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**STUDENT
POLICY
GUIDE**

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DISCIPLINARY PROCESS

Students will notice the absence of excessive regulations at the College. Because a community such as ours depends on the good judgment and considerate behavior of its members, all students are expected to maintain high standards of personal conduct.

All students must show respect for personal and College property and for the rights of their fellow students, faculty, and staff. Generally, behavior that reflects good intentions, mature judgment, and respect for the rights of other people will not conflict with the expectations of the College.

The need for discipline arises when individual or group conduct adversely affects the College as an educational community. Students who violate College policies, procedures, and regulations will be subject to disciplinary action. Such action is not a substitute for civil or criminal proceedings; all students, whether on or off campus, also remain subject to local, state, and federal laws. Students who violate those laws may also be subject to College disciplinary procedures.

The Office of Student Affairs administers cases involving violations of College policies, procedures, and regulations. Certain matters of academic discipline may be referred to the Office of Academic Affairs for dispensation.

When violations of non-academic regulations are reported, the Associate Dean of Student Affairs (or designee) will review preliminary reports and determine if additional information needs to be gathered. If additional information is needed, the Associate Dean (or designee) will ask the Director of Residence Life (or designee) to meet with the students involved in the case to retrieve additional information. After this additional information has been gathered, the Associate Dean will review all of the case information.

1. If the case would not likely result in potential expulsion or suspension, the Associate Dean (or designee) will initiate a Disciplinary Conference to confirm the relevant facts. Depending upon the severity of the alleged violation and the results of the conference, the Associate Dean may decide not to take any action or may impose one or more of the following sanctions, among others:

- Restitution (monetary or other appropriate compensation for damages)
- Alcohol and other drugs assessment
- Educational projects
- Warning/Disciplinary probation
- Dismissal from housing (if student is in College-owned housing)
- Community service

Decisions made in a Disciplinary Conference are final, and appeals are not allowed. Certain situations involving both academic and non-academic regulations may require collaboration with Academic Affairs.

2. If the case could likely result in potential expulsion or suspension, the Associate Dean will ask the student if he or she

prefers a Dean's conference or a hearing through the Student Disciplinary Hearing Board which is comprised of three members, one each of MICA faculty, staff, and students. A request for a hearing before the board must be made by the student within three (3) business days after an initial meeting with the Associate Dean. In some cases, the Associate Dean will determine that a hearing board is necessary in order to effectively adjudicate the complexities of the case. This includes judicial cases involving allegations of sexual assault.

If the Student Disciplinary Hearing Board is used, the board will report to the Vice-President for Student Affairs their findings on responsibility and a recommendation on sanctioning if necessary. These recommendations can include any sanctions from the above list as well as suspension or dismissal from MICA. The findings and recommendation will be shared with the student, and the student will be given a three (3) business day window to comment on the findings and recommendation. The comment period will, in essence, serve as the student's chance to provide any information related to an appeal. After reviewing the facts of the case, the findings, the recommended sanction, and any comments from the student, the Vice President of Student Affairs will make a final decision on sanctioning.

In each case, the board shall proceed by following such procedures as it determines to be appropriate for developing its recommendations and no particular formality or other procedural requirements shall be mandated.

If so desired, it is appropriate for a student to bring an advisor to either a Disciplinary Conference or a hearing board to offer support. The advisor must be a member of the College community, and the College does not permit legal counsel to attend disciplinary meetings. The student involved is responsible for presenting his or her own information, and therefore advisors are not permitted to speak or to participate directly in any disciplinary hearing or board.

Interim Suspension Policy

The Vice President of Student Affairs or a designee may in his/her discretion suspend a student for an interim period pending a disciplinary hearing or mental health evaluation. The interim suspension may become immediately effective without prior notice whenever there is sufficient evidence that the continued presence of the student on the College campus poses a substantial threat to himself/herself or to others, or to the stability and continuity of normal College functions.

A student suspended on an interim basis shall be given the opportunity to be heard through either a Dean's conference or hearing board provided a request is made within four (4) academic days from the effective date of the interim suspension. In cases where suspension or dismissal is recommended, the comment period may be shortened accordingly.

A student suspended on an interim basis may not withdraw from the College before the conclusion of his or her disciplinary case.

PARENTAL NOTIFICATION

The College generally communicates directly with students in all matters related to their attendance here. In turn, it is expected that students and their parents will maintain ongoing communication. The College will not assume the role of liaison between family members.

There are occasions when it is appropriate for College officials to inform parents of particular situations involving students. As circumstances warrant, the College will notify parents if a student's health is endangered (including instances of accidental injury) or when his or her behavior is determined to have a serious detrimental effect on the educational process, for either the student or the College community, as permitted by the FERPA act.

MISCONDUCT SUBJECT TO DISCIPLINARY ACTION

1. All forms of dishonesty, whether by act or omission, including but not limited to cheating; plagiarism; knowingly furnishing false information to the College; and forgery, alteration, or use of College documents or instruments of identification with intent to defraud.
2. Intentional or wanton disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities-including public service functions or other authorize activities on College premises.
3. Disruptive behavior, including but not limited to physical abuse, assault and battery, harassment, or threats to any person on College premises or at College-sponsored or -supervised functions, or which affect any member of the College community. This includes drug- and alcohol-related behavior, as well as harm to oneself.
4. Theft or damage, including vandalism, to College premises or property, including College or student artwork; or theft or damage, including vandalism, to property of a member of the College community or visitors.
5. Unauthorized entry to or use of College facilities.
6. Failure to comply with directives of College officials acting in the performance of their duties.
7. Violation of rules governing residence in College-owned or -controlled property.
8. Violation of College, local, state, and federal laws related to the use or possession of alcohol and other drugs, and violations of other such laws in a way that affects the College community's pursuit of its proper educational purposes.

COMMUNITY RESPONSIBILITY

Although the Campus Safety Department is the primary department charged with creating a reasonably safe and secure campus environment, they cannot accomplish this task alone. Crime prevention, risk identification, and problem solving are the responsibilities of every member of our campus community. Members of the community must assume responsibility for their own personal safety and the security of personal and College property by taking simple, common sense precautions, removing the potential for “crimes of opportunity.”

Students, faculty, staff, and guests of MICA are encouraged to report medical emergencies, criminal activity, and any suspicious conditions, individuals, or vehicles to the Baltimore City Police (911) and MICA Campus Safety immediately (443-423-3333).

ACTS OF INTOLERANCE

Maryland Institute College of Art is a community composed of a wide variety of people with different cultures, racial backgrounds, sexual orientations, and many other differences. MICA values these differences and believes that encouraging interaction and respect among people who may differ from one another creates a positive learning

experience. Intolerant acts that show disrespect for others harm both the victims and the community at large.

Any behavior that victimizes an individual on the basis of that person's race, ethnicity, religion, sex, sexual orientation, creed, national origin, ancestry, age, or level of ability or disability is inappropriate at best, seriously detrimental to the community, and will be addressed.

Such behavior includes, but is not limited to, graffiti, defacing MICA or personal property, harassment, threats, fighting, and disrupting others in the exercise of their rights. Students who have witnessed or are victims of such behavior should report it to the Office of Student Affairs.

ALCOHOL & DRUGS

ALCOHOL POLICY

Maryland Institute College of Art is committed to enforcing Maryland state law and College policies that prohibit persons under the age of 21 from possessing, serving, or consuming alcohol. In addition, MICA actively discourages those 21 years and over from abusing alcohol. Accordingly, the unauthorized possession or use of alcoholic beverages on College-owned or -controlled property, including student residences, is expressly forbidden. As adults, students bear ultimate personal responsibility for knowing and adhering to state and federal law.

Students living in campus housing who are 21 years or older may drink alcohol in the privacy of their apartments; however, they may not buy or serve alcohol to students or others under the legal drinking age. If an apartment is shared by those both under and over 21, it must be clear to any College official that alcohol is being consumed only by those 21 years of age and older. If an apartment is occupied only by those under 21, then alcohol is not permitted under any circumstance.

Open containers of alcohol are not permitted in any of the public or common spaces on campus, including courtyards, stairwells, or parking lots. Multi-quart containers such as kegs are not allowed in any campus-owned or -controlled space.

Students who violate this policy will be subject to the following sanctions, among others, depending upon College officials' assessment of the severity of the violation(s):

- Alcohol education
- Assessment for alcohol abuse problem
- Required alcohol abuse treatment program
- Housing probation (if violation occurred in College housing)
- Dismissal from College housing (if violation occurred in College housing)
- Suspension from the College
- Dismissal from the College

- Referral to law enforcement agencies

Also, if alcohol is found in the possession of underage students, staff will require that the alcohol be disposed of in the presence of the staff member.

STUDENT OPENINGS AND PARTIES

Because the majority of MICA students are not of legal drinking age, alcohol is not allowed at student events, including undergraduate and graduate student openings. With appropriate authorization, alcohol may be served at some College-sponsored or -sanctioned activities, but only to persons who provide verifiable proof of age. The serving of alcoholic beverages in all such instances must receive the specific written approval of the Vice President for Student Affairs and will involve strict supervision of the event by student hosts and designated staff or faculty and adherence to the alcohol policy. All alcohol beverages on campus must be served by a bartender provided by dining services.

DRUG POLICY

The use, possession, or sale (or possession with intent to sell) of illegal or illicit drugs or narcotics is expressly prohibited by federal state, and local laws and regulations, as well as College policy. Possession or use of illicit drugs by students are grounds for severe sanctions, including expulsion, and may result in referral to authorities for prosecution. The possession of drug paraphernalia (including hookahs, bong, needles not for prescribed use, and other such items) is also a violation of both state law and College policy.

Students who violate this policy will be subject to any of the following sanctions, among others, depending upon College officials' assessment of the severity of the violations:

- Assessment for substance abuse problem (cost to be borne by student)
- Required substance abuse treatment program (cost to be borne by student)
- Mandatory drug testing program (cost to be borne by student)
- Housing probation (if student lives in College housing)
- Dismissal from College housing (if student lives in College housing)
- College probation
- Loss of financial aid
- Suspension from the College
- Dismissal from the College
- Referral to law enforcement agencies

ALCOHOL & OTHER DRUG EDUCATION PROGRAMS

The Office of Student Affairs and the Counseling Center offer educational programs on a range of alcohol- and drug-related topics on a yearly basis. Topics vary from year to year and may include the relationship between artists and alcohol or drugs, how to have fun without alcohol, and coping with family members with addictions. Written material on the effects of alcohol and drugs is distributed during the year. The College counselors are available to talk with students experiencing alcohol- or drug-related difficulties and can refer students to other resources in the community. Meetings of Al-Anon take place on campus during the academic year. Interested students should contact the Health Center, the Counseling Center, or the Office of Student Affairs.

CAMPUS BUILDING ACCESS

Our campus draws thousands of visitors every year, and our security guards and student monitors cannot recognize everyone who enters a campus building. The security and safety of the College's students and employees is a shared community responsibility.

- Community members are required to have their MICARD with them when on campus. It must be presented when requested by a campus official. Students, faculty, and staff may be asked to present identification to enter some buildings or limited-access areas.
- Granting or rescinding access to a building or area will require the written authorization of a department chair, director, or divisional head.
- Accountability will be maintained; both the individuals granted access and the individual authorizing access will share in the responsibility of the access.
- Guests are the responsibility of their host and cannot use campus resources or material without the written permission of the department chair, director, or divisional head. Permission must be on file in the Campus Safety office.
- Individuals who do not have a legitimate reason for being on campus, or in a College building, and who refuse to comply with a request to leave, may be subject to arrest for trespassing.
- Some campus buildings and parking lots are monitored by closed-circuit television and/or require a valid MICARD swipe for entry.
- The Undergraduate, Graduate, and Continuing Studies published calendars will be the official campus calendars for determining official "open" and "closed" dates. Additionally, they will determine the semester/program start and end dates.
- Use of keys, access cards, and/or accessing systems in a manner contrary to the safety and security of the community or to the detriment of the College's property and facilities will result in disciplinary action

PUBLIC AREAS

The College is usually open to the general public, members of the campus community, and guests from 8 am to 9 pm during the academic year; galleries are open during gallery hours; Decker Library is open during library hours.

STUDIO & LIMITED-ACCESS AREAS

All studio facilities are open only to authorized individuals – for example, students in those programs. Additionally, access to some buildings such as Dolphin or Studio Center is limited to those authorized to access those studios and classrooms.

AFTER-HOURS ACCESS

After 9 pm, you must use and/or display your MICARD to enter campus buildings. Anyone entering the Fox Building, Mount Royal Station, Main Building, Studio Center, Brown Center, or Bunting Center after 9 pm must display a valid photo ID and be signed in at the building desk. After 2 am, students are not allowed to enter academic buildings, but students already inside buildings are permitted to continue working. Re-entry between 2 am and 7 am is not permitted.

Visitors are not permitted access to academic campus buildings after 9 pm, even if accompanied by a MICA community member. This sign-in procedure is also enforced on weekends, holidays, semester breaks, and when the College is not open for official business.

ACCESS TO RESIDENCE FACILITIES

The College owns and maintains several row houses for student residence. Residents of these buildings are issued keys to these houses, and are responsible for controlling access to their residences. These buildings are patrolled externally by College patrol officers. To enter the Commons, Meyerhoff House, and Gateway residence complexes, you must show identification. Non-resident students may enter after giving their MICARD to the Desk Attendant. Non-MICA guests must leave a picture ID with the Desk Attendant, or obtain permission from the residential director to enter without a photo ID, be registered in and escorted at all times by the resident they are visiting.

Guests are the responsibility of their host. The residence halls have been designed with a variety of safety features to enhance residential life security. Among these features are:

- Entrance by identification
- A 24-hour desk assistant
- Campus shuttle system
- Camera surveillance system
- Enclosed living space
- Security screens on all accessible exterior windows
- Alarmed exit gates from the stairwells

- Campus Safety escorts to other campus buildings or motor vehicles

GRAFFITI & VANDALISM

Maryland Institute College of Art is a community of artists and designers. As a community of artists, we advocate for a broad range of opportunities for expression of our students' creative vision through exhibitions, performances, and programs that provide opportunities for community-based art such as murals and public performances. We also encourage our students to seek out opportunities to make their work available to the public beyond our campus.

Although some forms of "graffiti art" have gained recognition as a viable form of artistic expression, the College considers defacement of public or private property to be vandalism, not artwork. MICA provides students with the resources and support to seek appropriate permission to create works of art in the public realm. As a community of artists and an institution dedicated to the preservation of the aesthetic environment, the College is strongly opposed to graffiti and other forms of vandalism.

Students who commit vandalism on or off campus are subject to disciplinary action by the College, which can include any or all of the following: restitution (monetary or other appropriate compensation for damages), disciplinary probation, community service, suspension from the College, or dismissal from the College. In addition to discipline by the College, students are subject to civil legal action by property owners and criminal prosecution for their actions.

We expect all members of our community to display good judgment and considerate behavior, as well as high standards of personal conduct. Students who violate College policies, procedures, and regulations are subject to disciplinary action. College disciplinary action is not a substitute for civil or criminal proceedings; all students, whether on campus or off campus, are subject to local, state, and federal laws. Students who commit acts of vandalism on or off campus are subject to legal action. When their actions adversely affect the College as an educational community, these activities are also subject to College disciplinary action.

GUESTS

Unless specific arrangements are made through the Academic Affairs Office, guests of members of the MICA community should be accompanied by their MICA host. The host is responsible for the behavior of his/her guest(s).

Also, guests of members of the MICA community are not allowed to use the College's equipment without the express written permission of the appropriate departmental chair or director.

HARASSMENT

Maryland Institute College of Art is committed to providing its staff, faculty, and students the opportunity to pursue excellence in their academic and professional endeavors. This can only exist when each member of our community is assured an atmosphere of mutual respect, one in which they are judged solely on criteria related to academic or job performance. The College is committed to providing such an environment, free from all forms of harassment and discrimination. Each member of the community is responsible for fostering mutual respect, being familiar with this

policy, and refraining from conduct that violates this policy.

Maryland Institute College of Art will not tolerate any type of harassment or discrimination toward or by any member of the College community. All complaints of such behavior will be taken seriously and will be investigated promptly and thoroughly. The College prohibits acts of reprisal against anyone involved in lodging a complaint of harassment or discrimination. Conversely, the College considers filing intentionally false reports of harassment or discrimination a violation of this policy. It is illegal to harass others on the basis of their sex, age, race, color, national origin, religion, marital status citizenship, disability, or any other status protected by law. Individuals found guilty of harassment or discrimination toward another employee, student, or faculty member will be subject to disciplinary actions up to, and including, immediate termination or expulsion from the College, when appropriate.

Harassment or discrimination (as defined by Title VII, Title IX, or other applicable laws) can take many forms—including but not limited to slurs, jokes, statements, gestures, electronic communications (including e-mail), pictures, or cartoons regarding a student's, faculty member's, or employee's race, color, religion, gender, national origin, age, marital status, sexual orientation, citizenship, disability, or any other status protected by law.

Fundamental to the College's mission is the free and open exchange of ideas. It is not, therefore, the College's purpose in promulgating this policy to inhibit free speech or the free communication of ideas by members of the academic community.

SEXUAL HARASSMENT POLICY

Sexual harassment is a violation of the law and a violation of the College's policy. This policy on sexual harassment applies to the entire College and to the conduct of students, faculty, staff, and vendors both on campus and at College-sponsored events and activities.

Sexual harassment toward a student is a violation of Title IX of the Education Amendments Act of 1972. Students who believe they have been subject to sexual harassment at the College are instructed to contact the Vice President for Student Affairs.

Sexual harassment toward an employee is a violation of Title VII of the Civil Rights Act. Title VII is the primary legal basis for sex discrimination claims of employees. It protects both men and women and includes, but is not limited to, discrimination on the basis of pregnancy, childbirth, or related medical conditions.

If you feel that you are being sexually harassed, or are aware of the occurrence of sexual harassment, you should immediately contact the Vice President for Student Affairs, the Vice President for Academic Affairs, or the Director of Human Resources/Equal Opportunity Officer. The College will investigate the matter promptly and take appropriate steps to equitably resolve the matter.

Sexual harassment is unwelcome behavior of a sexual nature that is offensive to students, staff, or faculty. Sexual harassment includes but is not limited to:

- Sexual advances, requests for sexual favors, or verbal or physical contact where submission to the conduct is made a term or condition of instruction, employment, or any College activity or is used as the basis for academic decisions or employment

- Unwelcome verbal, visual, or physical conduct of a sexual nature, which unreasonably interferes with a student, staff, or faculty member's work or creates a hostile or demeaning employment or educational environment

Some examples of prohibited harassment include:

- Unwelcome sexual advances. This includes patting, pinching, brushing up against, hugging, cornering, kissing, or any other physical contact considered unacceptable by another individual.
- Requests or demands for a sexual relationship. This includes subtle or blatant unwanted flirtations, advances, propositions, expectations, or requests for any type of sexual relationship.
- Verbal abuse or teasing that is sexually oriented or based on gender or sexual preference. This includes comments about an individual's body or appearance, off-color jokes, or any other offensive comments, innuendoes, or actions with which someone may be uncomfortable (where such comments go beyond an isolated innocuous compliment).

Consenting romantic and sexual relationships between faculty/staff and student or between supervisor and employee, while not expressly forbidden, are generally deemed inappropriate, particularly relationships between individuals of unequal status. In the view of the College, the relationship between a student and instructor or staff member is that of client and professional. The respect and trust accorded an instructor by a student, as well as the power exercised by the instructor in giving praise or criticism, grades, recommendations for further study, or future employment greatly diminish the student's actual freedom of choice should sexual favors be included among the instructor's demands. Therefore, instructors are warned against the possible costs of even an apparently consenting relationship in regard to the academic efforts of both faculty member and student. A faculty member or staff member who enters into a romantic relationship with a student, or a supervisor with an employee where a professional power differential exists, must realize that if a charge of sexual harassment is subsequently lodged, it will be exceedingly difficult to establish that there has been no violation of the policy on grounds of mutual consent. The College administration and the Harassment Review Board investigating a charge of sexual harassment shall be expected, in general, to be unsympathetic to a defense based upon consent when the facts establish that a professional faculty/staff-student or supervisor-employee power differential existed within the relationship.

MAKING A COMPLAINT

FACULTY/STAFF

A faculty or staff member of the College who believes that he or she is being harassed in violation of this policy, or who becomes aware of harassment of a coworker and wishes the College to take action on his or her behalf or on the behalf of others, is required to immediately bring the matter to the attention of either their department chair/supervisor, the Vice President for Academic Affairs, or the Director of Human Resources/Equal Opportunity Officer. An employee is not required to bring a harassment complaint first to their department chair or supervisor. If preferred, the complaint may be made directly to the Director of Human Resources/Equal Opportunity Officer. All complaints will be investigated in accordance with the Grievance Procedure described in this policy. Any supervisor who receives a complaint or who observes harassing conduct must inform the Director of Human Resources/Equal Opportunity Officer immediately. An official record of the complaint will be made.

STUDENTS

If a student of the College believes that he or she is being harassed in violation of this policy or becomes aware of possible harassment and wishes the College to take action, he or she should bring the matter immediately to the attention of one of the following parties: the Vice President for Student Affairs, the Director of Human Resources/ Equal Opportunity Officer, or the Vice President for Academic Affairs. Any student who wishes a confidential discussion regarding harassment should contact a member of the Counseling Center staff.

All complaints of harassment will be promptly investigated. The College will not tolerate retaliation against any member of the College for bringing a complaint or for cooperating with an investigation. When the investigation finds that harassment occurred, the College will take prompt corrective and disciplinary action (up to and including discharge from employment or expulsion from the College, when appropriate).

INVESTIGATIVE PROCEDURES

Any complaint of harassment should be expressed to the Vice President for Student Affairs, the Vice President for Academic Affairs, or the Director of Human Resources/Equal Opportunity Officer. If a student has a complaint, it should be discussed with the Vice President for Student Affairs. A staff member's complaint should be discussed with the Director of Human Resources/Equal Opportunity Officer, and a faculty member's complaint should be discussed with the Vice President for Academic Affairs. If a department chair or other MICA community member receives a complaint, this complaint must be forwarded to the Director of Human Resources/Equal Opportunity Officer within two working days of receiving the complaint.

INFORMAL INVESTIGATION AND RESOLUTION

Once a complaint has been made, counseling, informal discussion, and mediation are often the first phase of the complaint process. In some cases the complaint may be resolved by simply arranging for a meeting between the involved parties. If the complainant is not satisfied that the issues related to the alleged harassment have been resolved through the informal process, the Director of Human Resources/Equal Opportunity Officer will initiate a formal process of investigation.

FORMAL INVESTIGATION AND RESOLUTION

Maryland Institute College of Art has established a standing Harassment Review Board (see Definitions section that follows) for the purpose of conducting formal investigations into allegations of harassment and making recommendations on the basis of its investigation. In the formal investigation process, the Director of Human Resources/Equal Opportunity Officer will convene the full board or a sub-group to review the complaint and determine whether the allegations constitute harassment. If the board or sub group finds that the elements of the complaint fall under the definition of harassment, the Director of Human Resources/Equal Opportunity Officer will consult further with this group to determine a schedule and organization of a formal investigation by the full Harassment Review Board. The Director of Human Resources/Equal Opportunity Officer has ten working days to complete the process. If the Director of Human Resources/Equal Opportunity Officer cannot complete the process within this time frame, the person making the complaint will be notified in writing of the expected time frame for completion of the initial investigation and reason for delay.

The Harassment Review Board will conduct a formal investigation, which includes interviews with witnesses and a review of all information deemed relevant to the matter. Both the accuser and the accused will be given an opportunity to appear before the Harassment Review Board. The Director of Human Resources/Equal Opportunity Officer will

maintain a confidential record of the proceedings and prepare a report of the findings for the Administration. In the absence of the Director of Human Resources/Equal Opportunity Officer, a selected member of the Harassment Review Board will assume these responsibilities.

Complaints should be presented as promptly as possible after the incident occurs. The individual who presents the complaint may postpone an investigation for a reasonable time. In the case of a complaint brought by a student, postponement is limited to sixty days from the end of the academic semester in which it occurred. The reason for postponement should be stated in writing and submitted to the Director of Human Resources/Equal Opportunity Officer.

If the Director of Human Resources/Equal Opportunity Officer refers a complaint to the Harassment Review Board, the Harassment Review Board will have a goal of completing its investigation within twenty working days of the date on which it receives the complaint. If the Harassment Review Board determines that it cannot complete its investigation within this time frame, the person making the complaint and the accused will be notified in writing of the expected time frame for the completion of the Harassment Review Board's investigation and reasons for delay.

After a full fact-finding investigation by the Harassment Review Board, a written report will be presented to the President of the College and a summary of findings presented to both parties. If the Harassment Review Board finds that harassment has not occurred, the report and evidence will be held for three years, then destroyed from institutional files. In the event that the Harassment Review Board determines that harassment occurred, the College will take prompt corrective and disciplinary action (up to and including discharge from employment or expulsion from the College, when appropriate). If the investigation involves a student, the findings will also be presented to the Vice President for Student Affairs for disciplinary action if appropriate. If the investigation involves a faculty member, the findings will also be presented to the Vice President for Academic Affairs for disciplinary action if appropriate.

DEFINITIONS

"CONFIDENTIALITY"

The College is sensitive to the need for privacy for the complainant and the accused; therefore, in investigating complaints of harassment, the College will be as discreet as possible. It is most important that all parties (accuser, accused, witnesses, and Harassment Review Board members) involved in the investigation maintain confidentiality. If the confidentiality is breached, the individual responsible for the breach may be subject to disciplinary action up to and including termination or expulsion from the College, when appropriate.

"DISCIPLINE"

The College will take disciplinary action as it deems necessary and appropriate. This may include but is not limited to warning, suspension, and immediate discharge or expulsion from the College. Immediate discharge or expulsion may be taken as a first or last disciplinary step.

"HARASSER"

Hostile environment claims do not require that the harasser be a supervisor or faculty member. The harasser can be a student classmate, a staff member, a vendor, a customer, or other non-employees.

"HARASSMENT REVIEW BOARD"

The Harassment Review Board will be selected by the President or his designees in consultation with the Equal Opportunity Officer. The Harassment Review Board will consist of three staff members, three faculty members, the Director of Human Resources/Equal Opportunity Officer, and a designated note taker. The Harassment Review Board shall be composed of persons who reflect the College's diverse population. The Director of Human Resources/Equal Opportunity Officer serves as coordinator in order to centralize the responsibility of the Harassment Review Board and to facilitate administrative matters. Selection is aimed at forming a group that will offer continuity, experience, and sensitivity to concerns of those who believe they have become a victim of harassment on the basis of their sex, age, race, color, national origin, religion, marital status, citizenship, disability, or other legally protected status. The Harassment Review Board members shall be appointed for a three-year term and may be reappointed. Any member who has a connection to a complainant or the alleged harasser should be excused from this process. The Harassment Review Board members' function is to work as a diverse group to investigate complaints to determine whether alleged conduct constitutes harassment of any type. A Harassment Review Board member may also participate in mediation between parties. After a full fact-finding investigation by the Harassment Review Board, a written report will be presented to the President. If the investigation involves a student, the findings will also be presented to the Vice President for Student Affairs; if the investigation involves a faculty member, the findings will also be presented to the Vice President for Academic Affairs.

"HOSTILE ENVIRONMENT"

Unwelcome verbal, visual, or physical conduct—which occurs because of a person's legally protected status and unreasonably interferes with a student, staff, or faculty member's work or creates a hostile or demeaning employment or educational environment—constitutes a hostile environment.

"RETALIATION"

Submission of a good-faith complaint will not affect educational endeavors, work assignments, academic career, or an employee's future employment with the College. No retaliatory action will be taken against any person because they make a complaint of harassment. If the complainant believes he or she is being retaliated against for making a complaint or participating in an investigation, he or she should immediately report such retaliation to the Director of Human Resources/Equal Opportunity Officer.

"SEXUAL HARASSMENT"

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's instruction, employment, or participation in any College activity
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive College environment

PERFORMANCE, INSTALLATION, & SOUND ART IN PUBLIC SPACES

The College fully supports students' right to artistic expression and recognizes the merits of performance and installation art; however, students must comply with MICA policies in order to provide a safe and healthy learning environment for everyone. Students and other participants in performance, installation, and sound art must comply with all MICA policies regarding drugs, alcohol, weapons, explosives, and other hazardous materials. Specifically prohibited in MICA buildings and on MICA property are:

- Setting off fireworks, explosives, or any similar device
- Displaying or using a knife, gun, or other weapon
- Possession or use of illegal drugs (including alcohol, if under age 21)
- Exposing others to blood, urine, feces, chemicals, or other hazardous materials (as an unsafe practice, this is not acceptable)
- Any activity that has the potential to cause injury to the artist, any other participants or performers, audience members, or others

Artists who would like to display or install performance, installation, or sound art on public spaces on the MICA campus must obtain prior written authorization from the MICA Office of Events. This is necessary to ensure that desired space is available and property damage and safety hazards will not result. Installations or performances in classrooms during class time do not need authorization; however, they must comply with the policies above.

Installation or performances in galleries must obtain prior authorization from the Director of Exhibitions. MICA public spaces include:

- All exterior spaces on campus, including entrance plazas in front of Bunting Center, Mount Royal Station, Main Building, Fox Building, Brown Center, and Cohen Plaza (grass, walkways, fountains, and patio areas)
- All balconies, stairwells, entrance and lobby areas, and restrooms in campus buildings, and any other non-gallery, non-classroom spaces in MICA buildings
- Main Building Court, including air space to ceiling
- Mount Royal Station parking lot, hill, exterior stairways, portico, and train shed
- Meyerhoff House front patio, Alex. Brown Garden, and Daniels Garden
- The Commons front steps

Please be aware that MICA does not own the median strips, trees, sidewalks, streets, telephone or light poles—they are property of the City of Baltimore.

Students interested in presenting performance, installation, or sound art on MICA's campus (even for one class session) outside of classrooms or the College's gallery spaces must submit a proposal at least two weeks prior to the start date to the Office of Events, outlining the details and the timetable for the artwork. Proposal forms are available at the Office of Events. A committee will review the proposals, and the student will receive notification of the committee's decision. Any installed art deemed a public health or safety hazard and installations that have not received authorization will be removed immediately.

We encourage students who intend to exhibit artwork in public spaces on campus (even for one class session) to consider MICA's close proximity to a daycare and elementary school. No artwork may be on Corpus Christi Church or church property, elementary school, or daycare property; we also discourage displaying or critiquing work containing sexually explicit images in public areas where underage children may be walking to and from school. Alternative locations on campus should be considered.

Performance, installation, and sound art proposals for Brown Center's Leidy Atrium, Lower Lobby, or Rosenberg Gallery are coordinated by the Exhibitions Department.

Graffiti and defacement of MICA buildings and public or private property are not considered artwork. Violators will be subject to disciplinary action. See page 309 for MICA's graffiti policy.

Gallery hours for all exhibition spaces:

- Monday–Saturday: 10 am–5 pm
- Sunday: 12 noon–5 pm
- Closed major holidays

NOTE: The student space galleries are closed when students are not on campus. All exhibitions and opening receptions are free and open to the public. For current information about exhibitions in the student space galleries, contact Student Activities. For information about all other exhibition spaces, call the Exhibitions Office (ext. 2280) or visit MICA's website.

PETS

Here at MICA we have been privileged with the pleasure of welcoming pets in our working and learning environments with very few restrictions. MICA will continue our culture of allowing pets on campus with a refined policy to better manage our pets and the overall community.

MICA's primary responsibility is to provide students, faculty, staff, and guests with a safe and healthful environment while on campus. Therefore, we have established this policy.

If you have any questions regarding MICA's pet policy, please address them to the Environmental Health and Safety Office. The success of this policy depends on everyone's cooperation. As faculty, staff, and students, we share the responsibility for following and enforcing these rules. Please report any problems to the appropriate department head,

faculty member, supervisor, campus safety or student affairs.

We realize that companion animals richly enhance our lives and in order to ensure this tradition carries into the future, we all must address the health and safety needs of our entire community. Thank you in advance for cooperating with this health and safety matter.

MICA PET POLICY

Faculty, staff, and students who wish to bring any pet to campus must complete the registration process and comply with all rules described below. You may not bring your pet to campus until you have completed the registration process and received a MICA pet ID tag. No guests may bring pets or animals on campus.

PET REGISTRATION

All animals on campus must be registered with the Environmental Health and Safety (EHS) Manager. The full Campus Pet Policy and Registration, Waiver and Veterinarian Verification Forms can be found at Campus Safety desks.

Before bringing your pet to campus, you must register by presenting the following forms, which will be kept on file.

- Veterinarian Verification Form as proof that your pet is up-to-date on all inoculations
- Current rabies certificate, which must be kept on file and updated as needed
- Signed pet waiver

Please bring them in person along with your pet to the EHS office in the Firehouse. A photo will be taken of your pet for MICA records.

Once the registration process is complete, a MICA Pet ID tag will be assigned to your pet and must be displayed on the pet at all times while on campus. No pet will be allowed on campus without an ID tag.

RULES ABOUT PETS ON CAMPUS

- Complaints about pet behavior or pets in a “Pet Free” zone should be brought to the attention of Campus Safety (just visit the nearest Campus Safety desk or call x2355) and/or the EHS Manager (x7593) or dbowser@mica.edu.
- The City of Baltimore law requires that all dogs be leashed at all times (including when inside buildings), and that owners curb and pick-up after their pets.
- MICA requires that all pets must be leashed at all times (including when inside at all times).
- Don't get between the animals if a fight occurs between pets. Call 311 to request a Baltimore City first responder, and then notify Campus Safety immediately.
- Campus lawns and gardens are an extension of our classrooms and are important relaxation spaces for the campus community. They are not to be used as dog walks or pet waste areas.
- No exotics, insects, rodents, or reptiles (including snakes, lizards, and ferrets) may be on campus unless pre-approved

for a class project by an instructor with prior written approval by EHS.

- No pets are allowed in campus areas designated as “Pet Free” zones. The only exception to this rule would be for those animals used for service (i.e., seeing-eye dogs). Each semester, Operations will post a sign on the door of each classroom, studio, lab, or shop if that area is to remain pet-free.

DESIGNATED PET-FREE ZONES

The following locations are designated as “pet-free zones”:

- Any room with a “No Pets” sign
- All food service areas, including Meyerhoff Dining Room, Java Corner, Café Doris, and catered food areas
- College owned and/or managed housing
- Computer and print labs and the Art/Tech Center
- Falvey Hall
- All galleries
- Decker Library
- All studio shops

SEXUAL ASSAULT

As required by the Campus Security Act of 1990, amended by the Higher Education Technical Amendments of 1991, and the Higher Education Amendments of 1992 and 1999, all colleges and universities receiving federal funds are required to establish and distribute policy and procedures regarding sexual assault. MICA’s Sexual Assault Policy includes definitions of terms, complaint procedures for students and employees, and descriptions of counseling and education programs to prevent sexual assault. If you have any questions or concerns about the policy, please feel free to contact the Office of Student Affairs.

POLICY

It is the policy of Maryland Institute College of Art (hereinafter, “College”) that no person (including students, employees, faculty members, or visitors) may physically or verbally threaten the physical or mental well-being of any other person while on College-owned, -leased, or -controlled property through the commission of forcible or non-forcible sexual offenses as defined below under Definitions. Sexual assault is a criminal act of violence. When a sexual assault or other crime occurs, it creates an environment of concern and tension throughout the campus and surrounding community. The College’s policy is designed to provide an environment that responds promptly and with sensitivity to the needs of victims, that respects the rights of the accused, and addresses the concerns and safety of the community.

DEFINITIONS

"FORCIBLE SEXUAL ASSAULT"

Any sexual act, sexual contact, or vaginal, anal, or oral intercourse directed against another person by force or threat of force, against the will and without the consent of that person, even if that person is incapable of giving consent.

1. Forcible rape
2. Forcible sodomy
3. Sexual assault with an object
4. Forcible fondling

"NON-FORCIBLE SEXUAL ASSAULT"

Unlawful, non-forcible sexual intercourse.

1. Incest – non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
2. Statutory Rape – non-forcible sexual intercourse with a person who is under the statutory age of consent.

"SEXUAL ACT"

Oral, anal, or genital intercourse, even if semen is not emitted. Penetration, however slight, is evidence of intercourse. "Sexual Act" also means the penetration, however slight, by any object entering the genital or anal opening of another person's body if the penetration can be reasonably construed as being for the purposes of sexual arousal or gratification or for abuse of either party if the penetration is not for accepted medical purposes.

"SEXUAL CONTACT"

The intentional touching of the anal or genital areas or other intimate parts for the purposes of sexual arousal or gratification or abuse of either party. This does not include acts commonly expressive of familial or friendly affection, or acts for accepted medical purposes.

WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED

- Get to a safe place as soon as possible.
- To get help, call the police at 911 (dial 9, then 911 if you are calling from a campus phone) as soon as possible after the assault has occurred.
- Contact someone you trust to be with you and help you deal with the trauma of having been violated. If you wish, you may contact the Director of Counseling, to assist you (410-225-2367 or 443-695-1414). See "Who to Call" below for more information. After business hours, contact the Campus Safety Dispatch Desk at 443-423-3333 (ext. 3333 on campus). Your situation will be handled with confidentiality.
- Try to preserve all evidence. Do not throw away clothes or wash, douche, or change. If you must change clothing, put

all clothing you were wearing at the time of the attack in a paper (not a plastic) bag.

- Document any injury you suffered either by photograph or by showing someone you trust.
- To maintain all your legal options, physical evidence should be collected within 24 hours of the attack, because with the passage of time, the quality and quantity of evidence may diminish. Please note: Many emergency rooms request that you call the police prior to arriving at the emergency room. It is the decision of the person assaulted whether or not to file charges. If a charge is filed with the police, the state picks up the cost of medical care provided at the emergency room. If a charge is not filed, the person assaulted will have to pay medical costs incurred.
- Get medical attention as soon as possible to treat any physical injury and to prevent the possible consequences of venereal disease or pregnancy, as well as to preserve evidence and to document internal and external damage and injury.
- Until police have dusted for fingerprints, try not to touch any smooth surfaces that the assailant may have touched.
- Reporting a sexual assault is a separate step from choosing to prosecute. When a report is filed, you are NOT obligated to continue with the police criminal justice system or the campus disciplinary action process. The College will provide confidential counseling, emotional support, and immediate emergency services.
- After the assault, let your answering machine pick up and record telephone calls. Save any tape recordings that are suspicious.
- Do not try to confront your assailant. Let the police know if there is further contact with the assailant.

WHO TO CALL IF YOU ARE SEXUALLY ASSAULTED

If you are a victim of sexual assault and would like immediate support or guidance, MICA's director of counseling, Patricia Farrell-McLaughlin, MSW, LCSW-C, is available to provide support and advocacy. She is available 24 hours a day to call for emergencies. You may also call other Student Affairs staff members for support (see following paragraphs for phone numbers).

A victim of sexual assault has the right to file charges, and, at the victim's request, MICA will promptly assist in notifying appropriate law enforcement officials. If you would like assistance from someone outside MICA, call the Sexual Assault Center Hotline at 410-828-6390.

PERSONAL COUNSELING

- Patricia Farrell-McLaughlin, MSW, LCSW-C
- Joe Kachik, PhD
- Jeffery Klug, LCPC, CAC

From 9 am to 5 pm, call 410-225-2367 or 410-225-2394. In an emergency, call the Counseling Center's emergency number: 443-695-1414.

CAMPUS SAFETY OFFICE

9 am to 5 pm: 410-225-2355

24 hours: 443-423-3333 off campus, or ext. 3333 on campus

If you need help and support from a College staff member after hours, call Campus Safety and tell them you have an emergency. You do not need to describe the emergency. Ask them to call the College patrol officer or Student Affairs staff member on call. They will refer you to a person who can help you.

Mount Royal Medical Associates

Monday through Friday, 9 am to 5 pm: 410-225-8855. After hours or on weekends, dial 410-225-8000 and request the physician 'on call' for Mount Royal Medical Associates.

OFFICE OF STUDENT AFFAIRS

- Dusty Porter, Vice President and Dean of Student Affairs: 410-225-2422
- Mike Patterson, Associate Dean for Student Life and Judicial Affairs, 410-225-2422
- Cheryl Garner, Associate Dean for Student Development, 410-225-2422
- Residence Life Staff: Contact your front desk and ask for the Professional Staff Member on Duty (Commons— 410-462-7500; Meyerhoff—443-552-1600; Gateway—410-225-5286)

SEXUAL ASSAULT CENTERS

Support, advocacy, and referral service for victims of sexual assault (i.e., rape, incest, and domestic violence)

- Baltimore City: 410-837-7000
- Baltimore County: 410-377-8111
- TurnAround Hotline: 410-828-6390

WHERE TO GO FOR MEDICAL ATTENTION

Each of the following hospitals has a rape crisis protocol and the Maryland State Police Sexual Assault Evidence Kit.

BALTIMORE CITY HOSPITAL EMERGENCY ROOM

Mercy Hospital
301 Saint Paul Place
410-332-9477

BALTIMORE COUNTY HOSPITAL EMERGENCY ROOMS

Franklin Square Medical Center
9000 Franklin Square Drive
443-777-7046

Greater Baltimore Medical Center (GBMC)
6701 North Charles Street
443-849-2225

COMPLAINT PROCEDURES

Victims of forcible or non-forcible sexual assault are encouraged to report any crime to the Student Affairs Office, one of the College's personal counselors, or Campus Safety. These departments are staffed with people who will promptly assist the victim of any sexual assault to contact medical professionals, law enforcement professionals, and campus disciplinary authorities if the victim chooses to do so and to arrange for transportation to appropriate medical services. A staff member will also accompany a victim to medical services and assist the victim in contacting law enforcement professionals if the victim so desires.

Victims of sexual assault are urged to contact law enforcement and medical personnel as soon as possible after the occurrence of a sexual assault in order to receive legal, medical, and emotional guidance and to preserve evidence needed to apprehend and successfully prosecute assailants. It is, however, the victim's right to choose or decline to make a report to the police. The victim may also request the guidance of the personal counselor to assist the victim in making decisions about the reporting process or to get support and assistance such as:

- Requesting that the counselor arrange for transportation and accompany the victim to the hospital
- Making decisions regarding filing a criminal report with the police or making a formal report to Maryland Institute College of Art
- Requesting the counselor's presence and support if he or she decides to report the assault to the police

In addition, the victim will be provided with information regarding local rape crisis programs such as TurnAround and other counseling services. Further, an alleged victim will have an opportunity to be transferred to alternative classes or housing if available and feasible. Other Student Affairs staff members can also be approached for assistance in these matters if the victim so chooses.

STUDENT DISCIPLINARY PROCEDURES

The campus student disciplinary process is not a criminal proceeding and does not take the place of such. Student disciplinary proceedings are independent of civil or criminal proceedings and may go forward regardless of action taken (or not taken) by law enforcement agencies. Clearly, violations of sexual assault laws are subject to criminal and civil prosecution and may be referred to law enforcement agencies for disposition.

Students may also choose to report an on-campus sexual assault to the Vice President for Student Affairs and request that a student disciplinary process take place. Sexual assault complaints brought by a student against another student will be dealt with through the student disciplinary system. Depending on the particular situation, the Vice President for Student Affairs or a designee may choose to hear the case himself or herself, or may choose to convene a hearing panel to

determine the relevant facts of the case. Once the facts of the case are determined, the Vice President for Student Affairs will arrive at possible sanctions. Possible sanctions for committing sexual assault include, but are not limited to, the following:

- Disciplinary warning
- Mandatory psychological assessment and possible referral for therapy (expense to be borne by the student)
- Housing probation or dismissal from housing (if student lives in College-owned housing)
- Disciplinary probation
- Suspension or dismissal from Maryland Institute College of Art

Victims of sexual assault are entitled to certain rights in accordance with the Campus Sexual Assault Victim Bill of Rights (PL 102-325, Section 486[c].) On-campus disciplinary hearing procedures guarantee that:

1. The accuser and accused are entitled to the same opportunities to have others present during the hearing.
2. Both the accuser and the accused shall be informed of the outcome of the disciplinary proceeding alleging a sexual assault.
3. The accuser and the accused will be treated with dignity, courtesy, and professionalism.
4. Although state and federal law requires statistical reporting of campus sexual offenses, the victim's right to choose whether or not to file criminal charges will be upheld.

DISCIPLINARY PROCEDURES APPLIED TO EMPLOYEES

A campus disciplinary proceeding in which an employee of MICA is the accused is not a criminal proceeding and does not take the place of such.

Disciplinary proceedings can take place concurrently with criminal and civil proceedings. Clearly, violations of sexual assault laws are subject to criminal and civil prosecution and may be referred to law enforcement agencies for disposition.

In a sexual assault case in which the accused is a faculty or staff member (an employee of MICA), complaints may be brought against the employee through the Sexual Harassment Board. In such a proceeding, the following procedures shall be followed:

1. The accuser and accused are entitled to the same opportunities to have others present during the hearing.
2. Both the accuser and the accused shall be informed of the outcome of the disciplinary proceeding alleging a sexual assault.
3. The accuser and the accused will be treated with dignity, courtesy, and professionalism.

4. Although state and federal law requires statistical reporting of campus sexual offenses, the victim's right to choose whether or not to file criminal charges will be upheld.

Possible sanctions for committing sexual assault as an employee of MICA include, but are not limited to, one or more of the following: counseling, reprimand, suspension, or termination of employment.

Student employees who are enrolled in MICA's degree programs will be dealt with through the student disciplinary system.

SEXUAL ASSAULT AWARENESS - EDUCATIONAL & COUNSELING PROGRAMS

- Sexual assault awareness
- AIDS awareness
- Sexually Transmitted Diseases (STDs)
- How to use the Health Center
- Acquaintance rape
- Crime prevention
- Sexual assault defense training
- Alcohol and substance abuse education

In addition, written information on the topics listed above will be available to students along with published crime statistics. Students also have the opportunity for on-campus confidential assessment and counseling, and referral for treatment to off campus, community-based counseling services.

STATISTICAL REPORTING OF ON-CAMPUS INCIDENTS

Since September 1, 1993, MICA, through its Campus Safety Guide, has published and distributed on-campus crime statistics, which include forcible and non-forcible sexual offenses, to all current students and employees. In addition, this document is provided to any applicant for enrollment or employment upon request. Anyone wishing more information is encouraged to contact the Office of Student Affairs, Admission Office, or the Human Resources Department.

SMOKING REGULATIONS

Smoking is prohibited in all indoor campus spaces, including student rooms in College residential facilities. Smoking is also prohibited within 20 feet of building entrances.

The goal is to eliminate situations where students, employees, and visitors must walk through smokefilled areas in order

to enter a MICA building, and also to prevent smoke from migrating into the building. “No Smoking” signs will be posted as a reminder of this policy.

Ash trays are provided in areas where smoking is permitted, and smokers are encouraged to use them instead of campus sidewalks and lawns when extinguishing their cigarettes.

STUDENT COPYRIGHT

In August of 2008, Congress amended the Higher Education Act (HEA). The amended HEA requires all colleges and universities that, like MICA, receive student financial aid funding from the federal government to provide notice to students of college policies and other information about copyright infringement and illegal file sharing. This notice provides a summary of MICA’s policies and where to find more information about copyright law and illegal file sharing.

Students are required to comply with all local, state, federal, and international copyright laws, and with College policies regarding the use of copyright-protected materials at MICA. Whenever copyright-protected works are used and fair use does not clearly apply, MICA requires students to obtain written permission from the copyright owner. Downloading, uploading or transmitting files containing copyright-protected works without the permission of the copyright owner is prohibited by MICA policy- a violation of which may subject an infringer to MICA disciplinary action, is illegal, infringes the copyright owner’s rights, and may result in legal liability for the infringer and the College.

Most forms of expression, whether images, sculptures, designs, interactive works, books, movies, blogs, videos, music, or software, are protected by copyright law upon fixation in a tangible form. Expressive works are protected whether or not the work bears a copyright notice, and without regard to where the work is published or displayed. Copyright-protected works cannot be copied, distributed, adapted, performed, or displayed without the permission of the copyright owner. Any unauthorized use of a copyright-protected work infringes the copyright owner’s exclusive rights under copyright law.

A finding of copyright infringement does not require that the unauthorized use of the work be commercial, or that the infringer knows that a use is infringing. Even accidental copyright infringement creates legal liability. An infringer faces paying the copyright owner monetary damages, having the infringing work destroyed, and serving time or paying fines for certain criminal activities connected to copyright infringement. If the infringed work was registered with the U. S. Copyright Office prior to infringement, the copyright owner may be entitled to collect anywhere from \$750 to \$150,000 per infringement in “statutory damages” from the infringer. Simply defending an accusation of copyright infringement is costly.

Fair use is a defense to copyright infringement that is intended to provide room for freedom of expression in the copyright law. Where an unauthorized use transforms, repurposes, comments upon, or criticizes the original copyright protected work, or is made for scholarly or educational purposes, the use may be a fair use and non-infringing of the copyright owner’s rights. On the other hand, an unauthorized use of a copyright-protected work that merely reproduces the original work for a purpose similar to the original work’s purpose is unlikely to be a fair use. The fair use defense to copyright infringement is a complex body of law and often requires a substantial expenditure of legal fees to succeed. Sharing music, movies, or software online without the permission of the copyright owner is not a fair use.

The Digital Millennium Copyright Act (DMCA) penalizes circumvention of technology used to prevent the unauthorized use of copyright-protected works. A violation of the DMCA may result in criminal penalties, including fines and imprisonment, and the defense of fair use does not apply to many provisions of the DMCA.

MICA prohibits use of its technology systems, including, without limitation, use of its website, email system, intranet, digital studios, computer labs, and bulletin board systems (“Technology Resources”) in connection with illegal activities, including such activities as circumvention of access control or copy protection technology, unauthorized file sharing, or other methods of downloading, copying, distributing, or sharing copyright-protected works without the permission of the copyright owner, or in connection with making copyright protected materials available for downloading, copying, distributing, or sharing by others without the permission of the copyright owner.

MICA has the right, but not the obligation, to monitor and review any use of the Technology Resources. MICA may monitor user IDs and passwords used to access the Technology Resources, may review information stored or sent using the Technology Resources (including emails and attached files), and may remove and save a copy of such information in MICA’s sole discretion.

MICA may utilize technological methods such as traffic shaping, content filtering, or user tracking to identify, block, and/or thwart activities deemed in MICA’s sole discretion to be potentially illegal or necessary to conserve the Technology Resources or manage their usage. MICA may retain copies of any information stored on or sent using MICA’s Technology Resources, even if the originator of such information deleted such information.

MICA reserves the right to restrict or terminate user access to the Technology Systems or to disable a user ID and/or password at any time without notice if MICA believes that the user has violated this policy, or any state or federal law. MICA reserves the right at all times to disclose, without notice to the user, any information necessary to satisfy any applicable law, regulation, legal process or governmental request, or to edit, refuse to post or to remove any information or materials, in whole or in part, in MICA’s sole discretion if MICA believes a user has violated any of portion of this policy or any other MICA policies or guidelines.

MICA investigates notices of copyright infringement submitted to MICA’s designated copyright agent and takes appropriate actions under the DMCA, including removal of infringing materials from the MICA website. Students are responsible for reading, understanding, and personally complying with this policy, MICA’s Intellectual Property Policy (“MICA IP Policy”) and MICA’s Technology Systems and Services policies. Students who violate MICA’s policies are subject to disciplinary action by the College, which may include termination of access to the Technology Systems, disciplinary probation, suspension, and dismissal from MICA, as further provided in MICA’s student policies. In addition, a student may face personal legal liability, including civil and criminal penalties for infringement of copyright and other intellectual property laws, which may include injunctions restraining infringing activities, monetary damages, prison time, attorney’s fees, and court costs.

More information about copyright law and guidelines for identifying rights, determining the applicability of fair use, researching the identity of copyright owners and securing permissions are provided in the MICA IF Policy, which is available along with links to additional copyright law resources at www.mica.edu/library.

THREAT ASSESSMENT TEAM

The Maryland Institute College of Art has established a Threat Assessment Team (The Team) to address situations where students may be exhibiting disruptive, threatening or worrisome behaviors that have the potential to impede their own academic progress, or that has the potential to impede the ability of others to function successfully or safely.

It is imperative that any member of the MICA community – faculty, staff or students – immediately report any situation that could result in harm to anyone at the College. Any member of the campus community may become aware of a troubling situation that is causing serious anxiety, stress, or fear. If such a situation appears to be imminent, including possible immediate risk of violence to self or others, it should be reported immediately to the Department of Campus Safety at 443-433-3333. Any situation not deemed to be imminent, yet still of concern should be reported to the Office of Student Affairs at 410-225-2422.

PURPOSE

This Team has been established to:

- Respond to possible circumstances of violence or threatening behavior;
- Respond quickly to behavior indicating a potential risk to self or others;
- Determine if a realistic threat is present and act accordingly;
- Coordinate and assess information from faculty, administrators, students and local authorities;
- Notify, within FERPA guidelines, parents, guardians and/or next-of-kin;
- Identify resources for troubled students and make referrals to appropriate campus and off-campus agencies, including helping with the securing of therapeutic actions such as treatment or counseling;
- Periodically assess outcomes of actions taken

PROCEDURE

For the safety of the campus community any threat, explicit or implied, will be considered a statement of intent. The Threat Assessment Team will investigate any concern and act as necessary to protect the campus community.

Threat-related information must be forwarded to the Office of Student Affairs, or in an imminent situation directly to the Department of Campus Safety. The report will be initially evaluated, and if appropriate a group from the Threat Assessment Team will be convened. Any member of the campus community is expected to make themselves available as needed for advice and consultation.

When information is received about a possible threat, it will be investigated and a determination will be made using the best available information regarding the level of threat present. This determination will be made by assessing the initial concern in conjunction with any corroborating evidence, the student's disciplinary record, and any other relevant information as deemed appropriate by the Threat Assessment Team. The determination of the Threat Assessment Team is intended only as an initial intervention, and should only be considered as the first part of an ongoing review. While the Team is comprised of skilled and knowledgeable staff who will make every effort to consider all angles of a situation, it should be noted that assessing a possible threat can never be 100% accurate.

As needed, the Threat Assessment Team will ask the Vice-President of Student Affairs, or designee, to place a student on an interim suspension pending a disciplinary hearing, require internal or external psychological evaluations, or act in any

other manner as allowed by College policy in order to ensure the safety of the campus community.

THREAT ASSESSMENT TEAM

The Threat Assessment Team consists of College personnel with expertise in law enforcement, threat assessment, academic affairs, and student affairs. Whenever possible a collaborative process will be used to assess the perceived threat. A core team of key campus leaders will generally comprise the Team, and a secondary support team will be available as needed to assist with the investigation and assessment of a situation. Other individuals may also be consulted such as a faculty member who has a concern about a student. Generally when investigating a possible student threat four members of the core team – one each from Student Affairs, Academic Affairs, the Counseling Center, and Campus Safety, to be chaired by the representative from the Office of Student Affairs – will be assembled to manage the investigation and make a determination regarding the level of threat.

The Team will meet on an emergency basis and as needed to review reports brought forward by faculty, staff, and students concerning disruptive, inappropriate, and/or threatening behavior.

THREAT ASSESSMENT TEAM MEMBERS

CORE TEAM

- Vice President for Student Affairs, Dr. J. Davidson “Dusty” Porter
- Dean of Academic Services, Cindy Barth
- Dean of the Faculty, Jan Stinchcomb
- Associate Dean for Student Development, Cheryl Garner
- Associate Dean for Student Life and Judicial Affairs, Michael Z Patterson
- Director of Campus Safety, Stephen Davis
- Director of the Counseling Center, Pat Farrell-McLaughlin, MSW, LSCSW-C
- Assistant Director of Campus Safety, Dave Butkiewicz
- Counselor, Joseph Kachik, Ph.D., Licensed Psychologist
- Counselor, Jeff Klug, MA, CAS, LCPC, Licensed Clinical Professional Counselor

General questions about the role or purpose of the Threat Assessment Team should be forwarded to any member of the Core Team at any time.

USE OF ANIMALS IN ARTWORK

All MICA students, staff, and faculty must treat animals in a humane manner when used in/as art work, and must

conduct their actions in a fashion consistent with all local, state, and federal laws and codes. The Maryland State Code (Section 10-606) Aggravated Cruelty to Animals states that one may not “intentionally mutilate, torture, cruelly beat, or cruelly kill an animal.” Cruelty is defined in the code as “the unnecessary or unjustifiable physical pain or suffering caused by or allowed by an act, omission, or neglect” which includes “torture and torment.” MICA prides itself on being an exceedingly pet- and animal-friendly environment; animals of all kinds must be treated in a respectful, compassionate, and humane manner.

WEAPONS AND EXPLOSIVES

The possession, maintenance, or use of firearms, weapons, or explosives of any nature or description (fireworks, any other device of explosive nature, bows and arrows, crossbows, sling shots, guns, ammunition, and knives other than those typically used in artwork, or any other weapon), is prohibited on campus. Violators will be subject to disciplinary action.