

# Marist College

## COVID-19 Related Policies for Students An addendum to the Code of Student Conduct *Updated October 7, 2020*

### **COMMITMENT TO YOUR COMMUNITY**

As members of the Marist community, students must contribute and do their part to assist in efforts to keep themselves and others safe for the duration of the COVID-19 public health emergency. Students shall engage in behaviors that show care and concern for their own health and the health of others, including:

- Wearing a face covering as directed by the College;
- Ensuring appropriate physical distancing;
- Practicing good health behaviors such as properly covering coughs and sneezes and washing hands for 20 seconds with soap and water;
- Monitoring their health and reporting symptoms of illness to medical professionals; and,
- Modifying their behaviors to avoid contact with individuals if they feel ill or have had exposure to someone who is ill or tested positive for COVID-19.

Students must be diligent in their commitment to adhere to College guidance and encourage their peers to share that responsibility. Compliance is expected, and in turn, students should expect compliance from their fellow members of the Marist community.

The College recognizes that COVID-19 is a public health risk and holds as paramount the health and safety of the campus community. The College has adhered to all of the guidelines set forth by the Centers for Disease Control and Prevention, the New York State's *New York Forward* phased reopening guidelines, New York State Department of Health, and the Dutchess County Department of Health to develop safety measures to protect the health and welfare of the members of our community. We fully expect that all members of the College community will comply with all of the College's COVID-19 related policies and procedures. This addendum to the Code of Student Conduct ("Code of Conduct COVID-19 Addendum") will remain effective until otherwise noted by the College. Amendments to these policies may occur based on the College's evolving understanding of COVID-19, and current guidance from federal, state, and county health officials. Therefore, it is important for students to check online on a regular basis for updates that may occur to policies.

### **PROTECTING YOURSELF AND OTHERS**

#### **Health Monitoring:**

All students must monitor their own health daily for symptoms of COVID-19. Students who exhibit COVID-19 symptoms or who are exposed to the virus must comply with reporting, testing, contact tracing, and quarantine protocols established by the College. All students must notify the College immediately of a test for COVID-19, and subsequently of their results.

If you begin to have symptoms of COVID-19, you are required to self-isolate immediately and contact the designated College official for further instructions and assistance. Health Services can be reached during College business hours at (845) 575-3270. Safety and Security can be reached 24/7 at (845) 471-1822 or (845) 575-3000 ext. 5555. Further information about COVID-19 health protocols can be found by visiting the College's [Health and Safety](#) website.

The symptoms of COVID-19 may include: cough; shortness of breath or difficulty breathing; fever equal to or greater than 100.3° F; chills; repeated shaking with chills; runny nose or new sinus congestion; muscle pain; headache; sore throat; fatigue; new GI symptoms, including nausea or diarrhea; or new loss of taste or smell.

Failure to notify the College if you are symptomatic and/or positive for COVID-19, or failure to follow health protocols related to illness or exposure, may result in a referral to the Office of Student Conduct for disciplinary action. The health and safety of a student is the primary concern; therefore, the Student Conduct process will occur after the student has fully recovered from illness.

### **Wear Proper Face Coverings (Masks):**

Students are required to wear a mask over the nose and mouth when indoors. This includes classrooms, public restrooms, offices and common spaces, and hallways. Masks are also required outdoors when six-foot physical distancing cannot be maintained. Students may remove masks in their own residence room, suite, apartment, or townhouse (see campus residence policies). Masks may be removed when actively eating or drinking, or during strenuous exercise. Students shall carry a mask with them at all times and expect to be asked to leave a facility if they enter without a mask. Wearing a mask is not optional. Refusing to comply with this mandate could pose a substantial public health risk and incidents will be referred for formal disciplinary action in accordance with the Code of Student Conduct. Please note: neck gaiters and/or masks with valves are not permitted on campus.

### **Adhere to Physical Distancing Expectations:**

Students must limit personal contact with members of the College community and maintain a physical distance of at least six feet while on campus. A mask must be worn when outdoors and physical distancing cannot be maintained. No social gatherings of more than ten people shall occur at any time, on or off-campus, unless it is a College-sponsored event. In any gathering, all attendees must be masked and remain six feet apart.

### **Cleanliness and Hygiene:**

Students shall practice good health and hygiene behaviors to reduce the spread of COVID-19. These behaviors include:

- Washing hands with soap and water for at least 20 seconds as frequently as possible;
- Using hand sanitizer when soap and water is not readily available;
- Avoiding handshakes or other close bodily contact with others;
- Refraining from touching of the face;

- Disinfecting public surfaces used to study and eat;
- Coughing or sneezing into a tissue or elbow; and
- Refraining from sharing drinks, utensils, hygiene products, and electronic devices such as phones, laptops, keyboards, and gaming devices.

### **CAMPUS SIGNAGE**

The College will use signs, decals, tape, and barriers to guide individuals as they enter and exit, travel through, and occupy indoor and outdoor spaces on campus. Signage will provide important safety reminders, designate facility usage hours and access privileges, and define capacity limits. Campus signage provides expectations for behavior and assists in the enforcement of policies, and all members of the community shall comply at all times.

### **BEHAVIOR SPECIFIC TO CAMPUS RESIDENCE FACILITIES**

Residential life at Marist serves as an integral part of a student’s overall educational experience. Providing a safe and healthy living environment that supports the College’s educational mission and promotes adherence to community standards has always been a responsibility shared by all students. During this extraordinary time, residing on campus requires a deep commitment to protecting the health of oneself and others.

Unique measures specific to the living environment must be taken to support the College’s compliance with federal, state, and local requirements and guidance during this public health emergency. Choosing to reside in campus housing represents a student’s agreement to comply with all College policies.

These policies will be reviewed on an ongoing basis and, where possible, modifications will be made in accordance with the latest guidance.

#### **Wear Proper Face Coverings (Masks):**

The requirement to wear masks within campus residence facilities is specific to the style of the facility and the ability to properly physically distance, as outlined below:

- Traditional, corridor style residence halls (Champagnat, Leo, Marian, and Sheahan) – a student is required to wear a mask outside of their own room, including in all other rooms, common spaces, hallways, and to the bathroom;
- Suite-style residence facilities (Midrise, O’Shea, Lavelle, McCormick, Ward, and Conklin Hall at Dutchess Community College) – a student is required to wear a mask when outside of their own suite, including in all other suites, common spaces, and hallways;

- Apartment and townhouse style residence facilities (Foy and New Townhouses, the Fultons, and the West Cedars) –

a student is not required to wear a mask within their own assigned apartment or townhouse unit.

A student is not required to physically distance or wear a mask within their own assigned room, suite, apartment, or townhouse unit, unless in the presence of others not assigned to the residence.

### **Guests and Visitation:**

Limitations on guests and visitation are necessary to ensure compliance with public health guidance. This protocol will help to support the College’s efforts to trace contacts in the case of a positive test, maintain proper physical distancing requirements, and control the usage of facilities and services within a residence facility. Like all COVID-19 related policies, the College will make modifications to guest and visitation policies as permitted by the latest guidance.

- Off-campus guests, including commuter students, are **not permitted** within any campus residence facility.
- Immediate family of students will be welcomed to visit, but will not be permitted to enter residential or academic buildings.
- Social gatherings within residence hall public spaces (lounges, suite/apartment common rooms) are permitted for residents of the hall within the posted occupancy of each space. When gatherings do take place, students are required to remain six feet apart and masked.
- **Social gatherings in student rooms of residence facilities are permitted as outlined below.** When gatherings do take place, students are required to remain six feet apart and masked.
  1. Students residing in freshmen residence halls (Leo, Sheahan, Marian, and Champagnat) are allowed to have a maximum of one (1) guest from within their own assigned residence facility visit their bedroom.
  2. Students residing in Midrise Hall are allowed to have a maximum of one (1) guest from within Midrise visit their bedroom. The maximum number of students allowed in Midrise suite common rooms is equal to the occupancy of the entire suite.
  3. Students residing in apartments/townhouses and suites (Lower & Upper New Townhouses, Foy Townhouses, Lower & Upper West Cedar, Lower & Upper Fulton, North End Housing and Conklin Hall) are permitted to have guests from outside of their apartment/townhouse or suite visit with them. Students are allowed to have a maximum of one (1) guest above the occupancy of their bedroom. The maximum number of students allowed in a common space at any given time is equal to the occupancy of that apartment/townhouse or suite.
  4. For example: If you are living in a single-style room, you are permitted to have one additional guest. Similarly, if you are living in a double-style room, you are permitted to have three individuals in your room at any given time.

- Parties and large social gatherings are not permitted within the residence facilities.
- Students are encouraged to utilize outdoor space and/or any other College public space to socialize and visit with off-campus guests or students residing in other residence facilities.
- No student is permitted to take up residence in a room other than their assigned College residence.
- Failure to follow the guests and visitation policy poses a substantial public health risk and incidents will be referred for formal disciplinary action in accordance with the Code of Student Conduct.
- The College's guest and visitation policies are not meant to prohibit invited guests from official College programs (i.e. Admissions and Athletics visits). Invited guests shall abide by all College policies.

### **Habits Within Campus Residence Facilities:**

Within the residence facilities, students must adhere to signage designating the rules for the use of common spaces. Lounges, laundry facilities, and community kitchens may have limited capacity and/or specific access privileges to allow for effective physical distancing, sanitation, and contact tracing. In addition, certain common spaces may be closed to protect the health of residents. Bathrooms will be subject to modifications and strict cleaning standards.

Students must be especially diligent in practicing good health and hygiene in residence facilities. All residences must be kept clean, neat, and orderly. Students are responsible for cleaning their own residence room, and/or suite, or unit, and must take personal responsibility for cleaning up after themselves in common spaces. Students residing in apartment or townhouse style residence facilities should come to an agreement with each other regarding bathroom usage and cleaning within the unit. Students are prohibited from keeping personal hygiene products on open surfaces or stored in communal bathrooms.

There may be students residing in residence facilities, as well as staff working in these areas, that are particularly vulnerable and at risk for severe illness from COVID-19. Smokers may have an increased likelihood of developing severe COVID-19 outcomes. The College prohibits smoking in any residence area or campus building. In addition, anyone smoking outside should be at least 25 feet from any campus building. A violation of any smoking policies may result in disciplinary action under existing policies in the Code of Student Conduct. Students are encouraged to quit smoking and support is available from Health Services and Counseling Services.

The use of alcohol and other drugs can impair decision-making and increase the likelihood of high-risk behavior. The use of alcohol and other drugs shall be considered an aggravating rather than a mitigating factor by the College in response to COVID-19 related behavior that poses a risk to the safety of the community.

## **Institutional Decisions Regarding Residential Operations:**

During this public health emergency, the College may need to close all or specific residence facilities depending on specific circumstances. Students may be required to vacate campus housing or relocate to designated residence areas within a prescribed period of time. Students are required to comply with all College directives related to residential operations and relocation protocols.

## **STUDENT IDENTIFICATION CARDS**

In order to support Marist's efforts to keep its community safe, it is important for the College to know who is on the campus. All students are required to carry their own college-issued identification card with them at all times. Students are expected to show proper student identification or other acceptable identification upon request to any faculty, staff or student staff acting in the performance of his/her official duties.

## **OFF-CAMPUS BEHAVIOR**

It is important to remember that the risk of infecting oneself or others is not defined by the boundaries of campus. Once students are on campus, any travel off campus is strongly discouraged until the end of the semester. Resident and off-campus students are expected to limit trips off campus to only the local area and are urged to avoid any non-essential travel plans. Non-essential travel includes, but is not limited to, travel to other college campuses, attending large indoor and outdoor gatherings/events, visiting crowded bars, and house parties exceeding 10 people. Students may travel for food and other necessities, work, academic obligations, medical appointments, and low-risk recreational and social activities (i.e. visiting parks, hiking, retail shopping, dining). If you must travel, the same level of care taken with behaviors on campus to protect oneself and others must be taken with behaviors off campus, including wearing a mask, maintaining physical distancing, and avoiding gatherings that violate [New York Forward](#) and any executive order guidance.

If you suspect any exposure to COVID-19, you are required to notify the College immediately. If a student contracts COVID-19 as a result of non-essential travel or any other potential violation of policy, the College may not provide space to quarantine on campus. At the discretion of the College's medical team, a student may be required to be tested for COVID-19 and/or quarantine off-campus as a result of a report of non-essential travel. If a student travels to any of the states included on the [New York State travel advisory](#), by state law the student is required to quarantine for 14 days (at their own expense) prior to being granted access to campus.

The College may take action for allegations of off-campus misconduct that violates any College policies, and/or federal, state, or local ordinances, including New York State public health guidance. Off-campus behavior is also subject to action from law enforcement or other non-College agencies. Local law enforcement agencies communicate regularly with the Office of

Safety and Security about student behaviors impacting the community. The College shall take disciplinary action in response to any report of student misconduct prior to, simultaneously with, or following any civil or criminal proceedings off-campus.

### **Students Residing Off Campus:**

All off-campus students are subject to the same expectations and disciplinary actions as resident students. Students living off campus should review the College's Code of Student Conduct and familiarize themselves with all published College policies. When living off campus, it is important to remember that many of your neighbors have been living in the community for years and deserve your respect and cooperation as a Marist student. Being a good neighbor means recognizing that your neighbors may be more vulnerable to the risks of COVID-19. Your prudent and cautious behaviors in your off-campus apartment/house will help to protect public health and support a positive relationship with your neighbors.

### **Hosting and Attending Parties and Large Gatherings:**

Hosting and attending large gatherings off-campus comes with potential health risks and consequences to oneself and others. Due to the circumstances of this public health emergency and concerns with the contagious characteristics of COVID-19, reports of organizing, hosting or attending parties or other large social gatherings off campus will be referred to the Office of Student Conduct for formal disciplinary action. The use of alcohol and other drugs can impair decision-making and increase the likelihood of high-risk behavior. The use of alcohol and other drugs shall be considered an aggravating rather than a mitigating factor by the College in response to COVID-19 related behavior that poses a risk to the safety of the community. Off-campus students may be restricted from entering campus and required to complete classes online, if available. Resident students who attend off campus parties may be required to leave campus immediately and complete classes online, if available.

New York State has explicitly identified mass gatherings (including house parties) as super-spreader events that have led to COVID-19 outbreaks. Marist has a responsibility to our larger community to prevent such events. Therefore, it is our expectation that no social gatherings of more than ten people occur at any time, on or off-campus unless it is a College-sponsored event. In any gathering, all attendees must be masked and remain six feet apart. If an off-campus social gathering that violates these policies is reported to any campus official it will be investigated, and organizers *and* attendees may be subject to disciplinary action.

## **STUDENT GROUPS AND ORGANIZATIONS**

Student groups and organizations play an important role in promoting compliance with College policies. Groups and organizations committed to protecting the health of their members and others can have a significant positive impact on Marist's efforts to maintain a healthy community. Therefore, a philosophy of "safety in numbers" and an expectation of collective compliance is expected. In addition to the College's policies, groups and organizations should

adopt specific standards of behavior that reinforce COVID-19 safety protocols and hold members accountable.

A student group or organization and its officers and membership may be held collectively and individually responsible for violations of this policy. The formal procedures for addressing allegations involving student groups and organizations are outlined in the [Code of Student Conduct](#).

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

Consistent with the College's statement of non-discrimination, Marist will not tolerate discrimination, profiling, bias, or any form of racial intimidation in connection with any COVID-19 related policies, and any reported incidents will be addressed in accordance with existing College policies.

Non-Discrimination Statement: Marist College adheres to all federal, state, and, where applicable, local civil rights laws banning discrimination in private institutions of higher education. The College will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, religion, color, sex, pregnancy, religion, creed, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability, age, sexual orientation, gender, gender identity, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any grievance process on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

### **ENFORCEMENT OF COVID-19 RELATED POLICIES**

This addendum to the Code of Student Conduct applies to all areas of campus, off-campus, and may also be supplemented by policies related to the delivery of student services and execution of College operations established by individual offices and departments across campus. As a condition of returning to campus, students are required to comply with all COVID-19 related policies contained within any College document, official communication, website, and campus signage, as well as the policies in the [Code of Student Conduct](#).

#### **Community Enforcement:**

In order to effectively enforce the COVID-19 related policies, the entire campus community must do its part to address students who do not fulfill their responsibility to protect their health and the health of others. The College encourages community enforcement to correct behavior when addressing issues with a student's failure to comply with COVID-19 related policies. Members of the campus community, including students, should speak up if they witness a

student not complying with College policies. An informal intervention, especially with friends and acquaintances, can be an effective reminder.

Concerns regarding a student's behavior can also be reported using the College's [Incident Reporting Form](#). Reports submitted anonymously and/or lacking specifics are accepted, but may limit the College's ability to address the incident.

### **Role of the Office of Student Conduct:**

The Office of Student Conduct has the responsibility of administering the College's disciplinary process for reports of a student's non-compliance with the COVID-19 Code of Student Conduct Addendum. The College is committed to acting quickly to address and reach determinations in cases of reports of violations, as these decisions are being made to protect the health and safety of the community, preserve the in-person academic experience, and meaningfully comply with [New York Forward Phase 4 Guidance](#).

Until further notice, the College will be using a modified process for resolving reports of violations of the COVID-19 Code of Student Conduct Addendum. A decision by the Office of Student Conduct to proceed with an allegation will result in the case being handled in an Administrative Meeting. The Administrative Meeting process will be administered as follows:

1. The Administrative Meeting will be heard by a Conduct Officer, most often the Director of Student Conduct (or designee) or a Resident Director.
2. The responding party/organization will be sent a Notice of Allegation Letter via email at least three (3) business days prior to the scheduled Administrative Meeting. The responding party may provide a written request to the Conduct Officer to reduce the minimum notification window.
3. The Conduct Officer will meet with the student to discuss the complaint and alleged conduct, allowing the student to hear information available at the time of the Administrative Meeting in support of the alleged violation(s) and present his/her understanding of the events related to the incident(s)
4. The Conduct Officer will determine an appropriate finding of either "responsible" or "not responsible" for alleged policy violation(s) based upon a preponderance of the evidence.
5. If a student is found responsible, the Conduct Officer will determine the sanction(s) imposed.
6. After a decision has been rendered, the student will receive written notice via email of the outcome and sanctions.
7. It is the student's responsibility to complete all sanctions as imposed. Failure to abide by or complete a sanction may result in additional disciplinary action. Students that are suspended, expelled, and/or must vacate campus housing will not be entitled to any refund of tuition and residence fees.
8. If a responding party fails to appear at a scheduled Administrative Meeting or fails to reschedule prior to the scheduled meeting following proper written notification, the designated Conduct Officer may review the information available and render a decision.

9. In cases where the reported allegations involve multiple College Policies (i.e. COVID-19 Code Addendum and the Code of Student Conduct), the Office of Student Conduct will decide which procedure to employ in pursuing the case and will properly notify the responding party of that procedure. Typically, allegations will not be heard in multiple venues.
10. When necessary, the Administrative Meeting may be conducted remotely by secure video conferencing technology. Any unauthorized audio or video recording or unauthorized presence, either in-person or electronically, of other individual(s) during the meeting is not permitted and may result in disciplinary action.
11. In cases heard by the Director of Student Conduct (or designee), the student will have the right to one advisor of their own choosing to accompany the student during the Administrative Meeting. An advisor may not speak on behalf of the student or address the Conduct Officer unless invited. An advisor may confer quietly with their advisee as necessary, or ask for a break to allow for private conversation, as long as they do not disrupt the process.
12. The responding party may only appeal the sanction to the Vice President for Student Affairs, and only in determinations that result in Suspension or Expulsion from the College. An appeal must be submitted in writing within five (5) business days of the delivery of the written outcome of the Administrative Meeting. The implementation of sanctions will not be stayed pending the review of the appeal, except in extremely exigent circumstances. Typically, appeal decisions are made within ten (10) business days of the submission of the appeal. There is no other appeal option of a decision rendered in an Administrative Meeting.

The College may utilize the Interim Action Policy outlined in the [Code of Student Conduct](#) to impose restrictions and/or separate a student from the community pending the scheduling of an Administrative Meeting when a student represents a threat of serious harm to self or others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve College property and/or to prevent disruption of, or interference with, the normal operations of the College, and/or to protect the welfare of the community during the public health emergency. Interim actions may include, but are not limited to, separation from the institution, removal from housing, and/or restrictions on participation in the community pending the scheduling of an Administrative Meeting.

### **Sanctions for Violations:**

The range of sanctions for a violation of any College policy is outlined in the Code of Student Conduct. While the College's student conduct process seeks to educate students about their responsibilities as members of the campus community, the current need to protect the health and safety of the community during the COVID-19 pandemic and uphold the operations of the College may necessitate more serious consequences for certain behaviors, including suspension or expulsion from the College or campus housing, and/or removal from campus and a requirement to complete classes online. In some instances, a class may not have an online

component and may require a withdrawal from the course. Egregious behaviors subject to severe sanctions include behaviors that demonstrate a significant risk of harm or a substantial disruption to the community. These behaviors include, but are not limited to: Hosting or attendance at parties and large social gatherings on or off campus; Willfully refusing to wear a mask and/or repeatedly failing to comply with policies; Failing to follow contact tracing, quarantine and isolation protocols; Intentionally or recklessly causing another person to become infected or at risk of infection with COVID-19 through physical actions or coming into close contact with others while knowingly positive for COVID-19; and, Engaging in disorderly conduct or an altercation as a result of a student's non-compliance with policies.

### **COUNSELING SERVICES**

Counseling Services is committed to supporting students' wellbeing and mental health during this challenging time. Any student who may need counseling support and resources should contact the office at (845) 575-3314 or by email at [counseling.services@marist.edu](mailto:counseling.services@marist.edu).

If you are experiencing a mental health crisis, contact the Office of Security at (845) 471-1822 to access the On-Call Counselor.