Crisis counseling is available in person during business hours and by phone after hours and on weekends.

Counselor-On-Call: Business Hours
During business hours, a Counselor-On-Call is available for crisis intervention or urgent consultation by coming into the Center or by calling the main number x5441. When you call, the Office Manager will ask if you would like to speak with the counselor-on-call immediately, receive a call back within 2 hours, or receive a call back before the end of the day. If you are a staff member or fellow student working with a student in crisis and you would like to walk the student over to be seen by the Counselor-On-Call, please call ahead if possible so the staff can be alerted.

Counselor-On-Call: After Hours
After business hours, on weekends, and on holidays, the Counselor-On-Call rotation is shared by the professional mental health staff of Hamel Health. The Counselor-On-Call can be contacted through Residence Life staff or by calling the Merrimack College Police Department at 978-837-5911 and asking to speak with the Counselor-On-Call. You must leave your name and phone number and the Counselor-On-Call will call you back. When calling the Counselor-On-Call, please allow 15 minutes for a call back. If more emergent care is required, please seek assistance directly with The Merrimack College Police Department x5911.

Health Services
The health services staff is comprised of licensed medical professionals including a physician, nurse practitioners and a registered nurse. Students can be seen on an appointment or walk-in basis and should bring their student ID. All enrolled students must complete Health Forms and have active documentation of state-required immunizations on file with the Health Center. Health Forms are provided to all entering students and are also available in the Center and online via the Hamel Health website.

For medical treatment when the office is closed, students may use off-campus services. The following local services are available and students should bring their health insurance card:

Doctors Express - 129 Turnpike Street, North Andover, MA 01845
Phone: 978-470-0800
Monday - Friday: 8:00am - 8:00pm
Saturday, Sunday: 8:00am - 5:00pm
More information: http://www.doctorsexpressnorthandover.com/
Emergencies
If you have concern about a medical, mental health or safety issue that cannot or should not wait, please call Merrimack College Police Services at x5911 when you are on campus. If you are off campus, dial 911, or go directly to the nearest emergency room.

Emergency Rooms at Lawrence General and Holy Family hospitals provide 24-hour medical care.

Lawrence General Hospital - 1 General Street, Lawrence, MA 01842
978-683-4000

Holy Family Hospital - 70 East Street, Methuen, MA 01844
978-687-0151

Insurance and Health Forms
All full-time graduate and undergraduate students attending Merrimack College must carry health insurance. Merrimack students are automatically enrolled in the college-offered health insurance plan; students who prefer to carry their own health insurance policy must fill out a waiver to document appropriate coverage. Questions about the student health insurance should be directed to the Bursar’s office at x5138.

Hamel Health and Counseling Services are available and free of charge to all Merrimack College undergraduate and graduate students. Health insurance is not involved when visiting Hamel Health unless an outside provider must be utilized; this process will be fully explained to you if and when using your health insurance is necessary.

Full-time undergraduate and graduate students and all residential students are also required to submit completed Health Forms with documentation of required immunizations to the Health Center prior to enrollment.

INFORMATION TECHNOLOGY SERVICES
Location: McQuade Library, Second Floor

Merrimack College’s Information Technology Services (ITS) provides solutions that support a wide range of computer-related activities and infrastructure for education, research and the day-to-day functions within the college community.

INTERNATIONAL PROGRAMS
Location: Sakowich Campus Center, Third Floor

Nearly 200 students from all over the world study at Merrimack College. The Office of International Programs offers a customized orientation for international students and supports them with visa and immigration services as well as programs to optimize to the academic, professional, social, personal, and cultural integration into the College and the United States. The Office serves as a liaison between Merrimack College, the U.S. government, and any foreign government concerning an international student studying at the
College. It is the student’s responsibility to remain compliant with their Merrimack I-20 and report any address, status, or academic major change to this office.

The Office of International Programs also coordinates all Study Abroad programs at Merrimack. Study abroad is recommended for students in all academic disciplines in order to enrich their education, expand their understanding of themselves, the world, and critical global issues. Merrimack College offers a variety of semester, full-year, and short-term study abroad programs, some of which include an optional internship and/or service-learning component.

MACK CARD CENTER
Location: McQuade Library, Second Floor

The MACK Card is used for residence hall access, as your library card and can be used to access goods and services on and off campus much like a debit card. The MACK Card makes your life at Merrimack easy by connecting you to Sparky’s Dining Hall, Warriors Den and Zest Cafe. You can use your card to access a variety of services on campus including Post Office, Campus Book Store, Print Center, Police Services, Sakowich Fitness Center and Library Copy machines.

The MACK Card office is your one-stop shop for the Merrimack Access Card. Visit the MACK CARD Office to have your photo ID created, get replacement cards, check balances and report lost or stolen cards.

MERRIMACK COLLEGE POLICE DEPARTMENT
Location: Monican Centre

Merrimack College, a suburban modern Catholic center of higher learning, is located in the Merrimack Valley of Massachusetts. The College community of more than 3,800 is part of the towns of Andover and North Andover, which have a combined population of 52,000 and is 2.5 miles from the city of Lawrence with a population of 70,000. The College shares with its neighboring communities many interests and problems including a concern about crime, access to events, and services.

Approximately 1,900 students can live on campus; about 700 commute to classes. The college employs 600 full-time and part-time faculty, administrators, and staff members, all of whom have access to academic, recreational and administrative facilities on campus. Access to the residence halls, however, is limited to students and their guests in accordance with college procedure. Employee access to campus residential areas is restricted to authorized Police and Campus Life personnel and Facilities performing work-orders under strict supervision. The public is admitted to cultural, recreational and sporting events on campus and access is limited to the facilities where the events are held. Students and parents are concerned about safety issues on a college campus. Merrimack College appreciates that concern and works to create an environment that allows the students to pursue their studies as free as possible from threats to their safety or well-being.

Campus incidents considered to be a threat to the safety and well-being of the College community are publicized through the Merrimack College Police Department., Office of Residence Life, and the College’s email and Emergency Notification System. Facilities maintains College buildings and grounds with a concern for safety and security. It inspects facilities regularly and promptly makes repairs affecting safety and security, such as broken windows and locks. In addition to an active telephone jack in each student’s room, there are numerous outdoor call boxes, strategically located throughout the campus, and connected directly to the Merrimack College Police Department which operates 24/7. These phones can be used for emergencies as well as to request safety escorts and other police assistance. The Police Department can be contacted anytime at 978-837-5555 for general business or 978-837-5911 for emergencies.

Crime Statistics and Crime Rates
In accordance with the Crime Awareness and Campus Security Act of 1990 (also known as the Jeanne Clery Act), Merrimack College furnishes current students and employees, as well as those applicants for enrollment or employment who so request, an annual report of campus security policies and crime statistics. Institutional crime statistics may also be obtained on the internet at www.ope.ed.gov/security for the most recent three-year period. Statistics are also available on the department’s web site www.merrimack.edu/police or in flyer format from the Police Department.


**Engraving**
In order to protect student property, valuables such as stereos, cameras, televisions, and personal computers should be engraved; the Police Department will provide the tools without cost.

**Safety Escort**
If you feel uncomfortable walking alone at night, or have special circumstances that cause you to be concerned about your personal safety, you may contact Police Services at (978) 837-5555 externally, x5555 internally or by use of Emergency Phones located throughout the campus. An officer will provide a safety escort. The service is available to all community members and their guests.

Occasionally, situations may arise when an officer is unable to respond immediately to your request. The dispatcher will advise at the time of your call of any expected delays. A Student Security Team member may be dispatched to your location to provide the service. Please wait in a safe place for the arrival of your safety escort.

The Department of Police Services is committed to the goals of providing a safe, efficient and courteous escort service. Therefore, certain restrictions must be placed on this service. The escort service is not designed to:

- Provide transportation to/from places of employment, restaurants, taverns, airports, mass-transit, etc.
- Provide transportation for large groups or persons intoxicated or otherwise exhibiting obnoxious behavior.

**POST OFFICE**
*Location: Sakowich Campus Center, Second Floor*

The Campus Post Office, operated as a Contract Unit of the United States Postal Service, serves the entire campus community. Customers may purchase stamps and U.S. Postal Service Money Orders, send Express Mail, Priority Mail, Certified, Registered, Insured, Delivery and Signature Confirmation and International Mail. You may also obtain zip codes and postal information.

The Campus Post Office accepts cash, checks (with I.D.), credit/debit cards and MACK bucks for payment. Money Orders may be purchased with cash and debit cards only. As a college mail center, we also handle all the college mail sorting and delivery, and maintain student mailboxes.

**STUDENT INVOLVEMENT**
*Location: Sakowich Campus Center, Third Floor*

Merrimack College’s Office of Student Involvement’s mission is to engage students in purposeful out of classroom experiences that enlighten students through social, cultural, spiritual, transitional, and interpersonal development. And to empower them to live the mission of Merrimack College by promoting leadership, community building, awareness, scholarship, and service in their daily lives.

To learn more about opportunities offered through Student Involvement or ways to get involved, visit our website.
ACCEPTABLE USE POLICY FOR TECHNOLOGY

The purpose of this policy is to specify user responsibilities and to promote ethical, legal, and secure use of computing resources for the protection of all members of the Merrimack College community.

Technology at the College is a shared resource and is intended to be used to support the mission of the College by integrating technology in the design, delivery and management of educational programs, academic support, and administrative services in an Augustinian, values-sensitive environment. All users have the responsibility to make use of these resources in an efficient, ethical, and legal manner.

All persons granted access to Merrimack College's resources must comply with all security, legal, and confidentiality requirements established by the College and by external legal authorities. Access to and use of Merrimack College technology resources and the internet shall comply with federal laws, the laws of the Commonwealth of Massachusetts, and the policies and procedures of the College. By using the College's technology resources, including its network, users agree to the rules, regulations and guidelines of the College.

Each user is responsible for the security of his/her own password and account. A securely guarded password provides a high level of assurance of privacy and security of resources. A password is not to be shared with others or posted in a place accessible by others. A password authenticates the holder as an authorized user of the computing environment and must be protected from falling into the hands of an intruder. As a precautionary measure, passwords should be changed every 60 days. For privacy and security, all users are encouraged to lock their screens when they are away from their PCs.

Email users must adhere to the following:

• Messages should be non-commercial in nature. Use of the College network for non-College business activities is not permitted.
• Users are expected to practice common courtesy in using the email system and respect the privacy and feelings of others.
• Unauthorized access to another person's email or electronic files is prohibited.
• Mass e-mail messages to any group must be approved by the Vice President of Communication prior to being sent.
• Harassing and/or offensive messages, pyramid or chain letters, and pornographic material are all examples of inappropriate content for email transmission. Any use of obscene, indecent, racist, defamatory, threatening or harassing material is against College policy and will not be tolerated. Such use is subject to College discipline as well as criminal prosecution.

Users must understand that email is not absolutely private and should practice caution in sending messages that you would not want everyone to see over the network. ITS does not make a practice of monitoring email and other files, but may be requested to provide a copy of any file or information resident on College systems allegedly related to unacceptable use or to protect the College's network from systems and events that threaten or degrade operations. The College reserves the right to examine material stored on or transmitted through its systems. Any activity that inhibits or interferes with the use of the computers or networks of the College is not permitted. The College will ensure reasonable and acceptable use by monitoring access logs, traffic data, and network utilization.

Merrimack College users who conduct Web publishing are solely responsible for their sites’ content and adherences to all policies stated in this document, as well as all other College policies and public laws, and are asked to follow these guidelines:

• Third-party advertising or commercial promotion of non-Merrimack entities is not allowed. No banner or pop up banner advertising is allowed.
• Outbound commercial links must have an educational objective and must link to sites that do not contain content considered sexually explicit, profane, obscene, harassing, fraudulent, racially offensive, defamatory, or otherwise unlawful.
• All outside links must be targeted to a new window to ensure the user does not leave the Merrimack website.
• Links that result in personal gain are not permitted.
• Adherence to copyright law and trademark protection in all of its forms is required, including, but not limited to, books, music, movies, and graphics.
• No illegal activity of any kind is permitted.
• No threatening, harassing, or slanderous language will be condoned.
• All College policies apply.

Merrimack College respects the copyright protection given by federal law to owners of software and intellectual property as stated in
the Copyright Act of 1976 and under the Federal Digital Millennium Copyright Act of 1998, and adheres to the statement of principle developed by the EDUCOM Software Initiative relating to intellectual property and ethical use of software. It is against College policy to copy or reproduce any licensed software or intellectual property, or to illegally download from the Internet any copyrighted material, including music, movies, and videos. A user may not use software that has been obtained illegally on College equipment or personal equipment housed at the College or any systems used by the College hosted off-campus.

United States law also prohibits duplicating software for use by multiple users within an organization, and/or distributing an unauthorized copy to another individual. Users of College computers are subject to the United States copyright laws, including ensuring that the restrictions that apply to the reproduction of software and intellectual property are adhered to and that the bounds of copying permissible under the fair use doctrine are not exceeded (i.e., a backup copy may be made). Violation of these requirements will subject the offender to disciplinary action that may include suspension of access, disciplinary action by the College, and/or accountability in a court of law.

Merrimack College’s Acceptable Use Policies shall not supersede federal or state laws. Illegal actions may result in prosecution by federal, state, or local agencies. Under the terms of the Digital Millennium Copyright Act of 1998, the College is obligated to take appropriate action if it receives a complaint that copyrighted material is being published over our network without permission.

In addition to internal College sanctions that can impact on a student’s academic performance, the College will cooperate with all local, state, and federal agencies whenever necessary. The College will not be responsible for sanctions taken by these agencies for violations of the College’s Acceptable Use Policy that are against local, state, and federal laws and criminal codes.

Tampering with computer files, software, or knowingly introducing a virus to a College computer system is a criminal offense punishable through a court of law.

All users are expected to uphold all applicable federal, state, and local laws, regulations, treaties or tariffs, as well as ethical laws of decency while using the Merrimack College computing resources. Any individual, who participates in conduct which adversely affects the College’s pursuit of its educational objectives, violates or shows disregard for the rights of individuals within the College community, or damages property will be subject to institutional discipline. Reports of known or suspected offenses may be made to the College’s Chief Information Officer, who will refer any apparent violations to the appropriate disciplinary process.

Merrimack College provides campus-wide wireless internet access, including in the residence halls. To ensure the most reliable and consistent wireless internet access, students are not permitted to bring or use any potentially interfering wireless devices on campus. This includes, but is not limited to personal wireless routers, wireless access points, and wireless printers. Please contact the Help Desk if you have any questions about wireless interference.

Users should NOT expect or assume any right of privacy with respect to the use of the College’s information technology (IT) resources. Although the office of Information Technology Services (ITS) does not routinely monitor the communications of its students, system administrators or other authorized personnel may access or examine files or accounts that are suspected of unauthorized use or misuse, that have been corrupted or damaged, or that may threaten the integrity of the College’s computer systems or network.

ATHLETIC ELIGIBILITY POLICY

Merrimack College recognizes its obligation to uphold the standards of eligibility for all student athletes as governed by the NCAA, Hockey East, Northeast-10 Conference and affiliated conferences.

Competing at the College level is a major commitment and typically draws only the elite athletes from high schools. If interested in competing in intercollegiate athletics, student athletes must contact the coach of that particular sport. Because Merrimack College is a division II institution with division I ice hockey all student-athletes must register and be certified by the NCAA Eligibility Center. For more information on eligibility and other NCAA guidelines, check out the online Guide for the College Bound Student Athlete at [http://ncaapublications.com](http://ncaapublications.com) and type guide to college bound student-athletes in the search box.

All incoming freshman student-athletes must meet the criteria set forth in NCAA Bylaw 14.3 Freshman Academic Requirements and must be certified by the NCAA Eligibility Center. Provided the student-athlete is enrolled full-time, he or she may practice but not compete (including scrimmages) for a maximum of 45 days prior to being cleared. Returning student-athletes must meet all of the...
criteria set forth in both the Merrimack College catalog and NCAA Bylaw 14. Each student-athlete will be certified at the end of each semester by the athletic department.

*For Rules and Regulations please see [http://www.ncaa.org/](http://www.ncaa.org/)

### CLASS CANCELLATION POLICY/WEATHER EMERGENCY POLICY

Students are responsible for obtaining information concerning the cancellation of classes by calling the Weather Emergency Hot Line at 978-837-5700 (off campus) or ext. 5700 (on campus) or by visiting the Merrimack College website at [www.merrimack.edu](http://www.merrimack.edu). Cancellations will also be announced on WBZ Radio 1030 AM and WBZ-TV Channel 4. Decisions about Continuing Education classes and Graduate School will be made by 2pm. Evening classes may be held even if day classes are not. BSEE (Bachelor of Science Electrical Engineering) classes which start at 4pm are considered part of Continuing Education for purposes of weather-related cancellations.

We also recommend that students sign up for RAVE Alert emergency notifications. Cancellation alerts will also be issued on the RAVE network.

### EMERGENCY NOTIFICATION

#### RAVE ALERT

Merrimack College has partnered with Rave Wireless, a leader in mobile safety, to offer an emergency notification system; RAVE ALERT is capable of sending the Merrimack College community, text, voice, and email messages in the event of emergency situations or school closings. All students, faculty, and staff are now able to receive Rave Alerts to their Merrimack email only. To receive Rave text alerts to your cell phone, go to: [www.getrave.com/login/merrimack](http://www.getrave.com/login/merrimack)

Merrimack College will only send you messages related to emergencies and school closings. You will never receive advertisements and your information is secure and never provided to advertisers. Any student, staff, or faculty member can subscribe to Rave Alert.

The entire campus community is highly encouraged to subscribe to this free service to be informed of emergencies and school closings when you are on the go. Subscription by all members of the campus community is pivotal in proper communication during an emergency. Failure to subscribe to the RAVE ALERT system is at the sole risk of the individual. All U.S. mobile carriers are supported. The text messages will come from either 67283 or 226787. We encourage you to save these numbers into your phone so that you will recognize them when messages are sent.

### INDEPENDENT STUDENT POLICY

Merrimack College will consider all students to be dependents of their parents unless the Office of the Registrar and the Office of Campus Life are notified to the contrary within 30 days after registration. This notification should include evidence that the student is in fact financially independent. A certified copy of the parents’ most recent income tax return, other public records, accounting records, etc. is acceptable for this purpose.

### INTRAMURAL PARTICIPATION BEHAVIOR POLICY

A fundamental principle, which is strictly enforced in our intramural sports program, is “Good Sportsmanship.” The positive behavior exhibited by the participants is an important goal of our program. Any player/s who is/are ejected from a game for unsportsmanlike behavior will receive an automatic two game suspension. Ejected individuals may be subject to disciplinary action as stated in the Student Code of Conduct. In the instance that a team is completely uncooperative and the captain has no control over the team or spectators the team may be asked to forfeit the game and be placed on official probation.

### INVOLUNTARY LEAVE OF ABSENCE POLICY

In exceptional circumstances or emergency situations, a student may be required to leave Merrimack College or college-provided housing in accordance with this policy.
Interim Suspension

The College may temporarily remove from the campus and/or college-provided housing any student whose behavior presents an immediate and substantial danger to the safety, health or welfare of any person, or whose behavior is substantially damaging College property or disrupting College operations. In emergency situations, advance notice to the student may not be feasible.

Involuntary Leave

The College may require a student to withdraw or take a leave of absence for a semester or more when the student's behavior presents a significant risk of substantial harm to any person, or substantially disrupts the College's academic or housing environments.

Assessments

In each case where emergency removal or involuntary leave is being considered, the College will conduct an individualized risk assessment. The Dean of Students (or designee) will be responsible for the assessment in consultation with the Director of the Hamel Health and Counseling Center, the Campus Police Chief, Legal Counsel, and/or other advisors, when feasible, at the Dean's discretion. The assessment will rely on objective evidence and the most current medical information reasonably available to the College or provided by the student. The College may require authorization from the student to review relevant medical records and may also require a medical examination of the student by an independent or College-employed health care provider.

Relevant factors to be considered in the risk assessment include the nature of the risk, its duration, frequency, severity and probability, as well as what reasonable support measures and/or modifications to existing policies and practices might sufficiently mitigate the risk. Speculation, stereotypes, or only marginally increased risks will not be considered.

The student will be given a reasonable opportunity to provide the assessment team with medical records or other information applicable to the risk assessment. Whenever reasonably possible, a meeting between the student and the Dean will be held prior to a decision on involuntary leave.

In emergency situations, the College will need to respond quickly based on limited information. Accordingly, the College may temporarily remove a student from the campus and/or college-provided housing before completing its comprehensive risk assessment. In such cases, the College will endeavor to complete its assessment as soon as practicable. The student may confer with the Dean and assessment team by telephone if a meeting is not feasible. A decision on involuntary leave will not be final until the student has had a reasonable opportunity to submit information applicable to the risk assessment.

When warranted by health or safety concerns, the College may impose temporary restrictions on the student pending final determination of the risk assessment. Such restrictions may include curfews, limitations on access to certain areas or equipment, no contact orders, meetings with advisors, compliance with the terms of a behavior contract, among other safeguards.

The student will be provided with written notice of the decision on involuntary leave. If leave is required, the notice will identify the risk factors on which the decision was based. Once invoked, the leave becomes effective immediately, and the student will be required to vacate the campus and/or college-provided housing.

The student may appeal a decision on involuntary leave to the Vice President for Mission and Student Affairs. Absent extraordinary circumstances, the appeal must be presented in writing within five (5) calendar days of the decision to place the student on involuntary leave. Leave requirements will be enforced while the appeal is pending. The decision of the Vice President for Mission and Student Affairs is final.

The records of the assessment and any appeal will be treated as confidential and maintained separately.

Returning to Campus and/or Housing

All students seeking to return to the College from an emergency removal or involuntary leave must demonstrate to the College's satisfaction that they are able to meet the College's academic and conduct requirements for continued enrollment and/or college-provided housing, live independently in college-provided housing (if applicable), including reasonable expectations for health, safety and welfare. The particular conditions for return shall be determined for each student on a case-by-case basis after an individualized assessment. In general, the College will require a meeting with the Dean of Students and/or the Director of the Hamel Health and Counseling Center, up-to-date information about the student's medical condition, and a certification from a treating physician or applicable health care provider regarding the student's ability to meet the College's academic and conduct requirements safely.
Typically, students are also asked to authorize the Director of the Hamel Health and Counseling Center to consult directly with student’s health care providers concerning any health or medical conditions applicable to the involuntary removal or leave. Other conditions may include a personal statement, behavior contract, medical examinations, compliance with a treatment program, or other safeguards.

The Dean of Students, in consultation with the Director of the Hamel Health and Counseling Center, will make the final decision as to whether a student may return and under what conditions. The student may appeal the Dean’s decision to the Vice President for Mission and Student Affairs. Absent extraordinary circumstances, the appeal must be presented in writing within five (5) calendar days of the Dean’s decision. The decision of the Vice President of Mission and Student Affairs is final.

Notice to Parent/Guardians
Absent medical advice to the contrary, the College will ordinarily notify a student’s parents or guardians about an emergency removal or involuntary leave situation.

**LEAVE OF ABSENCE (MEDICAL) POLICY**
Students seeking a medical leave of absence will be referred to the Director of the Hamel Health and Counseling Center. They are not required to have completed a minimum of two semesters as full-time students, and they need to provide written documentation from a physician or other qualified licensed professional. The Hamel Health and Counseling Center will review the documentation and is responsible for approving medical leave. After two semesters on medical leave, the Registrar’s Office will contact the student and ask if they intend to return for the next semester or if they want the leave extended. When a student wishes to return to the College following a medical leave, the student will submit documentation from a physician or other qualified licensed professional regarding their readiness to return to the Hamel Health and Counseling Center who will then arrange a meeting with the student. This information will remain confidential to the Center. With the student's permission, the Hamel staff member will then recommend the student’s return to the College to the Dean of Students, who will make the final determination.

**LEAVE OF ABSENCE (PERSONAL) POLICY**
Personal leaves of absence are granted to students in good academic and disciplinary standing who have completed at least two semesters as full-time students at the College and who determine that circumstances necessitate a temporary interruption of their college careers. Authorization for leaves of absence will granted by the Registrar’s Office upon approval from the Dean of Students and receipt of the student’s written notification of intent. Carrying with it an intention of returning to the College, a leave of absence guarantees readmission to the College upon receipt by the Registrar of a notification of the intent to return.

Only one leave of absence will normally be granted each student and they are granted for not more than one year, unless the student receives an extension of the leave from the Registrar’s Office. Students on leaves of absence of more than one year’s duration may be held to any changes in the College curriculum or their programs of study occurring during their leaves.

The guaranteed readmission may be revoked if the student's conduct while on leave is such that it would have resulted in disciplinary discontinuance had he or she remained at the College. The student retains the right of appeal in such cases. Acceptance for return as a resident student is always contingent upon space in the residence halls. Any student who wishes to live on campus upon his or her return must place his or her name on the waiting list maintained by the Office of Residence Life.

**MERRIMACK VAN DRIVER POLICY**
Students otherwise licensed to drive may drive a Merrimack College vehicle only after taking and passing a driving training course. To sign up for a training course, students must contact their advisor and the advisor will arrange a training time with the Merrimack College Police Department. Once Van Driver Certified, students may sign out the vans through their student organization/group advisor in conjunction with Facilities. All vans are monitored for speed via a GPS tracking device and all reports of speeding, reckless driving or inappropriate use of the van will be dealt with accordingly: a first offense may range from a warning to a student having his or her driving privileges suspended; a second offense will always be met with the suspension of a student's driving privileges.
NOTICE OF NONDISCRIMINATION
Merrimack College is firmly committed to the practice of equal opportunity and prohibits discrimination of any kind. Every student is entitled an environment free of discrimination, which erodes dignity and morale. Discrimination constitutes a serious infraction of College policy, as well as a violation of state and federal law. Any member of the Merrimack College community, who discriminates against, excludes, degrades, or otherwise devalues another on basis of race, color, religion, national origin, ancestry, sex, sexual orientation, gender, gender identity, age, mental or physical disability, or other lawfully protected categories, will be disciplined accordingly, up to and including dismissal.

It is policy of Merrimack College to administer all decisions without regard to race, color, religion, national origin, ancestry, gender, gender identity, sexual orientation, age, mental or physical disability, or other lawfully protected categories.

OFFICIAL COMMUNICATION POLICY
The official communication channel to all students, faculty, staff and administration is the College-assigned e-mail account. All members of the College community are responsible for reading materials sent via electronic mail. This includes official announcements or policies that affect operations of the College. Lack of awareness of e-mail sent by the College will not be accepted as a reason for failure to comply with information in the message and can lead to disciplinary measures as described in the “Student Conduct Process” section of this handbook. The College will also send information through printed communication as determined by Office of Communications.

If you have questions about your Merrimack e-mail account, please contact the Information Technologies Help Desk in McQuade Library or call ext. 3500 or email askit@merrimack.edu.

PARKING POLICIES
Parking & Traffic Updates
Please check the Merrimack College Police web site at www.merrimack.edu/police for the most up to date rules and regulations regarding Parking and Traffic. Please send all parking-related questions to parking@merrimack.edu. Parking regulations will be strictly enforced.

General Vehicle Regulations
Please note that operating and parking a vehicle on campus is considered a privilege. Individuals who do not adhere to parking and traffic policies may lose the ability to have a vehicles on campus.

Any student or employee who operates or parks a motor vehicle on the campus must register the vehicle with the Merrimack College Police Department and every vehicle must display a parking decal on the rearmost section of window on the driver’s side of the vehicle. The parking decal must be permanently affixed with the adhesive that exists on the decal. In the case of convertibles, tinted windows, etc., ask the Police Department where the decal should be affixed. Decals must be removed after a student or employee is no longer registered/employed at the College. When a vehicle is sold or transferred to another and the student/faculty member requires a new decal, the old sticker must be returned.

Operators must have a valid driver’s license in their possession while driving on campus and must present it to a police officer upon request. All vehicles must be insured and registered and the vehicle registration must be presented to a police officer upon request.

The student who owns and/or operates a vehicle on campus shall be responsible for any liability or damage claims (including parking penalties) arising from the vehicle. The College assumes no responsibility for the care or protection of any vehicle or any of its contents at any time including the time it is in any parking area.

During the first three class days of each semester, cars will not be issued parking citations for not having the appropriate parking decal as long as the car is authorized to be on campus and is parked legally and in the appropriate parking lot. After the three-day grace period, vehicles must be registered immediately upon arrival on campus. The Police Department is always open.
A lost or defaced decal must be replaced at once. Decals are not transferable. Decals for students/employees are issued only for their own personal use. Any transfers or misuse of these decals will result in the cancellation of said decal and a fine of $100 to all parties involved.

Motorcycles and scooters must be registered with the Police Department, but they will not be issued a decal.

Students from states other than Massachusetts are reminded that if they operate a motor vehicle here for thirty days or more, they must comply with the statutes of the Commonwealth regarding compulsory insurance.

The use or parking of motor homes, campers, off road and recreational vehicles on campus is prohibited.

**Resident Student Parking**

A Resident Student Parking Decal Fee of $400 (non-refundable) will be charged to all students.

Resident student parking decals will be sold on a first-come, first-served basis to seniors during the first week of class, and then, if available, to juniors by lottery, and sophomores thereafter. Freshmen students will not be permitted to have a vehicle on campus. Only seniors who intend to purchase a decal should have any expectation to keep a car on campus during the academic year; no other resident students should bring cars unless they become eligible to purchase a decal.

**Guests**

Parents and other family members having a car on campus while visiting resident students must obtain a parking permit from the Police Department. The Town of Andover does not allow on-street parking in the College neighborhood except for those who have Andover resident parking permits.

**Parking Decals for Commuting Students**

All commuter students are eligible for commuter parking decals and commuter students are required to register their vehicle with the campus Police Department when they arrive on campus for the start of the fall semester. Commuting students will be issued parking decals for $100.

The Town of Andover does not allow on-street parking in the College neighborhood except for those who have Andover resident parking permits.

Temporary dashboard parking permits are available to students who are using another vehicle while their primary vehicle is not being used for a short period of time.

**Parking/Traffic Regulations**

All students/employees must park on campus in the areas designated for the type of permit they have been issued. A student using a car that belongs to an employee (such as a parent who works at the College) must follow the parking rules and regulations relative to their status as a student. Parking is permitted only in marked spaces – the area between two parallel yellow lines.

There is no driving/parking in the fire lanes – a fire lane being any way that would restrict emergency vehicles to any building on campus.

Driving/parking on sidewalks and service vehicle lanes is prohibited. A Merrimack College email will be sent out to authorize use of these areas for move-in and move-out days. Use of these areas at other times (to drop off or pick up a large item) is permitted only after obtaining advance permission from the Police Department.

Stopping, standing, or parking on any part of Walsh Way and Cullen Ave is prohibited. Please use parking areas and 15-minutes spaces for this purpose.

Unless otherwise posted, the speed limit on all campus roadways is 20 miles per hour. Speed limit in parking lots is 10 miles per hour.

Any accidents occurring on College property that involve personal injury or property damage must be reported at once to the Police Department.
Any person owning or operating a motor vehicle which becomes disabled while on the Merrimack College campus must assume the responsibility for notifying the Police Department of the disablement of the vehicle before abandoning the vehicle to return to his or her home or residence area. Failure to do so will result in the removal of the vehicle from the campus at the owner’s or operator’s expense.

The abandonment of any motor vehicle on any part of the Merrimack College campus is prohibited. Any motor vehicle parked on the campus without current state registration plates attached to the vehicle will be deemed to be an abandoned vehicle and as such will be subject to immediate removal from the campus.

Guests of resident students must obtain a combination visitor/parking permit from The Merrimack College Police Department or from one of the front desks at Deegan Hall, O’Brien Hall, Ash Centre, and Monican Centre.

The absence of posted signs shall not constitute a valid excuse for violating the regulations set forth in the official motor vehicle rules and regulations booklet.

Handicapped Parking

Only those vehicles displaying a valid state handicap license plate or placard will be authorized to park in designated handicapped parking areas. Those individuals who require temporary access to handicapped parking areas due to a temporary medical condition may obtain a temporary handicap permit from the Massachusetts Registry of Motor Vehicles after providing appropriate medical documentation signed by a physician. Applications are available at the campus Police Department.

Penalties

Merrimack College parking/traffic citations will be issued to those who violate parking/traffic rules and regulations as well as to those who fail to comply with posted signs or the directions of the Campus Police Officers or Campus Safety staff.

Payment of citation fines is to be made to the Bursar’s Office. Students who do not pay such fines will have the amount added to their student bill. Outstanding balances on student accounts will result in grades/diplomas/transcripts being withheld as well as the inability to register for classes. Unpaid citations from persons other than students may result in the vehicle being towed from campus, being immobilized, or the operator/owner being banned from campus.

A vehicle receiving three parking citations during an academic year will be deemed a habitual offender. The vehicle will be towed from campus upon the third and subsequent violations. Owners/Operators of such vehicles may also have their current and future parking privileges revoked by the Chief of Police and their vehicles may be towed.

A person who operates a motor vehicle on campus while under the influence of intoxicating liquors, who otherwise operates a vehicle in a manner that potentially jeopardizes the safety of others on campus, or who is issued more than one moving violation citation during an academic year, may have their current and future privilege to drive on College property revoked by the Chief of Police.

A vehicle parked on campus in violation of any parking rule or regulation may be towed from campus at the discretion of the campus Police Department. Cost of such removal, and any storage fees, are payable directly to the towing company.

Appeals of Parking/Traffic Citations

A person receiving a parking citation may file a written appeal within 10 calendar days from the date the citation was issued. Appeal Forms are available at the campus Police Department or can be downloaded from the Police Department web site. Appeal forms may be dropped off at, or mailed to the campus Police Department.

A Parking Appeals Committee – consisting of student, employee (non-police) and faculty representation - meets regularly to hear appeals and the appealing party will generally receive a written response within two weeks.

The decision of the Appeals Committee is final unless new, relevant, and previously unavailable information can be presented, by email or letter, to the Chief of Police within 7 calendar days of receiving the original appeal decision. In such cases, the Chief (or his/her designee) will consider if a re-appeal is appropriate and the appealing party will be notified.
A person receiving a citation for a moving violation, or a person who had their car towed from campus, may file a written appeal within 10 calendar days by following the procedures in the previous bullet. Such appeals will be heard by the Chief of Police or his/her designee.

SCHOLASTIC STANDING POLICY
Students must be making overall Satisfactory Academic Progress (SAP) for financial aid purposes. Those who fail to meet the minimum SAP standards may be ineligible for both federal financial aid and institutional scholarship funding. For qualifications and requirements for scholarship retention, please refer to the Office of Financial Aid (978) 837-5186 or visit http://www.merrimack.edu/aid/sap.php

STUDENT CLUBS AND ORGANIZATIONS POLICY
Students registered at Merrimack College have the ability to join or create student organizations in accordance with the policy present in the Student Organization Handbook of the Office of Student Involvement. All student organizations must adhere to and are subject to the Student Organization policies as well as those policies in the Student Code of Conduct. These policies provide several benefits to organizations as well as establish criteria for maintaining recognition. Any violation that is attributed to a student organization could result in sanctions for the organization through the Student Organization Handbook and the individuals involved may be put through the student conduct system in accordance with the Merrimack College Code of Conduct Policies.

FERPA - STUDENT PRIVACY RIGHTS
The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." These rights include:

- Students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

- Students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

- Generally, schools must have written permission from the student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
Other schools to which a student is transferring;
Specified officials for audit or evaluation purposes;
Appropriate parties in connection with financial aid to a student;
Organizations conducting certain studies for or on behalf of the school;
Accrediting organizations;
To comply with a judicial order or lawfully issued subpoena;
Appropriate officials in cases of health and safety emergencies; and
State and local authorities, within a juvenile justice system, pursuant to specific State law.

The College discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (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 his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.

- Schools may disclose, without consent, "directory" information such as a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

In general, the College will not release information from students’ records to agencies outside the College without the prior written consent or request of the student. However, the College may release the following directory information, without the prior consent of the student:

- The College identifies the following student information as directory information: name, address, telephone number, email address, and photograph; date and place of birth; fields of study, academic level and enrollment status; participation in officially recognized activities and sports, weight and height of members of athletic teams; dates of attendance; degrees, honors and awards received; the most recent previous educational agency or institution attended by the students; and other similar information.

Those students who do not desire the release of directory information should notify the Registrar in writing. This request will be honored until otherwise notified.

WITHDRAWAL POLICIES
Remittances should be made payable to Merrimack College. No student will be allowed to attend classes until all charges are paid in full. It is the students’ responsibility to monitor the account on-line to ensure that all outstanding balances are paid in full. No student will be allowed to receive a degree, certificate or official transcript of credits until financial accounts with the College have been satisfactorily settled.

Notice of withdrawal must be given in writing to the Registrar’s Office. Resident students must also notify the Director of Residence Life, in writing. Oral notice is not sufficient.

% of Refundable Tuition Room & Board Charges
Prior to the end of the first week: Full Refund
Prior to the end of the second week: 50% Refund
Prior to the end of the third week: 25% Refund
After the third week No Refund

Return of Title IV Funds
Merrimack College complies with the refund policies as outlined in the Higher Education Amendments of 1998. The refund calculation for the return of Title IV funds with a completion of less than or equal to sixty per cent of the semester will be the lesser of:
Total Title IV Aid X % of Uncompleted Semester = Unearned Aid, -OR-
Total Institutional Costs X % of Uncompleted Semester = Unearned Costs

The College will refund the credit of the lesser of Unearned Aid or Unearned Costs to the Title IV programs in the following order:

- Federal Stafford Unsubsidized Loan
- Federal Stafford Subsidized Loan
- Federal Perkins Loan
- Federal PLUS Loan
- Federal Pell Grant
- Federal Academic Competitive Grant
- Federal National Smart Grant
- Federal SEOG

If more than sixty per cent of the semester is completed, no Title IV funds will be returned.
COMMUNITY STANDARDS

STATEMENT OF COMMUNITY STANDARDS
Before all else the students, faculty, staff and administration of Merrimack College form an Augustinian community that supports and challenges its members in the pursuit of truth. We declare and celebrate our common purpose, and commit ourselves:

- to serious study, generous service and courageous leadership
- to academic integrity and personal growth
- to civilized discourse in the exchange of ideas
- to friendship, diversity, and mutual respect
- to primacy of conscience and the spiritual life
- to responsibility for the common good, and
- to pride in our school and ourselves.

MERRIMACK COLLEGE STUDENT CONDUCT PROCESS

OVERVIEW
The College strives to maintain an environment that is consistent with its Augustinian mission and respectful of the rights of all individuals within the College community. The College affirms that all members of this community are freely united by this agreement in the pursuit of scholarship and intellectual growth. The College and the students accept responsibility toward each other within this community. Consequently, it is necessary to establish procedures to ensure the preservation of this community and its goals and to respond promptly and accurately to actions that are contrary to these values and ideals.

The Merrimack College Student Conduct Process is directed to this end as it seeks in its disciplinary function to impart the values and ideals of this community as well as habits of conduct. When student conduct adversely impacts the College community, the educational program or the community standards of the College, the case will be processed within the student conduct system and sanctions commensurate with the offense will be applied.

The College will address behavior that is in violation of local, state or federal law in accordance with this system. In these cases, the College reserves the right to take action independent of that which may occur in a court of law and does not preclude a student from prosecution by law enforcement agencies.

FACILITATOR
The Director for Community Standards or designee is principally responsible for the functioning of the student conduct system. These responsibilities include:

- Conducting meetings as an Administrative Hearing Officer
- Selection of Student Conduct Board members
- Training of Administrative Hearing Officers and Student Conduct Board members
- Overseeing Student Conduct Board hearing proceedings
- Maintenance of student conduct records
- Ensuring compliance with Student Conduct Hearing conclusions
- General supervision of the student conduct process
- Serving as an ombudsperson and conducting pre-hearing conferences to explain the hearing process

JURISDICTION
The Merrimack College Community Standards and Student Code of Conduct apply to:

1.) Any student who is:
   a. Enrolled in or accepted for an academic course of program regardless of credits carried
   b. Who withdraws from the college after allegedly violating the drug policy, sexual misconduct policy or general safety code of conduct, but before a formal hearing can take place.
   c. Not officially enrolled for a particular term but has a continuing academic relationship with the College
   d. Living on or off campus
2.) Conduct that occurs:
   a. On College property
   b. At College sponsored events off campus and all locations of the College such as internships, co-ops, or study abroad
   c. Off campus and in the College’s sole discretion, calls into question the suitability of a student as a member of the Merrimack Community.

3.) A student is held responsible for his/her conduct from the time of commitment to attend the College through the awarding of a degree. Even in times when classes are not in session (summer, break periods, etc.)

4.) The Dean of Students or designee will determine on a case-by-case basis whether the Community Standards and Student Code of Conduct will be applied to off-campus conduct.

5.) Students are responsible for their conduct even when it may have been influenced by their physical or emotional state (irrespective of any medical or clinical diagnosis) or by alcohol or drug use.

6.) Students who do not complete their assigned sanctions or withdraws from the college prior to the resolution of a complaint will have a disciplinary hold placed on their student account which will prohibit course registration, requests for transcripts, adding or dropping courses and participation in the housing lottery.

STUDENT RIGHTS
Students who are referred for student conduct action are afforded the following rights:

• Prompt notification and explanation of the allegations.
• A fair, open-minded and objective consideration of the matter being discussed.
• A timely hearing by the Student Conduct Board or Administrative Hearing Officer.
• The opportunity to present their information surrounding an event.
• An advisor, who is a member of the Merrimack College community, which the student(s) must arrange for him/herself.
  ○ Advisors may not be attorneys. Attorneys may only participate in very limited circumstances where a student has pending criminal charges that are related to the matter being discussed in the hearing. Please see the Director of Community Standards for the rules regarding attorney participation.
• To present a reasonable number of witnesses and/or written character references at hearings.
• The opportunity to question, directly or indirectly, people presenting testimony against him or her.
• To submit an appeal or petition to the Vice President for Mission and Student Affairs (Student Conduct Board cases/Director of Community Standards cases) or the Director of Community Standards (Administrative Hearing Officer cases) within three working days from the date that the student is notified of the findings or when new information becomes available.

VIOLATION OF THE LAW AND COLLEGE DISCIPLINE
The College expects that its students will abide by federal and state law in addition to the College Community Standards and Code of Conduct. Violations may be addressed through the College Disciplinary System, through civil/criminal courts, or through both. When student conduct may have violated federal or state law, Merrimack College may take action against the student prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the Dean of Students or designee.

If the alleged offense is being heard by the Merrimack College Disciplinary System, the College may advise off-campus authorities of the existence of the Community Standards and Student Discipline System and how such matters are typically handled.

INCIDENT REPORTS
Any member of the Merrimack College Community may file an incident report and the filing of such with an Administrative Hearing Officer (AHO), the Director of Community Standards, or the Merrimack College Police Department which will initiate a response by the student conduct system. These reports will include all pertinent, available information concerning the allegation(s) that is available to the author. The author will be asked to present their report at Student Conduct Board hearings.

NOTICE OF STUDENT CONDUCT HEARINGS
Student(s) accused of misconduct by any member of the Merrimack community will be issued a Hearing Notification Letter by a particular Administrative Hearing Officer (AHO). The AHO will contact a student in writing, through electronic mail with the date, time, and location of a scheduled hearing. Student(s) who choose not to meet with an AHO as scheduled or who fail to contact the AHO to reschedule a meeting (for academic purposes only) will forfeit their opportunity to be heard at a hearing.
INTERIM ACTION
In situations where prompt action is required to remove a student(s) who poses a threat to the welfare of the community or any member thereof, the Dean of Students or her/his designee may institute measures, including relocation, removal from housing and suspension from the College in advance of the student conduct process.

STUDENT ORGANIZATION MISCONDUCT
When misconduct may be attributed to a student organization rather than an individual, the organization, represented by its Executive Board, will be referred directly to the Director of Student Involvement or designee.

STANDARD OF PROOF
In all student conduct proceedings, the hearing body or officer will use the preponderance of information in determining if a respondent is responsible for the alleged violation(s). This means that the hearing body or officer will determine if it is more likely than not that a violation has occurred.

HAZING INCIDENT INVESTIGATION AND HEARING PROCESS
- At the discretion of the Athletic Director/ Director of Student Involvement, all activities of the team/organization may be suspended pending an investigation of allegations of hazing
- The Merrimack College Police Department will conduct interviews and make a determination of whether or not hazing has occurred from a team/organization perspective. The Director will be included within decisions that are not unanimous.
- Student Conduct Board will be held or individual student conduct cases.
- VP for Mission and Student Affairs will hear appeals.
- Potential sanctions could include individual member, program or club/organization suspension.

FILES
Sanctions are kept on file in the Campus Life office. All files will be kept under the following schedule after a student’s departure from the institution for any reason.

<table>
<thead>
<tr>
<th>Type of record</th>
<th>Time Period for Retention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspension or Expulsion</td>
<td>Permanent file</td>
</tr>
<tr>
<td>All other matters</td>
<td>7 years after departure from institution</td>
</tr>
</tbody>
</table>

Student conduct records may be kept longer due to special circumstances, as deemed necessary by the Vice President of Mission and Student Affairs.

If a student graduates and has a single student conduct policy violation (that does not contain a Clery Report violation), that resulted in a sanction of Resident Hall Probation or less, i.e. Disciplinary Warning, Restitution, etc., and the Resident Hall Probation has ended, the student's file will be expunged upon graduation.

ADMINISTRATIVE HEARINGS
The majority of student conduct incidents at Merrimack College are adjudicated in a meeting with an Administrative Hearing Officer (AHO). The Director of Community Standards and administrators in the Office of Residence Life serve as AHOs.
- Senior Resident Advisors may hear matters with a maximum possible punitive sanction of Residence Hall Probation.
- Area Coordinator/Resident Directors may hear matters with a maximum possible sanction of removal from housing for designated periods of time.
- Assistant/Associate Directors of Residence Life may hear matters with a maximum possible sanction of removal from housing for extended periods of time.
- The Director of Community Standards and the Student Conduct Board can hear any matter, including those with a maximum possible sanction of expulsion from the College.

PROCEDURES FOR AN ADMINISTRATIVE HEARING
An AHO utilizes the following procedures when meeting with a student:
- The AHO will explain all alleged student conduct violations to the student(s); review the details of any incident report and discuss any further information that the AHO may have gathered.
• The student(s) will have an opportunity to respond by presenting their own version of the events, as well as a reasonable number of witnesses (up to the AHO’s discretion) relevant to the matter.
• During a hearing, the AHO will ask questions of the student(s) and/or witnesses to clarify the event. An AHO will not ask about any past violations of student conduct policy in relation to whether or not a violation has occurred in the event being discussed. The student(s) can also ask questions of any witnesses and can ask the AHO any questions they have surrounding student conduct policy or procedures.

• The AHO will then conclude the meeting in one of three ways:
  1. If the student(s) has stated that they are responsible for all violations, the AHO will then discuss possible sanctions with the student(s) and give the student(s) a deadline by which they will receive their final notice regarding the sanctions.
  2. If the student(s) have stated that they are not responsible for any charges brought against them, the AHO will then give the student(s) a deadline by which they will receive the decision from the AHO. The AHO will thoroughly review all of the information available and, using a standard of more likely than not, will decide if the student is responsible or not responsible.
  3. If the AHO requires further information, the AHO can seek out the information and schedule another discussion with the student(s) if needed.

Written notification of the outcome and sanctions of any hearing will be sent to the student(s) via email, with a copy going to the Director of Community Standards for the student’s file. The Director of Community Standards will have discretion to forward copies of all hearing results to parents of dependent students. In the case of student athletes, the Director of Athletics and the student’s coach may also be notified and, in the case of student leaders, their appropriate advisor.

STUDENT CONDUCT BOARD HEARINGS
The Student Conduct Board will consider all cases that may result in loss of housing, suspension, or expulsion from the College and other cases that are referred directly to it by the Director of Community Standards due to unusual complexity or seriousness. Examples include drug violations, sexual misconduct, assault, and other offenses. Finally, cases involving sexual misconduct may be adjudicated by a sub-committee of the Student Conduct Board as described in the College’s Sexual Misconduct procedures.

At certain times of the year (i.e. summer, vacation, exam periods, etc.) it may be impossible to convene the Student Conduct Board in a timely manner. At these times, and when cases would otherwise require Student Conduct Board attention, the Director of Community Standards may conduct hearings or authorize another AHO to conduct hearings, make any findings of responsibility, and impose any appropriate sanctions if there is a determination of responsibility.

The membership of the Student Conduct Board is comprised of the following representatives who will each serve a term of one academic year, and may be reappointed to serve subsequent terms:

• Students selected from among potential candidates who are nominated or request to be a member of the board. The Director of Community Standards will consider the candidates and select a few to be trained. All students must be in good disciplinary standing to serve as a Student Conduct Board Member.

• Faculty members appointed by the Faculty Senate, who are nominated or request to be members of the board. The Director of Community Standards will consider the candidates and select a few to be trained.

• Administrators who are nominated or request to be members of the board. The Director of Community Standards will consider the candidates and select a few to be trained.

An odd number and a minimum of five Board members, with at least one student representative and one faculty/staff representative, must be present to proceed with a hearing. Generally, the Director of Community Standards (or designee) will act as a liaison to the Office of Community Standards for all meetings of the Student Conduct Board. In this capacity, s/he will not actively participate in the hearing and will be present only to ensure that procedures are followed throughout the hearing and will answer any procedural questions that may arise. The Director of Community Standards will also prepare cases to be heard by the Student Conduct Board, including contacting people who may have direct knowledge of the events in question. A hearing will then be conducted and, based upon a thorough review of the information and using a standard of more likely than not ("preponderance of the evidence"), the Student Conduct Board will render a finding that a student is "responsible" or "not responsible" for an alleged violation. All decisions are made by majority vote. If responsible, the Student Conduct Board will consider the gravity of the matter and the student's conduct history and
determine an appropriate sanction. The Director of Community Standards will be responsible for notifying students of the hearing body's resolution.

PROCEDURES FOR A STUDENT CONDUCT BOARD HEARING
These procedures will generally be followed for Student Conduct Board Hearings:

- Members of the Student Conduct Board arrive 15 minutes ahead of scheduled hearing start time to review reports and prepare questions.
- Persons issuing incident reports (presenters) and accused students are brought into the hearing room.
- The presenter(s), accused students and all members of the Student Conduct Board have copies of the incident report.
- All parties will introduce themselves starting with the Director of Community Standards (or designee).
- The chairperson of the board reads aloud the description of the alleged violation of College policy.
- The student is asked if he or she understands the accusations and is asked to enter a response of responsible or not responsible.
- Presenter(s) gives a description of the incident.
  - Board members ask questions for clarification and fact finding.
  - Student(s) ask questions, through the chairperson.
- Accused student gives description of the incident. (In the event that there is more than one student, they shall give their descriptions in alphabetical order. This process shall prevail throughout the remainder of the hearing procedure.)
  - Board members ask questions for clarification and fact finding.
  - Presenter(s) ask questions.
  - Any other accused students can ask questions in alphabetical order.
- Witnesses are brought in and dismissed by the chairperson. Members of the Student Conduct Board, presenter(s), and accused students (in this order) may ask questions of witnesses for clarification and fact finding.
- Accused student may present two written character references to the hearing body. In-person character witnesses are not permitted during a hearing.
- Presenter(s) makes final statement.
- Accused student makes final statement.
- The hearing is concluded and the Board begins its private deliberations. All decisions are made by majority vote. Decisions are “responsible” or “not responsible” and the Student Conduct Board makes a determination of sanction if responsibility is determined.

SEXUAL MISCONDUCT PROCEEDINGS
Allegations of sexual misconduct, dating violence and/or stalking will be addressed within the Merrimack College student conduct system. Due to the sensitivity of these types of allegations, there are unique procedures that are used to facilitate the process.

Violations will be jointly investigated by the Director of Community Standards and the Merrimack College Police Department. Upon the completion of the investigation, the Director of Community Standards and Merrimack College Police Department will summarize their findings and recommendations for resolution. The investigators will present their findings and recommendations to both the victim(s) and the alleged student(s) for their review. The parties involved will then have an opportunity to review the investigators’ findings in an administrative conference. The victim and the alleged student have the opportunity to agree to the recommendations of the investigators. If either the victim or the alleged student does not agree with the recommendations of the investigators, the findings will be forwarded to a panel of the Student Conduct Board for an administrative hearing.

Hearing boards convened to discuss allegations of sexual misconduct will adhere to the following guidelines:

- A subcommittee of the Student Conduct Board will conduct these hearings. This board will ONLY be comprised of faculty and administrators. Three of the board members, including the chair, need to be present for a hearing to occur.
- The Student Conduct Board will be chaired by the Deputy Title IX Coordinator or her/his designee.
- Victims and alleged students will be allowed to bring an advisor to any formal proceedings.
- Both the victim and the alleged students will have the opportunity to submit written questions to be asked by the board at the hearing. The board will not allow questioning which they deem to be inappropriate or unrelated to the matter being discussed. Questions surrounding past sexual activity of either the presenter or the accused are expressly prohibited.
- Each party will be given the opportunity to address the board either in person or via written statement.
Both the victim and the alleged students will have the opportunity to submit character references to the board.

The investigators will be present throughout the hearing.

Once all parties have answered questions from the board, the board will determine responsibility for the violation and issue sanctions.

The Deputy Title IX Coordinator will then notify the victim and alleged student simultaneously.

Board findings can be appealed to the Vice President for Mission & Student Affairs based on the guidelines laid out in the Appeals policy.

Please see the Sexual Misconduct, Relationship Violence & Stalking Policy for more details.

MEDIATION

Mediation may be an appropriate alternative to the student conduct system in a situation that involves two or more individuals who are in a dispute with each other. The individuals involved in the dispute must both seek a mutually agreeable resolution. The mediation process is private, unless one of the participants reveals information that could constitute a risk to the college community or its members. Mediation is not available once a formal student conduct process has begun.

In mediation, a trained staff member will facilitate a conversation between the students involved with the goal of reaching an agreement that satisfies all parties involved. The mediator will not impose a solution or offer intervention through the student conduct process. At the conclusion of the mediation, all agreed-upon recommendations, stipulations, and expectations are recorded and signed by the parties involved. Any outcome from mediation will not be imposed or enforced by the college; a failure to abide by the resolution of the mediation may prolong the dispute until such a time that college intervention through the student conduct process becomes necessary.

Students seeking mediation should contact the Director of Community Standards in the office of Campus Life.

Mediation is NOT available in cases of allegations of Sexual Misconduct, Relationship Violence or Stalking.

VIOLATIONS OF COMMUNITY STANDARDS

The following types of student misconduct subject students to the Merrimack College Student Conduct System procedures. These behavioral expectations apply to all students no matter where or when their conduct may take place. Therefore, the Student Conduct system will apply to behaviors that take place on the campus, at Merrimack College sponsored events or trips, and may also apply to behaviors that take place off campus. In addition, the College also responds to complaints of misconduct online. These regulations should be read broadly and are not designed to define all instances of misconduct.

1) Failure to abide by the College Alcohol Policy

2) Failure to abide by the College Drug Policy

3) Residence Life Policies
   (A) Using a residence room for sales, solicitation, product demonstrations, commercial purposes or business operations
   (B) Disturbing the peace by making unreasonable noise, including: TV’s, stereos, games and verbal interactions, during Quiet Hours or in violation of standards expected during Courtesy Hours
   (C) Repeated violations during Health & Safety Inspections, recurring instances of inappropriate garbage disposal, or multiple instances of door propping
   (D) Failure to register an event or abide by the registered event policy and/or contract
   (E) Violation of Residence Life policies

4) Personal Conduct
   (A) Any written or verbal communication or physical gestures directed at an official or member of the College community that is disrespectful, intimidating, or demeaning
   (B) Violation of any federal, state, or local law
   (C) Intentional disruption of normal College activities such as studying, teaching, research, College administration or fire, police or emergency services
(D) Intentionally and substantially interfering with the freedom of expression of others on College premises or at College sponsored activities 
(E) Theft of property or of services or knowing possession of stolen property 
(F) Intentionally or recklessly destroying or damaging College property or the property of others 
(G) Failing to comply with the legitimate request of any Residence Life staff member, College official or Fire/Police Officer acting in the performance of his or her duties 
(H) Unauthorized presence in/on or forcible entry into any facility, property, roof, balconies, waterways or another student’s room; trespassing 
(I) Knowingly using, making or causing to be made, any key or keys for any facility without proper authorization 
(J) Gambling in any form, as defined by the Massachusetts General Laws 
(K) Failure to abide by the Acceptable Use for Technology Policy 
(L) Lewd or indecent behavior, including public urination, public nudity 
(M) Events and activities that are contrary to the College’s mission and values 
(N) Disorderly conduct 
(O) Failure to abide by Parking Policies 
(P) Failure to abide by policies at Merrimack College signature campus events including but not limited to Senior Week, Homecoming, and Spring Weekend

5) Identification
   (A) Misuse or alteration of Merrimack College Mack Cards, legal forms of identification or any official College document, including lending an ID to another person, using another person’s ID, forgery, duplication and unauthorized alteration
   (B) Possessing or providing false identification; refusing to identify oneself or to show proper College identification to any official who has properly identified herself or himself and who relates to the student the reason for the request. Students are expected to carry their Mack Card ID with them at all times.
   (C) Misrepresentation or unauthorized use of the Merrimack College name, logo, designs or advertising.

6) General Safety
   (A) Operating a motor vehicle while impaired by an “intoxicant”
   (B) Participating in a mass disturbance or gathering, or participating in unsponsored games, events or activities that may result in personal harm and/or disruption to the community
   (C) Infringing upon the rights of an individual or a group and/or jeopardizing the safety of individuals and property
   (D) Intentionally and/or irresponsibly inflicting physical or mental harm on any person or his/her property, which includes but is not limited to, physical assault, emotional abuse, or harassment
   (E) Expressing or implying, verbally or non-verbally, threat of mental or physical abuse or harassment against any person or his/her property for the purpose of submitting a person to physical pain or discomfort, indignity or humiliation at any time, regardless of the intent of such an act
   (F) Acts of bigotry that humiliates, degrades or otherwise harms an individual or individuals
   (G) Any offense committed by a student, including but not limited to: physical abuse, vandalism and conduct infringing on others, which includes intimidation that is motivated because of race, ethnicity, age, physical disability, religious affiliation, gender, or sexual orientation
   (H) Failure to abide by the Hazing Policy or other related activities which injure, degrade or disgrace or intend to injure, degrade or disgrace any person, in accordance with Massachusetts General Laws Chapter 269, Sections 17-19.
   (I) Unauthorized use, possession or storage of any weapon, including, but not limited to: any type of gun (including BB, pellet, and paintball), any type of sword (including decorative swords) and any blade
   (J) Entering or exiting a building through a window, throwing objects out of windows or off balconies or using windows to bring items into a building
   (K) Failure to abide by the Domestic Violence Policy

7) Fire Safety
   (A) Intentionally or recklessly causing a fire, explosion or other emergency 
   (B) Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency 
   (C) Intentionally or recklessly causing a false fire alarm 
   (D) Intentionally or recklessly misusing, damaging or tampering with fire safety equipment including smoke detectors, sprinklers and fire extinguishers.
(E) Unauthorized use or possession of fireworks or explosives
(F) Failure to evacuate during a fire alarm
(G) Use of Fire Door/Emergency Exit without cause
(H) Intentionally or recklessly obstructing means of egress or access, including but not limited to hallways, exit doors, and fire lanes. Vehicles in fire lanes, service roads, or on grass are prohibited, with the exception of Opening and Closing.

8) Failure to abide by the Guest/Visitor Policy

9) Failure to abide by the Sexual Misconduct Policy

10) Student Conduct System

(A) Knowingly providing a false report of a Student Conduct Policy violation
(B) Falsification, distortion or misrepresentation of information regarding a Student Conduct policy violation; interfering with the investigation of a possible Student Conduct policy violation
(C) Influencing or attempting to influence a person involved in Student Conduct procedures, including witnesses, Administrative Hearing Officers and members of the Student Conduct Board
(D) Attempting or committing an act of retaliation against a person who has reported or who intends to report a Student Conduct policy violation
(E) Violation of any restrictions, conditions or terms whether issued as an interim measure or a final sanction during the course of a Student Conduct hearing or during an appeal period
(F) If a student is aware of, or is in the presence of, a violation of Merrimack College policy and he/she remains in the presence of and/or fails to take reasonable actions to stop the violation, the student gives his/her consent to the violation and therefore shares in the responsibility for the violation. A student present when one or more violations are occurring also chooses to accept the consequences of being held responsible for a violation of College policy.
(G) Attempting, aiding, encouraging, facilitating, abetting, conspiring, hiring, or being an accessory to any act prohibited in this policy

SANCTIONS

If students are found responsible for a violation of College policy, a sanction is issued. These sanctions can serve many purposes, including educational and punitive. The educational function of sanctions is to inform students and help them to make better choices in the future. The punitive role of sanctions is to help students understand that their choices may result in consequences that they do not foresee.

It is in the sanctioning portion of the student conduct case that previous incidents will be reviewed and will have an impact on the current case sanctions. Students that have been found responsible for more than 3 incidents in their academic career may go before a Student Conduct Board rather than an Administrative Hearing Officer. Students that are on a “Deferred Removal from Housing” status may also go before a Student Conduct Board.

Students involved in the same incident may have varying disciplinary histories and therefore may receive different sanctions based on the number of incidents they have been found responsible for in the past.

The following is a list of typical sanctions that may be imposed as a result of student conduct proceedings. These sanctions are listed in ascending order of severity. While these are typical sanctions, others not listed may be deemed appropriate by student conduct authorities. All sanctions issued by any AHO or the Student Conduct Board are subject to review by the Vice President of Mission and Student Affairs or designee and may be altered at his/her discretion.

Formal Warning: An action taken indicating that further student conduct action will result if the student(s) is found responsible for future or subsequent offenses
Restitution: Compensation for damages in the form of monetary or service repayment
Fines: A monetary penalty in keeping with the severity of the offense
Restrictions: Temporary or permanent revocation of any of the following privileges:
  • Visitation and use of residence hall facilities
  • Guest/visitor privileges
- Social event registration privileges
- Motor vehicle privileges
- Membership in Campus Life organizations
- Participation in Campus Life programs and/or use of Campus facilities
- Participation in room selection process

**Campus/Community Service:** A work assignment given for a prescribed number of hours with a College department or local agency.

**Program Attendance:** A requirement to attend a specified number of programs or events within the College community during a designated time period.

**Education:** An assignment designed to educate a student about a particular issue; assignment may include writing a research or reflection paper, designing passive programming materials, conducting an interview with a College administrator or attending a class such as Anger Management or Alcohol Education.

**Counseling:** A referral given in lieu of another sanction. All evaluations shall remain confidential. It may be recommended that students seek other forms of counseling when appropriate.

**Payment of Transportation Voucher:** Those students that are transported to the hospital due to alcohol and receive a cab voucher for the ride back to campus will have to incur that cost after the hearing process.

**Residence Hall Probation:** An action taken indicating that further violation of residence hall policies will likely result in removal from residence. This probationary status will be imposed for a specified period of time.

**Disciplinary Probation:** An action taken indicating that further violation of College policy will likely result in a more severe sanction such as suspension or expulsion. This sanction will be imposed for a specified period of time. Students who have received disciplinary probation as a sanction may also be prevented from representing the College as a member of an athletic team or as a member of a student organization by the Director of Community Standards or designee, in conjunction with the appropriate office.

**Residence Hall Relocation:** A reassignment to a different resident space if such is available.

**Deferred Removal From Housing:** Removal from residence that has been deferred for a specified period of time; if the student commits any further violations while on this status, removal from residence will ensue for the remainder of the original time period as well as any removal time for the new sanction.

**Removal From Housing:** Removal from residence for a specified period of time. If suspension is for a period of one semester or longer, the student will be prohibited from all residence halls and must seek readmission through the Office of Residence Life waiting-list procedures at the conclusion of her/his suspension.

**Dismissal From Housing:** Removal from residence for the remainder of the College career and will be prohibited from visiting all residence facilities.

**Suspension:** A separation from the College for a specified period of time during which he/she may not use any campus facilities or visit any part of campus.

**Expulsion:** A permanent separation from the College and permanent prohibition from visiting the campus under any circumstance.

Any sanction that involves revocation of a privilege, such as housing, for which the student pays a fee, may result in the forfeiture of that fee to the College.

The College will notify parents, coaches and/or student advisors of any sanctions resulting from incidents involving alcohol or other drugs, as well as any sanctions that alter a student’s enrollment or residency at the College.

**MANDATORY MINIMUM SANCTIONS**

There are certain violations that will receive a minimum mandatory sanction. While sanctions may exceed those listed below, including the sanction of expulsion, they MAY NOT be less than that listed. The violations and the sanctions are as follows.

Only the Vice President for Mission and Student Affairs may alter a minimum mandatory sanction. Requests should be made to the Vice President for Mission and Student Affairs via email.

<table>
<thead>
<tr>
<th>Violation</th>
<th>Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale or distribution of drugs</td>
<td>Suspension; Permanent removal from housing</td>
</tr>
<tr>
<td>Possession/Use of marijuana and/or drug paraphernalia</td>
<td>Removal from housing for designated periods; Deferred removal from housing</td>
</tr>
<tr>
<td>Maliciously or intentionally causing activation of a false fire alarm</td>
<td>Removal from housing for designated periods; Deferred removal from housing</td>
</tr>
</tbody>
</table>
Maliciously or intentionally causing a fire | Suspension, Permanent removal from housing
---|---
Possession of a common source of alcohol on campus | Removal from housing for designated periods
Providing alcohol to minors | Removal from housing for designated periods; Deferred removal from housing
Hosting an unregistered social event | Residence Hall Probation and Attendance at Responsible Event Management class
Hosting a second unregistered social event during a probationary period | Removal from housing for designated periods

**FAILURE TO COMPLETE SANCTIONS**
Students that do not complete their sanctions by the required deadline will have a fine imposed and a hold placed on their student account. Fines will be in the amounts of either $100 or $250 depending on the sanction and this amount is specified in the Hearing Resolution letter. If fines are not paid by the time of registration, the Campus Life Office will lift the hold but the fine amount will increase with every month that the fine is not paid thereafter.

**APPEALS**
Accused students and complaining students may appeal findings made in hearings based upon any of the following criteria:
- New, relevant, and previously unavailable information can be presented
- The prescribed procedures of the student conduct system were not followed
- An excessive sanction that would impose significant and irreparable hardship

Appeals must be submitted in writing to Vice President for Mission and Student Affairs (Student Conduct Board cases/Director of Community Standards cases) or the Director of Community Standards (Administrative Hearing Officer cases) within three working days from the date that the student is notified of the findings or when new information becomes available. After a thorough consideration of the matter, if the Vice President finds no basis for the appeal, the matter is closed and the original finding is considered final and conclusive. If the Vice President is convinced that one or both of the above conditions exist, they may take the following action:
- Refer the case back to the original hearing body if new, relevant and previously unavailable information exists. The matter would then be reconsidered and a final determination reached.
- In the event of a procedural error, a different hearing authority would reconsider the case. The Student Conduct Board, with a different chairperson appointed by the Vice President for Mission and Student Affairs or designee (or, at times when the Student Conduct Board cannot be convened, another AHO), would reconsider matters originally heard by any AHO. The Vice President for Mission and Student Affairs or designee would reconsider matters originally heard by the Student Conduct Board. The decisions of these hearing authorities would be final.

**ALCOHOL AND OTHER DRUG POLICY**
Merrimack College upholds the laws of the Commonwealth of Massachusetts regarding the sale, purchase, transportation, serving and consumption of alcoholic beverages by all members of the community. The College expects that these laws will be adhered to at all times and at all on and off-campus events. Merrimack College strongly encourages all students to become familiar with these laws and to consider the associated penalties and other potential risks that can result from violations.

The College does not intend through its guidelines or policies to restrict the responsible use of alcohol by members of the Merrimack College community who meet the Massachusetts legal drinking age requirement. However, efforts to observe existing laws and regulations in an environment in which the majority of the student body is not of legal drinking age are almost certain to impose constraints upon those who are of legal drinking age. The College expects that members of the Merrimack community of legal drinking age who choose to consume alcohol will do so responsibly and within the College’s established policies and procedures.

The College community recognizes alcohol abuse is contrary to the mission of the College. The abuse of alcohol imposes negative consequences on the individual, the members of the Merrimack College community, and the community as a whole. To address alcohol consumption at Merrimack College, the College has implemented a comprehensive alcohol education and abuse prevention program. Campus wide prevention events, online education, residence hall and athletic team programs and individual educational sessions provide many opportunities for students to obtain accurate information to assist them in making healthy, safe choices. Students found in violation of the Alcohol Policy will be held responsible for their decisions.
Medical Amnesty Policy

At Merrimack College, the primary concern of our Community Standards is the safety and wellbeing of all members of our community. In cases of a medical emergency resulting from alcohol and/or other drug use, students are strongly encouraged to seek out medical attention by contacting Residence Life staff and/or the Merrimack College Police Department. Any student who seeks out medical assistance on behalf of themselves or another student, and remains with the student until a time when help arrives, will not be subject to disciplinary action for violations of the alcohol and/or drug policies, at the discretion of the Director of Community Standards. The Medical Amnesty policy does not apply to students who are found and confronted by staff (Merrimack College Police Department, Residence Life staff, etc.).

Though a student may not be subject to disciplinary action for violations of the alcohol and/or drug policies, other violations of the Community Standards will be subject to disciplinary action, including but not limited to disorderly conduct, vandalism, distribution, and violence.

Any student who is assessed and/or transported by medical professionals will be required to complete certain educational interventions, including one to two confidential meetings with staff in either the Hamel Health and Counseling Center or the Office of Wellness Education. Failure to complete this requirement will result in disciplinary action. In addition, they will be responsible for all financial costs associated with their medical treatment/care.

Students who seek help for alcohol and/or other drug related medical emergencies more than once during their enrollment at the College will be subject to disciplinary action. The Director of Community Standards reserves the right to deny Medical Amnesty when instances of alcohol or other drug related emergencies persist.

General Alcohol Policy

Primary responsibility for knowing and abiding by the provisions of all components of the college Alcohol Policy rests with each individual. The use of alcoholic beverages on the campus must be in compliance with approved federal, Commonwealth and local laws as well as Merrimack College policies pertaining to campus events and residence areas, including, but not limited to, those outlined in this policy. At any time, as determined by the amount of noise, numbers of people and traffic patterns, the college reserves the right to suspend the ability to consume or possess alcohol within any given area.

1. The legal drinking age in Massachusetts is twenty-one (21) years of age. For students under twenty-one (21) years of age, it is a violation of state law and/or college policy to possess, sell, transport, consume, or be in the presence of alcohol in designated areas on the Merrimack College campus, including residence halls. Alcohol in a student residence or vehicle is considered to be in that student’s possession, whether he or she is present or not.
2. No person may sell, furnish or give alcohol to any person under the legal drinking age. No person may sell, furnish or give alcohol to anyone who is visibly intoxicated, even if that person is twenty-one (21) years of age or over.
3. Intoxication, as assessed by Residence Life staff or the Merrimack College Police Department, is not permitted anywhere on campus regardless of age. A person is considered to be intoxicated when the consumption of alcohol substantially interferes with judgment and decision-making, results in destructive or disruptive behavior, and/or requires the intervention of college personnel. Behavioral symptoms that will be considered in determining intoxication include, but are not limited to, impaired motor skill/coordination, difficulty communicating, vomiting, glazed/red eyes, the smell of alcoholic beverage on one’s breath, and verbal and/or physical aggressiveness.
4. Intoxication, as assessed by college staff, administrators or the Merrimack College Police Department in their sole reasonable discretion, is not permitted during Merrimack College sponsored events, including any event sponsored by a student organization, whether on or off campus.
5. Beer kegs, punch bowls, beer balls or any similar type of common source or their equivalents are prohibited from campus property.
6. Empty kegs, punch bowls and beer balls as well as collections of beer bottles and cans are prohibited on campus.
7. The use or possession of grain alcohol is prohibited.
8. The use of funnels, ice luges, beer bongs, or any other device used to consume alcohol without regard for moderation is strictly prohibited. Also, games (including, but not limited to Beer Pong with or without alcohol) in which the object is to consume alcohol/liquid without regard for moderation is strictly prohibited.

9. Falsifying an I.D. or using the I.D. of another is against college policy, as well as state law.

10. Consumption of alcoholic beverages, as well as the possession of open containers of alcoholic beverage, is prohibited when out of doors on campus or in any campus common area) or public space by individuals of any age unless at an event where the serving of alcohol has been approved by the Campus Life staff. Common areas are: hallways, stairwells and lounges. For the purposes of this paragraph 10 only, the townhouse living rooms are not considered common areas.

11. Individuals who are of legal age may possess and consume alcoholic beverages as long as such possession and consumption is effected in accord with college policy and procedure.

12. Persons who are 21 years of age or older may possess and transport alcohol in its original, unopened container to/from any vehicle to/from any residence only where alcohol is permitted by the college Alcohol Policy. The maximum amount of alcohol permitted in the possession of someone who is of legal age is the equivalent of: an 18 pack of twelve ounce containers of beer or wine coolers or an equivalent amount of beer in other containers; OR, one pint of liquor; OR, one half gallon of wine.

**Residential Area Alcohol Policy**

Living in a residence hall is a community living experience where all members have certain rights and responsibilities. In addition to the regulations described in the General Alcohol Policy, the following standards of behavior are designed to maximize the positive aspects of residence hall living. Alcoholic beverages may be consumed in the privacy of a resident's room provided all General Alcohol Policies are adhered to, as well as the following:

1. For students 21 years of age or older who reside in the St. Ann and St. Thomas Apartment Complex, Monican, O'Brien, the Townhouses, and New Hall, it is permissible to possess alcohol within the personal limitations and to consume alcohol in the bedrooms and common rooms of suites, apartments and townhouses.

2. Ash Center, Deegan East and West are all DRY residence areas. Regardless of age you cannot be in possession of alcohol in these areas.

3. Except in the case of Registered Events, the maximum amount of alcohol permitted in a room at any time is based upon the number of residents of legal age assigned to the room. Each resident of legal age is allowed the Maximum Possession Limit detailed in the General Alcohol Policies.

4. No one, whether a student or guest of legal age, may enter the residence halls with more than the Maximum Possession Limit.

5. Non-Merrimack College visitors, regardless of age, are prohibited from bringing alcohol onto campus except during designated events.

6. Empty alcohol containers must be moved to one of the designated recycling or trash areas in the residential facility within twenty four hours of consumption. Empty alcohol containers and/or other materials exceeding the personal limitations may not be stored in a student room, suite or apartment common area.

7. Alcohol advertising items, including display banners, neon and/or electric signs and empty alcohol bottles are prohibited from public areas or in public view such as in the window or on an exterior room door. The use of empty alcohol containers or empty boxes as decorations in rooms is prohibited regardless of the age of the rooms’ residents.

8. Consumption of alcohol in areas not assigned to a student, such as stairwells, entranceways, or hallways is prohibited.

**Social Host Liability & Registered Events**

The Commonwealth of Massachusetts laws regarding social host liability apply to all students regardless of age who host Registered Events at Merrimack College, including all residents living in the assigned area where a Registered Event is being held. It is against College policy and Commonwealth of Massachusetts law to provide alcohol to minors, to allow minors to drink in your home or on property under your control, including College residences. This includes instances where the minor purchases and/or brings their own alcohol into your residence. There is no need to show that the host actually supplied alcohol to the minor. Criminal penalties include a fine up to $2000, imprisonment for up to a year, or both, according to Mass. General Law chapter 138, section 34. In addition to criminal penalties, hosts may also be sued civilly if the minor becomes ill or dies from ingesting alcohol, if the minor causes damage to property, or if the minor causes harm to another person.

Residence Life and/or the Merrimack College Police Department may disband any Registered Event at any time when a violation to the Registered Event contract or Student Code is found. Students involved in a Registered Event being prematurely closed may be subject to disciplinary action. The privilege to host Registered Events in the future will be taken from individuals whom are found to violate any of these policies.
General Drug Policy

The College has long recognized the dangers of illicit drug use as well as the misuse of prescription drugs, and is intent on enforcing federal, state and local regulations regarding such. In addition, Merrimack College has established its own specific regulations regarding such drug use. These regulations include but are not limited to:

a. Possession, use, manufacture, sale, or distribution of federally defined illegal drugs, and controlled substances including, but not limited to, marijuana, narcotics, barbiturates, hallucinogens, or amphetamines is prohibited by college students, whether on or off campus.

b. Medicinal marijuana is not permitted in housing provided by the College.

c. Impairment due to illicit drug use is not permitted anywhere on campus. A person is considered impaired due to drug use if that use substantially interferes with judgment and decision-making, results in destructive or disruptive behavior, and/or requires the intervention of College personnel. Behavioral symptoms that will be considered in determining impairment include, but are not limited to, impaired motor skill/coordination, difficulty communicating, vomiting, glazed/red eyes, and verbal and/or physical aggressiveness.

d. Misuse, abuse, possession, sale or distribution of prescription medications is prohibited. The possession of a medication prescribed for someone else is also prohibited.

e. Operating a motor vehicle under the influence of a controlled substance on College property will result in referral to the Merrimack College Student Conduct System, civil and/or criminal action if the situation warrants such action.

f. Possession of drug paraphernalia is prohibited. Drug paraphernalia is defined as “any equipment, product, or material of any kind which is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.” Drug paraphernalia includes but is not limited to bongs, pipes, bowls, rolling papers, hookahs and roach clips.

g. Evidence of use of marijuana, identified by the presence of residue or seeds, by detection of the odor of marijuana by two staff members, by the presence of drug paraphernalia, or by the indication of attempt to prevent odor and/or smoke to emit from a room, such as towels rolled under doors and fans directing air flow out a window is considered a violation of the Merrimack College Drug Policy.

h. It is prohibited to be in the presence of illegal drug use.

The Drug-Free Schools and Communities Act

The Drug-Free Schools and Communities Act Amendments of 1989 require Merrimack College to:

- Notify students of the standards of conduct relative to alcohol and other drugs.
- Describe applicable sanctions for unlawful possession, use or distribution of alcohol and illicit drugs.
- Describe the health risks associated with the use of illicit drugs and the abuse of alcohol.
- Describe available alcohol and other drug counseling, treatment, or rehabilitation programs.
- Describe sanctions the College will impose resulting from violation of standards of conduct.

The College has long recognized the dangers of illicit drug and alcohol use, and is intent on enforcing federal, state and local regulations regarding such. In addition, Merrimack College has established its own specific regulations regarding alcohol and other drug use.

Students who choose to violate these rules and regulations will be referred to the College’s student conduct system in order that appropriate sanctions may be imposed. Depending on the nature of the offense and the history of the offender, sanctions can range from a written warning to suspension or expulsion. A full and thorough description of rules and regulations, and the sanctions which may be imposed as a result of violations of such, are outlined in the College’s Social and Alcohol Policy.

Summary of Effects of Alcohol and Other Drug Use

Potential health risks resulting from alcohol and drug abuse include, but are not limited to, the following:

<table>
<thead>
<tr>
<th>Addiction</th>
<th>Brain Damage</th>
<th>Cancer</th>
<th>Cirrhosis</th>
<th>Heart problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impotence</td>
<td>Mood swings</td>
<td>Malnutrition</td>
<td>Aggression</td>
<td>Sleep problems</td>
</tr>
</tbody>
</table>
Education, Counseling, Treatment and Rehabilitation Services

- Resident Advisor training includes information on alcohol and other drugs and recognition of abuse patterns.
- The Orientation program for new students includes talks on substance abuse, College rules regarding legal drinking and information for counseling and referral through the College’s Health and Counseling Center.
- Alcohol and Other Drug Awareness and Harm Reduction Programs are available to students.
- The Health and Counseling Center maintains a referral network of inpatient and outpatient programs for students.
- The College has sponsored an Alcoholics Anonymous program on campus for many years and referral to off-campus Al-Anon and ACOA groups is available through the Health and Counseling Center.

HAZING POLICY

Hazing, as defined by Chapter 269 of Massachusetts General Law, in connection with membership or participation in College athletic teams, Greek organizations, or student organizations is strictly prohibited.

Merrimack College interprets hazing as any act whether physical, mental, emotional or psychological, which subjects another person, voluntarily or involuntarily, to anything that may abuse, mistreat, degrade, humiliate, harass or intimidate the person, or which may in any fashion compromise the inherent dignity of the person. In addition, any requirements by a member which compels another member to participate in any activity which is against College policy or state/federal law will be defined as hazing.

Actions and activities which are prohibited include, **but are not limited to**, the following:

- Any type of initiation or other activity where there is an expectation of individuals joining a particular team to participate in behavior designed to humiliate, degrade or abuse them **regardless of the person’s willingness to participate**.
- Forcing, requiring or pressuring an individual to consume alcohol or any other substance.
- Forcing, requiring or pressuring an individual to shave any part of the body, including hair on the head.
- Any requirement or pressure put on an individual to participate in any activity which is illegal, perverse, publicly indecent, contrary to genuine morals and/or beliefs, e.g., public profanity, indecent or lewd conduct or sexual gestures in public.
- Required eating of anything an individual would refuse to eat otherwise.
- Any activity or action that creates a risk to the health, safety or property of the College or any member of its community.
- Forcing or requiring calisthenics, such as push-ups, sit-ups and runs.
- Assigning or endorsing pranks such as stealing or harassment of another organization.
- Awakening or disturbing individuals during normal sleeping hours.
- Expecting or pressuring individuals to participate in an activity in which the full membership is not willing to participate.
- Physical abuse of any kind.
- Forcing, encouraging or pressuring someone to wear in public apparel which is conspicuous and not within the norm of what is considered to be in good taste.
- Engaging in public stunts and buffoonery.
- Nudity at any time or forced reading of pornographic material.
- Paddling, beating or otherwise permitting a member to hit other members.
- Having substances such as eggs, mud, paint and honey thrown at, poured on or otherwise applied to the body of a member.
- Morally degrading/humiliating games or other activity that makes a member the object of amusement, ridicule or intimidation.
- Subjecting a member to cruel and unusual psychological conditions.

SEXUAL MISCONDUCT, RELATIONSHIP VIOLENCE & STALKING POLICY

**Statement of Intent**

Merrimack College is a community in the Augustinian tradition and we strive to maintain an environment that is consistent with our mission and respectful of the rights of all individuals within the college community. The College affirms that all members of this community are freely united by this agreement in the pursuit of scholarship and intellectual growth. The College and the students accept responsibility toward each other within this community.

Sexual misconduct in all forms violates the sacredness of the human body and spirit and will not be tolerated within our community. Campus sanctions, up to and including expulsion, may result from a responsible finding determined through the Student Conduct
Process. The victim has the right to pursue additional legal options through the court system either separately or in conjunction with the Student Conduct proceedings.

Sexual misconduct is considered one of the most serious violations of the Community Standards of Merrimack College.

**Statement of Policy**
Merrimack College strictly prohibits sexual misconduct, relationship violence and stalking in all forms. This policy includes the following:

**Rape**
- Any sexual penetration (anal, oral or vaginal), however slight, with any object or sexual intercourse by a man or woman upon a man or woman without effective consent, by force or by threat of bodily injury. Sexual penetration includes vaginal or anal penetration by a penis, object, tongue or finger and oral copulation by mouth to genital contact or genital to mouth contact.

**Sexual Assault**
- Any intentional sexual touching, however slight, with any object by a man or woman upon a man or woman without effective consent. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another or any other bodily contact in a sexual manner.
- Any disrobing of another or exposure to another by a man or woman without effective consent.

**Sexual Exploitation**
- Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another or to benefit or advantage anyone other than the one being exploited and that behavior does not otherwise constitute another form of sexual misconduct. Examples of sexual exploitation include but are not limited to: prostitution, non-consensual video or audio taping of sexual or other private activities exceeding the boundaries of consent (e.g. permitting others to hide in closest and observe sexual activity, videotaping a person using the bathroom). This shall include non-consensual dissemination of photos, video or text that occurs when a person takes abusive advantage of another to benefit or sexually exploit that person.

**Sexual Harassment**
- Sexual harassment is any unwelcomed verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work or academic performance or that creates an intimidating, hostile, or offensive working, educational, or living environment. A form of sexual harassment exists when submission to or rejection of unwelcomed sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature results in adverse educational or employment action, or the threat of such adverse action, or when submission is made a condition of educational or employment advancement.

**Relationship Violence**
- Relationship violence is defined as behavior between two or more individuals that is used to institute power and/or control over one or more other people through fear and intimidation. This behavior can be verbal, nonverbal, emotional and/or physical. Examples of relationship violence include, but are not limited to, repeated name calling, profanity, humiliation, harassment of a former partner or spouse, threats of abuse, slapping, hair pulling, punching and kicking.

In Massachusetts, domestic violence is defined as abuse, assault, or threats against one or more of the following:
- A spouse or former spouse
- A dating partner or a former dating partner
- Someone you live with or have lived with
- A relative by blood or marriage
- The parent of your child
- A person with whom you have or have had a substantial relationship

Abuse is defined by actual or attempted physical abuse, psychological harm, placing another in fear of serious physical harm, causing another to engage in sexual relations by force, and/or threat of force or duress. Confidential counseling, support and referral services are available through Hamel Health and Counseling Center. Students can also seek information and help through the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or www.thehotline.org
Emergency Protective Orders
If you are in immediate danger of abuse and the court is closed, you may be eligible to obtain an emergency protective order. For more information or assistance obtaining an emergency protective order, contact the Merrimack College Police Department.

Stalking
- Stalking is defined as any behavior or pattern of behavior occurring on more than one occasion that instills fear in one or more other people and/or threatens their safety, mental or physical health. Such behaviors or activities may include, but are not limited to, non-consensual communication (face to face, telephone, e-mail, texting, and social media), threatening or obscene gestures, surveillance, pursuit, following, visiting outside an individual’s classroom or residence, sending gifts or making threats.

Effective Consent
Effective consent is defined as informed, freely and actively given mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity.

Consent can NEVER be given by the following:
- Minors (in Massachusetts, those not yet sixteen (16) years of age);
- Mentally disabled persons;
- Individuals who are incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary);
- Individuals who are unconscious, unaware or otherwise physically helpless;
- Individuals who are forced, coerced, intimidated or threatened.

The College's Response
The Merrimack College community understands that all parties involved in a sexual misconduct incident experience significant distress, whether they are the victim, the accused or any other individual associated with the report. All parties involved are expected to be treated with respect and dignity and the community will provide a safe place where the individuals may receive appropriate personal support. Any victim that may have been in violation of any policy at the time of the alleged sexual misconduct may not be subject to the college disciplinary process for these violations. Additionally, any bystander that provides assistance to a victim of sexual assault at the time of the incident may not be subject to the college disciplinary process (assuming the bystander did not otherwise contribute to the sexual misconduct).

Options/Resource Information
Any person involved in an incident of sexual misconduct can receive confidential information about their options, resources, medical attention and/or personal support from any of the following professionally trained personnel on campus:
- The Merrimack College Police Department Sexual Assault Investigators (978-837-5911)
- Counselors at the Hamel Health and Counseling Center
- Residence Life Staff (Resident Directors, Area Coordinators)
- The Campus Ministers
- The Vice President for Mission and Student Affairs
- The Dean of Students
- The Assistant Dean of Students

Reporting to Merrimack College Police Department
If a sexual assault occurs on campus, it can be reported to the Merrimack College Police Department. When the campus Police Department is contacted, an officer will assist the victim in obtaining medical care and counseling and will conduct a preliminary investigation and gather physical evidence. Any investigation will be conducted by an officer trained and certified by the Massachusetts Criminal Justice Training Council in sexual assault investigation, who will discuss the results of the investigation with the victim and explain to the victim his or her rights and options. The victim’s identity is kept confidential. Above all, the victim is treated with respect and consideration.
Confidentiality & College Reporting Requirements

Each member of the Merrimack College community may have different reporting requirements and different abilities to maintain victim confidentiality depending on their roles at the college. When considering campus resources, victims should be aware of confidentiality and reporting requirements in order to make informed choices. Some resources on campus may maintain complete confidentiality, while others are available to assist reporting crimes/violations and taking appropriate action through criminal and/or Student Conduct proceedings.

Confidential Reporting

If a victim wishes to keep the details of the incident confidential, they should speak with on-campus counselors or health providers at the Hamel Health and Counseling Center at 978-837-5441. They may also speak to an off-campus crisis center such as the National Sexual Assault Hotline at 1-800-656-HOPE, the Boston Area Rape Crisis Center 1-800-841-8371 or the YWCA of Greater Lawrence 1-877-509-9922.

Semi-Confidential Reporting

A victim may seek guidance from campus resources that are not required to tell anyone the details of the incident unless there is cause for fear for your safety or the safety of others. These resources include the Dean of Students.

Non-Confidential Reporting Options

Victims are encouraged to speak to college officials who can help them make formal reports and generate investigations of incidents, including the Dean of Students, Associate Dean of Students, Director of Community Standards, Residence Life and Merrimack College Police Department. Formal reports made to the college will be investigated and pursued through the Student Conduct process. Formal reports are not strictly confidential; however, only college officials who need details of the incident in order to pursue the Student Conduct process will be notified.

Federal Statistical Reporting Obligations

Other than the counselors at the Hamel Health and Counseling Center, all employees made aware of an alleged incident are required by federal law to file a personally unidentifiable statistical report to The Merrimack College Police Department. The only information that will be released is that an incident was reported, the type of incident and the general location of the incident (i.e. on or off campus; no address will be given). The names of the alleged victim and perpetrator remain confidential unless the survivor specifically authorizes the release of this information. Campus police officers are required to submit an unidentifiable report that a sexual assault or rape incident has occurred to the Dean of Students. Statistics given to The Merrimack College Police Department can be found in the Annual Campus Security Report.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should be aware that college officials must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The college will not provide the victim’s name or identifying information, but will provide enough information for community members to make safe decisions in light of the danger.

On-Campus Complaint Resolution

If the victim chooses to file a complaint on campus, it will be facilitated through the Merrimack College Student Conduct process. The rights of both the victim and accused are protected under the existing Merrimack College Student Code of Conduct.

The College assures the victim and accused of the following rights under federal law:

- To expect that reports of sexual misconduct will be taken seriously by Merrimack College.
- To prompt notification and explanation of the allegations.
- To a timely resolution from the Student Conduct process that is closed to the public.
- To a fair, open-minded and objective consideration of the matter being discussed.
- To be informed of available counselors.
- To be made aware of the available resources of the Merrimack College Police Department and/or an advisor of their choice.
- To receive notification of and assistance with the option of changing academic, living, working and/or transportation situations after an alleged incident of sexual misconduct if such changes are reasonably available (no charges or investigation, campus or criminal, need occur before this option is available).
- To obtain an on campus “No Contact Order” through the College’s Office of Campus Life.
- To present their information surrounding the incident.
• To an advisor, which the student(s) must arrange for him/herself.
  o Please note that advisors may only participate in very limited circumstances. Advisors may attend but may not actively participate in any meetings or proceedings related to the Student Conduct process. Students must provide at least two business days of notice to the college official that is conducting the proceedings.
• To present a reasonable number of witnesses to investigators
• To question people presenting testimony against him or her.
• To be informed of the outcome and sanction of any disciplinary hearing involving sexual misconduct.
• To not have prior sexual history admitted in a Student Conduct Board hearing.
• To submit an appeal to the Vice President for Mission and Student Affairs.

For more information regarding the on-campus resolution process, please see the Sexual Misconduct Proceedings.

Off-Campus Resolution
The victim has the right to pursue additional legal options through the court system either separately or in conjunction with a college student conduct complaint. Assistance in filing criminal charges or obtaining a Restraining/Harassment Order against an alleged assailant can be obtained through the following resources:

• Merrimack College Police Department
• The police department in the town where the incident occurred
• The Rape Crisis Hot Line (1-800-542-5212)

The Rights of the College to Investigate
Merrimack College recognizes that in most cases, a student reporting an incident of sexual misconduct may determine the course of action to be pursued. The college reserves the right to initiate a complaint, to serve as a complainant and to initiate conduct proceedings without a formal complaint by, or consent of, the victim.

Independence of Criminal Proceedings
The college’s right to impose disciplinary sanctions is independent of any other court actions the victim may pursue.

Jurisdiction
All students may be held accountable for their behavior on or off campus. The institution reserves the right to process internally, any incident, on- or off-campus, which involves a Merrimack College student.

Timing of Complaint
Any member of the College community may file a complaint against a student at any time for allegedly violating the sexual misconduct policy. There is no statute of limitations for complaints, but potential complainants are reminded that the College’s ability to effectively investigate complaints can be impaired over time. The term “student” includes all persons (other than faculty, staff or administrators) who are registered for and taking or auditing courses at the College, either full-time or part-time. The term “member of the college community” includes any person who is a student, faculty member, administrator/staff member or any other person employed by the college. A person’s status in a particular situation shall be determined by the Vice President of Mission and Student Affairs.

Attempted Violations
In most circumstances, the college will treat attempts to commit any of the violations listed above as if those attempts had been completed.

False Reports
It is a violation to make an intentionally false report, including sexual misconduct, and false reports may also violate state criminal statutes and/or defamation laws.

Retaliation
Retaliation against a person for filing a complaint, or against witnesses for providing a statement during an investigation, is prohibited and is a violation of Community Standards and may also violate criminal statutes. Any student found responsible for retaliation will be subject to severe sanctions.
The Office of Residence Life

INTRODUCTION TO LIVING ON CAMPUS
By living in facilities provided by the College (including space leased by the College off-campus), students accept responsibility to abide by all policies and guidelines established by Merrimack College and the Office of Residence Life. We work to provide a positive experience for students living on campus.

Our residential communities are maintained for the well-being of all students who live there. Each student is expected to live in a way that respects all community members. Each student is directly responsible for maintaining a safe, secure, and healthy living environment in his or her residential area, consistent with the College’s Community Standards. Resident students are not just "renting a room;" they are active members of a community. Residence Life expects residents to be active participants in maintaining standards of respect in their living area and should confront problems within the community.

Living in a community requires all individuals to be responsible and respectful of the policies, procedures, and standards that have been established. These have been developed to protect each student, ensure personal and College property is well maintained and protected, and to maintain a reasonable sense of order and structure. In order to ensure the rights of all, the following policies and procedures have been adopted for all residential areas. These items along with the Residency Agreement provide the basis for residential living at Merrimack College. Please see Your Area Coordinator or Residence Director if you have any questions about these regulations.

RESIDENCE LIFE POLICIES

Agreement
All resident students are responsible for the terms of the Residency Agreement.

Break Periods
The College is closed during break periods, as noted on the academic/administrative calendar. Students are required to vacate their residence area by the time of closing. Permission may be granted by the Director of Residence Life or a designee for students to remain on campus during break periods. Requests must be submitted via the Break Housing webpage to the Office of Residence Life.

Building Safety
All students have a responsibility to protect the community and its individuals. The following policies are intended to promote safety in the residence areas.

- College staff may conduct bag checks on any and all bags.
- Propping or otherwise interfering with the closure of any exterior door or interior fire door is prohibited.
- The use of any propped exterior door or interior fire door is prohibited.
- Resident rooms must remain locked at all times.
- Forcible attempts to pull open a door are prohibited.

Check In/Out of Rooms
Residential students are required to check into their assigned room prior to gaining access to their assigned space. Students who fail to complete the check-in process forfeit the ability to appeal damage charges.

Residential Students must check out of their room prior to closing in May, before studying abroad, or before the end of their tenure as a student – whichever occurs first. Prior to checking out, students must remove all personal possessions and clean their assigned space. Personal items left in a room will be disposed of by the College at the expense of the occupants. Failure to check out properly may result in a fine.

Damages
The College holds students responsible for damages beyond normal wear and tear. Assessments and billing for damage are done at regular intervals throughout the year in conjunction with Health and Safety Inspections or as needed. Students occupying a space in a residence area will have 72 hours after checking in to report to the Office of Residence Life any damages which were not easily visible...
at the time of check-in using the Room Condition Form provided to students by the Residence Life office. Damages within a unit, suite, or room which are not attributed to a specific individual will be divided among all those living in the space.

Common area damages committed in public spaces within residential areas and are not attributed to a specific individual will be divided among all those living in that area. Common area damages are not eligible for appeal.

Students will be charged for items including, but not limited to: damaged, missing, or moved furniture; cleanliness; lost or otherwise not returned keys; damaged walls, floors, carpets, doors, fixtures, or appliances; and/or damaged or removed screens. Students will be notified of any damage assessments resulting in a bill via their College-issued e-mail account, and should make payments directly to the Bursar’s Office.

Eligibility
To be eligible for housing, matriculated students must be full-time in status and must turn 18 years of age by the end of their first academic year. The Director of Residence Life or a designee can be petitioned in writing for exemption from this policy.

Non-matriculated students are not eligible for housing.

Fire Safety
In the event of a fire, students must activate the fire alarm, evacuate the area, and report the location of the fire to the Merrimack College Police Department. In the event of a fire alarm, students must evacuate and stand a safe distance away from the building. Students are not permitted to extinguish a fire.

During fire alarms, the Merrimack College Police Department is authorized to check all rooms for proper evacuation. Re-entry by students is not permitted clearance has been given by the fire department and the Merrimack College Police Department.

Students who cause fires, intentionally activate a false alarm, and/or fail to properly evacuate a building may be subject to criminal prosecution and/or College disciplinary action.

Fire Safety Equipment
Fire safety equipment is not to be tampered with, disconnected, covered, damaged, or obstructed in any way.

Outdoor grills are for cooking purposes only. Charcoal is the only form of combustible material to be used on outdoor grills.

Furniture and Other College Property
All College furniture and other College property may not be removed from its assigned space. College furniture or property may not be moved from community spaces to other areas. College furniture or property is not permitted to be moved to exterior areas.

Garbage Removal
Residents must take out their own garbage to dumpsters or trash rooms.

Guest Policy
A guest is any non-Merrimack College student. Merrimack College commuter students are considered to be guests when residing in a residence area overnight or entering a residence area on weekends and holidays during which the College is closed. Merrimack College residential students residing overnight in the room of another Merrimack College residential student is also considered to be a guest. All guests must be registered prior to arrival and for the duration of their stay on Merrimack College property. A host is any Merrimack College residential student with whom a guest is associated, whether that guest is registered or not. Only Merrimack College residential students may register guests. The following policies apply to hosting a guest:

- Guests must be with their host at all times
- Guests must be at least 16 years of age and all overnight guests must be at least 18 years of age unless prior approval has been obtained from the Office of Residence Life
- Guests must possess valid photo identification and a valid guest pass while inside any residential area and must be with their host
- Residential students must obtain permission from their roommate(s) to host a guest
Overnight guests may not be hosted by a resident student more than four times in a month.

Guests cannot stay overnight on campus for a total of more than four times in a month, regardless of host.

Guests are subject to all Merrimack College policies, Community Standards, and Residence Life policies.

Hosts are responsible for the behavior of their guests and may be held accountable for any policy violations.

Guests who are not accompanied by a host or who do not adhere Merrimack College policies, Community Standards, and Residence Life policies may be asked to leave immediately and/or may be removed and trespassed from campus.

Students are not permitted to host more than two guests at the same time with the exception of weekends designated by the College, during which the number may be restricted further.

Guests are not permitted during break or final examination periods.

Students who do not register a guest are still responsible for their guest while on College property.

As a Catholic institution, Merrimack College does not condone cohabitation. Overnight guests must, therefore, reside in a room in which all occupants are the same gender as the guest, and wherein all occupants have agreed to the guest’s presence.

Health and Safety Inspections
The Office of Residence Life will conduct health and safety inspections at regular intervals throughout the year. During these inspections, Residence Life staff are authorized to enter the rooms of residential students without notice. Prohibited items discovered during these inspections will be confiscated, and any policy violations will be documented. Repeated health and safety violations may result in disciplinary action.

Health Forms and Health Insurance
All students must carry the Student Accident and Sickness Insurance or provide proof of comparable insurance coverage. Students are also required to complete health forms and provide immunization records to the Hamel Health and Counseling Center prior to enrollment. Students who do not comply will not be allowed to live in college residences.

Housekeeping
Students are required to maintain a clean environment in their assigned space. Students are not permitted to store personal items in hallways, lounges, stairwells, or other public spaces within the residence areas.

Indoor Recreation
Indoor sports and recreational activities are prohibited except when sponsored by the College.

Keys and Mack Cards
Students living within College housing are issued a room key upon their arrival to campus. Students are responsible for picking up their key at the time of check-in. Keys are the property of the College and their duplication is forbidden. Students must carry their keys at all times. Students who lose their keys will be charged a replacement fee. Failure to return keys will result in lock replacement charges. Students may not lend room keys.

All Merrimack College students are issued Mack Cards. Students must carry their Mack Cards at all times. Students may not lend Mack Cards.

Leaves of Absence
Residential students taking a leave of absence must inform the Office of Residence Life.

Liability for Personal Property
Students are liable for their personal property. The College is not responsible for the theft, damage, or destruction of personal property.

Lockouts
Students must contact the Merrimack College Police Department at 978-837-5498 for assistance with a lockout. A $25.00 lockout fee will be applied to the student’s account for each lockout.

Prohibited Items
The following items are prohibited from the residence halls and adjacent areas, and are subject to confiscation:

- Multiple-outlet electrical plugs
- Microwave switchbox outlets
- Cooking appliances with exposed heating elements such as hot plates, toaster ovens, George Foreman grills, coffee pots without automatic shut-off, and coil hot water heaters
- Halogen lamps
- Fog machines
- Black lights
- Space heaters
- Air conditioners
- Lava lamps
- Electric wax burners
- Electrical extension cords that are longer than eight feet, and/or are not UL listed
- Refrigerators larger than 5 cubic feet
- Candles
- Incense and/or incense burners
- Potpourri burners
- Candle warmers
- Hazardous liquids including, but not limited to turpentine, paint, gasoline, propane, kerosene, and ether
- Grills
- Lighter fluid and charcoal
- Neon signs
- Hookahs
- Natural trees or wreaths
- Pyrotechnics and fireworks
- Tiki torches
- Fire pits operated by anyone other than Merrimack College staff
- Vehicles which use combustible fuel
- Upholstered furniture which does not meet California fire code 117 or higher
- Any type of table not provided by the College, including but not limited to folding tables

Pets
No pets other than fish in a tank no larger than 10-gallon capacity or College approved service animals are allowed in the residence areas. Visitors may not bring their pets to the residence areas. Pets discovered by the College staff and not removed within the timeline defined by that staff will be removed by the Office of Residence Life at the expense of the owner.

Posted Notices
Students must obtain approval to post notices in the residence areas. Approval must be obtained in person in the Office of Residence Life.

Quiet and Courtesy Hours
Minimum quiet hours are 11:00 PM - 8:00 AM, Sunday through Thursday. Minimum quiet hours on Friday and Saturday nights are 1:00 AM - 8:00 AM. During quiet hours, any noise must be kept at a level such that it cannot be heard by neighboring residents.

Courtesy hours are in effect at all times. Students are expected to be courteous and to conduct themselves in a way that does disturb neighboring residents.

During break and final examination periods, 24-hour quiet hours are in effect. Final examination periods begin at 5:00 PM on the last day of classes, as defined in the academic/administrative calendar.
Room Assignments and Reassignments

Room assignments and reassignments are the responsibility of the Office of Residence Life. Students are prohibited from changing assignments without prior approval. Room change requests are not permitted during the first and last weeks of any semester or summer session.

The Director of Residence Life or a designee reserves the right to refuse, revoke, suspend, or reassign housing of a student or group of students based on inappropriate behavior or damages.

Room Entry

College staff respects your rights to privacy and will work to assure that no unwarranted intrusion or entry into your room occurs. Designated College staff members, including, but not limited to, the Merrimack College Police Department, Residence Life, Campus Life, and Facilities, have the authority to enter your room without your knowledge or consent, as outlined in this section. The College reserves the right to inspect a student’s room periodically. Authorized College personnel or authorized agents of the College may enter a student’s room whenever there is reasonable cause concerning the safety, health and wellbeing of the individual residents, if there is reasonable suspicion that a violation of College policy is occurring, to perform damage assessments and/or repairs, and to inspect for fire safety violations, or for other necessary reasons. When feasible, the College will notify the student in advance of any such inspection. College officials, including College Police Officers, will have access to lobbies, hallways and other common areas for inspections and patrol, with or without advance notice. The Office of Residence Life will conduct health and safety inspections at regular intervals throughout the year.

Room Personalization

The following policies apply to residential students in the personalization of their rooms:

- Students are not authorized to paint (including washable paint), renovate, modify their rooms in any way, or attempt to make their own repairs to damages made in their room.
- Furniture must not obstruct smoke detectors or sprinklers, block heating vents, damage pipe coverings, or impair quick exit from the room or window in case of an emergency.
- Students must use blue “painter’s tape” to adhere pictures and posters to your wall to prevent damage to your room.
- Wall hangings, posters, curtains, or tapestries are prohibited from covering doors, windows, lights, smoke detectors, sprinkler heads, or electrical outlets. Items may not be attached to or suspended from the ceiling.
- The Office of Residence Life reserves the right to require the removal of any decorative items in view of the public.
- Bed raisers, cinder blocks, and other devices used to elevate the height of the beds are prohibited. Students who choose to bunk their beds must utilize College provided bed pegs.
- Decorative lights may not be hung over doors or other fixtures that prohibit easy exit from a room.

Room Selection

Only full-time, registered students are eligible for participation in room selection.

Smoking

Smoking is not permitted in any residence room, common area, porches, stairwells, or apartment or within 50 feet of the residence halls, including electronic cigarettes.

Solicitation

All persons soliciting written materials on campus must obtain authorization from the Dean of Students. The College retains the authority to remove any unauthorized materials distributed within residence areas. Any strangers or solicitors without clearance should be reported promptly to the Merrimack College Police Department. Rooms are for residential use only and no student is to use or allow his or her room or common area/lounge to be used for any commercial purposes. The only exception to this policy is solicitation in conjunction with approved student organization activities.
Storage
The College does not provide any storage for personal items. All student belongings must be removed upon checkout.

Vacancies
A vacant spot may be offered to another student at any time. Students with a vacancy in their room are only permitted to occupy one set of furniture.

Windows, Screens, Balconies, Rooftops and Outdoor Spaces
Screens shall not be removed from windows. Decorations or personal items may not be hung outside a window or be placed on windowsills, ledges, or rooftops. Throwing objects out of windows or off of balconies is prohibited. No resident may use a window to enter or exit any residential area. Students are not permitted to access any roof.

Students are prohibited from climbing outdoor fixtures around or adjacent to the residence halls. This includes, but is not limited to, light poles, trees, statues, outdoor fixtures, balconies, and/or stairwell exteriors. Outdoor sports and recreational activities must be held a proximate distance away from all residential buildings.
APPENDIX A
Social Gathering/Party Registration Process

1. Complete a Party Registration Form online at the Office of Residence Life Website:
   - [https://sites.google.com/a/merrimack.edu/registered-events/?pli=1](https://sites.google.com/a/merrimack.edu/registered-events/?pli=1)

2. Your RD/AC will review your form before approving your party: Things to keep in mind:
   - Earliest you can send it is the Monday morning (9am) the week of the party
   - Deadline is Thursday at 12 noon before the party
   - No late forms are considered
   - Approval is on a ‘first come, first served’ basis, parties will be limited on floors, towers, or houses.

3. Your RD/AC/HRA have set up Registered Events classes students must attend. The entire apartment must attend the 1st Party Registration Meeting. Following your first party, just the sober host must meet with your RD/AC/HRA each time you are registering.

4. Meet with your RD/AC/HRA to discuss your party details, and the policies and procedures which will ensure a safe and well run event.

5. Have a great time and enjoy your party!

Social Gathering/Party FAQ:

Q. Who can register a party?
A. Party Registration is a 21+ privilege. Your apartment/suite is eligible if 50% of the occupants of your housing assignment are of age.

Q. When can I have my party?
A. Social gatherings can only be held and registered on Friday and Saturday nights. The Office of Residence Life reserves the right to extend or limit the number of authorized social gatherings on any given night and in any given location. Social gatherings will not be authorized on reading days, finals weeks, break periods, or other weekends as deemed by the Office of Residence Life.

Q. What time can my party start or end?
A. Authorized social gatherings must begin at 8pm or 10pm. All music, entertainment and distribution of alcohol must end by 1:00am when normal quiet hours will resume.

Q. Do I have to have food?
A. Yes, there must be food and alternative beverages at each social gathering. Staff will go into more detail on these requirements during your registration meetings.

Q. What happens if there is damage?
A. Person(s) hosting a social gathering are responsible for all guests and any resulting problems from the behavior of their guests. All costs associated with the repair of the apartment or surrounding area (hallway, floor, wing, adjacent areas, towers, stairwells, etc…) of the party will be the responsibility of all residents of the apartment if individual culpability cannot be determined.

This document is maintained by the Office of Residence Life
APPENDIX B
Alcohol Policy Pertaining to On-Campus College Sponsored Events

Alcoholic beverages will not be permitted at student organization sponsored events without prior approval of the Dean of Students (and other administrators when appropriate).

Hosting an event serving alcohol requires that a completed Alcohol Approval Form be submitted to and approved by Internal General Counsel 45 days in advance of an event. Additionally, adherence to the following regulations and guidelines is required.

1. General Regulations for Events Serving Alcohol
   a. The sale or distribution of alcoholic beverages is regulated by the laws of the Commonwealth of Massachusetts, local ordinances and Merrimack College policies, rules and regulations. Awareness of and compliance with these are required for any function involving alcoholic beverages.
   b. Sodexo Food Services must serve all alcoholic beverages.
   c. No more than one (1) alcoholic beverage may be sold to any individual per serving.
   d. Admission to these programs will be restricted to students who are of legal drinking age unless the Dean of Students or designees makes an exception.
   e. Approval for any function where alcohol is served must be received from the Internal General Counsel (or designee) at least 45 days in advance of the event whether held in the Sakowich Center or in another location.
   f. The College is only licensed to serve beer and wine.
   g. Food and non-alcoholic beverages must be available at all functions involving the sale or distribution of alcoholic beverages. Representatives from the sponsoring organization must receive prior approval from the Director of Student Involvement at least 45 days in advance regarding the appropriateness of the food and beverages being served.
   h. Intoxication, as assessed by college staff, administrators or the Merrimack College Police Department, is not permitted during Merrimack College sponsored events, including any event sponsored by a student organization, whether on or off campus. The right to refuse service is also at the discretion of the staff working the event.
   i. Events involving the sale of beer and wine require a permit for such from the local licensing authorities. Requests for such permits will be processed through the Internal General Counsel. Requests must be made at least 45 days prior to the event. Sale is determined to include purchasing of individual drinks. Merrimack College may obtain only 24 such permits each year from the Town of North Andover and the College reserves the right to deny any such request.
   j. Adequate numbers of Campus Police officers are required at all programs involving the distribution of alcoholic beverages. The number of officers required will vary but will equal approximately one officer for every 150 participants. The number of officers must be determined in conjunction with the Office of Student Involvement and the Merrimack College Police Department at least 45 days prior to the program. The cost of these officers shall be absorbed by the sponsoring organization, which must confirm these arrangements with the Merrimack College Police Department at least 45 days prior to the event.
   k. Events serving alcohol served will be approved only for Friday and Saturday nights however exceptions may be made by the Dean of Students or designee. For functions held on weekdays, last call will be at 11:30 pm and service will be discontinued at 11:45 pm. For weekend functions, last call will be as 12:30 am and service will be discontinued at 12:45 am. Events serving alcohol will not be approved during the Final Exam period or Reading Days.
   l. Members of the sponsoring organization who have certain assigned responsibilities may not consume alcoholic beverages before or during the program. This must be discussed with the organization’s executive board and their advisor prior to the event to avoid confusion of responsibility.
   m. Those found consuming alcohol illegally will be required to leave the premises immediately and will be referred to the Merrimack College Student Conduct System and/or for criminal action if the situation warrants such action.
   n. Individuals found delivering alcoholic beverages to an underage person will be required to leave the premises immediately and will be referred to the Merrimack College Student Conduct System, and/or for criminal action if the situation warrants such action.
   o. All functions involving the marketing of alcoholic beverages must adhere to Merrimack College’s policy on solicitation of alcohol related advertising. (See Section J: Solicitation of Alcohol Related Advertising)
   p. The promotional materials associated with any event (i.e., posters, flyers, etc.) should be in good taste with no emphasis on the fact that alcohol will be served. The theme for the event should be the focus in any posters, flyers or advertisements for the event.
q. In all cases where an alcoholic beverage is provided, Sodexo will be responsible for all aspects of bar operations. This service must be requisitioned by the sponsoring organization at least 45 days in advance of the program. The student organization will absorb all costs associated with this service. The college in conjunction with the Sodexo will determine drink prices, and in no case shall they be lowered. No entertainer shall offer, provide or encourage the use of alcoholic beverages at any event.

r. At all events serving alcohol, college officials must be present. The Dean of Students or designee will determine the number of college officials needed for the event. The sponsoring organization is responsible for recruiting these college officials (i.e. the organization’s advisor, a faculty or staff member.)

s. Any organization or individual failing to cooperate with a student staff member, administrative staff member or member of the sponsoring organization in the execution of his/her duties will be required to leave the function and will be subject to student conduct action.

t. No two student organization sponsored events on the same evening may have alcohol served or consumed.

u. Organizations sponsoring events serving alcohol are required to meet with a representative from the Office of Student Involvement at least 45 days prior to the event. Members of the Executive Board, as well as the organization’s advisor, must be present at this meeting.

2. Identification and Admission Regulations for Events Serving Alcohol
   a. Only those individuals who can prove that they are of the legal drinking age through a legal means (state license or identification card) will be permitted entrance into the event. Furthermore, admission to events at which alcoholic beverages are available is restricted to Merrimack College students and legitimate guests. Consequently, only those individuals who present a valid Merrimack College I.D. will be admitted to these functions.
   b. Two forms of positive I.D. must be shown to gain admission. One must be a valid Merrimack College I.D. and one must be a valid driver’s license or liquor purchase I.D. from the Registry of Motor Vehicles. Guests need to provide one form of positive I.D.
   c. Staff members of the Office of Student Involvement, their designee, or sponsoring organization representatives present at the function reserve the right to refuse admission if the validity of the identification is questionable.
   d. All students of legal drinking age entering a function will be identified (i.e. a hand stamp, wrist band, or other method) to verify that they qualify for admission.

3. Guest Regulations for Events Serving Alcohol
   The guest policy will be determined and clearly marked on all publicity for the event.

4. Responsibility of Student Organization When Sponsoring Events Serving Alcohol
   It is the responsibility of the sponsoring organization to adhere to and enforce all related laws, ordinances, policies, etc. Failure to do so will result in referral of the responsible individual(s) to the Merrimack College Student Conduct System and/or criminal or civil action.

5. Obligation to Organization Members and the Community
   All members of the sponsoring organization and the targeted constituency should be able to attend the event. Underage individuals may not attend events where alcohol is served. In exceptional cases and with the written approval of the Dean of Students (and/or other College administrators), underage individuals may attend such events only when measures have been taken by the sponsoring organization to ensure that the underage individuals will not possess, purchase or consume alcoholic beverages.
APPENDIX C
Alcohol Policy Pertaining to Off-Campus Events Serving Alcohol

The same policies that are noted above for on-campus events where alcohol will be served apply to student sponsored off-campus functions. When appropriate, certain exceptions to those policies will be made by the Dean of Students. Additionally, approval for any student organization sponsored off-campus event where alcohol is to be served and/or consumed must be received from the Dean of Students or appropriate College administrator at least 45 days in advance of the event. Only officers of the College are authorized by the Board of Trustees to enter into a contract or agreement on behalf of the College, and therefore only officers of the College should be those who sign any contract. It is the responsibility of the employees/owners of the off-campus establishment to be aware of and comply with state regulations. Adherence to the following regulations and guidelines is required.

2. Student Organization Sponsored Events
   It is the responsibility of the sponsoring organization to adhere to all related laws, ordinances, policies and contractual agreements made between the College and the employees/owners of the off-campus establishment. Failure to do so is a very serious matter, and may result in referral of the responsible individual to the Merrimack College Student Conduct System, civil and/or criminal action if the situation warrants such action. All members of the sponsoring organization and the targeted constituency should be able to attend the program.

3. Identification and Admission to Event
   It is the responsibility of the employees of the off-campus location to verify identification for legal drinking age. It will also be the responsibility of the off campus location to determine an admission system.

4. Guest Policy
   a. One guest per sponsor per event.
   b. A guest is the responsibility of the sponsor, who must be a Merrimack student and who will be held accountable for any inappropriate behavior of his or her guest.

5. General Guidelines
   a. It will be the responsibility of the sponsoring organization to secure a contract with the function hall. A copy of the contract that must be used, in addition to any contract the establishment may have, can be obtained in the Office of Student Involvement. Only officers of the College are authorized by the Board of Trustees to sign the contracts.
   b. An advisor, or his/her designee, must be present for the duration of the event.
   c. Organizations sponsoring events serving alcohol are required to meet with the Director of Student Involvement at least 45 days prior to the event. The Executive Board, as well as the organization’s advisor, must be present at this meeting.
   d. Intoxication is not permitted during Merrimack College sponsored events, including any event sponsored by a student organization both on and off campus.
   e. Bus transportation is mandatory for all students attending an off-campus function where alcohol is to be served. Alcohol is not allowed on the bus at any time however. Advance ticket sales must be coordinated with the Office of Student Involvement to ensure that the number of tickets sold will not exceed the capacity of the function hall. A two-tiered ticket system must be used to ensure that the appropriate students are boarding the bus and that no alcohol is transported to the event.
   f. Any establishment found to have served underage Merrimack College students will be notified that it will not be utilized for future events.
   g. If an event is planned that involves alcohol, it should take place on the weekend. Only the Dean of Students may make exceptions to this rule. Any such exception must be in writing, signed by the Dean of Students.
Solicitation on Campus
All persons soliciting written materials on campus must obtain authorization from the Dean of Students. The College retains the authority to remove any unauthorized materials distributed on campus or any individuals distributing said materials. Any strangers or solicitors without clearance should be reported promptly to the Merrimack College Police Department. Rooms are for residential use only and no student is to use or allow his or her room or common area/lounge to be used for any commercial purposes. The only exception to this policy is solicitation in conjunction with approved student organization activities. Any violations are subject to disciplinary sanctions.

Solicitation of Alcohol Related Advertising
It is the policy of Merrimack College not to solicit or accept funding from any business, corporation, institution, or society that produces or promotes alcoholic beverages for the purpose of advertising its product or business. This policy is in accordance with the national recommendations from the Higher Education Center for Alcohol and Other Drug Prevention and is in keeping with the college’s mission.

Therefore, it is against College policy to distribute or publish any materials in which alcohol use or any alcohol product is promoted or which uses the logo or label of a business, corporation, institution or society that produces or promotes alcohol.