



Benedictine University
2013-2014 Student Handbook

The Benedictine University Student Handbook covers community-wide and individual student expectations and responsibilities. Failure to abide by these responsibilities and any University policies and procedures will be resolved through the Student Life Conduct Process. This process is an educational tool required by the University to maintain a safe environment and instill individual responsibility.

In addition to the Student Handbook, the Academic Catalog and University website can be used as valuable resources to guide you through your Benedictine experience. The University reserves the right to amend this handbook at any time. Amendments to policies and procedures are to take effect when announced. Reasonable attempts to communicate amendments will be made. Proposals to amend policies and procedures can be submitted to vice president for the Office of Student Life.

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Student Statement of Responsibilities

Benedictine University is a Catholic and an academic community dedicated to the advancement of learning and committed to a philosophy of mutual tolerance and respect. Benedictine is a community of people with distinct ethnic, racial, cultural and religious backgrounds. We are also a community with a variety of roles: faculty, staff and student. Despite these differences, we are a community with a common interest in creating an environment which encourages the growth and development of all people. We understand that such an education consists of both classroom work and the full experience that university life can provide. To promote such a learning environment, the University requires each student to accept a Statement of Responsibilities and set of policies while a member of the Benedictine community at the Lisle campus, the Margaret and Harold Moser Center in Naperville, Springfield or Mesa branch campuses, or the University's cohort and online programs. Community members are also expected to observe all current local and county ordinances as well as state law.

The University attempts to establish a climate which encourages the assumption of responsibility by students for their individual and collective actions with minimum regulation. It shall be the responsibility of each student to comply with the appropriate standards of conduct and decorum befitting members of an educational community. The activities enumerated below constitute violations of University rules, regulations, policies, and standards of conduct and shall be subject to disciplinary action. A student attending a University-sponsored function off campus is subject to the same standards of conduct as those expected on campus. Any Benedictine University student who has violated criminal laws also may be subject to University proceedings. Violations of local, state or federal laws on campus may also result in the filing of criminal charges.

We encourage students to develop an awareness and sensitivity to their environment by formulating and accepting a personal code which is compatible with the code of the community of which you are a member; that is, the Benedictine Community. This means you must analyze your motives and impulses, discover new freedoms and understand the limitations of those freedoms as a community member. When a student becomes a member of the Benedictine University community, that student agrees to abide by all University policies and accept four main responsibilities: one's education to self, colleagues and community, and to the University. The following sections detail responsible activities and list actions that are prohibited by University policy.

I. Responsibility to One's Education

To ensure a comprehensive and authentic education, the student is responsible for planning their academic program and progress, and for pursuing academic excellence with honesty and integrity. Academic excellence cannot be achieved if one misrepresents the work of others as their own. While the University encourages students to assist one another (e.g. tutoring; group projects), the individual student is accountable for meeting their requirements. Faculty members and advisors are available to assist the student with program planning and academic achievement. The student is accountable for meeting course, degree and graduation requirements. Academic policies and procedures related to academic courses and programs can be found in both Undergraduate and Graduate Catalogs.

II. Responsibility to Ourselves

One must treat oneself with respect to fully engage in the pursuit of an education. This means many things, but such self-respect is a fundamental commitment to personal integrity and individual wellness. Those who are committed to personal integrity show a willingness to be held accountable for their own

actions. They conduct themselves honestly, thoughtfully and consistently within the values of the community. In addition, they strive for comprehensive personal health. In doing so, they avoid practices which harm the body and the mind such as excessive consumption of alcohol or the recreational use of drugs. They endeavor to develop self-esteem and feel called to live in ways that exhibit leadership, ethics and values. All students are required to pursue their academic studies to the best of their abilities. Students may lose privileges (on-campus housing, parking, etc.) if they do not maintain their commitment to their coursework. The following includes specific student conduct prohibited by the University:

A. All forms of dishonesty, including cheating, plagiarism, knowingly furnishing false information to the institution, forgery, and alterations or use of institutional documents or instruments of identification with the intent to defraud are prohibited. Required papers may be submitted for review to Turnitin.com for the detection of plagiarism.

B. Misuse of alcohol. The legal age for the possession and use of all alcoholic beverages in Illinois is 21. Fraudulent identification for the purpose of acquiring alcoholic beverages and/or purchasing such beverages for minors is a violation of state and local law. Students who are 21 years of age may consume beverages in Founders' Woods and Neuzil Hall rooms only when the doors are closed and students under 21 years of age are not present.

C. Unauthorized gambling is not permitted on University grounds, in residence halls, apartments or at official functions of student organizations.

D. Possession, use or sale of controlled substances or drug paraphernalia is not permitted. Benedictine University has an obligation to uphold federal, state and local laws with regard to the possession and use of drugs. The University will cooperate with legal authorities when necessary. The University reserves the right to view each case of drug-related activity individually, to include the kind of drug and level of involvement to determine the criteria for the University's response (see "Substance Abuse Policy").

E. According to the University's fire safety action plan, failing to, leave the building in which a fire alarm is activated immediately may result in the issuance of a civil citation and fine up to \$500.

III. Responsibility to Colleagues and Community

One must treat other members of the University with respect to allow them to fully engage in the pursuit of their own education. This involves a commitment to refrain from harmful conduct, and engage in conduct that makes the community a better place for all to live and learn. Only the individual can accept the duty to act affirmatively. The University is committed to creating an environment that encourages such a duty, and has established the following prohibited conduct concerning classmates and other members of the community:

A. Actual physical harm or the threat of confrontation to harm any person is prohibited. This includes physical conflict, lethal and less-than-lethal use or possession of weapons/ammunition.

B. Hazing of any person by a campus organization or another person is prohibited. Benedictine University prohibits conduct by an individual, organization or group affiliated with the University that is in violation of the Illinois Hazing Act, or any hazing activity which threatens a person's rights of self-respect, which disrupts community life, or which encourages the violation of local, state or federal law, or Benedictine University Policies and Procedures.

C. Discriminatory harassment to any person on University premises or at University-sponsored functions is prohibited.

D. Promotion of self-inflicted activities on the Internet, including harming others and underage drinking, is prohibited.

- E. Failure to comply with directions of University officials acting in performance of their duties is prohibited.
- F. Community members may not engage in conduct unbecoming of a Benedictine University student.

IV. Responsibility to the University

To assist the University in offering the finest education possible, one must treat the University campus and its resources with respect. Such respect involves stewardship of community assets through responsible use, as well as refraining from damaging or misusing University facilities and resources. The following is prohibited:

- A. Disruption of the University community or obstruction of teaching, research, administration, disciplinary proceedings or other institutional activities.
- B. Theft from or damage to University property or the property of a member of the University community.
- C. Acts of vandalism or malicious defacement of property, or the property of the University community, including tampering with telephones, the computer network/university's website and safety and/or fire equipment on campus.
- D. Unauthorized possession or use of campus keys, access cards or identification cards. Every student must ensure that they have their Bencard at all times and that the card has the correct information and is valid while the student is at the University.
- E. 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.
- F. Violation of rules applicable to residence halls and apartments.
- G. Contempt of the conduct process or its authorities.
- H. Violation of local, state or federal laws.
- I. Non-payment of Student Accounts

Alcohol Policy

Abide by current local ordinances, state law and University policies. View Benedictine University's policy at www.ben.edu/about/gci/alcohol_drug_policy.pdf.

Students should be aware whether possession of alcohol occurs inside or outside the University, legal sanctions under applicable law for unlawful possession and/or consumption of alcoholic beverages may include fines or imprisonment.

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

Drug Free Campus/Workplace Policy

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 Illinois 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 review 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.

Smoking/Tobacco Policy

In an attempt to respect the rights of both non-smokers and smokers, and with a definite concern for the health of all members of its community, Benedictine University has developed the following policy for tobacco use on campus. Smoking or use of any form of tobacco IS NOT permitted inside any academic, residential or administrative building on campus. This policy invokes applicable Illinois law (specifically, the Smoke-Free Illinois Act (effective as of January 2, 2008) and the previous law, the Illinois Clean Air Act of 1990).

All smoking or tobacco materials are to be properly extinguished and disposed of in a cautious, sanitary and appropriate manner.

Non-Discrimination Policy

Benedictine University does not discriminate in its admissions or educational policies, programs or activities; scholarship and loan programs; athletic and other University administered programs or employment practices on the basis of age, religion, sex, disabilities, race, color, national ethnic origin, or any other legally protected characteristic. In addition to meeting non-discrimination obligations under federal and state laws, Benedictine 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 economic status, ethnic background, political views or other personal characteristics and beliefs.

The University is also committed to providing all of its students, faculty, staff and visitors with reasonable access to its programs, events and facilities. To this end, and in compliance with the Americans with Disabilities Act of 1990, the University has made and continues to make modifications to its facilities and programs to provide access for individuals with disabilities. If a person believes they have been a victim of discrimination or harassment or for further information and assistance, they may contact the vice president for the Office of Student Life.

Compliance with Federal Non-Discrimination Regulations Several federal regulations have been adopted for the protection of students' rights. Of particular interest are the following:

A. Equal Opportunity: Benedictine University supports the principles of equal opportunity for employment to all qualified persons without regard to race, gender, religion, color, national origin, age or other legally protected characteristics. Inquiries regarding compliance may be directed to the University's Office of Personnel Resources or to the director of the Offices for Civil Rights at the U.S. Department of Education.

B. Title IX: Benedictine University does not discriminate on the basis of gender, in accord with Title IX of the 1972 Education Amendments, in its educational programs, admission policies, activities or employment policies. This legislation provides that no person in the United States shall, on the basis of gender, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. This includes protection from sexual harassment. Inquiries regarding compliance may be directed to the associate vice president for the Office of Student Life.

C. Accommodation Services: Benedictine University is dedicated to creating an accessible environment through reasonable and appropriate accommodations for students with disabilities. Students with a disability are encouraged to seek assistance with Jennifer Golminas, coordinator of Accommodation Services in the Student Success Center. Special accommodation services are available for students with disabilities on a case-by-case basis, provided that documentation from a properly licensed clinician supports the accommodation. Students eligible under the Americans with Disabilities Act

(1990) and/or Section 504 of the Rehabilitation Act (1973) and/or state law, whose disability interferes with a major life activity, are urged to self identify so that the process for receiving assistance can begin as soon as possible.

Commonly granted accommodations include the following:

- Extended time for testing in a quiet test environment
- Designated note-taker in class
- Modified or enlarged classroom/reading materials
- Books in alternate formats
- Preferential classroom seating

Students with questions or in need of special academic or housing accommodations should stop by the Student Success Center in Krasa or call (630) 829-6512 to arrange proper documentation for equal access to educational and campus services.

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 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 the Benedictine University Police Department (630) 829-6666, a residence hall staff member, the vice president for the Office of Student Life, health/counseling office 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 Benedictine University Police. 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.

Student Sexual Misconduct Policy and Procedure

One of Benedictine's stated goals is to maintain an environment that is healthy and safe. Sexual misconduct is not consistent with this goal and the University is committed to providing a living and learning environment that is free of such threats. It is the University's policy that acts of sexual misconduct will not be tolerated. For purposes of this policy, "sexual misconduct" is defined as any attempted or actual act of non-consensual or forcible sexual touching. This would include, but is not limited to, fondling, kissing, groping, attempted intercourse (whether oral, anal or genital), penetration or attempted penetration with a digit or any other object.

"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, fear or coercion.

Persons accused of sexual misconduct will be subject to disciplinary action in accordance with Benedictine University's policies and procedures for student conduct. 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, Benedictine may choose or may be required to provide information and records related to its disciplinary proceedings involving the same act. However, Benedictine'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 affect or influence the University's student conduct proceedings.

A person who has been a victim of sexual assault may report the crime to Benedictine University Police at (630) 829-6666, a residence hall staff member, the vice president for Student Life, the health/counseling office or an outside community agency such as the DuPage Women Against Rape Hotline at (630) 971-3927. Benedictine 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 criminal charges with the police, 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 Health Services Krasa Center, Room 116 (630) 829-6046

Off-Campus Resources

DuPage Women Against Rape (DWAR)
24-hour emergency number (630) 971-3927
Non-emergency number (630) 790-6600

DuPage County State's Attorney Victim/Witness Advocates
505 N. County Farm Road
Wheaton, IL 60187
(630) 407-8008

The Bill of Rights for Victims and Witnesses of Violent Crime is an Illinois law that ensures fair and compassionate treatment for victims and witnesses of violent crime. The law guarantees two basic rights to crime victims and witnesses—the right to obtain information from the criminal justice system, and the right to be treated in a humane way by the system.

Illinois 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 Illinois Domestic Violence law. Under Illinois law family or household members are defined as:

- family members related 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 a child in common or a blood relationship through a child in common;
- people who are dating, engaged or used to date, including same sex couples; people with disabilities and their personal assistants”

(Excerpt from the Illinois Domestic Violence Act Web page, Illinois Attorney General)

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 on-campus resources refer to the following resources:

Domestic Violence Resources

Family Shelter Service

24 hours a day

(630) 469-5650

Illinois Coalition Against Domestic Violence

877-863-6338

Discriminatory Harassment and Sexual Harassment Policy

We are all 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. Benedictine University prohibits harassment on the basis of sex, race, religion, age, national origin, disability, sexual orientation, or membership in any other group protected by law, including the following behaviors:

- Unsolicited remarks, gestures, or physical contact; display or circulation of written material or pictures that are negative or offensive to gender or to racial, ethnic, religious or other groups 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.

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 the Office of Student Life, director of Personnel Resources, the compliance officer, or any other senior University official. Benedictine University

prohibits any form of retaliation against any employee or student for filing a complaint or for assisting in a complaint investigation.

Students are 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. Students are encouraged to report all incidents of sexual harassment.

- 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 director of Personnel Resources, the compliance officer or any other senior University official. (If any person to whom the report would be directed is involved in or is associated 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 vice president for the Office of Student Life. (If any person to whom the report would be directed is involved in or is associated 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.

Responsible Use of University Technology Resources Policy

The Office of Information Technology maintains an [Acceptable Use Policy](http://www.ben.edu/upload/aup.pdf) (<http://www.ben.edu/upload/aup.pdf>) for the responsible use of technology resources for all members of the campus community. This document provides guidance on the use of technology at the University, including your responsibility to abide by all laws in your use of technology, including copyright and other laws protecting intellectual property.

Students should be aware of the basics of Internet etiquette in communicating via text, chat room, online or email. Your behavior will be evaluated online as if you would demonstrate in person. Know that when you are in cyberspace, respect other people's time and bandwidth, use appropriate upper and lowercase punctuation, and respect other people's privacy.

Freedom of Expression Policy

In its role as an academic institution, Benedictine is committed to an environment in which a variety of ideas can be reasonably proposed and critically examined. The University community recognizes that the freedom of inquiry and expression may produce conflicts of beliefs, and proposals for action. It is the responsibility of all members of the University community to maintain channels of communication which will foster a favorable climate for the freedom of expression to thrive. Implicit in this freedom and with regard for the common purposes of the institution is the right to dissent and demonstrate in a peaceful and non-disruptive manner without unreasonable obstruction or hindrance. The University expects those who enjoy these freedoms to also accept responsibility for order and discipline. Permissible speech does not include unlawful activity, activity that threatens or endangers the safety of any member of the community, destruction of property or obstruction of the normal operations of the University and will not be tolerated.

Insurance Policy

In the event of loss or damage to your personal property while working, residing or visiting at Benedictine University, the Business Office can issue a statement, should you wish to file a claim against your personal insurance policy. The University is not responsible for any personal property loss. In order to have the statement prepared, the damage or loss should be reported to University Police as soon as possible. A copy of the University Police report should be brought to the Office of Business and Finance Services with a note indicating the name and address of your insurance carrier and your address. Our statement will be prepared and mailed to you for attachment to your claim.

Accommodations Procedures

Benedictine University will make every attempt to provide eligible students with reasonable accommodations based on individual learning needs and recommendations. In order to provide accommodations in a timely manner, the University requires reasonable notice of specific needs and requested accommodations.

Students needing accommodations should first complete the Disability Services Request Form. In addition, documentation of the disability from a licensed clinical professional should also be included. Students should provide these documents to the coordinator of Special Services to begin the process for receiving accommodations.

When accommodations are approved, the coordinator of Special Services contacts students and provides them with the Student Academic Accommodations Approval (SAAA) form, which notifies the instructors of the approved accommodations. Each semester students are responsible for obtaining their SAAA forms from the coordinator.

All inquiries about referrals to clinical professionals, who administer testing, modifications to accommodations, and temporary accommodations, should be directed to the coordinator of special services in the Student Success Center.

Please read the Benedictine University Accommodations Policy for complete details.
http://www.ben.edu/student_life/ssc/procedures-for-accommodations.cfm

Family Educational Rights and Privacy Act (FERPA) Annual Notice to Students

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

1. The right to inspect and review your education records within a reasonable time after Benedictine University receives a request for access. If you wish to review your record, contact the registrar or the University office that maintains the record to make arrangements. You are required to submit your requests in writing and identify the record(s) you wish to inspect.

2. The right to request an amendment of your education record if you believe it is inaccurate or misleading. If you feel there is an error in your record, you should submit a statement to the University official responsible for the record, clearly identifying the part of the record you want changed and why you believe it is inaccurate or misleading. That office will notify you of their decision and advise you regarding appropriate steps if you do not agree with the decision.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. This includes any University faculty or staff employee (including the University Police Department) acting within the scope of his or her University employment and with appropriate supervisory authority; any individual or entity with whom the University has contracted as its agent to provide a service to the University when acting within the scope of the contract or agency and who is subject to appropriate confidentiality requirements; any member of the University's Board of Trustees; any student serving on an official committee, such as a disciplinary or grievance committee; and any student assisting a University official in performing tasks for which the University official may have access. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill professional responsibilities.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202-5901

Benedictine University's policy is to not release student record information without the expressed consent of the student. However, there are some exceptions. For example, directory information may be released without the student's consent and includes the following: name, address, telephone number, major and minor fields of study; participation in officially recognized activities and sports, dates of attendance, degrees and awards received; most recent education institution attended; full-time/part-time enrollment status; photo. In compliance with the Solomon Amendment, directory information is provided to the U.S. Department of Defense, upon request. You may withhold disclosure of directory information by completing the "FERPA Non-Disclosure of Designated Directory Information" form available in the Registrar's office, within ten (10) calendar days of the first scheduled class day of each fall term. A request to withhold disclosure of directory information is effective for one academic year only and must be renewed each year.

The University may also disclose student account and financial aid information without the student's consent to the student's parents if the parent requests the information in writing, completes the Parent Certification section of the Authorization For Release of Confidential Information to Parents and provides evidence that the student is their dependent for federal income tax purposes, or if there is a health or safety emergency involving their son or daughter, or if their son or daughter is under the age of 21 and has violated a federal, state or local law or any University rule or policy concerning the use or possession of alcohol or a controlled substance.

Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

Disciplinary and Counseling Records Procedure

Information from student disciplinary or counseling files is considered a confidential, educational record and is not available to unauthorized persons on campus. To comply with federal law, as well as for reasons of confidentiality, disciplinary records/files may not be released to anyone off-campus unless under legal compulsion or in cases where the safety of persons or property is involved. A student's disciplinary record/file may only be reviewed by the student within the confines of the Benedictine University campus and the guidelines designated by the appropriate University administrator, generally the vice president for the Office of Student Life. Only the student and authorized persons may have access to such records. The University will take all reasonable steps to ensure that the confidentiality of student educational records is maintained. Any questions concerning the student's rights and responsibilities under FERPA should be referred to the Office of the Registrar or the compliance officer.

Demonstrations Procedures

Persons planning a demonstration should meet with the vice president for the Office of Student Life or their designee to discuss arrangements for the event.

The Chief of University Police, in consultation with University officials, will determine the point at which the normal operations of a specific building or area are disrupted. The demonstrators will be informed specifically how they may continue their demonstration in a manner which is not disruptive. If the above described internal measures fail to achieve the desired results, the University reserves the right to ask for the assistance of civil authorities. Any student in a disruptive demonstration may be arrested and may be suspended pending formal action consistent with the University conduct system. Any person not officially associated with the University who is participating in a disruptive demonstration will be arrested and may be prosecuted. Just as Benedictine University expects the members of its community to abide by the above regulations, it likewise expects that any action taken to enforce compliance with regulations or prevent prohibited activity should be appropriate. The University expects all persons to comply with the directions of an authorized official.

Student Life Conduct Process

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 Benedictine 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.

Sanctions

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 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 on campus or visit residence halls, 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.

Non-Sanction Resolutions

Interim Intervention

The University reserves the right to suspend a student on an interim basis when circumstances and facts indicate that the student's continued presence on the campus constitutes an unreasonable danger of harm or injury to institutional property, the student involved or others. Students may also be suspended on an interim basis while undergoing resolution by University or civil authorities.

Involuntary Withdrawal

A student may be subject to involuntary withdrawal from the University or from the residence halls if it is determined that the student is suffering from a mental illness and/or engages (or threatens to engage) in behavior which poses a danger of causing physical harm to self or others; engages in behavior which would cause property damage; impedes the lawful activities of others; or disrupts the community.

Student Complaint Process

Your concerns are important to us. If you encounter a problem involving the application of a Benedictine University policy or procedure or have any other dispute with the University that you cannot resolve informally and which adversely impacts you, you may file a complaint in writing.

For purposes of this process, a “complaint” is an expression of dissatisfaction concerning, a University employee, department, service or process, or a University administrative action, that requires clarification, investigation and/or resolution.

Complaint Process:

- A complaint must be made in writing, preferably using the online Complaint Form at http://www.ben.edu/campus_resources/student_life_complaints_satisfaction_form.cfm.
- It is important to report complaints promptly and to include a short and concise statement of all the relevant facts and the action or remedy you are requesting so that an investigation can be completed and a resolution achieved.
- Complaints must be filed within 15 business days from the date of the action or occurrence which is the subject of the complaint.
- The Office of Student Life will assign a tracking number to the complaint and acknowledge its receipt using the contact information you have provided on the Complaint Form.
- The Office of Student Life reviews each complaint to determine whether further action should be taken. If the complaint is the subject of the academic or financial appeals processes, or is a question of academic discretion, the complaint will be dismissed without further action.
- The Office of Student Life refers complaints requiring further action to the appropriate academic or administrative official (typically a dean, director or another appropriate administrator with whom they have designated) for investigation and resolution.
- Within 10 business days after receiving a complaint, the Office of Student Life will advise the student in writing either (a) that it has referred the complaint to an administrator for investigation and resolution, and to whom the complaint was referred, or (b) that it has dismissed the complaint and the reason for the dismissal.
- An administrator to whom a complaint has been referred has 20 business days from the date of the referral to investigate and address the complaint. During the investigation and resolution process the administrator will communicate directly with the student who has filed the complaint. At the conclusion of the investigation and resolution, the administrator will notify the student and the Office of Student Life in writing of the results of the investigation and resolution of the complaint.

- The Office of Student Life may extend the investigation period beyond 20 business days by notifying the student who filed the complaint in writing, using the contact information provided on the Complaint Form.
- A complaint may be dismissed without further action if the student fails to cooperate in

the investigation.

NOTE: Dealing with concerns in the most direct and honest fashion should always be the first step toward resolution. Many problems are resolved when one makes an appointment with a faculty or staff member and calmly and honestly communicates their concerns.