



**Benedictine
University[®]**

AT MESA

Mesa Campus

Annual Security Report

**Jeanne Clery Disclosure of Campus
Security Policy and Campus Crime
Statistics Act (Clery Act)**

Calendar Year Jan. 1 - Dec. 31, 2015

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**Benedictine University
Mesa Campus
Annual Security Report - Clery Act
Calendar Year Jan. 1 - Dec. 31, 2015**

A Guide to Safety at Benedictine University - Mesa Campus

In 1998, Congress enacted the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092 (f)) (or the “Clery Act”, which previously was known as the Crime Awareness and Campus Security Act of 1990). The Clery Act requires colleges and universities receiving federal funding to disclose reported instances of criminal activities on campuses. In addition to the disclosure of campus crime statistics, the Clery Act requires that timely warnings of criminal activity be disseminated to the campus community, as well as the disclosure of various campus policies. For more information on the Clery Act, please visit the Campus Security Web Site of the U.S. Department of Education, Office of Post-secondary Education, at: <http://www2.ed.gov/admins/lead/safety/campus.html>. The Clery Act is intended to assure that students and their families, as higher education consumers, have access to accurate, complete, and timely information about safety on campus so that they can make informed decisions.

Procedures for Preparing and Distributing the Annual Security Report

Benedictine University’s Police Department is responsible for preparing and distributing the Annual Security Report to comply with 34 CFR 668.46 of the Clery Act. The Annual Security Report is published annually by October 1st and contains three calendar years of campus crime statistics and certain campus security policy statements in accordance with the Clery Act. This required statistical information is presented in this Annual Security Report. The Annual Security Report also informs individuals how to report crime to University officials or local law enforcement agencies on a voluntary and confidential basis. Security policies include **immediately** reporting crimes and emergencies, security resources, crime awareness and prevention, security of campus facilities and residence halls, and alcohol, drug and weapons violations.

Distribution and Notification of Annual Security Report

Annually by October 1, an e-mail notification is sent to all current students, faculty, and staff providing the website <http://www.ben.edu/mesa/campus-resources/publicsafety.cfm> to access to this report. Upon request:

- A written paper copy of the report is also available for public view with the Associate Vice President for Student Life, located on the main floor of Gillette Hall (Room 103); or
- By calling the Associate Vice President for Student Life, at (602) 888-5507.

Newly enrolled students receive written notification providing the website <http://www.ben.edu/mesa/campus-resources/publicsafety.cfm> to access this report.

- Notification will be provided to newly enrolled students in their Admitted Students Packet and their New Student Advising Handbook.
- A link to the report is also available at Office of Admissions webpage at <http://www.ben.edu/mesa/admissions/> for students enrolled in the traditional undergraduate programs (both for freshmen and transfer), Mesa Graduate programs, Mesa Adult Accelerated Undergraduate Programs.

Upon request, prospective students and employees:

- May obtain a written paper copy of the Annual Fire Safety Report from the Associate Vice President, Benedictine University, 225 E. Main Street, Mesa, AZ 85201; or
- By calling the Associate Vice President for Student Life, at (602) 888-5507; or
- By visiting Benedictine's University's web site at: <http://www.ben.edu/mesa/campus-resources/publicsafety.cfm> .

Prospective employees are notified about this report via Benedictine University's Personnel Resources jobs website at: <http://www.ben.edu/personnel-resources/index.cfm> or <http://www.ben.edu/personnel-resources/employment-opportunities.cfm>

New employees are provided a document containing a link to <http://www.ben.edu/mesa/campus-resources/publicsafety.cfm> in their new hire training materials during new hire orientation. Each new employee certifies that they have knowledge as to where the Annual Fire Safety Report is located.

Prospective students and parents of students can also read about and reference Clery Act information on the Office of Admissions webpage at <http://www.ben.edu/admissions/>; or the office of the Associate Vice President for Student Life, Gillette Hall (Room 103) <http://www.ben.edu/mesa/campus-resources/publicsafety.cfm> .

Current Employees receive notification of the Annual Security Report and Annual Fire Safety Report weekly via email in the Benedictine University Campus Notebook.

Campus SaVE Act and Title IX

The Campus Sexual Violence Elimination Act (Campus SaVE) refers to the recent Violence Against Women Act (VAWA) amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This is an update to the Clery Act, expanding the scope of this legislation in terms of reporting, response, and prevention education requirements around rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. In addition, a new training requirement has been established for all incoming students and employees. Benedictine University at Mesa (the "University") is taking it one step further and is requiring all students, faculty and staff to complete the training. We have contracted with an outside vendor to provide us with online training.

Title IX of the Education Amendments of 1972 (Title IX) is a federal civil law that prohibits discrimination on the basis of sex in education programs and activities. Under, Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assaults, sexual battery, and sexual coercion.

The University prohibits sex discrimination in any form and provides resources for support and complaint resolutions.

Complaints may be directed to the University's Title IX Coordinator:

Title IX Coordinator
Associate Vice President for Student Life
225 E. Main Street, Gillette Hall 130
Mesa, AZ 85201
602-888-5507
kbroeckling@ben.edu

The Student Handbook defines types of sexual misconduct and outlines the procedures for resolving complaints through the student disciplinary system. The 2015-2016 Student Handbook is available at <http://www.ben.edu/mesa/campus-community/upload/Mesa-Student-Handbook-2015-16.pdf>.

Annual Fire Safety Report

Fire Log

- A fire log is maintained for public view with the Associate Vice President for Student Life, located on the main floor of Gillette Hall (Room 103); or
- A request can be made by calling the Associate Vice President for Student Life, at (602) 888-5507; or
- A written request can be sent to the Associate Vice President for Student Life, Benedictine University, 225 E. Main Street, Mesa, AZ 85201.

Emergency Warning

The safety of all faculty, staff, students and visitors to our campus is important to the University. The Emergency Response and Recovery Team ("ERRT") developed the Emergency Response and Recovery Plan ("ERRP") for the purpose of preparing the University community for an emergency event or disaster. The University community's adherence to the ERRP guidelines will enable the University to communicate in a timely manner in the event of an emergency or disaster, save lives and reduce potential for additional injury and property damage, meet basic human needs, and restore essential operations and priority services.

The ERRT is assembled and the Emergency Operations Center ("EOC") is activated upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students, employees or guests on campus.

The ERRT members or designees alert and/or notify the campus population and the general public of major emergencies through a combination of the following University Emergency Alerts and Information Notification systems. These systems are:

- Fire alarms in the building are automatically activated in the event of a fire or can be activated by a pull station.
- Benedictine University at Mesa website notice (<http://www.ben.edu/mesa/emergency/index.cfm>) with emergency situation details posted.
- Benedictine University at Mesa main line at (602) 888-5500 with emergency situation details recorded.
- The Mesa branch campus notification process. Each University office is responsible for creating and maintaining a notification process to ensure effective communication of emergency situation details.
- Campus closed circuit TV monitors.
- The Office of Student Life or his designee will post updates to Facebook and Twitter.
- BenAlert emergency notification system. For more information about BenAlert and how to add additional contact information, go to www.ben.edu/benalert.
- Telephone notification may be provided by Maricopa County Community Emergency Notification System (CENS). For more information on how this system works, visit http://www.maricopa.gov/emerg_mgt/cens.aspx.
- The Office of Student Life or his designee will update the www.Cancellations.com website.

These may be updated hourly or daily as needed as details develop. Details may include general information; warnings or notices to have awareness of particular items; the status of classes, activities, and/or the campus or specific buildings; and for health-related incidents, information about relevant signs and symptoms of a health condition, protection and prevention measures, suspected or confirmed cases, isolation or quarantine, areas, and other pertinent items.

Timely Warnings

When a crime that poses a serious or continuing threat to members of the campus community occurs on campus and is reported to law enforcement, Public Safety, or other University officials, the ERRT will activate the University's Emergency Alerts and Information Notification systems as described above.

Information regarding minor crimes or non-life threatening incidents (i.e., incidents that do not pose a direct threat to the campus community) will be disseminated at the discretion of Public Safety in the form of e-mail alerts, reports to the student newspaper and notices posted on exterior doors and bulletin boards. In addition to timely warnings of campus crimes, Public Safety will provide prevention strategies to inform the campus community of actions to take, to ensure a safe environment.

Authority and Jurisdiction of Police Department

The Benedictine University at Mesa, Department of Public Safety, consisting of security professionals, with no police powers, maintains a close working relationship with the City of Mesa Police Department. Meetings are held between the leaders of both departments on both a formal and informal basis. The officers of University Public Safety communicate regularly on incidents that occur in and around the campus area. The University Public Safety officers work closely with the investigative staff of the City of Mesa Police Department when incidents arise that requires joint investigative efforts, resources, crime related reports and exchanges of information, as deem necessary. There is no written Memorandum of Understanding between the University Public Safety and City of Mesa Police Department.

The University utilizes a Public Safety department which is augmented by area law enforcement agencies, emergency fire and medical services and emergency disaster and recovery organizations. The University Police on the main campus in Lisle, Illinois collect crime reports from local law enforcement agencies for Clery Act statistical reporting for all properties, owned, controlled and/or adjacent to the University.

Public Safety website provides information on services, registered sex offenders, anonymous reporting, residence hall safety, Clery Act crime statistics, alternatives to drinking, and traffic enforcement initiatives.

Public Safety serves on several University committees that have a direct impact on campus safety, security and violence prevention. Public Safety officers enforce all state criminal statutes as well as the University's Student Code of Conduct, and provide referrals for reports of off-campus crime.

Public Safety office is located on the main floor of the Gillette Hall of the Mesa campus. The Department's office hours are Monday - Friday, 8:00 a.m. - 10:00 p.m. Public Safety can be contacted at (602) 888-5516. **For emergencies, call 9-1-1 Mesa Police Department and Public Safety (602) 888-5516.**

Criminal Charges

Criminal charges filed by the Mesa Police are heard at the Maricopa County Superior Court for Maricopa County, located in Mesa, Arizona. Failure to appear for designated court dates may result in the Court issuing a warrant for Criminal Failure to Appear and/or the revocation of bond.

Code of Conduct

Violations of an Arizona state statute, Mesa city ordinance, or University policy also may be a violation of the University's Student Code of Conduct. Public Safety may refer violators to the Associate Vice President for Student Life for student disciplinary proceedings, in addition to, or in lieu of, criminal charges. If referred for disciplinary proceedings, the violator must comply with notices to appear to the Associate Vice President for Student Life or his designated representative. Failure to comply with notices to appear will result in sanctions and/or the pursuit of criminal charges.

Access to Campus Facilities

Buildings are open to the public when academic classes are in session. After hours, buildings are secured and only persons with authorized access permission can enter or remain in the buildings. The Phoenix Mesa Marriott Hotel will provide a safe and secure lodging environment. Security measures shall include, but not limited to; access control measures, security cameras in the hallways, and trained security personnel on evenings and weekends. The campus is well-lit and inspected daily by the Facilities Department to ensure buildings and grounds are safely maintained.

Security hardware and technology consist of a campus-wide master key system for all lockable doors; exterior building and parking lot lighting; a CCTV system in campus buildings; fire alarm system; emergency telephones located in numerous building common areas; intrusion detection/panic alarms; radio communications between Public Safety, Residence Life, and the Facilities Department; written building access and room opening protocol; campus-wide interior and exterior public address system; and photo ID cards for faculty, staff, students, contractors and visitors. All systems are controlled and audited by the Facilities Department and Public Safety.

Unlawful Entry and Trespassing

Persons making or attempting to make unauthorized entry into property owned or controlled by the University or University events are subject to arrest. The following conduct is prohibited:

- Unauthorized possession or use of campus keys, access cards or identification cards.
- Violation of published University regulations including those relating to entry and use of University facilities, and any other regulations, which may from time to time be enacted.
- Violation of rules applicable to residence halls.
- Violation of local, state, or federal laws pertaining to unlawful entry and trespassing.

Rules and Policies Regarding Possession, Use, and Sale of Alcohol

The University seeks to encourage and sustain an academic environment that respects individual freedom and promotes the health, safety and welfare of all members of its community. In keeping with these objectives, the University has established the following policy governing the possession, sale and consumption of alcohol beverages by members of the University community which conform to the laws of the State of Arizona. The University's alcohol policy and programs are intended to encourage its members to make responsible decisions about the use of alcoholic beverages, and promote safe, legal and healthy patterns of social interaction. The University prohibits the following on property owned or controlled by the University or as part of any on-campus or off-campus University activity.

- Possession and/or consumption of alcoholic beverages by persons less than 21 years of age;
- Selling, distributing or otherwise providing alcoholic beverages to and/or by anyone less than 21 years of age.
- Driving under the influence of alcohol.
- Consumption of alcoholic beverages by persons 21 years of age or older in any public area or outside of designated areas at authorized University events:

- Public intoxication of any person, regardless of age;
- Possession of containers that previously contained alcoholic beverages.
- Possession of common source containers, of alcohol, whether full or empty, such as kegs, beer balls, or boxed wine.

Alcohol education programs are conducted routinely at the University. Students experiencing difficulties with alcohol or drug use are encouraged to talk with a staff member in the Office of Student Life, or other members of the University staff.

Click the full version of the <http://www.ben.edu/policies/upload/Benedictine-University-Alcohol-and-Drug-Policy.pdf>.

Drug and Alcohol Abuse Prevention Program

It is the policy of Benedictine University that the unlawful manufacture, distribution, dispensing, possession, or use of illicit drugs and alcohol is prohibited by students and employees on University property, as part of its activities or in facilities controlled by the University. Benedictine University has a vital interest in maintaining a safe and healthy learning environment for the benefit of all students, employees and guests. This information is in accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 and at a minimum is required to be distributed annually in writing to each employee and student. The University provides information for students and employees regarding illicit drug and alcohol abuse, including standards of conduct, health risks, state and federal penalties, and available drug or alcohol counseling and rehabilitation services. This information can be found at: <http://www.ben.edu/emergency-preparedness/drug-and-alcohol-abuse-prevention-program.cfm> Printed copies of this information are available for public view with the Associate Vice President for Student Life, located at 225 E. Main Street, Mesa, AZ 85201 on the main floor of Gillette Hall (Room 103).

Illegal Drugs and Drug Paraphernalia

The University prohibits the unlawful manufacture, distribution, dispensation, sale, possession or use of any drug by any of its students, employees in its workplace, on its premises, or as any part of its activities. The use, possession or distribution of any drug, including marijuana, or drug paraphernalia on any University property or as part of a University-sponsored activity, in violation of the law, is strictly forbidden. Anyone violating the law may be turned over to civil authorities for prosecution and will be subject to all of the University's disciplinary procedures. Students should not be in a room where drugs or drug paraphernalia are present. Both Arizona and federal law prohibit the possession and/or distribution of illicit drugs and any student suspected of breaking the law will be subject to University discipline and sanction. Criminal penalties include fines, imprisonment and, in certain cases, the seizure and forfeiture of the violator's property. In addition, federal and other forms of financial aid may be forfeited.

<http://www.ben.edu/policies/upload/Benedictine-University-Alcohol-and-Drug-Policy.pdf>

Additional information is located in the Benedictine University 2015-2016 Student Handbook at: <http://www.ben.edu/mesa/campus-community/upload/Mesa-Student-Handbook-2015-16.pdf>

Firearms and Dangerous Weapons

Firearms and dangerous weapons are prohibited on property owned or controlled by the University, and at University-sponsored events. All persons in possession of firearms and/or weapons in violation of University policy or Arizona law are subject to arrest and prosecution. Firearms and dangerous weapons, including but not limited to BB guns, crossbows, facsimile weapons, martial arts devices, paint-ball guns, or any other device deemed dangerous, are not permitted in any University residence facility or any other building, facility, campus, or other property owned or controlled by the University.

Discrimination Prohibited

The University does not discriminate in its admission policies, programs or activities, educational policies, scholarship and loan programs, athletic and other University-administered programs, or employment practices and programs on the basis of age, religion, sex, disabilities, race, color, national ethnic origin, or any other legally protected characteristic. The University fully complies with its non-discrimination obligations under federal and state laws.

The University is committed to maintaining a community in which a diverse population can live and work in an atmosphere of tolerance, civility and mutual respect for the rights and sensibilities of each individual, regardless of difference in economic status, ethnic background, political views or other personal characteristics and beliefs.

Hate Crime Policy

A hate crime is classified by law as a felony offense and is in direct violation of the University's non-discriminatory policies. Therefore the University, in addition to processing hate crimes in accordance with the law, may simultaneously proceed with internal investigatory and disciplinary processes as defined by the Student Handbook. A person commits (a) hate crime(s) when by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability or natural origin of another individual or group of individuals, he commits assault, battery, aggravated assault, misdemeanor or criminal damage to property, criminal trespass to property, mob action or disorderly conduct, and/or harassment by telephone.

A person who has been a victim of a hate crime may report the crime to Public Safety (602) 888-5516, a residence hall staff member, the Associate Vice President for Student Life, or an outside community agency. Those who report a hate crime will be advised of the importance of preserving evidence which may be necessary to provide proof for prosecution. Hate crimes will be reported to the Associate Vice President for Student Life. The University will provide support services for persons who have been victims of hate crimes. Staff will serve in an advocacy role and help refer individuals for appropriate medical, police, and counseling assistance.

Prevention and Reporting of Sexual Assaults

It is the intent of the University to provide a safe and secure environment for University employees, students and visitors, by establishing preventative measures to avoid or reduce campus violence.

The University is committed to providing a safe learning and work environment for the campus community. The University has a zero tolerance standard with regard to threats and/or violent behavior, whether direct, indirect, implied, or actual conduct by any person, including faculty, staff, students and members of the public. The University will respond promptly and decisively to resolve disruptive or destructive behavior, by means of awareness and educational programming, enforcing University policies, discipline or sanctions of employees and students, and criminal prosecution.

Community policing encourages the campus community to participate actively in campus crime prevention. Throughout the academic year, the Mesa Police Department, together with the Office of Student Life and Public Safety, provides demonstrations, seminars, informational programming, newsletters and the production and distribution of posters, e-mails and safety brochures on campus crime prevention topics including sexual assault prevention, self-defense, alcohol and drug awareness, on-campus referrals and services, criminal law, and alternatives to drinking initiatives.

Additional programming and information is provided on the important subjects of disaster response, evacuations, first aid, CPR, use of AED device, and fire safety training. Crime victims are provided information about resources available from external sources.

The University encourages reporting of all incidents or related retaliation to the Title IX Coordinator and respects that whether or not to report the incident is a decision that the victim needs to make. The Title IX Coordinator is available to inform victims of the reporting procedures, services, advocates, appropriate referrals and information for victims in a safe, supportive, and confidential setting. The University offers services to victims even if they choose not to report the incidents. In some circumstances, a victim may wish to seek an order or protection from a court of appropriate jurisdiction against the alleged perpetrator. Victims may also seek restriction of access to the University by non-students or non-employees in certain circumstances.

Personal safety concerns are often very important for victims. Crisis intervention and victim safety concerns will take precedence.

Sexual Misconduct

The University defines “sexual misconduct” as any attempted or actual act of non-consensual or forcible sexual touching.

“Consent” requires speech or conduct indicating a freely given, uncoerced agreement to engage in sexual contact. Consent may not be inferred from silence or passivity alone and a current or previous relationship is not sufficient to constitute consent. Consent may be withdrawn at any time prior to a specific sexual act by either person.

To be valid, the person giving consent must be physically and mentally able to:

- understand the circumstances and implication of the sexual act;
- able to make a reasoned decision concerning the sexual act; and
- able to communicate that decision in an unambiguous manner.

There are a number of factors which may limit or negate a person’s ability to consent to a sexual act. These include impairment due to the influence of alcohol or drugs (illegal or prescription), a person’s mental or physical impairment of which the other person is aware or should reasonably have been aware, unconsciousness, and fear or coercion.

Additional information is located at [VAWA/Campus SaVE Act Policy](#).

Sexual Assault Victim Reporting Policy

A person who has been a victim of sexual assault is strongly encouraged to report the crime to Public Safety (602) 888-5516, a residence hall staff member, the Associate Vice President for Student Life, [Campus Security Authority](#) members, [Title IX](#) Coordinator, or an outside community agency such as the Center for Prevention of Abuse/Violence at 800-559-SAFE (7233). The University provides support services for persons who have been victims of sexual assault. Staff will serve in an advocacy role and help refer individuals for appropriate medical, law enforcement, judicial and counseling assistance. Upon request, assistance will be provided in changing academic schedules and living arrangements.

Even if a victim decides not to file a criminal complaint with the Mesa Police Department, it is recommended that the individual contact a University or community resource for support. Victims are entitled to confidential services either on or off campus, whether or not charges are pressed. Resources both on campus and in the community are:

On-Campus Resources

Student Life Office

Gillette Hall 130

602-888-5507

Off-Campus Resources

24-hour Emergency Number 911

Mesa Police Victim Services Unit (Non-emergency) 602-790-6600

Center for Prevention of Abuse/Violence 800-559-SAFE (7233)

Voices for Crime Victims 480-600-2661

The Victim's Bill of Rights is addressed in Article II of the Arizona Constitution. Further, Crime Victim's Rights are outlined in A.R.S. Title 13, Chapter 40 to ensure fair and compassionate treatment for victims and witnesses of crime. Arizona victims' rights law provides that victims have the right to receive timely notice of criminal proceedings in their cases. Victims have the right to be present in the courtroom during all proceedings involving the defendant. The Victim's Bill of Rights and related statutes ensure that victims are provided the opportunity to be heard at release, plea, and sentencing proceedings. These laws also provide for the safety of victims throughout the criminal justice process as well as their interest in avoiding unreasonable delays, their claims for restitution, and to be treated with dignity and respect.

Arizona Domestic Violence Act: Rights of Victims

Domestic violence is a crime. Any person, who hits, chokes, kicks, threatens, harasses or interferes with the personal liberty of another family or household member has broken the Arizona Domestic Violence law. Under Arizona law family or household members are defined as:

- Family members relate by blood;
- People who are married or used to be married;
- People who share or used to share a home, apartment, or other common dwelling;
- People who have or allegedly have child in common or a blood relationship through a child in common;
- People who are dating or engaged or used to date; and

Domestic violence consists of physical assault, sexual abuse and stalking. The violence takes many forms and can happen all the time or once in a while. If you are in an abusive situation, you are urged to seek help. For off-campus resources refer to the following resource:

Autumn House Domestic Violence Shelter
480-835-5555 – 24 hours a day

http://www.azdps.gov/Services/Crime_Victims/serviceAgencies/domestic/

For employees who may have been a victim of a criminal act of violence, the University fully complies with the Arizona Revised Statute – Title 13 Criminal Code, [Section 13-4439](#), which gives employees affected certain rights for leaves of absence, protective measures in the workplace, and reasonable accommodations. More information about the University's policy may be obtained from Personnel Resources.

Disciplinary Process Sexual Assault Policy

Students accused of sexual misconduct will be subject to disciplinary action in accordance with the University's policies and procedures for student misconduct. At the discretion of the University, persons accused of sexual misconduct may be immediately suspended or restricted from campus pending final disposition of any disciplinary proceedings. Individuals found to have committed sexual misconduct will be subject to sanctions, up to and including dismissal from the University.

In addition to student disciplinary action, persons accused of sexual misconduct may be subject to criminal prosecution by the law enforcement agency with appropriate jurisdiction in that case. In the course of a criminal investigation or prosecution, the University may choose or may be required to provide information and records related to its disciplinary proceeding involving the same act. However, the University's student disciplinary process is independent of and not dependent upon any criminal process. The decision to prosecute or not prosecute and the ultimate outcome of any criminal proceedings do not determine the University's student conduct proceedings.

At institutional disciplinary proceedings the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding and both the accuser and the accused will be informed of the outcome of any institutional disciplinary proceedings brought alleging a sex offense.

Similarly, the University's decisions with respect to the continued employment of any employee (faculty or staff) accused of sexual misconduct will be made independently of the filing or disposition of any criminal charges involving the same conduct.

Additional information is located at [VAWA/Campus SaVE Act Policy](#).

Sanctions

The following sanctions may be imposed upon any student found to have violated the standards as defined in the Benedictine University at Mesa 2014 - 2015 Student Handbook. This does not and cannot include all information that may lead to sanctions. Sanctions are defined and imposed as follows:

A. Warning: A written statement to the student indicating disapproval of their conduct or violation of regulations, and stipulating that continuation or repetition of such action may be cause for more severe judicial action.

B. Restitution: Reimbursement for damage to or mishap of property. Restitution may take the form of monetary compensation or the appropriate service to repair damages and may be combined with another type of sanction.

C. Monetary Fine: Financial assessment imposed according to specific sums stipulated in published rules and regulations, or when no sum is so stipulated, according to the merits of the case and established precedents.

D. Disciplinary Probation: The student is informed in writing that any subsequent misconduct or violation of institutional regulations during a specified period of time will be evaluated within the context of their probationary status and may result in suspension or expulsion. The terms of probation apply during the period of probation and may include any of the following:

1. May not become an officer or student representative in any University organization or committee.
2. May not represent the University at any public function, including intercollegiate or co-curricular activities.
3. May not be eligible for scholastic honors or distinctions.

E. Counseling or Psychological Treatment Mandate: If deemed necessary due to physical or psychological problems, a student can be required to provide a release of information form to verify psychological/substance abuse/evaluation and may have further treatment mandated as a condition of enrollment.

F. Residency Probation: The student is informed in writing that their general behavior in the residence hall indicates that they are not able to appropriately adjust to group living, and that any subsequent misconduct or violation of institutional regulations may result in the termination of their residence hall contract. In such cases, room and board charges will not be prorated or refunded.

G. Community Service: The student will be assigned a task to complete that will, on many occasions, relate to the inappropriate behavior. A time frame will be set up for the completion of this task and the student will be assigned a supervisor to whom to report.

H. Behavioral Contract: A contract between the student and the University that limits student activities and spells out specific consequences for violation of the contract may be issued.

I. Special Projects: An assignment relating to the offense may be issued as a possible sanction.

J. Suspension: The student is informed in writing they must leave the University community temporarily. Suspension shall be interpreted to include any or all of the following stipulations: the student may not attend classes, contact faculty, reside in a residence facility, frequent campus facilities, and participate in campus activities or exercise student privileges. Suspension may be specified as follows:

1. Terms: suspension may be stipulated for a specified period of time. After the suspension period, the student is automatically eligible for readmission.

2. Conditional: suspension may be stipulated for an indefinite period of time premised on the student's accomplishment of certain specified conditions.

3. Interim: the University reserves the right to suspend a student on an interim basis when circumstances and facts indicate the student's continued presence on the campus constitutes an unreasonable danger to institutional property, the student or others. Interim suspension may be interpreted to permit all of the stipulations stated above, or may permit students to continue attending classes while they are suspended from representing the University in extracurricular activities, including intercollegiate athletics.

K. Expulsion: The student is informed in writing that they are permanently separated from the University.

Registered Sex Offender Information

A link to the Arizona Sex Offender Registry can be found on the Public Safety page of the University web site at: http://www.azdps.gov/Services/Sex_Offender/. This information can also be located through the Arizona State Police web site at <http://www.azdps.gov/>. All registered sex offenders must register themselves with Public Safety if they intend on becoming a student. Public Safety frequently search the Arizona State Police web site for registered sex offenders living off campus, in the general vicinity of the University and as a matter of preemptive intelligence gathering.

Sexual Harassment Policy

Students are strongly encouraged to report all incidents of sexual harassment. The University will conduct an appropriate and discreet investigation of all reports of sexual harassment. The details of the investigation will be kept as confidential as feasible, consistent with University policies and applicable federal, state and local laws.

- Complaints of sexual harassment by a University executive, faculty member, staff member, or teaching assistant are reported to and investigated by the employee's immediate supervisor, or the Associate Director of Personnel Resources, the Vice President for Compliance and Mesa Operations or any other senior University official. (If any person to whom the report would be directed is involved in or associated in any way with the alleged conduct, the report must be directed to another senior official who is not involved.)
- Complaints of sexual harassment by a student are reported to and investigated by the Associate Vice President for Student Life. (If any person to whom the report would be directed is involved in or associated in any way with the alleged conduct, the report must be directed to another senior official who is not involved.)
- An appropriate and timely response to each complaint will be provided.
- No individual who makes a good faith report shall be subjected to retaliation, including harassment or any adverse employment, academic or educational consequence, as a result of making a report.

Discriminatory Harassment Policy

The University is responsible for creating an environment where we are treated with respect and dignity. Sometimes behavior that seems acceptable to you may be offensive to others. Any harassment or false accusations of harassment, of or by employees or students, is not acceptable. The University prohibits harassment on the basis of sex, race, religion, age, national origin, disability, sexual orientation, or membership in any other group, or any characteristic, protected by law, including the following behaviors:

- Unsolicited remarks, gestures, or physical contact; display or circulation of written material or pictures negative or offensive to gender or to racial, ethnic, religious or other groups, or to any characteristic, protected by law;
- Unwelcome sexual advances, request for sexual favors, and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic advancement or status, or the basis for employment-related decisions affecting the employee or decisions affecting the individual's academic advancement or status; or
- Conduct that has the purpose or effect of interfering with an employee's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

Enforcement of Prohibitions

Harassment of any sort is a serious breach of University policy. The University will take prompt and appropriate corrective action, up to and including termination of employment, expulsion and/or other sanctions against anyone who engages in harassment. If you believe you have been the subject of harassment (or a violation of the University's Equal Employment Opportunity policy), report the alleged conduct immediately to the Associate Vice President for Student Life, Associate Director of Personnel Resources, the Vice President for Compliance and Mesa Operations, or any other senior University official. The University prohibits any form of retaliation against any employee or student for filing a complaint or for assisting in a complaint investigation.

Violation of Law and University Discipline

Public Safety seeks to maintain a safe and secure campus environment. Public Safety in conjunction with the Mesa Police Department has authority to enforce state and local criminal and traffic laws, as well as University policies.

At the discretion of Public Safety, based on the seriousness of the offense, violations of the law may result in custodial arrest and criminal charges brought against any student, faculty, staff, guest or visitor. The Mesa Police Department also has jurisdiction to make arrests on campus, should the Mesa Police become aware of a criminal offense.

Public Safety may also issue administrative citations for violations of Arizona law or for violations of the Student Code of Conduct including but not limited to those violations involving the use or possession of drugs and alcohol. The same violations may be brought to the attention of the Associate Vice President for Student Life. Faculty and staff conduct violations are brought to the attention of the Associate Director of Personnel Resources, and to the appropriate senior administrator.

Student Life Conduct Process - Conflict Resolution Procedure

Failure to abide by your responsibilities and any University policies and procedures will be resolved through the Student Life Conduct Process. Many times misconduct can be resolved informally, but situations may require a more formal procedure. The procedure is grounded in the concept of fairness and impartiality, thereby supporting the values of our community by addressing misconduct in a constructive and positive way. If University action is warranted, a student will receive a phone call and/or email to their student email account notifying them that a conversation is required. The following options will be considered by the Office of Student Life:

Mediation - Incidents may be resolved through mediation – a voluntary, private and informal process.

Hearings - Two kinds of hearings are possible: an administrative hearing (appointed University officials) and panel hearing (representatives of the student body, faculty and administration act as panel hearing members). The purpose of the hearings is to come to an understanding of the misconduct by the student(s), determine responsibility and remedies. Hearings can be used to resolve minor disciplinary matters or more serious matters (not limited to theft, dangerous weapon possession, misuse of fire protection equipment, sexual assault, illicit use of drugs and repetitious misconduct) that may result in a student being suspended or dismissed from the University or residence halls. Hearings may be conducted by a designated hearing officer or board depending on the incident as determined by the Office of Student Life.

Hearing Process - Students are expected to obtain further details if they attend a hearing. The hearings will follow appropriate procedures to ensure a fair process, and parties will have the opportunity to present any facts to substantiate the claim, including witnesses.

Hearings will proceed in the absence of a respondent who was given proper notice, who does not request a postponement and who does not attend the hearing. No parent, guardian, legal counsel or person outside of the University community is allowed to appear at the hearing, except if criminal proceedings are occurring simultaneously.

To ensure a fair process, parties may request that community members assist and participate in the investigation and hearing process. Students, faculty or staff who agree to assist and/or attend the hearing with the party but do not speak at the hearing shall provide such assistance. In the event a party is unable to locate someone to act in this capacity, they may request the assistance from the Office of Student Life. The administrator or Hearing Panel will be responsible for assigning a remedy in the event it finds that a violation of the Statement of Responsibilities or University policy has taken place. Consideration of a student's entire disciplinary record at the University will be taken into account when designing an appropriate sanction.

Appeal Process - A student may appeal a decision made by a hearing concerning the finding of a violation or the remedy imposed within five days of notification of a decision. To do so, the student must deliver a written explanation on the grounds upon which the appeal is made to the Office of Student Life. The burden of demonstrating an inequity in the hearing or remedy shall lie with the student. The responsibility of making a final decision will rest with the Office of Student Life.

Student Off-Campus Criminal Conduct

A student attending a University-sponsored function off campus is subject to the same standards of conduct as those expected on campus. Because the University is located within the Mesa downtown community, any University student who has violated criminal laws also may be subject to University judicial proceedings. Violations of local, state or federal laws on campus may also result in the filing of criminal charges.

Reporting of Criminal Offenses, Emergencies, and Voluntary Confidential Reporting

For a life threatening event, dial **9-1-1**, for the Mesa Police/Fire Departments. The Mesa Police Department is located at 130 North Robson, Mesa, Arizona 85201.

You may also dial **602-888-5516**, for Public Safety to report a medical emergency, criminal act, suspicious person or incident. The Public Safety Office is located on the main floor of Gillette Hall. The Office's mailing address is Benedictine University at Mesa, 225 E. Main Street, Mesa, Arizona 85201.

The Mesa Police Department is an active member of Maricopa County Crime Stoppers. If you have specific information regarding a serious crime on or off campus, you can call Crime Stoppers

anonymously at 1-800-222-TIPS and may receive a reward up to \$1,000. More information may be obtained at: <http://www.241stop.com/>

You may confidentially report any crime, concern, misdeed or emergency at: "[Silent Witness](#)".

You may also report a crime or emergency to any faculty or staff member, who will contact the appropriate authority. You may specifically contact **Public Safety**, 602-888-5516, or **Kevin Broeckling, Associate Vice President for Student Life**, 602-888-5507. You may report a crime or concern in-person, via e-mail, telephone call, or US Mail. You may report anonymously, request anonymity, or voluntarily identify yourself, if you chose.

Resident student may report criminal acts, or emergencies to the Associate Vice President for Student Life, 602-888-5507.

Crime Prevention Awareness and Personal Safety Education

Community policing encourages the campus community to participate actively in campus crime prevention. Throughout the academic year, Public Safety, together with the Mesa Police Department and the Associate Vice President for Student Life, provides demonstrations, seminars, informational programming, newsletters and the production and distribution of posters, e-mails and safety brochures on campus crime prevention topics including sexual assault prevention, self-defense, alcohol and drug awareness, on-campus referrals and services, criminal law, and alternatives to drinking initiatives. Additional programming and information is provided on the important subjects of disaster response, evacuations, first aid, CPR, use of AED device, and fire safety training. Crime victims are provided information about resources available from external sources.

Missing Student Notification Policy

This policy contains the official notification procedures for the University concerning missing students who reside in off-campus housing, in accordance with the requirements of the Higher Education Opportunity Act of 2008 (HEOA). The purpose of this policy is to promote the safety and welfare of members of the University community through compliance with HEOA requirements. This policy is mandatory and must be adhered to by all University faculty, staff, and students.

1. In the event that a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she shall immediately notify Public Safety at 602-888-5516 or the Associate Vice President for Student Life at 602-888-5507. Public Safety will generate a missing person report and initiate an investigation. In addition, Public Safety will report the missing person to appropriate staff on campus.
2. During the course of the investigation, staff will determine if the student has been missing more than 24 hours. In such event, Public Safety will confer with the surrounding law enforcement agency and the student's emergency contact no later than 24 hours after the student is determined to be missing for more than 24 hours. If the missing student is under the age of 18 and is not an emancipated individual, staff will notify the student's parent or legal guardian immediately after they determine that the student has been missing for more than 24 hours.
3. In addition to registering emergency contacts, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that person no later than 24 hours after the student is determined to be missing for more than 24 hours. Students who wish to identify a confidential contact can do so by completing the appropriate paperwork during check-in procedures.
4. This policy is effective from the date of issuance and will be made available to all members of the campus community. The policy is located at: <http://www.ben.edu/aboutus/upload/Notification-Policy-for-Missing-Students.pdf>

Policy Statement Addressing Counselor Confidentiality

The University encourages its pastoral and professional counselors and appropriate health services staff to inform persons seeking their services of the procedures to report crimes on a voluntary, confidential basis for inclusion in the University's annual disclosure of crime statistics. This process is employed at the discretion of the pastoral and professional counseling and health services staff, as they deem appropriate.

Counselors are defined as:

Pastoral Counselor – A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor – A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

All information with regards to counseling remains confidential, except in situations where there is a threat to life and safety. The Office of Student Life works closely with the Early Alert Team ("EAT"), Public Safety, many University departments and outside professional agencies, to minimize any threat to one's self and the entire internal and external campus community.

Security Awareness Programs

Emergency Response and Recovery Team is responsible for numerous campus safety and violence prevention programming, to include the development and maintenance of the Emergency Response and Recovery Plan, the Emergency Operation and Business Continuity Plan, Campus Violence and Prevention Plan, mass emergency communications initiatives, and community training and awareness. The ERRT is charged with developing and updating plans to prepare the University community for the event of an emergency or disaster. Through consistent promotion, educational training, and awareness campaigns, the ERRT hopes to save lives, reduce injuries, minimize property damage, and assure and facilitate the restoration of essential operational and priority services. The keys to an effective Emergency Operations Plan are to communicate in a timely manner when an emergency or disaster is identified, and to train as many community members as feasible in the procedures for emergencies and disasters, and recovery.

The ERRP is presented in an easily recognized flipchart type document. Each strip is the first page of a separate section of the ERRP and the strip identifies the subject of each section. The ERRP is displayed throughout every campus building, posted on the University website, and is made available in hard-copy to all community members. Highlighted in the ERRP are the following topics: BenAlert; Evacuation; Behavioral Assessment Reporting Guidelines, Fire, Bomb Threats, Workplace/Classroom Violence; Severe Weather; Utility Failure; Hazardous Material Accidents; First Aid; Automated External Defibrillator; Lightning and Dust Storm procedures.

The Benedictine Emergency Response and Recovery Plan for 2015-2016 can be located at:
http://www.ben.edu/emergency/upload/Mesa_ERRT_15-16-2.pdf

Crime Statistics/Crime Log

Public Safety, in accordance with the Clery Act, maintains a daily Crime Log, and prepares and distributes statistics annually on all reported occurrences of the offenses below. The Clery Act requires the annual publication of crime statistics for the previous three calendar years.

Pursuant to the Clery Act, the crime statistics include reports of arrests for, and disciplinary actions arising from selected crimes. Crime that occur on campus (including the Marriott), areas contiguous to University property (including on the public way), and hate crimes are included. Alcohol and drug incidents, and sexual assaults, also can be located in the report.

Collection of Statistics

The Associate Vice President for Student Life directs and is responsible for the gathering of crime statistics annually from Public Safety and Mesa Police Department crime and incident reports.

Campus Security Authorities

Kirsten Voak, Admissions Counselor
Anthony Staffaroni, Admissions Counselor
Wendy Finch, Registrar
Brett Cole, Public Safety
Paul Oakes, Public Safety
Steve Schafer, Associate Athletic Director
Kevin Broeckling, Associate Vice President of Student Life

Crime Definitions

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary for an injury to result when a gun, knife or other weapon is used in the commission of the crime.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Disciplinary Referrals: Incidents in which a student was not arrested but was referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

Drug Law Violation: Violations of State and local laws related to the possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include; opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone(s)); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Hate Crimes: A **hate crime** is a *criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias*. **Bias** is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Race. A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

Gender. A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Religion. A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

Sexual orientation. A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

Ethnicity/national origin. A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).

Disability. A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Larceny-Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Liquor Law Violation: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still, furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; or any attempts to commit any of the foregoing violations. **Note: this list does not include public drunkenness and driving under the influence.**

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joyriding.)

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex Offense Forcible (F): Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent: forcible rape; forcible sodomy; sexual assault with an object; and forcible fondling.

Sex Offense Non Forcible (N): Unlawful, non-forcible sexual intercourse: incest; statutory rape.

Dating Violence: dating violence means violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim;
2. Where the existence of such a relationship shall be determined on a consideration of the following factors:
 - a. The length of the relationship,
 - b. The type of relationship,
 - c. The frequency of the interaction between the persons involved in the relationship.

Domestic Violence: domestic violence includes felony or misdemeanor crimes of violence committed by current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or who has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against a youth or adult victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Stalking: engaging in a course of conduct directed at a specific person but is not limited to following, lying in wait, or harassment, when such conduct:

1. Would cause a reasonable person to feel fear for his or her physical safety or health or that of others, including fear of sexual conduct, unlawful restraint, bodily injury, or death, or would cause a reasonable person to suffer emotional distress; and
2. Serves no legitimate purpose.

Simple Assault: Assaults and attempted assaults where no weapon was used and which did not result in a serious or aggravated injury to the victim. (Currently, this crime category only applies to hate crimes.)

Weapon Law Violation: The violation of laws or ordinances regulating weapons.

***Crime Statistics Reporting Table**

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
Murder / Non-Negligent	2013	0	0	0	0
	2014	0	0	0	0
Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0
	2014	0	0	0	0
Sex Offenses, Forcible	2013	0	0	0	0
	2014	0	0	1	0
Sex Offenses, Non-Forcible	2013	0	0	0	0
	2014	0	0	0	0
Domestic Violence**	2013	0	0	0	0
	2014	0	0	0	0
Dating Violence**	2013	0	0	0	0
	2014	0	0	0	0
Stalking**	2013	0	0	0	0
	2014	0	0	0	0
Robbery	2013	0	0	0	0
	2014	0	0	1	0
Aggravated Assault	2013	0	0	0	0
	2014	0	0	0	0
Burglary	2013	0	0	0	0
	2014	0	0	4	0
Motor Vehicle Theft	2013	0	0	0	0
	2014	0	0	1	0

Arson	2013	0	0	0	0
	2014	0	0	0	0
Arrests: Weapons: Carrying, Possessing, Etc.	2013	0	0	0	0
	2014	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2013	0	0	0	0
	2014	0	0	0	0
Arrests: Drug Abuse Violations	2013	0	0	0	0
	2014	0	0	7	
Disciplinary Referrals: Drug Abuse Violations	2013	0	0	0	0
	2014	0	0	0	0
Arrests: Liquor Law Violations	2013	0	0	0	0
	2014	0	0	4	0
Disciplinary Referrals: Liquor Law Violations	2013	0	0	0	0
	2014	0	0	1	0
Hate Crimes based on Race, Gender, Religion, Sexual Orientation, Ethnicity/National Origin, Disability, which included: Murder and Non-negligent manslaughter Forcible sex offenses Robbery Aggravated assault Burglary Motor vehicle theft Arson Larceny-theft	2013	0	0	0	0

Simple assault Intimidation					
Destruction/damage/vandalism of property					
	2014	0	0	0	0

*The Benedictine University at Mesa campus opened its doors September 2013.

** As of 2013 per the VAWA Act, Domestic Violence, Dating Violence and Stalking statistics are required by all colleges and universities.