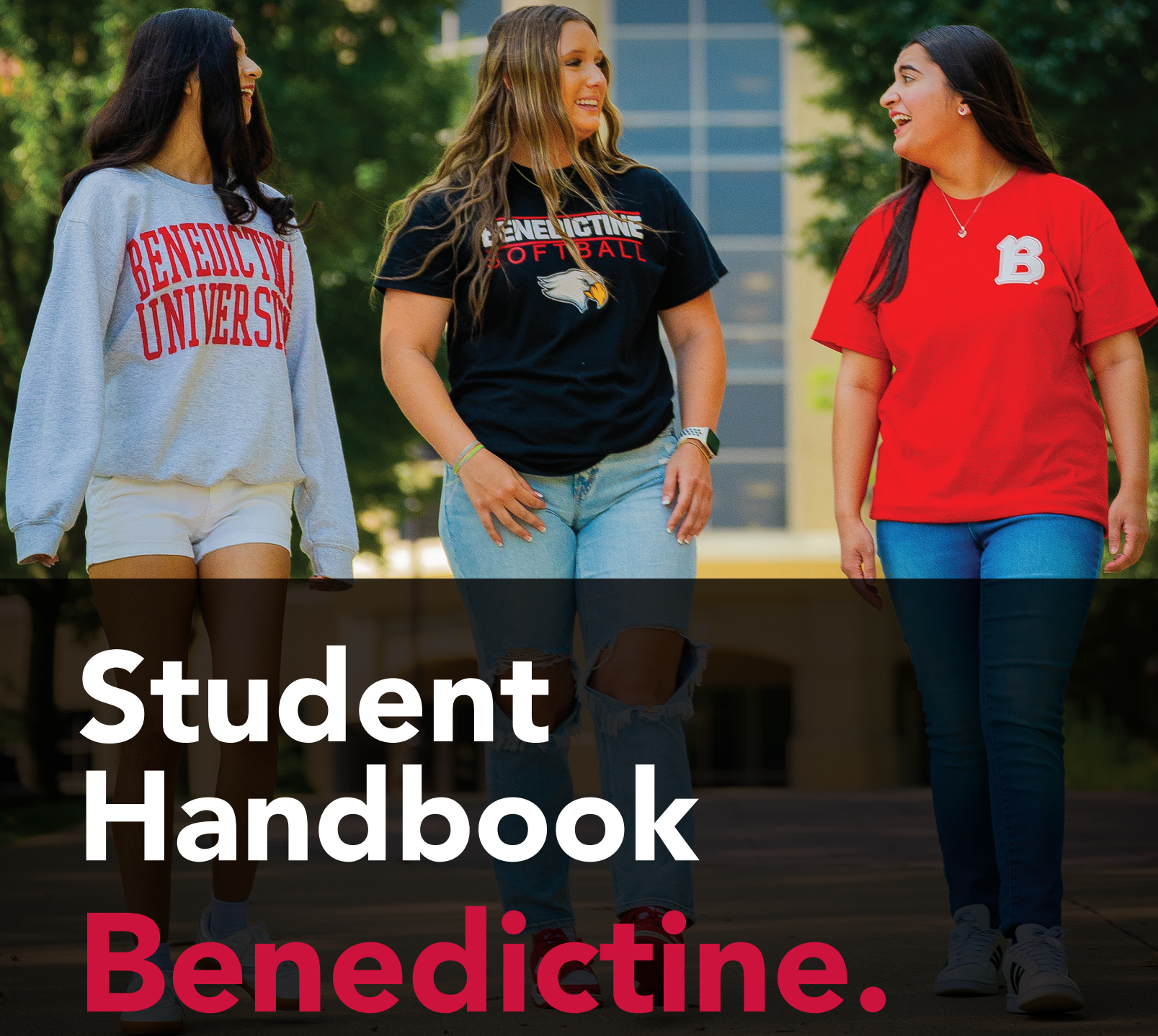




Student Handbook Benedictine.

Student Handbook

Introduction

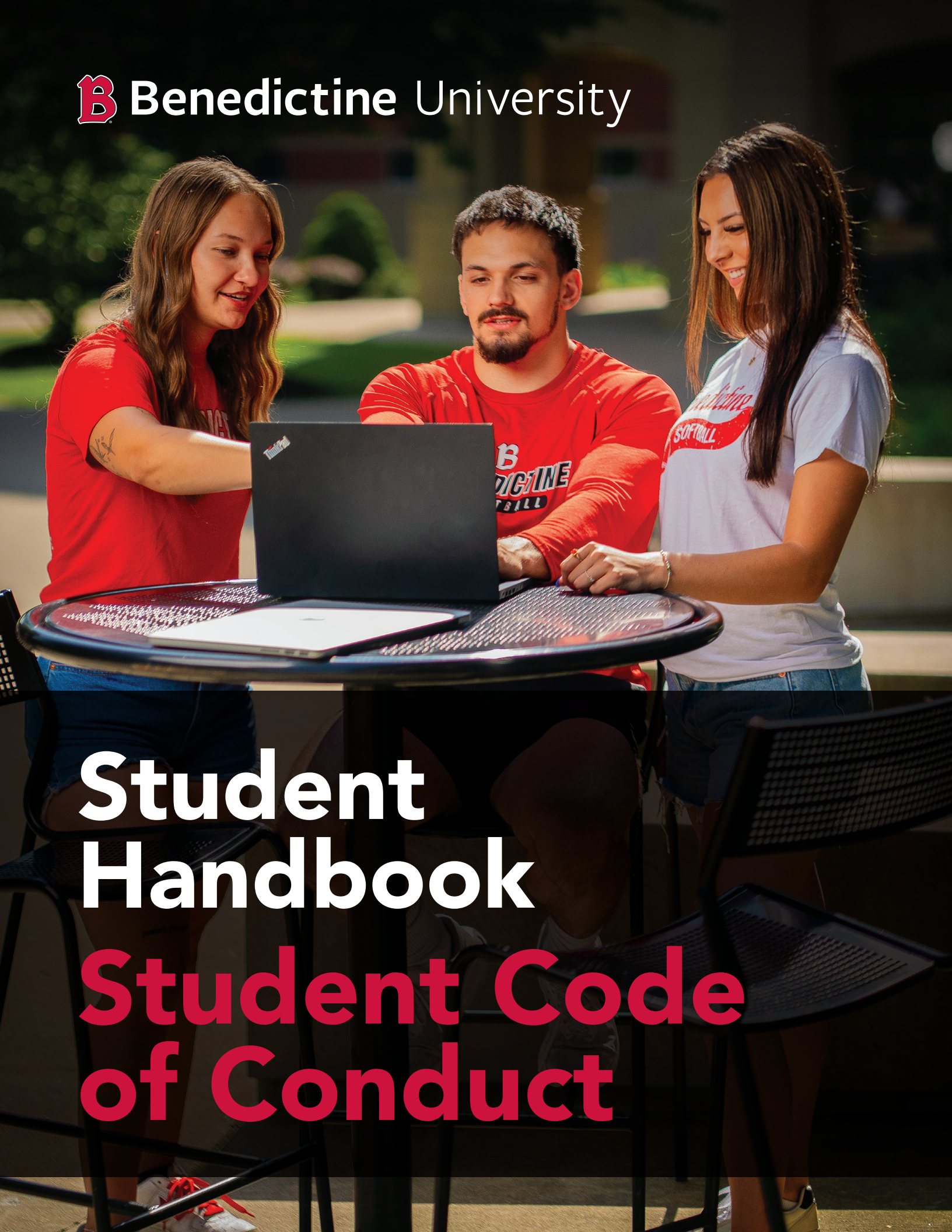
The Benedictine University Student Handbook (“Student Handbook”) covers the Code of Conduct and Policies and Procedures for Students.

In addition to the Student Handbook, the Academic Catalog, Athletic Student Handbook, Student Organization Handbook,

Resident Student Handbook and University website can be used as valuable resources to guide you through your Benedictine experience. The University reserves the right to amend this Student Handbook at any time. Proposals to amend policies and procedures can be submitted to the Dean of Students.

Code of Conduct

1.1	Responsibility to One's Education
1.2	Responsibility to Ourselves
1.3	Responsibility to Colleagues and Community
1.4	Responsibility to the University
1.5	Alcohol Policy
1.6	Drug Free Campus/Workplace Policy
1.7	Tobacco-Free at Benedictine University
1.8	Non-Discrimination Policy
1.9	Hate Crime Policy
1.10	Student Sexual Misconduct Policy and Procedure
1.11	Retaliation
1.12	Discriminatory Harassment and Sexual Harassment Policy
1.13	Responsible Use of University Technology Resources Policy
1.14	Freedom of Expression Policy
1.15	Insurance Policy
1.16	Accommodations Procedures
1.17	Medical Withdrawal Policy
1.18	Family Educational Rights and Privacy Act (FERPA) Annual Notice to Students
1.19	Disciplinary and Counseling Records Procedure
1.20	Demonstrations Procedures
1.21	Student Conduct Process
1.22	Non-Sanction Resolutions
1.23	Student Complaint Process



Student Handbook

Student Code of Conduct

Introduction

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

Student Statement of Responsibilities – Student Code of Conduct

Benedictine University is a Catholic and an academic community dedicated to the advancement of learning and committed to a philosophy of mutual acceptance and respect. The University is a community of people with distinct ethnic, racial, genders, cultural and religious backgrounds. We are also a community with a variety of roles: faculty, staff, and student. Therefore, 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 University community at the Lisle campus, cohort off-site locations and online, or Mesa campus. Community members are also expected to observe all current local and county ordinances as well as federal and state laws. A student conduct on University property, in University programs, in online learning spaces, and at University-sponsored activities. Off-campus or personal online conduct may also be reviewed when it has a substantial connection to the University, creates a significant safety concern, or seriously disrupts University operations or another student's access to education.

The University has established a climate that encourages the assumption of responsibility by students for their individual and collective actions with minimum regulation. Given that responsibility, our expectation is for each student to comply with the appropriate standards of conduct and decorum befitting members of our educational community. A student attending a University-sponsored function off campus is subject to the same standards of conduct as those expected on campus (i.e. sporting event or university sponsored study abroad program).

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. Scholarship recipients who are found to be in violation of student conduct guidelines may be subject to loss of institutional scholarships.

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: to the educational process, to oneself, to colleagues and the community, and to the University. Within this Handbook, you will learn more about these responsibilities, as well as more about the Student Conduct Policies, Procedures, and Processes.

1.1 Responsibility to One's Education

To ensure a comprehensive and authentic education the student is responsible for planning their academic program, for continuing progress in said program, and for pursuing academic excellence with honesty and integrity. Academic Advisors and Faculty 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 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, etc.), the individual student is accountable for meeting the requirements of their courses and programs. Academic policies and procedures related to academic courses and programs can be found in both the University Undergraduate and Graduate Catalogs.

1.2 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. Students with self-esteem feel called to live in ways that exhibit leadership, ethics and values. Students must meet the academic progress, eligibility, and conduct requirements published in the Academic Catalog and University policies. Any restriction of housing, parking, participation, or other privileges will be based on a stated requirement or identified policy violation, and the student will receive written notice of the reason. The following includes, but is not limited to, specific student conduct prohibited by the University:

1.2.1 All forms of dishonesty are prohibited, including but not limited to 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. Required papers may be submitted for review to detect plagiarism.

1.2.2 Misuse of alcohol and tobacco products is prohibited. The legal age for the possession and use of all alcoholic beverages 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. The campus is tobacco-free. Please refer to the Alcohol and Drug Policy.

1.2.3 Unauthorized gambling is prohibited on University grounds, in residence halls, apartments or at official functions of student organizations.

1.2.4 Possession, use or sale of controlled substances or drug paraphernalia are prohibited. The University has an obligation to uphold federal, state, and local laws regarding the possession and use of drugs. 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. Please refer to the Alcohol and Drug Policy.

1.2.5 Failing to immediately leave the building in which a fire alarm is activated is prohibited and may result in the issuance and Administrative Citation.

1.3 Responsibility to Colleagues and Community

One must treat other members of the University community with respect to allow them to fully engage in the pursuit of their own education. This involves a commitment to engage in conduct that makes the community a better place for all to live and learn and refrain from harmful conduct. 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:

- 1.3.1** Actual physical harm or the threat to harm any person are prohibited. This includes physical contact and, the use or possession of lethal and less-than-lethal weapons/ammunition. Please refer to the University's Hate Crime Policy, Student Sexual Misconduct Policy and Procedure, Discriminatory Harassment and Sexual Harassment Policy, Title IX Policy.
- 1.3.2** Hazing of any person by a campus organization or another person is prohibited. The 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 the University's Policies and Procedures.
- 1.3.3** Discriminatory harassment to any person on University premises or at University sponsored functions is prohibited. Please refer to Non-Discrimination Policy on page 10, and Title IX Policy.
- 1.3.4** Harassment which is unwelcomed verbally, visually, or physically that denigrates or shows hostility or aversion towards an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual or creating an intimidating, hostile or offensive community environment is prohibited.
- 1.3.5** Promotion of self-inflicted activities on the Internet is prohibited, including harming others and underage drinking.
- 1.3.6** Failure to comply with directions of University officials acting in performance of their duties is prohibited.
- 1.3.7** Students may not engage in conduct unbecoming of a Benedictine University student.

1.4 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:

- 1.4.1** Disruption of the University community or obstruction of teaching, research, administration, disciplinary proceedings or other institutional activities.
- 1.4.2** Knowingly making false statements or knowingly submitting false information during a Grievance Process.
- 1.4.3** Theft from or damage to University property or the property of a member of the University community.
- 1.4.4** Acts of vandalism or malicious defacement of property, or the property of the University community, the computer network, the University's website and safety and/or fire equipment on campus. Please refer to Responsible Use of University Technology Policy.
- 1.4.5** Unauthorized possession or use of campus keys, access cards or identification cards. Every student must obtain a University digital Student I.D., ensure that they always have their University Student I.D. Card (Bencard) and that the Bcard has the correct information and is valid while the student is at the University. 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.
- 1.4.6** Violation of Policies and Procedures enacted by University Departments.
- 1.4.7** Violation of local, state or federal laws.
- 1.4.8** Non-payment of Student Accounts.

1.5 Alcohol Policy

The University requires that all students abide by current local ordinances, state law and University policies related to the possession, distribution, and/or consumption of alcohol and alcoholic beverages. Students should be aware whether possession of alcohol occurs inside or outside the University, legal sanctions under applicable law for unlawful possession, distribution and/or consumption of alcohol and

alcoholic beverages may include fines or imprisonment. Alcohol education programs are conducted routinely at the University. Students experiencing difficulties with alcohol or drug use are encouraged to talk with the Counseling Center, Health Services, the Office of the Dean of Students, or other members of the University staff. Please refer to the Alcohol and Drug Policy.

1.6 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 prohibited. 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. The federal law prohibits the possession and/or distribution of illicit drugs and any student suspected of breaking the law will be subject to University review. 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.

1.7 Tobacco-Free at Benedictine University

Effective August 1, 2017, the University Smoking/Tobacco Policy changed to prohibit smoking, vaping, and the use of tobacco products, in consideration of the health risks to community members, environmental impact and community member feedback. Our students, faculty and staff members and guests shall abide by the Smoking/ Tobacco Policy in consideration of the following guidelines:

In a kind and courteous manner, each community member will be responsible to remind individuals of the University

Smoking/Tobacco Policy. This Smoking/Tobacco Policy will be enforced like any other student conduct and/or employee violation.

Individuals desiring to smoke may do so in their car or off University campus or property.

Announcements of cessation programs for employees and students will be announced on a regular basis.

1.8 Non-Discrimination Policy

In administering its affairs, the University does not discriminate against any person on the basis of race, creed, color, national or ethnic origin, sex, age, disability, military or veteran status, marital status, citizenship, or any other characteristic protected by applicable law. The laws applicable to the University include constitutional and statutory protections of the University's rights as a religiously sponsored institution.

The University does not discriminate on the basis of age, religion, sex, disabilities, race, color, national ethnic origin, or any other legally protected characteristic in its; (1) admissions or educational policies, programs, or activities; (2) scholarship and loan programs; (3) athletic and other University administered programs or (4) employment practices. In addition to meeting nondiscrimination 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 everyone, regardless of economic status, ethnic background, political views or other personal characteristics and beliefs.

The University is also committed to providing all 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 Dean of Students Office or submit an incident for confidential review using the Hate/Bias Reporting Form.

Benedictine University's Non-Discrimination Policies Of particular interest are the following:

The 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.

Title IX Statement

It is the policy of Benedictine University to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex (including sexual harassment and sexual violence) in the University's educational program or activities, employment, and admissions. Title IX also prohibits retaliation for asserting or otherwise participating in or refusing to participate in the investigation of claims of sex discrimination. If you have any questions contact Dr. Julie Dockery, Title IX Coordinator, and resources in Lisle and Mesa. The full text of the Title IX Policy and additional information about reporting sexual harassment on campus and Title IX can be found on our website.

1.9 Hate Crime Policy

A hate crime is classified by law as a felony offense and is in direct violation of the University's nondiscriminatory 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 Code of Conduct. A person commits hate crime when by reason of the actual or perceived race, creed, color, national/ethnic origin, sex, age, disability, military/veteran status, marital status, citizenship, or any other characteristic protected by applicable law. In addition, if larceny-theft, simple assault, intimidation, and/or destruction/damage/ vandalism of property are committed as a direct result of the perpetrator's bias against the victim, the person who committed the act is in direct violation of the University's policies.

A person who has been a victim of a hate crime may report the crime to the Benedictine Campus Safety Department (630) 829-6122, a residence hall staff member, the Dean of Students, Student Health Services, Counseling Center or an outside community agency. You may also submit an incident for confidential review using the Hate/Bias Reporting Form. Those who report a hate crime will be advised of the importance of preserving evidence which may be necessary to provide proof for prosecution. The University will provide support services for anyone who has been a victim of hate crime. Staff will serve in an advocacy role and help refer individuals for appropriate medical, police, and counseling assistance.

1.10 Sexual Misconduct Policy and Procedure

One of the University's stated goals is to maintain an environment that is healthy and safe. Sexual misconduct and gender-based violence are not consistent with this goal and the University is committed to providing a living and learning environment that is free of such misconduct. It is the University's policy that acts of sexual misconduct or gender-based violence will not be tolerated. For purposes of this Section 1/10, "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), and/or 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; make a reasoned decision concerning the sexual act; and communicate that decision in an unambiguous manner.

There are several 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 of, unconsciousness, fear, or coercion. For purposes of this section 1/10, "gender-based violence" also includes dating/ domestic violence and stalking as defined in our University Title IX Policy.

Persons accused of sexual misconduct or gender-based violence will be subject to disciplinary action in accordance with University's policies and procedures for student conduct; and may be subject to the University's Title IX grievance process. At the discretion of the University, persons accused of sexual misconduct or gender-based violence may be immediately suspended or restricted from campus pending final disposition of any disciplinary proceedings. Individuals found to have committed sexual misconduct or gender-based violence will be subject to sanctions, up to and including dismissal from the University.

In addition to student disciplinary action, persons accused of sexual misconduct or gender-based violence 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 proceedings involving the same act. However, University's student disciplinary process is independent of and not dependent upon any criminal process. The decision of any outside agency 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 the Lisle or Mesa Police Department (911), the Benedictine Campus Safety at (630) 829-6122, Dr. Julie Dockery, Title IX Coordinator, (630) 829--2172; a residence hall staff member, the Dean of Students, the health/counseling office or an outside community agency such as the YWCA Hotline at (888) 293-2080 (call or text). The University provides support services for persons who have been victims of sexual assault, domestic violence, dating violence, or stalking. 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 are available in Lisle and Mesa, both on campus and in the community.

Amnesty Policy: The health and safety of Benedictine University students is our top priority. University officials understand students may be hesitant to seek assistance during times of need due to fear of getting in trouble. Students that seek assistance for themselves and/or others should be able to do so without having to worry about repercussions of seeking help. The University prohibits knowingly making a materially false statement during a harassment report, investigation, or hearing. A good-faith report does not violate this policy simply because the available evidence is not enough to confirm the allegation. Retaliation against a person who makes a good-faith report, requests help, or participates in an investigation is prohibited.

1.11 Retaliation

The University shall not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or under this Policy, or because the individual has made a report, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual harassment or discrimination, but arise out of the same facts or circumstances as a report of sex discrimination, or a report or Formal Complaint of sexual harassment, for the

purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation. However, the exercise of rights protected under the First Amendment does not constitute prohibited retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited hereunder, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

1.12 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. The 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 are prohibited;

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 are prohibited.

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 is prohibited.

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, report the alleged conduct immediately to the Dean of Students, Human Resource Office, the compliance officer 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.

1.13 Responsible Use of University Technology Resources Policy

The Department of Information Technology maintains the *Acceptable Use of Technology Resources Policy* (AUP) for all members of the campus community. This document outlines the permissible use of university-owned technology and covers your responsibility to abide by all laws in the use of technology. This includes laws that protect copyright and other intellectual property.

As a student, you are expected to abide by the basics of Internet etiquette regarding communication via text, chat room, online forums, or email. Your online behavior is evaluated in the same way as if the behavior is in person. For example, please respect other people's time and bandwidth, use appropriate upper and lowercase punctuation, and respect people's privacy. Your university assigned email address (ending with @ben.edu) is the address used by university faculty and staff to communicate with you. Because email is the official method of communication for students at Benedictine University, you are expected to

read and, when required, respond to official University email. The University recommends that you check your university email daily. Please note that faculty may, based on course requirements, require you to check your university email at designated times.

If you choose to auto-forward email from your official University email address to another email account (Gmail, Office 365, etc.), you do so at your own risk. If any correspondence from your official University email account gets lost when it was auto forwarded, you are still responsible for any action or obligation that was contained in that original email. The University is not responsible for the handling of email by outside vendors or unofficial servers.

You may view the full *Acceptable Use of Technology Resources Policy* on the website.

1.14 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 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.

1.15 Insurance Policy

In the event of loss or damage to your personal property while working, residing or visiting at the 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 Campus Safety as soon as possible. A copy of the Campus Safety report should be brought to the Business Office with a note indicating the name and address of your insurance carrier and your address. Our statement will be prepared and mailed to you as an attachment to your claim.

1.16 Accommodations Procedures

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

Students needing accommodations should contact the Office of Academic Accommodations and Accessibility to discuss requesting accommodations. When accommodations are approved, staff will contact the student and provide them with the Student Academic Accommodations Approval (SAAA) form, which the student will send to their professors to notify them of the approved accommodations.

Each semester students will receive an updated SAAA forms sent to their Benedictine University email from the Office of Academic Accommodations and Accessibility. All inquiries about referrals to clinical professionals, who administer testing, modifications to accommodations, and temporary accommodations, should be directed to the staff in the Office of Academic Accommodations and Accessibility.

Please read the Benedictine University Accommodations Handbook for additional details.

The University is dedicated to creating an accessible environment through reasonable and appropriate accommodations for students with disabilities. Special accommodation services are available for students with disabilities on a case-by-case basis, if 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, but are not limited to, the following:

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

1.17 Medical Withdrawal Policy

Students who experience a personal medical situation that makes it impossible to complete their academic coursework may apply for a Medical Withdrawal. Students must use the [Late Withdrawal Form](#) and attach documentation from a licensed healthcare provider. This process should be completed as soon as possible so that additional tuition, housing, or other fees are not incurred. Students

may choose to utilize the [Leave of Absence](#) form until their medical situation resolves. Please note: students who take an LOA for four consecutive semesters (not including summer terms) may risk being withdrawn from the BenU. (Catalog for reference: catalog.ben.edu/mesa-undergraduate/general-policies/leaving)

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

The Family Educational Rights and Privacy Act ("FERPA") is a federal law that protects the privacy and integrity of a student's education records by prohibiting the disclosure of personally identifiable information from education records

maintained by the institution, and by granting the student the right to review their education records and to request the addition, correction, or deletion of information in their education records.

1.19 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 any unauthorized individual whether such person be a member of the Benedictine community or not unless the disclosure is made 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 Dean of Students. 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. Information shared in a mental

health counseling session is confidential and cannot be disclosed absent the affected student's authorization made consistent with the requirements of this policy. An exception to confidentiality requirements regarding counseling records may exist if 1) in a situation in which the student client authorizes a release of information in written form, 2) the student client was assessed to be a danger to themselves or others, 3) the student client's counseling records were subpoenaed by a recognized court or other official body, or 4) evidence is disclosed of child abuse or neglect that is required by law to be reported to appropriate authorities. Even in these cases, the student client would be informed if possible and no more information than necessary would be released. Any questions concerning the student's rights and responsibilities under FERPA should be referred to the Office of the Registrar or the compliance officer.

1.20 Demonstrations Procedures

People planning a demonstration should fill out an Event Request Form and meet with the Dean of Students or their designee to discuss arrangements for the event. Demonstrations shall not be allowed to take place on the Benedictine campus that serve to disrupt educational activities or regular business operations of the institution.

The Director of Campus Safety or their designee, in consultation with University officials, will determine the point at which the normal operations of a specific building or area are disrupted, should such a disruption occur. In such an event, 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's Student Code of Conduct. Any person not officially associated with the University who is participating in a disruptive demonstration is subject to arrest and prosecuted. Just as the 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 to be appropriate in the context of the circumstances and undertake with due care. The University expects all persons to comply with the directions of an authorized official.

1.21 Student Conduct Process

Failure to abide by your responsibilities and any University policies and procedures will be resolved through the Student Conduct Process. Many times, misconduct can be resolved informally, but situations may require a more formal procedure. These procedure are 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 Student Affairs Office:

1.21.1 Mediation

Incidents may be resolved through mediation – a voluntary, private, informal process and agreed by both parties.

1.21.2 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 (including but 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 Student Affairs office.

1.21.3 Hearing Process

Students can expect to receive further details within 10 days if they require them to 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 for a Title IX hearing and 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 assistance from the Student Affairs office. 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 University will be considered when designing an appropriate sanction.

1.21.4 Appeal Process

A student may appeal a decision made by a hearing panel concerning the finding of a violation of University policy or the remedy imposed within five days of notification of a decision. To initiate an appeal, the student must deliver a written explanation on the grounds upon which the appeal is made to the Student Affairs office. 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 Student Affairs office.

1.21.5 Sanctions

In accordance with the final decision, the Office of Student Affairs may deem sanctions appropriate. The following includes some, but not all sanctions, which students may be subject to. Sanctions are defined and imposed as follows:

1.21.5.1 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.

1.21.5.2 Restitution: Reimbursement for damage to or mishap of property. Restitution may take the form of monetary compensation or the appropriate service to repair damages.

1.21.5.3 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.

1.21 Student Conduct Process (cont.)

- 1.21.5.1 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:
- 1.21.5.1.1** May not become an officer or student representative in any University organization or committee.
 - 1.21.5.1.2** May not represent the University at any public function, including intercollegiate or co-curricular activities.
 - 1.21.5.1.3** May not be eligible for scholastic honors or distinctions.
- 1.21.5.2 Counseling or Psychological Treatment**
Mandate: If deemed necessary and appropriate, a student may be required to provide a release of information form to verify psychological and/or substance abuse/evaluation and may have further treatment mandated as a condition of enrollment.
- 1.21.5.3 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.
- 1.21.5.4 Community Service:** The student will be assigned a task to complete that will, on many occasions, relate to the inappropriate behavior. A period will be set up for the completion of this task and the student will be assigned a supervisor to whom to report.
- 1.21.5.5 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.
- 1.21.5.6 Special Projects:** An assignment relating to the offense may be issued as a possible sanction.
- 1.21.5.7 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, cohort locations, or participate in campus activities or exercise student privileges. Suspension may be specified as follows:
- 1.21.5.7.1 Terms:** Suspension may be stipulated for a specified period. After the suspension period, the student is automatically eligible for readmission.
 - 1.21.5.7.2 Conditional:** suspension may be stipulated for an indefinite period of premised on the student's accomplishment of certain specified conditions.
 - 1.21.5.7.3 Interim:** Suspension may be 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 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.
- 1.21.5.8 Expulsion:** The student is informed in writing that they are permanently separated from the University.

1.22 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 University property, themselves 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.

1.23 Student Complaint Process

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

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

A formal complaint may be submitted within 15 business days through the Student Complaint Form at benu.formstack.com/forms/student_complaint_form. A student who needs an accommodation, language assistance, or help preparing a written complaint may request support. The University will identify the administrator handling the complaint and provide an alternate reviewer when a conflict of interest exists. If additional time is needed, the student will receive the reason for the delay and a new expected decision date.

The Student Affairs office will confirm receipt of the student complaint through an email response.

The Student Affairs office reviews the complaint to determine appropriate actions.

Within ten (10) business days, the University will notify the student in writing of the complaint’s status describing steps to be taken. The University notifies the student in writing of the complaint’s resolution within twenty (20) business days. If more time is needed for the investigation, the Student Affairs office may extend that timeline and notify the student in writing of that extension.

The Student Affairs office documents the complaint’s resolution.

If the complaint cannot be resolved after completing the Student Complaint Process, the student may file a complaint with their appropriate state agency as noted below.

Note for Illinois students:

If the complaint cannot be resolved after exhausting the Student Complaint Process, the student may file a complaint with the Illinois Board of Higher Education using their Institutional Complaint System located at complaints.ibhe.org.

Note for students residing in Arizona:

If the complaint cannot be resolved after exhausting the University’s Student Complaint Process, the student may file a complaint with the Arizona State Board for Private Postsecondary education. The student must contact the state board for further details. Contact:

Arizona State Board for Private Postsecondary Education
1740 West Adams Street, Suite 3008
Phoenix, AZ 85007
Phone: (602) 542-5709
Website: ppse.az.gov

Note for online students:

If the complaint cannot be resolved after exhausting the University’s Student Complaint Process, the student may file a complaint by contacting the Illinois Board of Higher Education using their Institutional Complaint System located at complaints.ibhe.org.

Note for online students residing in California:

If your complaint cannot be resolved after exhausting the University’s Student Complaint Process, the student must file a complaint by contacting:

California Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833
Phone: (916) 263-1897
Website: bppe.ca.gov/enforcement/complaint.shtml