

# ABOUT THE STUDENT HANDBOOK

## DESCRIPTION

The primary purpose of the Brescia University Student Handbook is to serve as the official source of information about the University's student policies and the Student Code of Conduct. The student handbook is also a helpful resource for students about student life, campus services and opportunities for student involvement. Student policies in the Student Handbook reflect the University's Catholic and Ursuline identity and mission. In keeping with the Catholic Intellectual Tradition there is an intentional effort to facilitate the spiritual, moral and ethical development of students at the University through student policies and student conduct processes.

## DISCLAIMER

Every effort is made to ensure the accuracy of information contained in the Brescia University Student Handbook at the time of publication. The University reserves the right to make any change, revision or amendment to any part of the Student Handbook deemed necessary or desirable at any time and without prior notice. The Brescia University Student Handbook and the information contained herein are published solely for the convenience of students.

The Student Handbook is published by the Office of Student Affairs. The official copy is the electronic copy accessible from the University's web page. Students are given a printed copy at the beginning of the academic year or semester for transfer students. The contents of the official copy supersede and replace all printed copies and all previous editions of the Student Handbook. If there is a conflict between the policies and regulations contained in the official Brescia University's Student Handbook and policies published in any document of a group or student organization, the policy published in the student handbook shall have precedence. In the event of a conflict between the official student handbook and any other official university source, the President of the University will determine the policy that will apply.

## OTHER SOURCES OF OFFICIAL INFORMATION FOR STUDENTS

The student handbook is not intended to be the University's only official source of information for students. In addition, to the student handbook, students are expected to be familiar with and comply with the information provided to them in the following locations and publications:

### THE ACADEMIC CATALOG (UNDERGRADUATE AND GRADUATE)

Published by the Academic Dean's Office, the catalog is the University's official source of information about admission criteria, degree requirements, graduation requirements, academic calendars, academic policies, tuition and fees, and financial assistance. Both the undergraduate and graduate catalogues are available online from the University's web page under "Academics."

### THE STUDENT'S EMAIL ACCOUNT

Upon enrollment at the University, students are provided with a Brescia University email account which will be used by the University to send official communications to the student. Each student is responsible for any such official information sent to him/her by university administrators, faculty and staff. Students are advised to check their university email account inbox on a regular (daily is recommended) basis. Students are required to use their Brescia email account for all coursework and interaction with faculty and staff. Personal email accounts may not be used for University business.

### THE STUDENT ORGANIZATIONS MANUAL

This publication contains policies and procedures for all student organizations at the University. It is available from the Office of Student Affairs.

### BUSINESS OFFICE PUBLICATIONS

The most current student account information is available on the Brescia website from Business Office including:

- Tuition and Fee Schedule

- Fee Refund Schedule
- Payment Plan Information
- Online Payment Options
- Current Account Balance (online through Netclassroom)

## **THE STUDENT ATHLETE HANDBOOK**

The Athletic Department publishes policies for student-athletes regarding conduct, eligibility, social media use, hazing, transfer releases, Title IX, and academic expectations, among other policies. Student-athletes receive a copy of this handbook at Athlete Orientation each fall, or spring if the student transfers, and a copy is available online.

### **BRESCIA UNIVERSITY WEBSITE: TITLE IX**

Brescia University's official Title IX policies and procedures governing sexual harassment and sexual misconduct may be found on the Brescia University website at:

<https://www.brescia.edu/title-ix-sexual-harassment-misconduct-and-assault>

### **STUDENT RESPONSIBILITY FOR THE STUDENT HANDBOOK**

Upon enrollment and for so long as he/she is enrolled, each Brescia University student is responsible to access a current copy of the University's student handbook, become familiar with its contents and comply with all policies, rules, regulations and procedures therein. Students who fail to comply with the information contained in the Student Handbook are subject to conduct sanction. Ignorance of information in the Student Handbook is not an acceptable defense for violating policies.

## **REVISIONS TO THE STUDENT HANDBOOK**

Brescia University reserves the right to revise its student handbook making changes or new policies effective at any time. However, in order to provide opportunity for student involvement and that of other members of the University community, the handbook is normally updated and revised each spring with changes becoming effective at the start of a new academic year.

Students, faculty, staff and administrators, as well as the various governance bodies at the University (Student Government Association and Student Welfare Committee) are invited to submit suggestions and proposals to be included in a new edition of the Student Handbook to the Dean of Students for consideration. It is the responsibility of the Dean of Students to review suggested changes and revisions to the student handbook and consult as is appropriate with other university officials to determine if they should be adopted and if so, how they should be worded in the handbook. He/she will submit a final draft of all revisions and changes to the President for final approval.

There shall be no restriction on the President of the University to make an amendment or revision to the Student Handbook nor is there any restriction regarding the date when the President may stipulate when an amendment may take effect.

## **ACCREDITATION AND AUTHORIZATION**

Brescia University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate, baccalaureate, and master's. Contact the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033 4097 or call 404-679-4500 for questions about the accreditation of Brescia University.

## **MISSION STATEMENT**

Brescia University is a Catholic, liberal arts institution founded in the Ursuline tradition of personal and social transformation through education.

Directed to academic and moral excellence in a student centered environment, Brescia offers undergraduate and graduate programs that serve students who seek success through rewarding careers

and service to others.

## THE BRESCIA DIFFERENCE

Respect for the Sacred

Devotion to Learning

Commitment to Growth in Virtue

Promotion of Servant Leadership

## CHARTER OF VALUES

The Brescia University Charter of Values articulates the values and related virtues that the community esteems and promotes:

**Respect:** We practice respect when we exercise consideration for others, tolerance of differences, civility in conflict, fairness, and an attitude of caring.

(Respect for oneself and for others is the preeminent value that serves as a foundation for those that follow).

**Reverence:** We practice reverence when we honor the sacredness of creation, especially human life, and respect the conscience and religious traditions of others.

**Honesty:** We practice honesty when we are accountable, trustworthy, genuine, and unpretentious in our academic pursuits, personal activities, and relations with others.

**Temperance:** We practice temperance by seeking balance in our lives, exercising good temper, sexual responsibility, frugality, studiousness, perseverance, prudence, courage, and responsibility in all aspects of our personal lives, especially in the use of alcohol and legal drugs.

**Generosity:** We practice generosity when we respect the common good in a spirit of self-sacrifice and service to the community, especially the marginalized and the poor.

*The Brescia University Charter of Values was adopted by the Student Government Association in October 2005.*

## ALMA MATER & FIGHT SONG

The Brescia University alma mater is “Brescia, Brescia” and the fight song is “Go, Brescia Bearcats!” The text for each of these school songs may be found the back cover of this handbook.

## A BRIEF HISTORY

In 1874, five Ursuline Sisters of Louisville traveled by flatboat from Louisville to Daviess County to establish a school for girls in western Daviess County at the site that is now Maple Mount, Kentucky. Although authorized by the Commonwealth to offer college level courses, Mount Saint Joseph Academy educated girls from primary through secondary grades. By 1912, the Ursuline Sisters of Mount Saint Joseph were declared an autonomous congregation, officially separate from the Ursuline Sisters of Louisville. In 1925, the Sisters established Mount Saint Joseph Junior College for women on the grounds at Maple Mount. In 1950, responding to the demand for higher education opportunities provided by the GI Bill® (GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs, VA) following World War II, the junior college was moved to Owensboro, renamed Brescia College, and soon became a four-year coeducational institution. In 1957, Brescia College was awarded its first full accreditation from the Southern Association of Colleges and Schools, which it has held continuously since that time. Brescia was granted university status in 1998.

# SAINT ANGELA MERICI – FOUNDER OF THE COMPANY OF SAINT URSULA

Born in the 15th century, the daughter of John and Caterina la Biancosa Merici in Desenzano, Italy, Angela Merici acquired her love of learning from her father as he read to her from the Bible, *The Golden Legend* (The lives of Jesus Christ, The Blessed Mother, and The saints) and *The Imitation of Christ*. When Angela was still a young girl, she lost her parents and her sister. Worrying that her sister would not get to heaven, Angela prayed for her soul. One day at noon while working in the olive grove, Angela withdrew to pray. While praying, Angela had a vision of a ladder, which stretched from earth to heaven. On that ladder, among the angels playing instruments and the young women singing, was her sister, who told Angela that she would found a company of consecrated virgins. As a young woman, Angela became a member of the Third Order of Saint Francis so that *it would be easier for her to go to Mass, to confession, and to communion, because at that time the laity were not allowed to receive communion often*. In 1516, she went to live in Brescia, a city near Desenzano. On November 25, 1535, Angela and 28 young women formed the Company of Saint Ursula. She chose Saint Ursula as patron of the new foundation because this fourth-century virgin martyr was widely known as the patroness of learning. The Company committed themselves to a life of consecration with its ideal of presence and service *in society*, not in a monastery. Following the Council of Trent, the Company of Saint Ursula evolved into the Order of Saint Ursula. It is the first teaching order of women in the church.

## COAT-OF-ARMS

*Soli Deo Gloria* – Glory to God Alone

*Qui ad justitiam erudiunt multos fulgebunt quasi stellae in perpetuas aeternitates.*

Those who instruct others to justice shall shine like stars for all eternity. (Daniel 12:3)

The Brescia University coat-of-arms is adapted from the Ursuline coat-of-arms. The names of Jesus and Mary, blended between a Cross and Three Nails and surrounded by a Halo, remind us that they, whom the letters represent, have first place in the life of the woman religious, and that her labor is the extension of the Kingdom of God in the hearts of the young. The Double Star represents the mixed life of contemplation and activity. The Under Star symbolizes the life of prayer and the Four Points are a reminder of the four vows. The *Fleurs-de-lis* typify purity to which the Religious is vowed. The Laurel Tree growing symbolizes progress in the spiritual life; Roots striking deep typify Faith and Humility. The Stems, Branches, and Leaves signify Hope and Progress, the fruits of Charity. The Dove descending reminds us of the Holy Spirit, which imparts wisdom. The Cross represents a strong faith and the Arrow pointing Heavenward is the symbol of Purity of Intention, which directs all to God.

-from traditional sources

## COLORS AND MASCOT

The official colors of Brescia University are blue and gold. The athletic colors are blue and white and the Bearcat, as seen on the cover of this handbook, is the University's mascot. The official name of the Brescia University Bearcat is Barney.

## USE OF THE UNIVERSITY'S NAME

All members of the Brescia University community may use the University's name so long as it is not used disrespectfully, deceitfully, or for purposes of solicitation (without the approval of the Vice President for Institutional Advancement), endorsement, or personal gain. Student organizations must have SGA recognition and approval to use the University's name.

## NON-DISCRIMINATION

In keeping with its long-standing traditions, beliefs, and policies, Brescia University will not discriminate against any student, employee, or applicant to become such, on the basis of any individual's

race, color, religion, gender, national origin, age (over 40), disability, military status or Vietnam veteran era status or any other status which would be in violation of any applicable federal, state or local law. With respect to religion, as permitted by law, the University reserves the right to employ those persons who are committed to the values and mission of the University and its religious heritage.

Brescia University pledges to foster a campus community where everyone works and learns in an atmosphere of respect and dignity, free from discrimination. Brescia University will not tolerate actions that could be construed as bias-related. Violations will result in disciplinary actions, including dismissal from the University.

## **OFFICE OF STUDENT AFFAIRS: MISSION**

### **STUDENT AFFAIRS MISSION STATEMENT**

True to Brescia University's Catholic, Ursuline, and liberal arts heritage, the Office of Student Affairs offers programs and opportunities that complement the curricular experience while instilling the values of community, service, diversity and promoting a balanced, healthy lifestyle. The Office of Student Affairs strives to create a secure, diverse living and learning environment centered on the student, their learning process, and preparation for rewarding careers and service to others.

### **STUDENT AFFAIRS VISION**

The Office of Student Affairs at Brescia University is committed to a holistic vision of the student's college experience. The staff and services enhance student learning by:

- **Inviting** students to engage themselves and their talents in the life of the University;
- **Supporting** students as they discover, apply and refine their God-given talents in the areas of intellectual curiosity, social interaction, and personal maturity;
- **Guiding** students to be individuals of selfless character with an instinct for service to others and a keen awareness of the common good, and;
- **Preparing** students to excel in their careers as professionals and to continue to pursue personal and spiritual fulfillment as they journey through life.

### **STUDENT AFFAIRS MOTTO**

"I become me, by becoming we."

## **STUDENT CODE OF CONDUCT INTRODUCTION**

In the Ursuline tradition, the centrality of community, leading to promotion of the common good and training in mutual respect, collaboration, and interpersonal relationships, is an essential value to learning. Individual students are called to foster the gospel imperative to work for justice, accepting individual and communal responsibility to help build the reign of God on earth, to empower the marginalized, and to use one's God-given gifts to make the world better for one's presence in it.

In short, living in community isn't all about me. As students at a Catholic university, it is about your roommate, suitemate, the student who lives down the hall, in the room above or below you, and the student with whom you share classroom space. It is about the people who make up your community especially those who are in need. This foundation is best expressed in the Office of Student Life's motto: "I become me by becoming we."

This section of the Student Handbook describes the standards for student conduct that all students are expected to abide by as a member of the Brescia University community.

The standards reflect the University's Catholic and Ursuline identity and mission. As part of its mission, the University has integrated Catholic moral teachings into these standards and policies as part of an intentional effort to help students develop as morally responsible persons. Sacred Scripture, the Catechism of the Catholic Church, and the Brescia University Charter of Values are cited throughout the Student Code of Conduct to provide context for policy clusters.

It is the responsibility of each student enrolled at the University to be familiar with these standards and all other university policies and to abide by them. Ignorance of a community standard or policy

is not an acceptable defense for not abiding by it.

When a student violates a policy or regulation, the University's conduct officers are responsible to intervene in an appropriate manner following the University's conduct processes. The goal of intervention is to hold each student accountable for his/her conduct; to require a student to take appropriate steps to restore or reconcile damage he/she may have caused by his/her conduct; and to provide the opportunity for the student to learn to make better decisions and choices in the future.

The processes used by conduct officers and University officials are outlined elsewhere in this Student Handbook.

## **STUDENT RESPONSIBILITY**

### **STUDENTS ARE RESPONSIBLE TO THE UNIVERSITY FOR THEIR CONDUCT**

Each Brescia University student is responsible to the University for his or her conduct whether on or off campus. It is the responsibility of each student, to act out of respect for the God-given dignity, welfare and safety of others; to comply with the University's policies and regulations; and to be a good steward of the University's name by acting in a responsible manner that is respectful of the University's Catholic and Ursuline mission, values and philosophy.

- Students who fail to conduct themselves in a manner consistent with the University's mission by failure to demonstrate an appropriate level of respect for the God-given dignity of others; those who endanger the welfare and safety of others; those who evidence a blatant disregard for the policies and regulations of the University; and those who conduct themselves in a manner contrary to the mission, values and philosophy of the University are subject to student conduct sanction up to and including expulsion. In cases where action is less than expulsion, the Dean of Students shall have the authority in his/her sole discretion to determine the sanctions appropriate for the circumstances.

### **STUDENTS ARE RESPONSIBLE FOR THEIR CONDUCT ONLINE**

Students using online social networking services such as Facebook, Twitter, etc., who post or appear in images, photos, video, or narratives (such as blogs) online that show or otherwise depict violations of the University's policies may be found responsible for violating University policies, and will be subject to disciplinary action up to and including expulsion. This policy applies whether or not the student intends to publicly post these materials, as long as the material which violates University policy is ultimately disseminated in a public forum and brought to the attention of the University.

### **STUDENTS ARE RESPONSIBLE TO THE UNIVERSITY TO BE LAW ABIDING**

Each Brescia student is responsible to the University to be law abiding at all times, whether on or off campus. Out of concern for the safety of other members of the Brescia community, and also acting out of its responsibility under its Catholic and Ursuline mission to facilitate the moral development of its students, the University reserves the right to take all reasonable and appropriate student conduct sanction it deems necessary, up to and including expulsion, with regard to any student who violates any federal, state or local laws while enrolled as a student at Brescia University.

Once an applicant is offered admission and enrolls as a student at the University, he/she is required to promptly inform the Dean of Students if he/she is cited for, charged with, is under investigation for, or arrested for or convicted of any criminal or legal violation occurring on or off campus. For purposes of this policy, "any criminal or legal violation" includes all criminal offenses, including all alcohol and drug violations as well as any order from a court to avoid contact with another person. Non-criminal traffic offenses such as parking tickets and speeding violations are not included.

Student conduct sanction initiated by the University in response to any conduct that is also the subject of action by law enforcement authorities or the criminal courts is independent of any civil or criminal action and may proceed before, during or after any civil or criminal legal proceedings.

The Dean of Students or the appropriate student conduct officer has the authority to determine an appropriate conduct sanction for any legal violation. Dismissal of civil or criminal legal proceedings

does not obligate Brescia University to dismiss student conduct proceedings related to the alleged offense.

Brescia University reserves the right to use information about legal violations and criminal history to make decisions about the individual's enrollment and student status at the University to the fullest extent permitted by law.

- Failure on the part of an enrolled student to promptly, fully and accurately provide information to the Dean of Students as well as those that provide incomplete or false information, and those who refuse to provide law enforcement or court documents as requested by the University shall be subject to student conduct sanction up to and including suspension or expulsion. This shall include all criminal offenses and all alcohol and drug law violations. The conduct sanctions that apply will be determined by the student conduct officer and will be based upon the nature of the legal violation/criminal conduct involved.
- Any legal or criminal violation by a student on or off campus is considered a violation of the Student Code of Conduct. Any criminal or legal violation includes all criminal offenses and all alcohol and drug law violations. Non-criminal traffic offenses such as parking tickets and speeding violations are not included. Violators are subject to student conduct sanction at the University. The conduct sanctions that apply will be determined based on the nature of the legal violation/ criminal conduct involved.

**Court Ordered Protection Orders:** Each student is responsible to promptly notify the Dean of Students of any instance in which the student has been ordered by a Court to refrain from contact with another member of the Brescia community. Any legal or criminal violation by a student on or off campus is considered a violation of the Student Code of Conduct. Violators are subject to student conduct sanction.

- A student ordered by a Court to refrain from contact with any other member of the Brescia community (e.g. a court ordered victim's protective order or other restraining order) may be subject to Brescia University's emergency suspension policy for as long as the court order is in effect.

**Felony Charges:** Because of the serious nature of felony level offenses the University reserves the right to take appropriate action to protect members of the Brescia community from students cited or charged with or convicted of a felony-level criminal offense.

- A student cited or charged with a felony level criminal violation may be subject to immediate application of the Brescia University's emergency suspension policy until such time as the University makes a final determination in the matter. In such a case, Brescia University reserves the right to wait until all legal proceedings have been resolved before completing its own investigation and coming to a final determination in the matter.

## BRESCIA VALUE ON STUDENT RESPONSIBILITY

Scripture Reference: *St. Matthew 5:16*

*BU Charter of Values:* **Honesty:** We practice honesty when we are accountable, trustworthy, genuine, and unpretentious in our academic pursuits, personal activities, and relations with others.

## THE BRESCIA ID CARD

Each student is responsible to obtain a Brescia ID card and carry it on their person at all times while on Brescia University property or at University sponsored activities.

In the event an ID card is lost or stolen, students are asked to immediately notify the proper university officials in the Office of Student Affairs. There is no charge for the first Brescia ID card. Students are also responsible for paying a replacement fee (\$25) in the event it is necessary to reissue an ID card. The replacement fee applies regardless of whether or not the card was lost or stolen. The Brescia ID is good for the entire period you are affiliated with Brescia University. Upon graduation, withdrawal, or termination; you are required to return the Brescia ID to Office of Student Affairs, Suite 200, Moore

Center.

The Brescia ID serves as the following:

- Meal Card in O'Bryan's Dining Hall;
- Access to Brescia University buildings;
- Access to Brescia University Fitness Center and Weight Room;
- Library card to the Fr. Leonard Alvey Library, Kentucky Wesleyan, and Owensboro Community and Technical College libraries;
- Admission to University events, including athletic events; and
- Visitation pass to University residence halls.

## BRESCIA ID VALIDATION

The Brescia ID must be validated **each semester** when the student is enrolled. Brescia ID validation may be completed in the Office of Student Affairs or the Fr. Leonard Alvey Library. In order to obtain validation, students must either have paid their university account in full or made payment arrangements satisfactory to the Business Office. Students are prohibited from moving into University residence halls without a validated Brescia ID or other documentation from the Business Office.

## BRESCIA ID CARD POLICIES

- Students are required to present their Brescia ID to university officials, authorized campus security officers and law enforcement officials when requested to do so. The University reserves the right to deny a student admission to an event and/or to require him/her to leave an event if the student is unable or unwilling to present his/her Brescia ID when asked.
- Individuals who refuse to identify themselves or present false identification will be reported to law enforcement authorities. If the individual is later determined to be a student, that student is subject to conduct sanction.
- Students are prohibited from altering or tampering with Brescia ID in any way and/or manufacturing false Brescia ID Cards.
- Students are prohibited from allowing another person to use his/her Brescia ID Card for any purpose.
- Students are prohibited from being in possession of another person's Brescia ID Card and/or using another person's Brescia ID Card for any reason

## COOPERATION WITH UNIVERSITY OFFICIALS

Students are responsible to cooperate with university officials and comply with all directives of university officials and security personnel who issue the directives within the context of their official responsibilities. This includes cooperating with university officials and/or law enforcement officials who conduct an investigation of possible violations of the Student Code of Conduct or other university policies and/or investigations related to possible violations of the law.

- A student who refuses to or fails to comply with the directive of a university official, university authorized security personnel or law enforcement official is subject to conduct sanction.
- A student who refuses to be interviewed as a part of a university investigation or one who provides false or misleading information or withholds information during an investigation is subject to conduct sanction.
- Providing any university official with false information (including but not restricted to false names, halls, rooms, age, licenses, student IDs, parking permits, etc.) is not permitted.
- Possession, production or distribution of false documents is prohibited.

### BRESCIA VALUE ON COOPERATION WITH UNIVERSITY OFFICIALS

Scripture Reference: *Exodus 20:16*

*BU Charter of Values:* **Honesty:** We practice honesty when we are accountable, trustworthy, genuine, and unpretentious in our academic pursuits, personal activities, and relations with others.

# AN ALCOHOL AND DRUG FREE INSTITUTION

As a recipient of federal grants, Brescia declares that it complies with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. It is Brescia's policy to maintain a safe and healthful working environment for all its employees, students and guests.

## ALCOHOL ABUSE PREVENTION

All matriculating freshmen are required to complete an online alcohol abuse prevention program. During Fall new student orientation, educational programs about alcohol and drug abuse are presented, including health risks, legal issues, college policy & sanctions and availability of counseling. Online evaluation for all students, includes resources [http://www.ulifeline.org/brescia/self\\_evaluator](http://www.ulifeline.org/brescia/self_evaluator)

## ALCOHOL: PRESENCE OF ALCOHOL (INCLUDING LOW POINT BEER) AND CONSUMPTION

- On-campus use, manufacture, consumption, possession, sale, distribution, or the serving of alcoholic beverages is prohibited, no matter the age of the participants.
- *Exceptions to this policy include special events in which faculty and staff are present, all applicable federal, state, and local laws are followed, and the President has given signed approval in advance.*

## ALCOHOL: DRINKING GAMES

- The presence, possession or use of any bulk or common container of alcohol (i.e., kegs, beer balls, etc.) or any device or activity (i.e., beer bong, beer pong, etc.) used to consume alcohol in a dangerous or unhealthy manner (i.e., competitive drinking games, beer pong, flip cup, etc.), or excessive amounts of alcohol in any residence hall is prohibited, no matter the age of the participants.

## ALCOHOL: MASS CONSUMPTION DEVICE

- The presence, possession or use of any bulk or common container of alcohol (i.e., kegs, beer balls, etc.) or any device or activity (i.e., beer bong, beer pong, etc.) used to consume alcohol in a dangerous or unhealthy manner, or excessive amounts of alcohol in any residence hall is prohibited, no matter the age of the participants.

## ALCOHOL: PUBLIC DISPLAY

- Alcohol displays of any kind (posters, lights, signs, etc.) are not permitted in windows or corridors of any residence hall.

## ALCOHOL: PUBLIC INTOXICATION

- Public intoxication is not permitted, regardless of the age of the individual.

## ALCOHOL: ALCOHOL AND DRUG DECOR IN STUDENT ROOM

- No posters, throw rugs, furniture or displays of any kind that advertise alcohol are permitted anywhere in the residence halls.

## ALCOHOL: POLICY FOR GUESTS TO CAMPUS

- Guests and visitors may not use, consume, possess, sale, distribute, or serve alcoholic beverages, no matter the age of the participants.
- Guests who are visitors of resident students who violate University policies on alcohol will be removed from campus; a Student Affairs official will determine when the visitor can return.
- The University may contact parents or police in incidents where guests are found violating University policies on alcohol.

## ALCOHOL AND DRUGS: IMPLIED CONSENT

- **Implied Consent:** Brescia University holds all students who are in a room or area responsible for the behavior that occurs there, for objects that are there, and for damage that occurs there.

This interpretation will be enforced regardless of how long the students have been in the area and whether or not the student is observed participating in the behavior or the possession.

- If a student enters an area where a policy violation is occurring or begins occurring, the student should immediately leave. The violation may be reported, anonymously, to a staff member. By remaining and doing nothing, the student acknowledges participation in the policy violation. If a student is a resident of that room, the University will hold the student responsible regardless of his/her actual presence, unless it is demonstrated that the students had no knowledge of the incident or that he/she reported to tried to break up the gathering.

## ALCOHOL AND DRUGS: SANCTIONS

If students are found to be responsible for an alcohol or drug violation, sanctions imposed will have two primary goals: first, that the student receive some form of treatment and/or education for alcohol and/or drug use depending upon the severity of the offense; and second, that the student make some form of restitution to the community.

While sanctions vary depending upon the circumstances of every case, conduct officers will generally assign the following sanctions for alcohol and/or drug use on campus:

- **Educational/Developmental:** The student is required to attend a program, counseling sessions, or complete an online course as appropriate (Brescia utilizes 3rd Millennium Classrooms for online coursework);
- **Fines:** The student is required to pay a fine, including the cost of online counseling programs, which is placed on the student's account with the Business Office. Fines begin at a minimum of \$25 and may increase depending upon the severity of the offense and if the student has prior offenses. Alternative fines, such as purchase of canned goods to be donated to a local food bank, may be permitted at the discretion of the conduct officer.
- **Probation/Suspension/Expulsion:** Any student found responsible for an alcohol and/or drug offense will be at a minimum be placed on University Probation (see Sanctions section of this handbook for more details). Depending on the severity of the offense and if the student has prior offenses, sanctions up to and including suspension and expulsion may be imposed.

## BRESCIA UNIVERSITY MEDICAL AMNESTY POLICY FOR ALCOHOL AND DRUG OVERDOSE

Students seeking help for inebriation, overdose, or potential addiction shall be treated in complete confidence and are not subject to student conduct hearings, provided the sole reason the University discovers this arose from his/her seeking medical attention or other professional assistance. Additionally, a student seeking similar assistance for a fellow student will be exempt from student conduct hearings in consideration of his/her efforts to assist another in need of help.

Brescia University policies on Medical Amnesty for alcohol and drug use and/or overdose are in compliance with Commonwealth of Kentucky Alcohol and Drug Laws KY KRS Chapter 244.992.. Generally, the Kentucky laws protect persons from criminal prosecution for requesting assistance for themselves or others who need emergency medical assistance for alcohol or drug overdose. Student seeking more information about Kentucky laws should consult with the Dean of Students.

## DRUGS: USE OR POSSESSION

- The use, possession, manufacture, or distribution of all illegal drugs and/or controlled substances, on or off University premises while conducting (or participating in) Brescia business and/or events is prohibited.

Drugs are defined as, but not limited to:

- any stimulant;
- intoxicant (other than alcohol);
- nervous system depressant;

- hallucinogen;
- other chemical substance, compound or combination when used to:
  - induce an altered state; and/or
  - including any otherwise lawfully available product (such as over the counter or prescription drugs) used for any purpose other than its intended use.

### BRESCIA VALUE ON ALCOHOL/DRUGS

Scripture Reference: *1 Corinthians 6:19; Ephesians 5:18*

*BU Charter of Values:* **Temperance:** We practice temperance by seeking balance in our lives, exercising good temper, sexual responsibility, frugality, studiousness, perseverance, prudence, courage, and responsibility in all aspects of our personal lives, especially in the use of alcohol and legal drugs.

## ALCOHOL AND DRUG USE: PUBLIC LAW AND CONSEQUENCES

**UNLAWFUL POSSESSION OF ALCOHOLIC BEVERAGES (KRS 244.085):** Persons under the age of 21 but older than 18, are subject to a fine of up to \$250 and jail time up to 90 days for first offense, or subsequent offenses of fines up to \$500 and up to 1 year in jail, if they:

- 1) enter licensed premises to buy, or have served to them, alcoholic beverages;
- 2) possess, purchase, attempt to purchase or get another to purchase alcoholic beverages; or
- 3) misrepresent their age for the purpose of purchasing or obtaining alcoholic beverages.

**PUBLIC INTOXICATION (KRS 222.202):** Persons are subject to a \$250 fine and a jail term of not more than 90 days if they appear in public manifestly under the influence of alcohol, a controlled substance, or other intoxicating substances, to the degree that they may endanger themselves, other persons, property, or unreasonably annoy persons in the vicinity.

**DRIVING UNDER THE INFLUENCE of Alcohol, Controlled Substance or other Substance which Impairs Driving Ability (DUI) (KRS189A):** In Kentucky, persons(DUI): Persons 21 years of age and older are deemed driving under the influence if they are found operating a motor vehicle with a breath- or blood- alcohol level of 0.08 or higher. Persons, under the age of 21, are deemed to be under the influence with a breath- or blood-alcohol level of 0.02. Persons operating commercial vehicles are deemed to be under the influence at a breath- or blood-alcohol level of 0.04. Refusal to submit to breath- or blood- alcohol/drug testing is subject to additional penalties. The penalties for driving under the influence (without aggravated circumstances) are:

**First Offense** - a fine between \$200-\$500, not less than 2 days nor more than 30 days in jail, 90 days of Alcohol or Substance Abuse Program, 30-120 day license suspension, possible 48 hours - 30 days Community Labor.

**Second Offense** - a fine between \$350-\$500, not less than 7 days nor more than 6 months in jail, 1 year of Alcohol or Substance Abuse Treatment, 12-18 month license suspension, 10 days-6 months Community Labor.

**Third Offense** - a fine of between \$500-\$1,000, not less than 30 days nor more than 1 year in jail, 1 year of Alcohol or Substance Abuse Treatment, 24-36 month license suspension, 10 Days-12 months Community Labor

**Fourth and Subsequent Offenses (within 10 years)** - guilty of a Class D felony, fines vary, minimum term 120 days Imprisonment without Probation, 1 year of Alcohol or Substance Abuse Treatment, 60 month License Suspension.

### LAWS CONCERNING ILLICIT DRUGS (KRS 218A)

The following laws concerning specific illicit drugs are drawn from the Controlled Substance Act of the Commonwealth of Kentucky. A representative listing of specific drugs and the violations inherent

in illegal activities related to such drugs is provided below. The failure to list all drugs included in the above act does not exonerate individuals from responsibility for their actions as it relates to illegal drugs, nor does it preclude the University from taking steps to address illegal activity in terms of its own internal counseling and referral system or its judicial system.

Among others, the following acts and the causing thereof are prohibited within the Commonwealth of Kentucky:

- The manufacture, sale or delivery, holding, offering for sale, or possession of any controlled substance or drug paraphernalia.
- The penalty for violation of these acts is based upon the nature or schedule of the drug involved and the weight of the substance.

### **Possession of Marijuana**

1. A person is guilty of possession of marijuana when he/she knowingly and unlawfully possesses marijuana. Possession of marijuana can be a misdemeanor or felony depending on the amount in possession and number of offenses.

2. A person is guilty of marijuana cultivation when he/she knowingly and unlawfully possesses marijuana plants with the intent to sell. Possession of 5 or more plants of marijuana is a felony.

### **Criteria for Classification of a Schedule 1 Narcotic**

A Schedule 1 Narcotic is one that has high potential for abuse and has no accepted medical use in treatment in the United States. Possession of a Schedule 1 Narcotic for a first offense is a class D felony. A Class D felony is punishable by one to five years in prison; fine of \$1000-\$10,000.

### **Criteria for Classification of a Schedule 2 Narcotic**

A Schedule 2 Narcotic is one that has a high potential for abuse and has a current medical use in treatment in the United States. Possession of a Schedule 2 Narcotic for a first offense is a Class A misdemeanor. A Class A misdemeanor is punishable by 90 days to 12 months in jail and a fine of up to \$500. Trafficking in narcotics or marijuana within one-thousand (1000) yards of any school is a Class D felony.

### **Possession of Drug Paraphernalia**

Possession of any drug paraphernalia is a Class A misdemeanor; however, the presence of any illegal controlled substance in/on this paraphernalia may change this to a Class D felony.

### **Federal Laws and Penalties Regarding Drug Trafficking**

Federal laws also apply to trafficking in controlled substances. An outline of the penalties for violations of these laws may be found at: <http://www.justice.gov/dea/agency/penalties.htm>.

### **Drug Conviction & Financial Aid**

If a student is convicted in a court of law for possessing or selling illegal drugs while receiving federal student aid, this action may negatively affect the student's future eligibility to receive such aid. Please contact the Office of Financial Aid to discuss the students' aid eligibility.

## **ALCOHOL AND DRUGS: HEALTH RISKS**

The following summarizes known health risks associated with the use of drugs and the abuse of alcohol. Part of the summary was provided by the federal government. Brescia does not guarantee that it is an error-free or exhaustive accounting.

### **EFFECTS OF ALCOHOL ABUSE**

**Acute:** Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Accidents are the leading cause of death among individuals aged 15-24 years. Most are related to drinking and driving. Poor decisions and aggressive actions such as acquaintance rape are almost always associated with alcohol use. Low to moderate doses of

alcohol increases the incidence of a variety of aggressive acts, including spouse and child abuse. *Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information.* Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

**Chronic:** Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Some studies indicate that brain cells are permanently killed by high levels of alcohol. Women who drink alcohol at any time during pregnancy may give birth to infants with fetal alcohol spectrum disorder. These infants may have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics.

## EFFECTS OF OTHER DRUGS

**Marijuana** and related compounds are usually used for their "relaxation" effects or to produce an altered sense of reality, a "high." Marijuana is usually smoked, and, like tobacco, it is very toxic to the lungs. Memory loss and mood shifts often occur in chronic users.

**Cocaine (stimulant):** Cocaine, crack, and related forms are usually used for stimulation and to produce a sense of euphoria. All forms of cocaine are highly addictive, producing a habit that is extremely difficult to stop. In some individuals, cocaine may produce fatal cardiac rhythm disturbances.

**Amphetamines (stimulant):** Amphetamines and their new derivatives, "meth," "crystal" and "ice," are used for stimulation. These compounds are very addictive and may produce psychotic and violent behaviors. Other effects may include heart arrhythmia, high blood pressure, and stroke.

**LSD, PCP, ecstasy, spice, et al. (hallucinogens):** These chemicals are used to produce "altered states" to escape reality. They are very dangerous and can cause psychosis. Spice, K-2, Baths Salts and other synthetics can cause vomiting, panic, psychosis, kidney failure &/or heart attack.

**Benzodiazepines and Barbiturates (depressants):** These and other prescriptions are used for their sedative or hypnotic effects. They are addictive. Individuals can have seizures after taking them over long time periods. Combined with alcohol, they can cause respiratory failure.

**Heroin (narcotics, codeine, etc.):** These are some of the most addictive substances known. They produce a high or euphoria. Withdrawal can produce convulsions or even coma. Overdose is common and can result in death. Addicts of these substances who share these needles have high rates of AIDS.

**This is not an exhaustive list.** Many medications and drugs have the potential for abuse. If you have concerns or questions, ask for professional advice. For further information refer to <https://www.samhsa.gov/atod>

## SUBSTANCE ABUSE TREATMENT PROGRAMS

Brescia's Counseling Services or the Office of Student Affairs can make referrals. In addition, Brescia provides programs and materials aimed at alerting students to the problems involved with alcohol abuse and the use of illicit drugs. However, the chief resources for the treatment of substance abuse are the professional agencies, clinics, and self-help groups located within your area.

Alcoholics Anonymous (Self-help) (Central office & daily meetings) 320 Crittenden St. Owensboro, KY 42303 <a href="http://www.area26.net">http://www.area26.net</a> (270) 683-0371 (24-hr. answering)	Narcotics Anonymous (Self-help) (Daily meetings in Owensboro area) <a href="http://www.oascna.org/">http://www.oascna.org/</a> National: <a href="https://www.na.org/">https://www.na.org/</a>
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National: <a href="https://www.aa.org/">https://www.aa.org/</a>	
River Valley Behavioral Health (Public) (Outpatient & Residential Treatment) (270) 683-4039 1100 Walnut Street Owensboro, KY 42301 24 hr Crisis Line 800-433-7291 (call or text)	Substance Abuse & Mental Health Services Administration (SAMHSA) 24/7 National Help Line: 800-662-4357 (HELP)  Online National Treatment Locator: <a href="https://find-treatment.samhsa.gov/">https://find-treatment.samhsa.gov/</a>

## A SMOKE-FREE CAMPUS

In October 2014 the Brescia University Board of Trustees approved a Smoke-Free Campus policy. The purpose is to provide a clean and healthy environment for our faculty, staff, student, and visitors. Brescia recognize that secondhand smoke from tobacco has direct adverse effects on the health of smokers and nonsmokers alike.

In accordance with ordinances enacted by the City of Owensboro, smoking is not allowed on campus within 25 feet of an entrance to any campus building, including residence halls. This policy includes public sidewalks which may be adjacent to Brescia building entrances.

As of January 1, 2016, all smoking on Brescia University property is prohibited. In collaboration with Owensboro Health, Brescia provides information about smoking cessation classes to all students, faculty, and staff in order to support them and ease the transition into a smoke-free environment upon request. All states' smoking cessation information available at 1-800-QUIT-NOW

## FIREARMS, WEAPONS, AND OTHER DANGEROUS MATERIALS

Brescia University prohibits the use, possession, display or storage of any weapons, ammunition, explosive device, or fireworks on University property or at University events. This includes Brescia University housing, parking areas, and private vehicles parked or operated either on campus or at any off-campus facility owned, leased, or operated by the University. This policy applies to all persons, including faculty, staff, students, spouses, dependents, and visitors. This policy shall not apply to law enforcement officers or federal agents authorized to carry weapons by their governmental agency.

Students in possession of unauthorized weapons, ammunition, explosive devices, or fireworks on campus may, depending on the circumstances, be subject to conduct sanction up to and including expulsion from Brescia University. All weapons, ammunition, explosive devices or fireworks discovered in student possession, private vehicles or property, will be confiscated by University officials (Student Affairs or Security) and the decision on the return of the confiscated items rests solely with the Dean of Students. In addition, the individual may also be subject to criminal prosecution.

### DEFINITIONS

For the purpose of this policy the following definitions will apply:

- **Weapon:** Any object or substance designed to inflict a wound, cause injury, or incapacitate, including without limitation all firearms, BB guns, air guns, pellet guns, paint guns, crossbows, long bows, swords, martial arts weapons, brass knuckles, switchblade knives, knives with blades five inches or more long, Tasers, and chemicals such as tear gas or pepper spray, but excluding normally available over-the-counter self-defense repellents. Also prohibited are replica or imitation firearms including toys.
- **Fireworks:** Any fireworks, fire crackers, sparklers, rockets of any propellant-activated device

whose intended purpose is primarily for illumination.

- **Explosive:** Any dynamite, nitroglycerin, black powder or other similar explosive material including plastic explosives.
- **Ammunition:** Is any material capable of being projected by a weapon and makes the weapon operational.

### BRESCIA VALUE ON WEAPONS

Scripture Reference: *Leviticus 19:18*

*BU Charter of Values:* **Generosity:** We practice generosity when we respect the common good in a spirit of self-sacrifice and service to the community, especially the marginalized and the poor.

## FIRE SAFETY

All students are responsible to comply with the following procedures and policies that have been established to reduce the risk of fire and to protect lives.

### FIRE ALARM EVACUATION

- It is the responsibility of students to immediately evacuate any campus building (including all residence halls) when a fire alarm sounds. If the alarm has been activated because of a fire, the building can quickly fill with smoke, individuals who delay exiting the building put their own lives in jeopardy as well as the lives of those who must attempt to rescue them in the event of an actual fire.
- Students who live in a residence hall should follow the evacuation plan established for their hall and meet at the pre-determined location so emergency workers can be sure that all residents have been evacuated. For this reason, it is a violation of the Student Code of Conduct to fail to evacuate a campus building when a fire alarm sounds. Violators are subject to conduct sanctions which will include a minimum fine of \$50 (this will increase by \$50 for each subsequent violation).

### FIRE ALARMS, FIRE EXTINGUISHERS, AND SMOKE DETECTORS

- Activating a fire alarm when there is not an emergency is a malicious act that is illegal (in Kentucky it is a misdemeanor) that endangers the life of others because it causes people to question whether or not a real emergency exists when a fire alarm sounds. Violators will be reported to law enforcement officials for possible prosecution and will also be subject to conduct sanctions which will include a minimum fine in the amount of \$150.
- Discharging a fire extinguisher when there is not a fire is a malicious act that is illegal because it endangers life and it causes costly damage. For these reasons, discharging a fire extinguisher is considered a serious violation of the Student Code of Conduct. Violators will be reported to law enforcement officials for possible prosecution and are subject to conduct sanctions including a minimum fine in the amount of \$150 in addition to any additional costs incurred by the University.
- Tampering with or disabling any fire safety device including but not limited to: fire alarms, heat and smoke detectors is a malicious act that is illegal and endangers the life of others. If a device is malfunctioning, the student is responsible to make an immediate report to university officials. Violators will be reported to law enforcement officials for possible prosecution and will be subject to conduct sanctions which will include making restitution for any damage caused, a minimum fine of \$150, and possible university probation.

### CANDLES, INCENSE, BON FIRES, AND GRILLS

- The number one cause of fires in residence halls is unattended burning candles. Students are prohibited from possessing any candle that can support an open flame. Candles that have been manufactured or altered (by cutting or removing the wick) so they do not support a flame are

permitted.

- Students are prohibited from burning incense, tobacco, sweet grass, sage, or any other combustible material in any campus building without prior authorization from the appropriate university official. This prohibition specifically applies to all campus residences. In the case of all campus residences, the appropriate university official is the Dean of Students. In classrooms, it is the instructor.
- Students are prohibited from starting any type of fire on University property without prior approval from the Dean of Students and an outdoor fire permit has been obtained.
- Outdoor barbequing is permitted in barbeque grills unless government officials issue a fire ban due to fire danger during dry conditions. Students may use the Student Affairs grill, but must obtain permission from the Director of Student Activities. Students who use barbeque grills are responsible to ensure: the grill is attended at all times when in use; the grill is properly extinguished when done and that the area is properly cleaned. Students are prohibited from storing propane and lighter fluid in campus residences.

### BRESCIA VALUE ON FIRE SAFETY

Scripture Reference: *St. Matthew 6:25-34*

*BU Charter of Values:* **Reverence:** We practice reverence when we honor the sacredness of creation, especially human life, and respect the conscience and religious traditions of others.

## RESIDENCE LIFE POLICIES

### RESPONSIBILITY TO COMPLY WITH RESIDENCE LIFE POLICIES

The Brescia University Residence Life program is a co-curricular educational program that is an integral part of the University's educational mission. The purpose of the program is to facilitate development of character and leadership skills of individual student residents while teaching the students about the balance of personal freedom with responsibility to community. This is accomplished by encouraging student residents placed in the program to take part in forming a residential community of students where personal behavior consistent with Christian/Catholic moral principles, virtues and the Brescia University Charter of Values is encouraged through activities and policies.

The policies contained in this section have special applicability to on-campus student residences. They are applicable to residents as well as to all visitors. Policies contained in the other sections of the Student Code of Conduct also apply to all residents and visitors.

Residents are also responsible for all terms and conditions stipulated in Housing Contract they have signed with the University. Any violation of the Housing Contract is considered a violation of the Student Code of Conduct. Violators are subject to conduct sanctions.

### RESIDENCE HALLS

**Merici Hall** is an air-conditioned residence hall that features single and double occupancy rooms, a laundry, a recreation room, and kitchenettes. Each room has connections for cable television and computer.

**Saffer Hall** is an air-conditioned, single occupancy residence hall, featuring laundry, lounges, and kitchenettes. Each room has cable television and computer connections.

**Young Hall and Trustees Halls** (University Apartments) are air-conditioned apartment buildings consisting of 12 units each containing 5 single bedrooms, a full kitchen, living room, coin-operated laundry and 2 full bathrooms. Each bedroom and living room has cable TV, phone, and computer connections.

**Greenwell, Reisz, St. Joseph, Ursula, Philby, and Barrow Halls** are air-conditioned houses which contain single and double occupancy rooms, laundry, kitchens, and full bathrooms. Each room has cable TV, phone, and computer connections.

## RESIDENCE LIFE STAFF

The Office of Residence Life works closely with students, faculty, and staff to help students achieve their educational goals. Brescia University employs students as Resident Assistants (RAs) to assist resident students, explain University policies and safety procedures; enforce University rules and regulations; listen to student concerns and respond as appropriate to them; plan hall activities, and serve as a liaison to the Director of Residence Life. RAs, as paraprofessional members of the Residence Life and Student Affairs Departments, are the University's first-line contact with students. They participate in a training session prior to the opening of the fall semester, with additional training provided throughout the academic year. Information on becoming a Resident Assistant may be obtained at the Office of Residence Life.

## ELIGIBILITY FOR BRESCIA UNIVERSITY RESIDENCE LIFE PROGRAM

**General Eligibility Requirements:** Brescia reserves the right to limit placement in its residence life program to those students who meet its eligibility requirements, whether set forth in the Brescia University Student Handbook or the Housing Contract. The University also reserves the right to review the status of any student placed in the program who fails to maintain any eligibility requirements while a student resident.

In such a case, the review will be conducted by the Dean of Students who has authority to reassign the student to another residence facility of the University's choosing; suspend the student from on-campus housing; immediately and permanently remove the student and the student's possessions from on-campus housing; or impose other appropriate terms or conditions for continued residence.

To be eligible for placement into Brescia University's Residence Life program, the student must be enrolled full-time (12 or more credit hours) at the University. Students enrolled on a part-time basis at the time of the application may be considered for placement in Brescia University's Residence Life Program at the discretion of the Dean of Students.

**Any student who has a criminal history must make full disclosure to the University at the time of application to the Residence Life Program.** Brescia University reserves the right to at any time require the student to undergo a criminal background check as a condition of placement. Brescia University reserves the right to refuse placement to or remove any student when it has reasonable cause to believe the student is dangerous to himself/herself and/or others or is otherwise unsuitable for its residence life program.

## APPLICATION FOR ON-CAMPUS STUDENT HOUSING

**New Students:** The Office of Admissions furnishes all new students with on-campus student housing applications at the time of their acceptance to Brescia University.

**Currently Enrolled Students:** Each year, housing sign-ups for currently enrolled students takes place in the spring semester under the supervision of the Director of Residence Life. The process begins with informational notifications where participants receive information about deadlines, eligibility, and sign-up procedures.

**Housing Deposit:** A \$100 housing deposit is payable at the time of application. Applications received without the required deposit will not be processed.

## REQUIREMENTS OF RESIDENTS

Living on-campus is a once in a lifetime opportunity for students to live in and be a part of a community of scholars and learners. Research at colleges and universities across the country indicates on-campus students are significantly more likely than their off-campus peers to succeed academically, to be involved in campus activities, to graduate and to feel positive about their college experience.

For these reasons, Brescia University (like most private and many public colleges and universities) has a policy requiring students to live on-campus. These policies do not apply to BU Online students.

Brescia University requires that all first time, traditional age, and/or transfer students live on campus unless one of the following conditions are met **and** a review is conducted by the Dean of Students following a review of the student's financial aid, academic, and student conduct records:

- For the entire period in question, the student live with his/her parents or court appointed legal guardian and commute from a distance no greater than 50 miles;
- The student is a veteran with one or more years of active service;
- The student is 23 years of age or older at the time of admittance to the University;
- The student is married. Students with plans to marry during the time they are required to live on campus will be required to live on-campus up to the date of the wedding.
- The student is the legal custodial parent or court appointed custodial guardian of a minor, child or children; or
- The student has previously lived on campus for eight (8) consecutive semesters.
- The maximum age for a student to live on-campus is 25 years of age. Any student over the age of 25 must appeal to the Dean of Students directly for housing request. Appeals will be hard on case by case basis and the welfare of the student and the Residence community will both be considered.

**Athletes attending Brescia University and receiving institutional aid are required to live in campus housing unless they are living with parents, family members, guardian, or spouse and can supply a notarized letter of proof.**

Brescia University reserves the right to consider each request to live off-campus on a case-by-case basis, and to request and receive any and all documentation deemed necessary to verify the information submitted with the request. Students are advised not to enter into any off campus lease or rental agreement before the University makes its determination with regard to the student's request. The determination made by the Dean of Students with regard to all requests is final.

## **RESIDENCE LIFE SERVICES**

Brescia University furnishes all student residence hall rooms and apartments. Students will need to supply items such as desk lamps, trashcans, alarm clocks, laundry supplies, and personal items and school supplies. Students may bring small refrigerators, if needed. Microwaves are available in the kitchenettes but are not permitted in Residence Hall rooms or outside of the kitchen area in Apartments and Houses.

**Video game consoles/Internet capable devices other than computers:** The Brescia University information technology department will assist students with connecting devices which are compatible with the institution's network hardware. In Young and Trustees, there will be a limit of one device per apartment unit. In Merici and Saffer, a limit of three per floor on a first-come first-serve basis, and one per theme house, only if the house hardware supports such. The IT department reserves the right to decline setting up any device which may use excessive resources or cause interruptions the resources provided. Maintenance requests may be submitted by residents to their RA or to the Director of Residence Life who direct these to the appropriate department. A submitted request gives maintenance staff permission to enter the student's room or apartment for repairs.

The University provides housekeeping services in the common areas. Students clean their own rooms. The Residence Life Staff may arrange for health and safety inspections during the course of the academic year. **NOTE: Students living in the apartments are responsible for all cleaning within the apartment.**

Letters and packages mailed to a resident student should be address as follows:

Student's Name

Brescia University

717 Frederica St.

Owensboro, KY 42301-3023

Residence Halls close for Fall Break, Thanksgiving, Christmas, Easter and Spring Break (check the academic calendar for specific dates). During these times, students are expected to leave the campus. Students who must, for appropriate reasons, remain on campus over vacation periods are to make arrangements with the Director of Residence Life. During the closure times there is no food service, no visitation,

and no receptionist on duty. Typically, the residence halls close at 6 PM following the last contract meal and open the day before classes resume. During breaks, those not required by the University to remain on campus will be charged a daily fee.

New students must return a Health Evaluation Form and Immunization Form to the Director of Residence Life. The University encourages resident students and their families to share confidentially with the Director of Residence Life or the Dean of Students any medical information that is critical for understanding behavior and care giving in case of emergencies. Immunizations required for students must be obtained prior to moving on campus include Meningitis and Hepatitis A & B.

## **GENERAL GUIDELINES**

Brescia University assumes no obligation for the loss of or damage to student's property while on campus.

Double rooms are designed for two people. A resident who does not reserve a private room agrees to accept a roommate or to move to another room at the direction of the Residence Life Office. Private rooms will only be assigned when space is available. A private room does not entitle the resident to make the extra set of furnishings available to another person.

The Housing Contract may not be transferred to another person. The Residence Life Office reserves the right to make room assignments

The University reserves the right to enter a student's room for emergency, health and safety inspections, and maintenance/repair reasons.

A student withdrawing from the University must follow proper check out procedures from the residence halls, notify the Residence Life Office in person or in writing, and vacate the residence halls within 24 hours after withdrawing.

Cancellation of a room reservation must be made to the Residence Life Office in written form prior to June 30 (fall semester) and December 1 (spring semester). Failure to cancel reservations will result in the automatic forfeiture of the room reservation/damage deposit.

Students may not change rooms without the permission of the Director of Residence Life. Any student who has moved without permission will be charged a \$30 fine for doing so.

No furniture may be removed from any residence hall room or apartment. Furniture which is not in place at the end of a residents stay will be billed to their housing deposit with any excess costs being billed to their student account.

**BRESCIA UNIVERSITY RESERVES THE RIGHT TO CANCEL THE HOUSING AGREEMENT IF THE CONTINUED RESIDENCY OF THE STUDENT WOULD POSE A THREAT, DANGER OR PROBLEM TO THE INTEREST OF THE UNIVERSITY, THE RESIDENTIAL COMMUNITY, HEALTH AND GENERAL WELL BEING OF OTHER RESIDENTS OR TO THE STUDENT HIM/HERSELF.**

### **CLASS ATTENDANCE**

Residents living in campus housing must show that they are making an attempt to succeed academically through attending classes, and if applicable keeping scheduled meetings with Academic Advisor, and/or tutors. Failure to do so may result in removal and/or suspension from campus housing. Students residing in University housing are expected to attend classes with satisfactory academic progress/persistence toward graduation.

### **INSURANCE**

Residents are advised that Brescia University insurance carrier does not cover losses of personal property suffered by residents. For this reason, all residents are advised to carry a private insurance policy for their personal property. Students are encouraged to check for coverage under their parents' homeowner's policy or contact Residence Life for other options.

## **POLICY ON ENTRY INTO ON-CAMPUS STUDENT RESIDENCES**

Brescia University reserves the right to enter the student's on campus residence regardless of whether or not the student is present in the following circumstances:

- At any time when the health, life or property is jeopardized by circumstances such as but not limited to fire, plumbing or drainage problems, mechanical failure; medical emergency, or any other type of emergency situation;
- At any time when there is reasonable cause to believe that a serious violation of University policy has occurred or is occurring including but not limited to, violations involving violent and/or disruptive behavior, violations of visitation hours, inappropriate behavior, alcohol, drugs, weapons, hazardous materials, and burning candles or incense;
- At reasonable times to inspect the premises for routine maintenance and safety concerns;
- To show vacancies to prospective student residences;
- To make preparations for the arrival of a new resident;
- To make repairs to the premises or for any other legitimate purpose within the job responsibilities of the staff; and
- At any time if as a result of violations of University policy, on the part of residents, the student has stipulated future random inspections of the residence as part of the sanctioning process.

## **SEARCH OF ON-CAMPUS STUDENT RESIDENCES**

The University reserves the right to conduct administrative searches of student residences and all property contained in them when:

- There is a danger to the life or safety of any member of the University community;
- When facilities or property is endangered; and
- When there is reasonable cause to believe there has been a violation of University policy.

The University also reserves the right to inform law enforcement officials of the results of an administrative search, and anything illegal that was discovered during the search.

Law enforcement officials may, under certain conditions, search the on-campus residence of a student with or without a warrant according to state and federal laws. It is the policy of the University to not interfere with any investigation or search conducted by law enforcement officials.

The University reserves the right to pursue independent disciplinary action against any student determined to be involved in illegal activity or activity contrary to University policy as a result of a search by law enforcement officials.

- In the event where local, state or federal law enforcement agencies present a valid search warrant and in instances where a legal search by law enforcement may be made without a search warrant, it is the policy of Brescia University to not interfere with law enforcement officials. Brescia University reserves the right to pursue independent conduct sanction against any student based upon the findings of a search conducted by law enforcement officials. In this case, the Dean of Students and/or his/her designee shall determine a conduct sanction for the student based on the violation.
- In the event where there is reasonable cause to believe that a student (or guest of a student) is in violation of University policy, an administrative search of the student's on-campus residence, property in the residence and all other property of the student found on campus may be authorized by the Dean of Students.. At least one University staff member, who may include RAs, will be present during the administrative search. Brescia University reserves the right to request the presence of a law enforcement officer during the search. Those authorized to conduct the search are authorized to confiscate any items discovered that are illegal or contrary to University policy. In the event the student is not present, those conducting the search shall leave a notice indicating the search took place. The notice shall indicate Brescia University official who authorized search and it shall include an itemized list of all materials confiscated during the search.

- In the case where a violation of University policy has occurred in plain view of a University official or a member of the residence life staff, the Brescia University official or residence life staff member is authorized to immediately enter the student residence to investigate and conduct a search. Plain view includes instances where inappropriate behavior is observed in public areas and the persons responsible attempt to avoid responsibility by hiding in a residence; instances where inappropriate behavior is observed through an open door; instances where inappropriate behavior is observed through a window and when noises or smells are detected from a residence indicating that inappropriate activity is occurring in the residence.
- In the case where a student has been found to responsible for violating a University policy that endangers others or involves the consumption or possession of alcohol and/or illegal drugs the Dean of Students may authorize future unannounced searches of the student's on-campus residence, locker, vehicle or personal property. The search process shall otherwise be identical to that described above.

## **SCHEDULED INSPECTIONS**

For the purposes of maintenance, safety and security inspections of student rooms are conducted at various times during the academic year and at the beginning of vacation periods. Notices of these inspections may be posted in advance. Staff members doing the inspections will knock before entering a residence and announce their intention to enter if no one responds before entering. During these inspections the dwelling will be checked for maintenance and safety concerns.

The staff is authorized to turn off any appliances and confiscate any prohibited appliances or equipment that pose a danger to safety. Staff is also authorized to confiscate any alcohol or illegal substances and cite residents for any policy violations. A receipt will be left informing residents of the time and date of the inspection as well as information about any confiscated items or policy violations.

## **QUIET HOURS AND EXCESSIVE NOISE**

On-campus residents and visitors to residence facilities are expected to respect the right of others to have an environment free from excessive noise and disruptive behavior. Residence Halls may establish their own quiet hours, beginning no later than 11:00 PM and continuing until at least 9:00 AM. All students should be advised that those times outside of quiet hours do not constitute free license in regard to noise. In general, students and guests should be respectful of the fact that students have varied schedules. Students who work at night may need to sleep or study during the time another may want to socialize.

## **ANIMALS AND PETS**

**Due to safety concerns, allergic sensitivities of other residents and the potential for damage to its facilities, Brescia University does not permit pets or animals of any kind in on-campus residences, with the exception of fish in a fish tank of Ten (10) gallons or less (other animals kept in a tank such as turtles, snakes, or any type of lizard are not allowed).**

## **GUEST BEHAVIOR**

Hospitality is an important value and students are encouraged to invite friends and family to visit and attend university events. Out of respect for the guests as well as other members of the community, it is the responsibility of each host to inform guests of all appropriate policies and regulations.

- Students are responsible for the actions and behavior of their guests and can be held responsible for the activities that occur in their rooms, whether or not the students were willing participants or knowledgeable about what was occurring.
- Residents are responsible for the conduct of their guests and must accompany guests at all times in the halls and on campus. Guests must have the approval of the Director of Residence Life to stay in the Residence Halls.

## **VISITATION**

Visitation is a privilege to be exercised judiciously by the students. The right of any resident to sleep, study or simply enjoy privacy always takes precedence over the privilege to host a visitor in the

residence. A roommate should never be compelled to leave the room in order to accommodate a visitor, nor should he/she be placed in a situation that causes embarrassment.

The host is responsible to ensure that visitors are informed of policies for community life and he/she is responsible to ensure that guests treat other residents with dignity, and are respectful of the University's property and of the personal property of all residents. Visitors that are too frequent as well as visits of excessive duration abuse the hospitality of others and show a lack of respect for the privacy and comfort of roommates and suitemates.

There is value in the host practicing moderation in the frequency and duration of visits. In order to help students establish a healthy balance between personal freedom and responsibility and to provide residents with adequate privacy, Brescia University, like many private and public colleges and universities, has established visitation hours for guests of the opposite gender. Visitation hours apply equally to family members of students as well as visitors who are not related.

Co-ed visitation in the residence halls extends from 11:00 AM until midnight Sunday through Thursday and from 11:00 AM until 2:00 AM on Friday and Saturday. The RAs may request that visiting hours be adjusted for special occasions. For security purposes, visitors to Merici, Saffer, Young, and Trustees residence halls are required to check in through the Merici front desk. Visitors to student apartments should call prior to visiting so the student can meet the visitor at the door. No large gatherings of visitors may be held in the residence halls at any time.

### BRESCIA VALUE ON VISITATION

Scripture Reference: *St. Luke 16:10*

*BU Charter of Values:* **Temperance:** We practice temperance by seeking balance in our lives, exercising good temper, sexual responsibility, frugality, studiousness, perseverance, prudence, courage, and responsibility in all aspects of our personal lives, especially in the use of alcohol and legal drugs.

## GENERAL RESIDENCE LIFE GUIDELINES (CONT.)

**Furniture:** Students are free to arrange furniture in their room; however, furniture may not be removed from the room.

**Laundry:** The University maintains washers and dryers in all of the residence halls. Concerns about the laundry facilities should be directed to the Office of Residence Life (270) 686-4324.

**Keys:** Students receive keys to their apartments/rooms and proximity cards to the building entrances. Students who fail to return their keys will be charged \$50.00 per key in the Residence Halls and \$75 for apartment keys. Students who lose their magnetic card will be charged \$20.00 for the replacement and reprogramming of the new card. The University will replace inoperable proximity cards at no charge.

**Deposits:** Students pay a \$100 room damage deposit. When students leave campus housing, the University refunds the deposit after the room is inspected. Charges for any expenses to clean or repair damages to the room will be deducted from the deposit. If expenses exceed the amount of the deposit, the balance will be added to the student's account.

**Fire Safety Education:** Students who live in the residence halls are trained for fire safety in the following ways:

- There are two fire drills which are scheduled, and for which the students are notified. One of these takes place at the beginning of each semester to ensure that students know the proper paths to exit the buildings. There are also two unannounced drills (one each semester) in which students are required to exit all residence buildings, and rooms are checked to ensure that students have learned a means to exit and have adhered to the laws of the Commonwealth of Kentucky and the policies and procedures of Brescia University.
- Students are provided with fire safety and evacuation policies in their student handbook. These policies are reinforced and the students are verbally notified at their first building meeting each

semester.

- Residence Life staff conducts regular health and safety inspections over break periods (when the halls are closed) to ensure that students have followed the policies as to what they may or may not have in their rooms. These also afford an opportunity to ensure that students have a clear “clutter free” means to exit and that all alarms and detectors are working properly.
- Student members of the Residence Life staff are trained in fire safety, fire prevention, and the proper use of extinguishers.

Before a Fire:

- Know the location of all fire alarm stations and fire safety equipment on your floor; and
- Know the location of all exits throughout the building.

Discovering a fire:

- Immediately pull the nearest fire alarm;
- If time permits notify a member of residence life or security; and
- Vacate the building as quickly and safely as possible through the nearest exit.

Hearing the fire alarm sound:

- Ensure that you are dressed appropriately to exit the building;
- If there is smoke take a towel to cover your face;
- Vacate the room and close and lock your door if time permits;
- Vacate the building as quickly and safely as possible through the nearest exit;
- If you encounter smoke on your way to the exit keep as low to the floor as possible;
- Gather outside clear of the building and await further instruction; and
- Do not return to the building until Residence Life, Security, or the Fire Department has told you to do so.

NOTE: If your doorknob is hot, do not attempt to leave your room. Keep your door closed, place a blanket or towel along the bottom to keep smoke out, and make your presence known by yelling or waving something out of your window.

For more information on fire safety policies, please see the FIRE SAFETY section of this handbook.

**Smoking:** Smoking is not permitted anywhere in the residence halls.

**Alcohol Décor:** Consumption or possession of alcoholic beverages is not permitted by students or their guests. Brescia University residents are not permitted to display alcoholic containers, posters, or banners anywhere in the residence halls. For more information, please reference the Alcohol and Drugs section of this handbook.

**Implied Consent:** Brescia University holds all students, who are in a room or area, responsible for the behavior that occurs there, for objects that are found there, and for damage that occurs there. This interpretation will be enforced regardless of how long the students have been in the area and whether or not the student is observed participating in the behavior or the possession.

If a student enters an area where a policy violation is occurring or begins occurring, the student should immediately leave. The violation may be reported, anonymously, to a staff member. By remaining and doing nothing, the student acknowledges participation in the policy violation. If a student is a resident of that room, the University will hold the student responsible regardless of his/her actual presence, unless it is demonstrated that the students had no knowledge of the incident or that he/she reported to tried to break up the gathering.

## RESPONSIBILITY FOR DAMAGES TO UNIVERSITY PROPERTY

The University does not charge residents for damage due to normal wear and tear. As outlined in the Housing Contract, students who live in the University's residence halls share the responsibility of maintenance of University property. Furniture belonging to the University is not to be removed from the residence.

Likewise, students are prohibited from removing University furniture or fixtures from public areas. When University property in a residence facility is damaged or stolen, the residents living in the residence are responsible for all costs associated with repair or replacement. Residents are responsible for damage or theft caused by guests.

In the event where there is evidence that students other than the residents of a facility are responsible for damage or theft, Brescia University reserves the right to hold these students responsible for damages in addition to or instead of the actual residents. When responsibility for theft or damage cannot be determined, the University reserves the right to hold all residents of a room or suite equally responsible for costs associated with repair and replacement. Likewise, when responsibility for damage or theft in the common areas of a residence facility can't be determined, the University reserves the right to hold all residents of the facility equally responsible for the costs associated with repair and replacement.

Students who cause intentional damage to University property or cause damage by negligence are subject to disciplinary action. Students who steal University property are subject to conduct sanction. Any damages done to residence halls will be assessed within 15 days of the end of the fall semester. Spring damages will be assessed and billed by June 30.

### **DAMAGES WITH NO IDENTIFICATION OF RESPONSIBLE PARTY**

In the case where specific individuals responsible for damage or theft to a university residence can't be determined Brescia University reserves the right to assess the residents of the facility for the damages. In the event that damage occurs within a student room or apartment, all residents of that room or apartment will be assessed for the damages on a pro-rated basis. When damage occurs to a common area of a residence hall, all residents of the hall will be assessed equally for the damages.

#### **BRESCIA VALUE ON DAMAGES**

Scripture Reference:

*St. Matthew 6:25-34*

*BU Charter of Values*

**Reverence:** We practice reverence when we honor the sacredness of creation, especially human life, and respect the conscience and religious traditions of others.

### **CONDUCT SANCTIONS FOR GROUPS OF RESIDENTS**

At his/her discretion, the Dean of Students may apply conduct sanctions on a group basis in instances where a significant numbers of residents are responsible for policy violations and/or when there are repeated policy violations in a particular location. Under this provision, sanctions and/or loss of privileges may be applied to an entire residence hall, a floor, a portion of a floor, or any combination of rooms or apartments. Sanctions that may be applied include, but are not limited to, restriction of visitation hours, expanded quiet hours, curfews and/or requirements for community service.

### **RESIDENTS WITH DISABILITIES**

Brescia University provides equal opportunity and full participation for persons with disabilities. Residence hall accommodations are available for students with disabilities. Adapted housing space is limited and assigned on a first come basis when the completed application and deposits are received. It is the responsibility of the student to inform the Residence Life Office if special accommodations are needed. The Residence Life Office will respond in a timely manner to requests for appropriate and reasonable housing accommodations.

If students with physical or mental impairments feel that their campus housing assignments does not accommodate their disability or endangers them in any way, they should make this known to the Director of Residence Life. If the student believes he/she does receive a satisfactory response from the Assistant Dean, the student may appeal the issue to the Dean of Students and/or the Student Welfare Committee.

#### **Residence Life Safety Policy for Students with Disabilities:**

- Escape routes are posted in the corridors of the buildings and exists on each floor are marked;

- Residents receive instructions on how to respond when the fire alarm sounds;
- RAs and the Director of Residence Life instruct residents on how to respond to the discovery of a fire in the residence hall;
- Fire drills are conducted in the residence halls;
- RAs are assigned to anyone with physical or mental impairment to assist in exiting the building or taking shelter during a severe storm; and
- Names and locations of residents with impairments are given to campus security, RAs, Dean of Students, and the Director of Physical Plant and to local emergency personnel.

## STEWARDSHIP OF PROPERTY

The Ursuline sisters who founded Brescia University worked to create a beautiful university setting, and their work is continued by the current members of the Ursuline community, university faculty, staff, and students. Each student is responsible to be a good steward of university property and facilities. Good stewardship requires students to use university facilities properly and to be in possession of university property or present in university facilities only when authorized. In addition, each student is responsible to properly care for all facilities and property entrusted to his/ her use by ensuring that facilities and equipment are properly cleaned, stored and secured and ready for use by other members of the community.

### RESPECT FOR CREATION

- Students who litter or otherwise improperly dispose of waste on university property or at any university sponsored event are subject to conduct sanction.
- Students who damage, misuse or otherwise do not leave university equipment and facilities in good clean condition after use out of respect for others shall be responsible for costs required to clean, repair or replace the equipment or facility and shall be subject to conduct sanction.
- Students who willfully cause damage to university property or the private property of others are subject to disciplinary sanction and are responsible for all costs associated with repair and/or replacement.
- Students are prohibited from tampering with or interfering with the normal operation of phone, cable and/or computer service in any manner and from interfering with the billing processes associated with these services. Students who obtain unauthorized service or who cause billing charges to be directed to a university account are guilty of theft and will be reported to authorities in addition to facing conduct sanction.

### BRESCIA VALUE ON STEWARDSHIP

Scripture Reference:  
*BU Charter of Values*

*St. Matthew 6:25-34*

**Reverence:** We practice reverence when we honor the sacredness of creation, especially human life, and respect the conscience and religious traditions of others

## STEALING AND DISRUPTIVE BEHAVIOR

### STEALING

Taking what does not belong to you is a form of stealing no matter how small the value of the item taken. The fact that sometimes an item is left unattended or unlocked does not make it right to take it. It is still stealing because it does not belong to you.

Stealing in any form (theft, burglary, and robbery) is wrong. When community is valued and others are respected, all members of the community serve as stewards of property belonging to individuals as well as property belonging to the community as a whole. Members of the community who betray the trust of others by taking what is not theirs injure the security of the entire community and subject themselves to both legal and conduct sanction.

- Students who take what does not belong to them violate the law and the Student Code of Conduct.

The University reserves the right to report all such instances to law enforcement authorities for possible prosecution and those responsible are subject to conduct sanction up to and including expulsion.

### BRESCIA VALUE ON STEALING

Scripture Reference: *Exodus 20:15*

*BU Charter of Values:* **Honesty:** We practice honesty when we are accountable, trustworthy, genuine, and unpretentious in our academic pursuits, personal activities, and relations with others.

### DISRUPTIVE BEHAVIOR

Disruptive behavior is behavior that endangers the health and safety of others, causes others to experience undue distress or otherwise significantly interferes with the legitimate activities of others.

- Students responsible for disruptive behavior are subject to conduct sanction. The exact disciplinary nature is to be determined by the Dean of Students.

### BRESCIA VALUE ON DISRUPTIVE BEHAVIOR

Scripture Reference: *Genesis 1:27*

*BU Charter of Values* **Respect:** We practice respect when we exercise consideration for others, tolerance of differences, civility in conflict, fairness, and an attitude of caring.”

## SEXUAL HARASSMENT, MISCONDUCT, SEXUAL ASSAULT, AND RELATIONSHIP VIOLENCE POLICIES

*Note: Due to the ever changing law and requirements of Title IX, the Campus SaVE Act, and Violence Against Women Act, the most up to date policies for sexual misconduct, sexual assault, and relationship violence may be found at <https://www.brescia.edu/title-ix-sexual-harassment-misconduct-and-assault> on the Brescia University website. Students may request a printed copy of the University’s policies at the Office of Student Affairs.*

### TITLE IX: HARASSMENT

Brescia University does not condone harassment of any kind, against any group or individual, because of race, color, religion, national origin, ethnic identification, age, disability, genetic information, gender, or sexual orientation. The University’s ability to achieve its mission is dependent on the cooperative efforts of its faculty, staff and students. For such cooperation to exist, an atmosphere of professionalism, marked by mutual trust and respect is essential. Harassment, conduct which violates this atmosphere, is unprofessional, illegal, and unethical. It is unacceptable behavior and will not be tolerated. Brescia University prohibits such conduct by anyone including but not limited to: faculty, staff, students, managers, supervisors, co-workers, or non-employees such as visitors, vendors, and contractors.

Harassment is generally defined as an act or communication causing emotional stress specifically addressed to individuals or groups intended to harass, intimidate, or humiliate an individual or group. Examples of impermissible harassment include, but are not limited to:

1. The use of physical force or violence to restrict the freedom of movement of another person or to endanger the health and safety of another person based on that person’s gender, ethnicity, et al;
2. Physical or verbal behavior that involves an express or implied threat to interfere or has as its purpose or has the reasonably foreseeable effect of interfering with an individual’s personal safety, academic efforts, employment, participation in University-sponsored extracurricular activities because of that individual’s race, color, etc. and which causes that individual to have a reasonable apprehension that harm is about to occur;

3. Any type of conduct that has the effect of unreasonably interfering with an individual's academic performance or creates an intimidating, hostile or offensive learning environment; or
4. Epithets, slurs, or derogatory comments based on a person's race, color, etc.

**Sexual harassment** is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature, which continues when requested to cease when:

1. Where submission to such conduct is made either explicitly or implicitly a term or condition of a student's academic advancement;
2. Where submission to or rejection of such conduct by an individual is used as a basis for decisions affecting such academic advancement;
3. Where such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive learning environment;
4. Sexual flirtations, touching, advances, or propositions;
5. Verbal abuse of a sexual nature;
6. Graphic or suggestive comments about an individual's dress or body;
7. Sexually degrading words to describe an individual; or
8. The display of sexually suggestive objects or pictures, including nude photographs, in any form, including those accessed or displayed on the University's Network System.

Gender discrimination is defined as differential treatment of others based solely on that person's gender, and includes, but is not limited to, derogatory references made about another person's gender, or characteristics and stereotypes related to that person's gender. Like sexual harassment, the University in any form or fashion whatsoever does not tolerate gender discrimination.

#### **WHAT TO DO IF YOU ARE BEING HARASSED**

1. Inform the individual that you feel you are being harassed. Be definitive.
2. If the problem continues, document the facts of the situation and consult the following Title IX Coordinators: Director of Human Resources, (Ultimate over-sight responsibility – student, faculty and other employees), Dean of Students, Director of Residence Life, or the Counseling Director – complaints registered by students. All persons involved in the complaint and the investigation will keep all information related to the complaint and the investigation confidential to the maximum extent possible. This means all persons involved will share such information only with persons who have a need to know.
3. The University will conduct an investigation of any formal complaints of harassment using principles of due process described in the Title IX Investigation section of this handbook.
4. Any proven violation of this policy will result in student conduct sanction.

If you believe you have witnessed harassing behavior, immediately contact the Title IX Coordinator or Dean of Students.

Brescia seeks to eliminate harassment under its jurisdiction by periodically informing students about this policy statement and the obligations hereunder. Brescia University prohibits any type of retaliation against any student who in good faith files a complaint under this policy or against anyone who assists in the complaint investigation. Any student who intentionally makes a false allegation of discrimination or harassment will be subject to disciplinary action, which may include but is not limited to written warning, suspension, or dismissal from the University.

Brescia University complies with Title IX of the Educational Amendments of 1972 to the 1964 Civil Rights Act and its regulations: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance."

# SEXUAL MISCONDUCT, SEXUAL ASSAULT, AND RELATIONSHIP VIOLENCE POLICIES

## INTRODUCTION

Sexual misconduct of any kind is inconsistent with the University's values and incompatible with the safe, healthy environment that the Brescia community expects. All members of this community share responsibility for creating and maintaining an environment which promotes the safety and dignity of each individual. All forms of sexual misconduct are an affront to justice that will not be tolerated at Brescia University. Federal law treats sexual misconduct and sexual assault as forms of sexual harassment, which is prohibited under Title IX. Furthermore, relationship violence such as domestic violence, dating violence, and stalking are violations of Federal law (the Campus SaVE Act) and are not tolerated at Brescia University. Sexual misconduct, sexual assault, and relationship violence also violate state law as well as University policy.

Students found responsible for engaging in or otherwise allowing sexual misconduct, sexual assault, and/or relationship violence to take place will ordinarily face disciplinary sanctions up to and including dismissal from the University.

The University believes that no person should bear the effects of sexual assault alone. When a sexual assault occurs, the University's paramount concern is for the safety, health, and well-being of those affected. To support and assist students, the University promptly provides a wide range of services and resources. Please see the section below on Resources for Medical, Counseling, and Pastoral Care to learn more about these resources.

## SCOPE AND APPLICABILITY

Brescia University's policy applies to:

- all Brescia University employees, whether full-time or part-time staff, faculty, clergy, adjunct faculty, temporary staff, or third-party employees or vendors;
- all persons taking courses at Brescia, whether full-time or part-time, non-degree or degree seeking, or pursuing undergraduate, graduate, or professional studies;
- all persons residing in Brescia residential housing, whether or not currently enrolled or working at Brescia; and
- all members of the Brescia University Board of Trustees.

The individuals listed above are referred to collectively as **Covered Persons**. This policy prohibits sexual misconduct by or against a Covered Person, both on and off the Brescia campus. In addition, this policy prohibits sexual misconduct by all persons visiting or volunteering at or for Brescia and by all persons and entities that provide services to Brescia.

## SEXUAL MISCONDUCT OFFENSES

Prohibited sexual misconduct offenses include, but are not necessarily limited, to the following:

- Non-consensual sexual intercourse, which is any sexual intercourse by any person upon another without consent. It includes oral, anal, and vaginal penetration, to any degree, and with any object. It is referred to as "sexual assault" in this policy; and
- Non-consensual sexual contact, which is any sexual touching with any object, by any person upon another, without consent;
- Sexual touching is contact of a sexual nature, however slight.

Other forms of sexual misconduct include, but are not limited to:

- Sexual exhibitionism;
- Sex-based cyber-harassment;
- Prostitution or the solicitation of a prostitute;
- Peeping or other voyeurism;
- Stalking, including cyber-based stalking; and
- Going beyond the boundaries of consent, e.g., by allowing others to view consensual sex (e.g.

transmission of pictures and/or video via a computer, cell phone or other electronic modes of communication) or the non-consensual video or audio taping of sexual activity.

**Consent means informed, freely given agreement, communicated by clearly understandable words or actions, to participate in any form of sexual activity.** Consent cannot be inferred from silence, passivity, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. By definition, there is no consent when there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor; the lack of informed, freely given consent to sexual contact constitutes sexual misconduct.

**Intoxication is not an excuse for failure to obtain consent.** A person incapacitated, inebriated, or developmentally impaired by alcohol or drug consumption, or who is unconscious or asleep or otherwise physically impaired, is incapable of giving consent.

**Force** is the use of physical violence to gain sexual access. Force also includes threats, intimidation (implied threats), and imposing on someone physically.

## **RELATIONSHIP VIOLENCE**

Relationship violence is a dangerous form of violence prevalent within the college student population. Often the victims of relationship violence find it difficult to ask for help or blame themselves for the abuse. No one deserves to be abused for any reason and everyone deserves help if they are being abused.

**Dating violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on consideration of the following factors:

- the length of the relationship;
- the type of relationship; and
- the frequency of interaction between the persons involved in the relationship.

**Domestic violence** is a felony or misdemeanor crime of violence committed by the victim's

- current or former spouse,
- current or former cohabitant,
- person similarly situated under domestic or family violence law, or
- anyone else protected under applicable domestic or family violence laws.

Stalking is (1) a course or pattern of unwelcome and unwanted conduct (2) that a person knows or has reason to know (3) would cause the victim under the circumstances to feel frightened, threatened, oppressed or intimidated or to suffer substantial emotional distress.

Stalking behavior includes, but is not limited to:

- repeated, unwanted and intrusive communications by phone, mail, text message, email and/or other electronic communications, including social media;
- repeatedly leaving or sending the victim unwanted items, presents or flowers;
- following or lying in wait for the victim at places such as home, school, work or recreational facilities;
- making direct or indirect threats to harm the victim or the victim's children, relatives, friends or pets;
- damaging or threatening to damage the victim's property;
- posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth; or
- unreasonably obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, or contacting the victim's friends, family, work or neighbors.

Brescia University will assist any student who has been the target of violence, threats of violence or

abuse of any kind whether it has taken place on or off campus or been perpetrated by another student or someone else. Students who need assistance are urged to contact the Dean of Students, or the Director of Counseling for assistance. In addition, Brescia's policy is that any student who has been ordered by a court to avoid contact with any other member of the University community may be held subject to the University's emergency suspension policy for as long as the court order is in effect. Students who want to know more about this policy may contact the Dean of Students.

**REPORTING: RESOURCES**

Brescia University is committed to investigating, resolving, and preventing sexual misconduct, and the law generally requires it to do so. Brescia strongly encourages victims to tell someone about sexual misconduct. As described below, Brescia expects certain Covered Persons to notify the Title IX Coordinator when they become aware of sexual misconduct. This ensures that victims will receive appropriate support. It also enables Brescia to fulfill its commitment to prevent and address sexual misconduct and to comply with applicable law.

**HOW, WHEN AND WHOM TO TELL**

Individuals who experience or allege sexual misconduct prohibited by this policy are referred to as Complainants. Individuals who are alleged to have engaged in sexual misconduct prohibited by this policy are referred to as Respondents.

**Individuals Who Have Personally Experienced Sexual Misconduct**

If you have personally experienced any form of sexual misconduct, Brescia strongly urges you to tell someone about the incident as soon as possible. There are multiple options to do this, listed below. In an emergency, call 911. If you have concerns about confidentiality, contact a Confidential Resource (see below). To initiate Brescia's response and resolution process, you or another person must notify the Title IX Coordinator. If you want to make a report to police about criminal sexual misconduct, Brescia can assist you in that process (see Reporting Options section).

**Individuals Who Become Aware of Sexual Misconduct Incidents or Allegations**

If you become aware of an incident or allegation of sexual misconduct that is prohibited by this policy, contact the Title IX Coordinator, Dean of Students, or a Sexual Assault Resource Coordinator right away for advice and assistance. These resources are referred to as Trained Responders. Trained Responders regularly deal with incidents and allegations of sexual misconduct and have received training on how to handle situations involving sexual misconduct. Trained Responders will provide advice and assistance to Complainants and other individuals who contact them and help ensure that Brescia responds appropriately and in accordance with applicable law.

**Responsible Reporters**

All Brescia employees who are not student workers (except Resident Assistants), and all members of the Brescia Board of Trustees, are required to contact the Title IX Coordinator or Dean of Students promptly after becoming aware of an incident or allegation of sexual misconduct.

Brescia encourages, but does not require, all other persons (generally students) who become aware of an incident or allegation of sexual misconduct to contact the Title IX Coordinator or Dean of Students.

Brescia employees who learn of sexual misconduct while serving as a Confidential Resource, as defined below, are not required to notify a Trained Responder.

To report an incident of sexual misconduct or sexual assault, please notify any of the following resources:

<b>ON-CAMPUS RESOURCES</b>	
<b>Title IX Coordinator</b> Tammy Keller, Director of Human Resources Room 161 Bartholomy-Taylor Hall 270-686-4246	<b>Sexual Assault Resource Coordinators</b> Patricia Lovett, Director of Student Activities and Leadership Development Room 211, Moore Center

tammy.keller@brescia.edu	270-686-4336 patricia.lovett@brescia.edu Isaac Duncan, Director of Residence of Life Room 209, Moore Center 270-686-4324 isaac.duncan@brescia.edu <b>Brescia Security</b> 270-686-4300
<b>Title IX Deputy Coordinator</b> Joshua Clary, Vice President for Student Affairs/Dean of Students Room 213, Moore Center 270-686-4333 josh.clary@brescia.edu	

### ON-CAMPUS SUPPORT AND CONFIDENTIAL RESOURCES

<b>Counseling</b> Eva Atkinson, Director of Counseling Services Room 205, Moore Center 270-686-4282 eva.atkinson@brescia.edu	<b>Campus Ministry</b> Sister Pam Mueller, OSU, Director of Campus Ministry Room 207, Moore Center pam.mueller@brescia.edu
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### OFF-CAMPUS PLACES TO REPORT SEXUAL MISCONDUCT

<b>Owensboro Police Department</b> Emergency- 911 Non-Emergency Reporting: 270-687-8888	<b>Owensboro Health Regional Hospital- Emergency Room</b> 1201 Pleasant Valley Road Owensboro, KY 42303
<b>New Beginnings- Sexual Assault Support Services</b> 1716 Scherm Rd, Owensboro, KY 42301 270-926-7273 Crisis Line: 1-800-226-7273	<b>Daviess County Sheriff Department</b> Emergency- 911 Non-Emergency Reporting: 270-685-8444

## REPORTING: PRIVACY AND CONFIDENTIALTY

### Confidential Resources

Under Kentucky law, if a student wishes the details of an incident to be kept strictly confidential, she or he can speak with counselor at University Counseling Services, health providers, religious clergy, or off-campus sexual assault crisis resources, such as New Beginnings, the sexual assault crisis center for Owensboro area or National Sexual Assault Hotline: 1-800-656-4673. These individuals will honor confidentiality unless there is an imminent danger to the student or to others.

## REPORTING: PARAMETERS OF CONFIDENTIALITY AND MANDATED TITLE IX INVESTIGATIONS

In all instances and to the extent possible, the University will protect the privacy of all parties to a report of sexual misconduct or sexual assault. That said, under federal law, campus officials (with the exception of those listed under Confidential Resources, above) who receive a report of sexual assault, whether from the student involved or a third party, must share that information with the appropriate University authorities for investigation and follow-up. The University is obligated under the law to investigate the complaint, to take action to eliminate sexual harassment and sexual assault, prevent its recurrence, and address its effects. An administrative investigation under Title IX must be initiated if the University has enough information to reasonably determine key facts, e.g., time, date, location, and names of parties

involved in an alleged incident. Ordinarily, this administrative investigation will include a review of statements obtained from either party, interviews with both parties, interviews with witnesses as appropriate and review of relevant documentary evidence, and will be conducted by the Dean of Students or his/her designee. The University is obligated to conduct this investigation regardless of the complainant's requests regarding confidentiality of the process.

In the course of the administrative investigation, information will be shared as necessary with people who need to know, such as investigators, witnesses and the accused. Any response by the University may be hindered by the complainant's requests for anonymity and/or inaction, but the University will strive to keep the matter as confidential as possible under the circumstances.

### **REPORTING: TIMING**

Notifying a Trained Responder, Confidential Resource, law enforcement or other support resources identified in Section IX below promptly after sexual misconduct occurs helps assure the preservation of evidence. It is best for any physical evidence to be collected immediately, ideally within the first 24 hours after the incident occurs. Prompt notice and the preservation of evidence makes it easier to investigate and respond appropriately to the situation.

In order to assure an inquiry and response by Brescia, a Trained Responder must receive notice of sexual misconduct within one calendar year of the incident. Complainants are urged to notify Brescia of an incident regardless of whether the Complainant knows the identity of the Respondent(s). If the Complainant does not know the identity of one or more Respondent at the time of the incident or notice to Brescia and later learns the Respondent's identity, the Complainant should notify Brescia as soon as possible, but no later than one calendar year following the date the Complainant learned the identity. The reason for this timing is that as time passes, evidence and witnesses may become unavailable and Respondents may leave Brescia, making it impractical for Brescia to conduct an effective and equitable response and resolution process.

Incidents reported after the one-year time limitation may be investigated or otherwise addressed at the discretion of the Title IX Coordinator based on the availability of witnesses and other evidence and Brescia's interest in providing a safe, non-discriminatory learning and working environment.

### **REPORTING: POLICE**

Complainants have the right to report to law enforcement all misconduct that may violate criminal laws, and Brescia strongly urges Complainants to make such reports. If a Complainant of potentially criminal sexual misconduct, including sexual assault, dating violence, stalking or domestic violence, wishes to notify law enforcement authorities, Brescia will assist the Complainant to do so.

Upon request by the police, Brescia Security will assist the police in obtaining, securing, and maintaining evidence in connection with sexual misconduct allegations.

### **REPORTING: CLERY ACT**

Under the Clery Act, Brescia has a duty to track and publish information about certain types of sexual misconduct and to report certain information in Brescia's annual Campus Security Report. Personally identifiable information is kept confidential and will not be published.

### **REPORTING: TIMELY WARNING TO CAMPUS**

In an effort to provide timely notice to the Brescia community, and in the event of a serious crime against people that occurs on campus, where it is determined that the incident may pose a serious, ongoing threat to members of the Brescia community, a mass email Crime Alert is sent to all students and employees on campus. Crime alerts are also posted by the Office of Student Affairs in the residence halls and various other buildings on campus, and are typically posted in the lobby/entrance area of the building(s) for seven days. Updates to the Brescia community about any particular case resulting in a Crime Alert may be distributed via email or may be posted by the Office of Student Affairs.

### **REPORTING OPTIONS**

A student has the option to pursue a criminal complaint with the appropriate law enforcement agency, to

pursue a complaint through the University student conduct process, or to pursue both processes simultaneously. Regardless of the option chosen, the University will initiate an administrative investigation under Title IX. Reports may be filed with the Title IX Coordinator, Tammy Keller, or Deputy Title IX Coordinator, Joshua Clay (see Reporting section of this policy for contact information).

### **Option 1: Criminal Complaint**

The University encourages students to report all incidents of sexual misconduct or sexual assault to the police. If the incident occurred on Brescia property, Brescia Security is the appropriate agency with which to file a report, but students are free to contact a law enforcement agency of their choosing if they believe for any reason that Brescia Security is not the student's best option (if the student chooses to contact off-campus law enforcement, the University still requests that the student apprise the Office of Student Affairs of the situation, even if done after initial contact with other law enforcement officials). Off-campus incidents will likely fall in the jurisdiction of the Owensboro Police Departments or Daviess County Sheriff's Office. Brescia Security can assist with contacting the appropriate agency.

Incidents of sexual misconduct involving students that are reported to Brescia Security will also be referred to the Dean of Students in the Office of Student Affairs for follow-up and administrative investigation. Similarly, the Dean of Students will follow-up where appropriate in those instances where the University has a report of an incident of sexual misconduct or sexual assault that has been reported to another law enforcement agency.

The administrative investigation conducted by the Dean of Students or his/her designee is separate and distinct from the criminal investigation and flows from the University's obligations under Title IX to ensure that it is providing a safe environment for all students. If a complainant wishes to pursue a criminal complaint exclusively, the complainant may choose to temporarily defer the administrative investigation and/or conduct process by making a formal written request to Dean of Students, which may delay the administrative investigation and the University's ability to respond. The University may continue its administrative investigation where it has reason to believe that the alleged harasser may be an imminent threat to the safety of the complainant and/or other students. At any time, the complainant may choose to rescind the deferral by making a formal written request to the Dean of Students, electing to resume the administrative investigation and/or student conduct process. The University will maintain documentation of the date of deferral. The Office of Student Affairs for consideration in the University student conduct process may use information obtained through the criminal investigation.

If a student pursues a criminal complaint, a member of the Office of Student Affairs will request that the Daviess County Prosecutor's Office, or other appropriate local law enforcement agency personnel, keep the University informed and immediately advise of its decision whether to prosecute the complaint. The University will maintain documentation of the date of the request to the Prosecutor's Office. In cases where the Prosecutor's Office declines prosecution, a member of the Office of Student Affairs will provide written notice to the complainant of the Prosecutor's decision.

### **Option 2: University Student Conduct Process**

Sexual misconduct involving students, including sexual assaults and relationship violence, whether or not they have been reported to a police agency, should also be reported to the University for investigation and resolution through University processes.

If a student reports an incident of sexual misconduct or sexual assault to the University, the Title IX Coordinator and/or his/her designee will conduct an administrative investigation. Ordinarily, an administrative investigation will include a review of statements obtained from either party, interviews with both parties, interviews with witnesses as appropriate and review of relevant documentary evidence. Once the investigation is complete, the Dean of Students or his/her designee will make a determination about whether the case should be referred to the Title IX Hearing Board for resolution. Information obtained through the administrative investigation may be used by the Office of Student Affairs for consideration in the University student conduct process, with or without the cooperation of the complainant.

### **Option 3: Simultaneous Processes**

A student has the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue the University's conduct process, or to pursue both avenues simultaneously.

## **WRITTEN NOTICE OF REPORTING OPTIONS**

Students who report alleged sexual misconduct, sexual assault, or relationship violence will be provided with written notice of the above referenced reporting options. The University, through the Dean of Students or his/her designee, must also obtain written acknowledgment from the student of her/his decision regarding which options, if any, the student wishes to pursue.

## **INTERIM ACTION TO PROTECT THE PARTIES AND THE COMMUNITY**

Whenever the University receives a report of sexual misconduct or sexual assault, the complainant will be referred to a Sexual Assault Resource Coordinator (SARC) who will serve as a resource person to the complainant to identify, explain, and navigate the complainant's reporting options and the available support services. This can include referrals to counseling, educational support, pastoral care, and medical treatment, and information about University and legal processes.

The Deputy Title IX Coordinator will consider whether interim action is reasonably necessary or appropriate to protect the parties and the broader Brescia community, pending completion of the response and resolution process. If the Deputy Title IX Coordinator determines that interim action is reasonably necessary and appropriate, the SARCs and their respective designees are authorized to take or direct such action.

Examples of interim actions include, without limitation:

- establishing a "no contact" order prohibiting the Respondent and Complainant from communicating with each other during the response and resolution process;
- prohibiting a Respondent from physically entering or being on Brescia property;
- prohibiting a Respondent from participating in Brescia-sponsored events;
- changing a Complainant's or Respondent's on-campus residency or prohibiting a Respondent from residing in a Brescia residence;
- changing a Complainant's or Respondent's student or employee status, in consultation with appropriate administrator(s);
- changing a Complainant's or Respondent's work or class schedule, in consultation with appropriate administrator(s);
- issuing a timely warning of any substantial threat or danger to the community;
- making information about orders for protection and harassment restraining orders available to a Complainant; or
- notifying and consulting with appropriate Brescia administrators, faculty, and staff members as warranted under the circumstances.

The SARC can also provide assistance in rearranging class schedules, extracurricular activities and housing and on-campus dining arrangements; to the extent that a student's requests are reasonable and can be accommodated, every effort will be made to do so. Where appropriate, the goal of any adjustment will be to minimize the burden on the complainant's educational program. Similarly, an accused student will also be assigned a SARC, to provide him or her with support, information, and assistance.

### **No Contact Orders Issued to the Complainant and the Accused**

Upon receipt of a report of alleged sexual misconduct in which the accused is a current Brescia student, the Dean of Students, and/or his/her designee shall issue no contact orders to the complainant and accused. If the recipient of a no contact order fails to adhere to the terms and conditions of the no contact order, the student may face disciplinary action, up to and including dismissal from the University.

## **INTIMIDATION OR THREATS DESIGNED TO INHIBIT REPORTING**

The University strongly encourages students to report any incident of sexual misconduct, sexual

assault, or relationship violence. Brescia takes such reports very seriously. Any actual or threatened retaliation or any act of intimidation to prevent or otherwise obstruct the reporting of sexual misconduct, sexual assault, relationship violence or the participation in proceedings relating to sexual misconduct, sexual assault, or relationship violence by an accused student or third party is itself prohibited and will result in student conduct sanctions. A complainant or witness who is threatened in any way should immediately report these concerns to their assigned Sexual Assault Resource Coordinator (SARC) or to the Dean of Students.

## **OTHER POTENTIAL POLICY VIOLATIONS**

At times, students are hesitant to report the occurrence of a sexual assault to University officials because they are concerned that they themselves, or witnesses to the misconduct, may be charged with other policy violations, e.g., drug or alcohol violations. These behaviors are not condoned by the University, but the importance of dealing with alleged sexual misconduct, sexual assault, or relationship violence outweighs the University's interest in addressing lesser violations. Accordingly, in these cases, the University will not pursue disciplinary action against a student who makes a complaint of sexual misconduct, sexual assault, or relationship violence in connection with the reporting of that incident, or against students named as witnesses to the incident.

# **STEPS IN A TITLE IX INVESTIGATION**

## **RIGHTS OF THE COMPLAINANT AND RESPONDENT**

During a Title IX Investigation, the Complainant and Respondent are entitled to:

- equitable procedures that provide both parties with a prompt, fair and impartial investigation and resolution conducted by officials who receive annual training on conduct prohibited by the policy;
- notice of the allegations and defenses and an opportunity to respond;
- an equal opportunity to identify relevant witnesses and other evidence and to suggest possible questions to be asked of witnesses during the formal process;
- present information on their own behalf, including written and oral statements and physical exhibits;
- similar and timely access to information, including a written summary of all allegations and defenses, consistent with the Family Education Rights and Privacy Act (FERPA); and
- have a support person of the individual's choice accompany him or her throughout the response and resolution process. The support person is allowed to consult with and advise the Complainant or Respondent the support person is accompanying, but is not otherwise permitted to participate in any proceedings.

## **TITLE IX INVESTIGATOR**

The Investigator (who may be a third party investigator) conducts an investigation into the facts of the incident alleged to have occurred, as further described in these procedures. The Title IX Coordinator may appoint two Investigators to work together when circumstances warrant.

The Title IX Coordinator maintains a list of the individuals who have received appropriate annual training to serve as Investigators.

### **Notice to Complainant**

The Deputy Title IX Coordinator will contact the Complainant in writing, by letter or email, to inform the Complainant of the name of the Investigator, an estimate of the time required to complete the investigation, and any other information the Deputy Coordinator deems relevant given the particular situation.

### **Notice to Respondent**

The Deputy Coordinator will contact the Respondent in writing, by letter or email, to inform him or her about the Complaint, the allegations made against the Respondent, his or her rights, the initiation of a formal investigation and the name of the SARC and Investigator, an estimate of the time required

to complete the investigation, any conditions that may affect the Respondent's status as a student or employee, and any other information the Deputy Coordinator deems relevant given the particular situation.

### **Meeting with Respondent**

The Deputy Coordinator will meet with the Respondent. At the meeting, the Deputy Coordinator will:

- Review the allegations of sexual misconduct with the Respondent and obtain additional information from the Respondent as necessary to appropriately advise or support the Respondent with respect to the response and resolution process.
- Inform the Respondent about available resources to support the Respondent and the Respondent's right to access these resources. Ensure the Respondent has the means needed to access appropriate support resources.
- Review the policy and these procedures with the Respondent, specifically noting:
  - o the Respondent's rights under the policy and procedures;
  - o the timing and deadlines for action under the policy;
  - o the confidentiality provisions; and
  - o the prohibition on retaliation.
- Address the Respondent's questions about the policy, procedures, and the response and resolution process.
- Set a time for the SARC to follow up with the Respondent.
- After meeting with the Respondent, the SARC will update the Deputy Coordinator regarding the meeting.

### **Investigation: Fact finding Process**

The Investigator(s) will conduct a thorough and impartial inquiry into the facts and circumstances surrounding the Complaint. At a minimum, the Investigator(s) will seek to interview the Complainant, Respondent and other key persons who may have relevant information about or related to the incident and will seek to obtain all information, documentation and materials the Investigator(s) deem relevant to the investigation. The Investigator will ensure that, before the conclusion of the investigation, the parties have been provided a written summary of all allegations and defenses and have had an opportunity to respond. The opportunity to respond includes: (1) an opportunity to identify relevant witnesses, documentation, and other physical evidence; (2) to identify questions that may be asked of witnesses; and (3) to provide responsive written or oral statements.

The Investigator(s) have authority to request such information, documentation, and materials from appropriate parties on a need to know basis.

### **Application of Faculty Rights Relating to Academic Freedom**

If the Respondent is a faculty member alleged to have engaged in sexual harassment of the Complainant, the Investigator(s) will consider, in consultation with the Division Chair of the respective school or division (or, if the Division Chair has a conflict of interest, with the Academic Dean or his/her designee), whether there is a perceived or potential conflict between (a) the limitations on conduct and communications implied by the definition of sexual harassment under the policy and (b) the principles of academic freedom. Brescia University will use as a working definition of academic freedom found in the Faculty Handbook Section 2.11.1.

If a perceived or potential conflict is deemed to exist, the Investigator(s) will work with the Division Chair, Academic Dean or his/her designee (as applicable) to ensure the appropriate application of the Brescia definition of Academic Freedom in conjunction with the response and resolution process.

### **Investigation: Status Updates**

The Title IX Coordinator will provide status updates to the Complainant and Respondent at least monthly during the investigation and as necessary to alert them of any delays or changes in time estimates for completing the investigation and to provide notice of any new material allegations or defenses, and the parties will be provided an opportunity to respond to such new allegations and

defenses.

**Determination of Responsibility**

Upon completion of the formal investigation, the Investigator(s) will weigh the evidence and determine whether it is more likely than not (using a “preponderance of the evidence” standard) that the Respondent is responsible for the misconduct alleged. If the Investigator(s) determine it is more likely than not that the Respondent engaged in sexual misconduct in violation of the policy, then the Investigator(s) will make a determination that the policy has been violated.

**Investigation Report**

The Investigator(s) will timely document his or her findings of fact and determination in an investigation report and submit it to the Deputy Title IX Coordinator and Title IX Coordinator.

The Title IX Coordinator will review the investigation report to ensure that the report and determination are consistent with Brescia policies, procedures and practices. If the Title IX Coordinator determines that the report and determination are not consistent with policies, procedures and practices, the Title IX Coordinator has discretion to direct or take appropriate action.

**Responsive Action by Brescia University**

The Deputy Coordinator will review the investigation report and will work with the appropriate Brescia administrators, as set forth below, to determine what, if any, sanctions will be imposed or other action will be taken by Brescia. Not all forms of sexual misconduct will be deemed equally serious offenses, and Brescia may impose different sanctions depending on the severity of the offense and taking into account any previous conduct violations. The Deputy Coordinator and administrators are authorized to apply any sanction or other response that they together determine to be fair and proportionate to the misconduct.

If the Respondent is a(n)...	Sanctions will be determined by the...	Potential Sanctions
Undergraduate student	Dean of Students, in consultation with the Director of the applicable school as appropriate under the circumstances, such as cases involving students in licensure programs	Sanctions may range from a verbal warning to expulsion. The Dean of Students will consider as part of the decision whether the accused student poses a continuing risk to the Complainant and/or Brescia community.
Graduate or professional student	Dean of Students and Director of the applicable school	Sanctions may range from a verbal warning to expulsion. The Dean of Students and the dean of the applicable college or school will consider as part of the decision whether the accused student poses a continuing risk to the Complainant and/or Brescia community.
Faculty member	Division Chair of the applicable school or division, in consultation with Director of Human Resources and the Academic Dean	The application of sanctions will be consistent with the applicable disciplinary policies contained in the Faculty Handbook and, to the extent applicable and not superseded by the Faculty Handbook, the Employee Handbook. The Academic Dean will

If the Respondent is a(n)...	Sanctions will be determined by the...	Potential Sanctions
		consider, as one factor in the decision, whether the faculty member poses a continuing risk to the Complainant and/or Brescia community.
Staff member	Appropriate member(s) of the President's Cabinet responsible for a Respondent's school or department in consultation with the Director of Human Resources	The application of sanctions will be in accordance with the applicable disciplinary policies contained in the Staff Handbook. The Cabinet Member will consider, as one factor in the decision, whether the staff member poses a continuing risk to the Complainant and/or Brescia community.
Not a student or employee	Deputy Title IX Coordinator and Title IX Coordinator	May include restrictions on the Respondent's presence, enrollment or employment at Brescia

**Notice of Outcome to Complainant and Respondent**

The Investigator's determination or other appropriate notice of the outcome will be explained in a written notification, by letter or email, to the Complainant and Respondent that also includes information about the appeal process and when the outcome will be final. The written notifications must be sent within ten (10) working days of the Title IX Coordinator's receipt of the findings from the Investigator and will be sent to the Complainant and the Respondent at the same time.

Brescia is limited in the information it may share in providing this notice of outcome. In many cases, the outcome letter sent to the Complainant will contain only the following information: whether the Respondent was found to have violated this policy, and any sanctions imposed that directly relate to the Complainant. In sexual misconduct cases involving allegations of a crime of violence or a non-forcible sex offense (such as statutory rape), additional information about sanctions against a Respondent who violated this sexual misconduct policy also may be provided.

The Title IX Coordinator also will ensure that appropriate Brescia administrators, faculty and/or staff members who have a need to know information about the outcome have been or are provided with such information. In most cases, this will include the member(s) of the President's Cabinet responsible for a Respondent's school or department, and in the case of Respondents who are employees, the Respondent's supervisor.

**APEAL PROCESS**

**Grounds for Appeal**

Either the Complainant or the Respondent may appeal the results of the formal process on one or more of the following bases:

1. that a procedural error occurred that substantially affected the outcome of the process;
2. that the decision was arbitrary and capricious or violated academic freedom;
3. that there has been discovery of significant new factual material not available to the Investigator that could have affected the original outcome; however, intentional omission of factual information by the appealing party is not a ground for an appeal; or
4. that the sanction or other response by Brescia under the formal process was excessively severe

or grossly inadequate.

### Submitting an Appeal

A signed, written request for an appeal must be submitted to the appropriate Appeal Officer within ten (10) working days following the date that notification of the outcome of the investigation was sent to the Complainant and the Respondent.

If the Respondent is a . . .	The Appeal Officer is the . . .
Student (who is not also a regular faculty or staff member)	Vice President for Student Affairs/Dean of Students, or the President if the VPSA was the original sanctioning officer
Faculty or staff member (who is not a student worker)	Vice President for Academic Affairs or Vice President for Business and Finance

### TITLE IX APPEAL BOARD: FACULTY & STAFF

In cases in which the Respondent is a staff or faculty member, the Appeal Officer will appoint an appeal board comprising three (3) Brescia employees who do not have a conflict of interest. If the Respondent is a faculty member, the members of the appeal board will be full-time tenured faculty members selected by the Title IX Coordinator and Academic Dean. All appeal board members must receive or have in the past year received training on the policy, procedures, and applicable law.

In cases in which the Respondent is a student and in cases in which the Respondent is another individual who is not a student or employee, the Appeal Officer may consider the appeal directly or the Appeal Officer may, upon consultation with the Title IX Coordinator, appoint an appeal board consistent with the procedures herein.

Either Title IX Coordinator or the Deputy Title IX Coordinator will serve as Advisor to the Title IX Appeal Board and is responsible to ensure that procedures are consistent with faculty, staff, and student appeal boards. The Title IX official will not have a vote on the Title IX Appeal Board.

### TITLE IX APPEAL BOARD: STUDENTS

#### *Composition and Purpose*

The Dean of Students will appoint Brescia University's Title IX Student Appeal Board. The Board will be composed of selected trained professional faculty and staff members who may also serve as members of the Student Conduct Board. The assembled group of five (5) faculty and staff members will select a chair. The Dean of Students will serve as Advisor to the Title IX Appeal Board and is responsible to ensure that all Student Conduct Board procedures are followed. The Dean of Students, as the University's primary conduct officer, will not have a vote on the Title IX Appeal Board.

#### *Consideration of Appeal*

The appeal board (or Appeal Officer, if no appeal board has been appointed):

- Will **not** rehear the case, but will consider whether it is more likely than not that the above-listed grounds for appeal have been satisfied.
- Will review the appeal, the investigation report, and consider any previously undiscovered evidence (if discovery of new evidence is a ground for appeal).
- May choose to meet with the parties and consider other additional information, in its (or his or her) sole discretion.

If an appeal board is used, the appeal board will provide the appropriate Appeal Officer with a written report of its findings of whether the above-listed grounds for appeal have been satisfied and, if so, a recommendation as to whether Brescia should remand the matter or take any different or additional action than was originally determined. Such report shall be provided to the Appeal Officer no later

than fifteen (15) calendar days following submission of the appeal, provided that the Appeal Officer may shorten this timeframe depending on the overall timing of the response and resolution process.

The Appeal Officer will give careful consideration to the recommendation of the appeal board, but shall not be bound by it. Within ten (10) working days following receipt of the appeal board's findings and recommendations, the designated Appeal Officer will notify the Complainant and Respondent in writing of the appeal board's findings and recommendation and the final disposition of the appeal. This timing is subject to the overall timing of the response and resolution process; earlier notice may be required depending on the length of the overall process if shortening the timeframe is deemed to be fair to both parties. The Appeal Officer will discuss any such timing considerations with the Title IX Coordinator.

If no appeal board is used, the Appeal Officer will issue a written decision stating the Appeal Officer's findings and the final disposition of the appeal within ten (10) working days following receipt of the appeal.

The Appeal Officer also will notify appropriate Brescia administrators, faculty, and staff members of the outcome on a need-to-know basis.

### **No Further Appeal**

Appeals arising out of alleged violations of the policy must be made under this appeal process and are not eligible for consideration under faculty, staff or student grievance policies or processes. The President, however, has discretion to modify a decision in exceptional circumstances.

### **RESOURCES FOR MEDICAL, COUNSELING, AND PASTORAL CARE**

It is especially important for students who have been sexually assaulted to seek immediate and appropriate medical treatment. Owensboro Health Regional Hospital has a specially trained sexual assault team available 24 hours a day, seven days a week. Emergency Department staff may ask if the student wishes to speak to the police; this decision is up to the student.

Brescia's Counseling Service is staffed by a trained professional who can provide specialized support and assistance to students who have been assaulted. Current students may seek counseling at any time, whether it is days, months, or years after the incident. The confidential services of Counseling are available to the student who was assaulted and her or his friends who may need support in assisting the student. Counseling Services can be reached at 270-686-4282.

There are several community based resources available for students who are victims of sexual misconduct, sexual assault, or relationship violence. Students may contact:

- **New Beginnings:** Sexual Assault Support Services 270-926-7273 or 1-800-226-7273
- **OASIS:** Domestic violence and Substance Abuse Treatment 270-685-0260 or 1-800-882-2873
- **Albion Fellows Bacon Center:** Domestic Violence and Sexual Abuse Shelter 1-800-339-7752 or the Domestic Abuse Crisis Line 812-422-5622 or the Sexual Assault Crisis Line 812-424-7273
- **24 hour Crisis & Information:** 270-684-9466 or 1-800-433-7291

The on-campus resources listed above are available to all Brescia students including accused students and witnesses in sexual misconduct and sexual assault cases.

### **RECORDKEEPING**

The Title IX Coordinator is responsible for maintaining the official Brescia records of sexual misconduct Assertions and Complaints. When an Assertion or Complaint is pending, each official having a role in the response and resolution process is responsible for handling records appropriate to his or her role. When the process is complete, the official records relating to the Complaint or Assertion will be provided to the Title IX Coordinator, who will maintain such records in accordance with Brescia record retention requirements and applicable law. The official records include:

1. In cases where the informal process is requested by the Complainant, (a) a summary of the Assertion of sexual misconduct and request for resolution via an informal process, (b) a summary of the Title IX Coordinator's and Deputy Coordinator's analysis of whether a formal or informal

- process should be followed; and (c) a summary of the process used and responsive action taken by Brescia;
2. In cases where the formal process is used, a copy of the Complaint;
  3. A description of any interim action taken and copies of correspondence from Brescia to the Complainant and Respondent relating to the interim action.
  4. A copy of any Clery Act report submitted by the Deputy Coordinator;
  5. Record indicating that the Deputy Coordinator and/or SARC(s) met with the Complainant and/or Respondent and the issues covered;
  6. Copies of any notices or summaries given to the Complainant and/or Respondent;
  7. The investigation report and accompanying documentation relied upon by the Investigator(s) in reaching conclusions;
  8. Copies of statements provided by the parties or witnesses;
  9. Documentation indicating the decision reached and sanctions imposed;
  10. Copies of the notice of outcome provided to the parties;
  11. Appeal statement, if any;
  12. Documentation demonstrating appointment of appeal board, if applicable;
  13. Report of appeal board, if applicable;
  14. Decision of Appeal Officer and copies of notices sent to parties regarding appeal, if applicable; and
  15. A timeline of communication with the parties.

Each official having a role in the response and resolution process may elect to send additional records to the Title IX Coordinator depending on the particular facts and circumstances. Personal notes of officials involved in the response and resolution process generally will be maintained in the sole possession of the official who took the notes according to the official's normal recordkeeping practices, any applicable Brescia record retention requirements and applicable law.

Records related to sexual misconduct Assertions and Complaints will be treated as confidential and shared only on a need-to-know basis or as required by law.

## **STUDENT CONDUCT PROCESS**

### **THE STUDENT CONDUCT PHILOSOPHY**

The philosophy of student conduct at Brescia University is based upon Catholic and Ursuline tradition. In keeping with the Ursuline philosophy of educating the "whole person," moral and ethical developments are important considerations in student conduct matters. There is an emphasis on helping students discern an appropriate balance between individual freedom and their responsibilities to God and to the University community. There is also an emphasis placed on developing an appreciation among students for Christian and Catholic moral principles. This approach is often counter-cultural to popular secular culture which advocates relativistic moral decision-making, leaving it up to the individual to decide what is right and wrong according to individual preferences and circumstances.

The University is sensitive to the developmental context and educational value of student conduct processes. When students fall short in their responsibility to abide by the policies and regulations of the University, the University has a responsibility to intervene. The goals of intervention are: a) to provide opportunities for students to learn and to develop morally and ethically; b) to protect the safety and rights of other members of the University community; c) to confront destructive and inappropriate behavior; and d) to promote reconciliation by assisting the offender to restore goodwill with individuals and the University community as a whole. To the extent possible, those responsible for administration of student conduct will address these situations by utilizing the teaching and learning opportunities inherent in the situation.

## **DIFFERENCES BETWEEN THE STUDENT CONDUCT PROCESS AND THE LEGAL SYSTEM**

It is important for students to be aware of the differences between the judicial system on one hand, and Brescia University's Student Code of Conduct and the Student Conduct Process on the other.

Generally speaking, the courts have been reluctant to interfere in student conduct cases because of the recognition that student conduct processes are closely associated with the educational mission of colleges and universities. This is especially true in the case of private colleges and universities with a religious affiliation where the student conduct system is also a part of the moral and religious mission of the university.

Again, generally speaking, the primary legal requirement for the maintenance of a valid and legally enforceable student conduct policy is that the University's student conduct processes must be consistent with the legal standards for due process. In part, this means that the University has the responsibility to make information about its student policies and student conduct procedures available to all students, and in turn, disciplinary officers at the University are responsible for implementing and enforcing the procedures in the most consistent and fair manner possible.

The Student Code of Conduct is not intended to be an all-encompassing legal code that addresses all eventualities for student conduct. The fundamental principle of the standards is the expectation that students will strive to conduct themselves in a manner where there is an appropriate balance between freedom and responsibility to God, others, the University community and self. Therefore, unlike a legal statute, students are responsible to the University for their conduct even when the exact behavior in question is not specifically identified in the Student Code of Conduct, but is instead implied in the University's values and general standards for conduct. Responsibility for appropriate conduct, whether on or off-campus, falls on all students who are ambassadors of Brescia University.

Similarly, the Student Conduct Process is not intended to be a court of law. In a criminal court, the legal standard for determining guilt or innocence often hinges on a prosecutor proving guilt "beyond a reasonable doubt." That kind of exacting burden of proof is well beyond the capabilities of any university conduct system. For that reason, the standard of determining responsibility for an alleged violation of the University's Student Code of Conduct is based on the "preponderance of the evidence." In other words, if after a review of the available evidence it appears to the University that it is more likely than not that a violation of University policy occurred, the student may be disciplined for an infraction of policy. A preponderance of the evidence is based on the more convincing evidence that is presented, and its probable truth or accuracy, and not on the sheer amount of evidence that is presented by any party.

Other important differences between the Student Conduct Process and the legal system include, but are not limited to, the following: a) there is no right to a public trial heard by a jury; b) there is no right to be represented by an attorney at conduct conferences, hearings or other disciplinary related proceedings; c) there is no right to cross examine witnesses, and in some cases at the discretion of the Dean of Students, there is no right to know the identity of those making allegations against you; and d) due to the confidential nature of student conduct processes, media and other public coverage off all kinds is prohibited.

Violations of the Student Code of Conduct are normally addressed in an individual conduct hearing between the student and the appropriate University conduct officer. The Student Conduct Process is confidential. Only individuals actually involved in the hearing may participate. Students are afforded the opportunity to have a consultant present for the purposes of providing support, although the consultant is not permitted to participate in the hearing or conference in any manner whatsoever. All those in attendance are prohibited from discussing the proceedings with the media and all media or other public coverage of the proceedings is strictly prohibited.

### **APPLICATION OF THE STUDENT CONDUCT SYSTEM**

Brescia University's Student Conduct Process described herein applies to all enrolled Brescia University students (undergraduate or graduate) who by the act of enrollment are responsible to be

familiar with its content and abide by its policies, regulations and processes.

## **PRESIDENTIAL AUTHORITY CONCERNING STUDENT CONDUCT**

***Nothing contained in this handbook shall limit the authority of the President of the University to administer discipline of all forms, including expulsion, to any student who has acted in a manner contrary to the rules and regulations of the University.***

## **STUDENT ELIGIBILITY TO PARTICIPATE IN EXTRA-CURRICULAR ACTIVITIES**

At Brescia University, eligibility to participate in extra-curricular activities is a privilege given to a student based upon whether or not the student has successfully met all the criteria for participation established by the University. Extra-curricular activities include intramurals, intercollegiate athletics, all performances sponsored by the University's music and theater department, student clubs and organizations and all activities sponsored by the Office of Student Affairs. To be eligible to participate in extracurricular activities students must successfully meet all of the following criteria:

- The individual must be enrolled as a student at Brescia University (part or full-time);
- The student must be in good standing with the University with regard to all student conduct policies; and
- In addition to the criteria listed here, the student must also meet any additional eligibility requirements criteria required by the specific extra-curricular program in which they wish to participate.

Pursuant to the University's Emergency Suspension Policy (published in this section of the Student Handbook), the University reserves the right to immediately suspend the eligibility of any student to participate in extra-curricular activities when, at the sole discretion of the University, the student is determined to be a danger to others, or has been charged in criminal court with a felony or other crime considered to be contrary to the University's values and/or who is the subject of an internal University investigation into a serious violation of University policy.

## **INVESTIGATION OF ALLEGED STUDENT MISCONDUCT**

Except in those cases involving a violation of a University policy where the special conduct grievance process is utilized (e.g. the sexual misconduct policy, discrimination and harassment policy, and/or retaliation policy), the Dean of Students, and/or his/her designee are responsible to provide oversight for the investigation of all student conduct cases.

Any member of the University community may file charges against a student for misconduct. Charges shall be prepared in writing and directed to the Dean of Students, or designee. Any charges should be submitted as soon as possible after the event.

The Dean of Students, and/or his/her designee, may conduct an investigation to determine if the charges have merit or if they can be disposed of by mutual consent of the parties involved, on a basis acceptable to the Dean of Students. Such disposition shall be final and there will be no subsequent proceedings. If the matter cannot be disposed of by mutual consent, the Dean of Students and/or his/her designee, who may later serve as the ex officio, nonvoting, member of the Student Conduct Board.

As part of an investigation, the investigators are authorized to require any student believed to be knowledgeable about the alleged incident to submit him/her to appear for mandatory questioning, and multiple appearances may be requested and required. Students interviewed during the course of an investigation may be required to provide a written statement. Interviews may be recorded. The Dean of Students may appoint or enlist any University official to assist with an investigation. Any student who refuses to be interviewed, makes false statements, provides misleading information or otherwise withholds information or willfully hinders the University's investigation will be subject to conduct sanctions.

The Dean of Students may interview University employees and members of the public who may have information pertinent to the investigation. In the case where it appears that a criminal violation may have taken place, the Dean of Students may make a report to appropriate law enforcement officials.

Investigative reports by legal authorities and legal records related the conduct at issue may be utilized in the University's investigation.

Notwithstanding an investigation of the student by law enforcement officials, Brescia University reserves the right to pursue internal action that is independent of the outcome of any legal proceedings (whether civil or criminal). There is no time limit imposed upon Dean of Students to complete his/her investigation, and there is no statute of limitations. Investigations remain open for as long as necessary and students may be held responsible for their actions at any time.

## **DETERMINATIONS IN MATTERS INVOLVING MISCONDUCT**

When the Dean of Students and/or his/her appointees concludes the University's investigation, one of two determinations will be made:

- If there is insufficient evidence to support the allegations, the charges against the student are dismissed. Both the accused and the individuals making the allegations will be notified of the outcome to the extent provided by the Family Educational Records and Privacy Act ("FERPA").
- If the investigator determines that the evidence supports the allegations made against the student, he or she will give formal notice to the accused student that he or she has been found responsible for a violation of University policy.

Notices of determinations will be delivered to the student's University assigned e-mail account, or determination may be settled during an administrative investigation hearing in which the student is present. It is the responsibility of the student to check his/her University e-mail account regularly. The assigned conduct officer is under no obligation to grant extensions for appeals if the student has not checked his/her account on a timely basis. Once notified of the determination, the student must exercise one of the following options:

1. If the accused student accepts the determination of the assigned conduct officer, he/she is required to schedule a conduct hearing with the assigned conduct officer within three (3) business days.
  - a. At the hearing, the Dean of Students or his/her designee will meet with the student for the purpose of determining appropriate restitution and/or conduct sanctions. Generally, when a student elects to accept responsibility for a violation in this manner, sanctions will be reflective of this demonstration of responsibility.
  - b. The person making the allegations against the student will be notified of the outcome to the extent provided by FERPA.
  - c. Students who schedule a conduct hearing and fail to attend will be sanctioned by the Dean of Students and forfeit any right to appeal.
2. If the accused student wishes to contest the determination of the conduct officer, he or she must give notice to the Office of Student Affairs within three (3) business days of notice of determination.
  - a. Such notice shall be in writing on the form provided by the University for that purpose.
  - b. At the time the notice is turned in at the Office of Student Affairs, a hearing with the Student Conduct Board will be scheduled.
  - c. The complainant(s) will also be notified of the hearing and be given the option to appear at the hearing.
3. If the accused student does not schedule a conduct hearing with the assigned conduct officer, or request a hearing with Student Conduct Board, then within three (3) business days, the Dean of Students and/or his/her will administer an appropriate conduct sanction to the student and the student shall forfeit any right to further appeal in the matter.

## **DESCRIPTION OF THE STUDENT CONDUCT BOARD**

The Dean of Students has the option of summoning the Student Conduct Board to hear a case, to

consider an appeal and/or to render recommendations for sanctions. The board shall meet as necessary. If an appeal is submitted at a time when the Student Conduct Board is not available (e.g. during the summer months) the Dean of Students will consider the appeal and his/her determination will be final.

- If the Dean of Students calls the Student Conduct Board to render recommendations for sanctions, the Board's decisions will be presented to either the Dean of Students and/or his/her designee. The Dean of Students and/or his/her designee, may decide to apply the recommended sanctions or may amend them, and will then communicate the decision to the student.
- If the Dean of Students calls the Student Conduct Board to serve as a hearing body, their decision is communicated to the student by the Dean of Students and/or his/her designee, and any appeal may be made to the Dean of Students in writing within three (3) business days of the date on the sanction letter. The Appeals Process of this handbook will then be initiated.

## **STUDENT CONDUCT BOARD MEMBERSHIP**

Membership of this Board is appointed to serve by the Dean of Students and includes:

- A member of the Student Welfare Committee who serves as Chair of this Board (chosen by SWC). In the event a SWC member cannot serve, the Dean of Students will select an alternative faculty member;
- A University staff member;
- One (1) student appointed by the Student Government Association, preferably a Senator, but in cases where a Senator is not available, a currently enrolled Brescia student will serve;
- One (1) student representative from the Student Welfare Committee; and
- The Parliamentarian of the Student Government Association.

The Dean of Students shall serve as the advisor to the board. Responsibilities of the advisor are:

- To provide orientation and training for board members;
- To serve as a resource to the chair of the board and other board members in regard to procedural questions during meetings and hearings; and
- To record the minutes of board meetings and hearings.

The term of membership on the board is one academic year, with the start date coinciding as much as possible with the beginning of the academic year, and closing at the end of the academic year in the spring.

The Parliamentarian of the SGA will provide the Dean of Students a list of SGA Senators and/or Brescia students willing to serve on the Student Conduct Board.

Vacancies on the board during the course of the academic year will be filled as soon as possible. In the event a Board member removes him/herself from a hearing due to conflict of interest, the chair will coordinate with the Dean of Students to appoint a replacement. Board members may be reappointed to serve on the board in subsequent years.

The chair of the board shall be a voting member and responsible for ensuring that the proper protocol for hearings is followed.

## **THE PROTOCOL FOR HEARINGS BEFORE THE STUDENT CONDUCT BOARD**

The Dean of Students or his/her designee is responsible along with the board chair to ensure that the following protocol is adhered to prior to and during all hearings:

- The chair of the board coordinates the hearing schedule with the Dean of Students.
- A quorum of three is necessary for the board to conduct a hearing.
- A board member with any conflicts of interest in relation to a case (e.g. a personal relationship with any party involved in the hearing) before the board is ethically bound to disqualify him/herself from hearing the case.
- All hearings of the board shall be conducted in private and are closed to the media.

- All board members are bound by the requirements of FERPA, and will be required to sign a confidentiality agreement that prohibits them from disclosing confidential student records or the proceedings of the hearing to anyone as stipulated by FERPA. The agreement also includes the provision that board members are prohibited from discussing the proceedings with any member of the media including Brescia University student press.
- Only members of the board, the advisor, the Dean of Students and/or his/her designee, the accused student(s), the complainant(s), witnesses, and support person may attend a board hearing. In some cases when complainants and or witnesses have been offered confidentiality by the Dean of Students, the board is obligated to restrict the appearance of those in attendance to separate times.
- The advisor of the board shall record the minutes of all board meetings and hearings. Proceedings of the hearing may be audio recorded by the advisor with the exception of the board's private deliberations. Board members are not allowed to remove any of the records of the hearing from the room. At the conclusion of the hearing, the advisor will attach a copy of the minutes to the evidence presented in the hearing and a copy of the board's determination in the case. The minutes, tape and evidence are the property of the University and will be maintained by the Dean of Students.
- Each of those accused as well as each of complainant(s) may elect to have one person present for support at the hearing, provided written notification is given to the Dean of Students at least twenty four (24) hours prior to the hearing. The support person can be a parent, guardian, academic advisor, or an attorney. The role of the support person is to provide support only. He or she is prohibited from addressing the board or participating in the hearing in any manner whatsoever. The support person may be asked to leave the hearing if they attempt to address the board. The University reserves the right to have legal counsel present at all hearings who may participate in the proceedings by providing legal counsel and advice to the board.
- If the accused student fails to attend a scheduled hearing without valid excuse (as determined in the sole discretion of the board), the board shall make a decision based upon the information available, and the individual missing the hearing forfeits the right to a new hearing and any further appeal in the matter.
- In the case where there is more than one student accused with the same offense associated with a single incident, the board may elect to hear the cases separately or as a group.
- The Dean of Students or his/her designee shall present the findings of the University's investigation of the matter in question to the committee. The University's evidence shall be provided in the form of a written summary prepared by the Dean of Students, or his/her designee, outlining the charges and all evidence gathered in the investigation.
- The Dean of Students will also include a summary describing the conduct status of the accused, including any previous written warnings and previous actions of the Student Conduct Board against the student, and any other prior violations of University policy. The Dean of Students or his/her designee shall be allowed a specific amount of time (normally not more than 5-10 minutes, but the time can be extended at the discretion of the board) to verbally summarize the information presented.
- Similarly, the student charged with a violation shall present his or her evidence refuting the allegations, also in the form of a written summary. The accused student shall be afforded the same time period provided to the Dean of Students to verbally summarize the information for the board.
- In order to be considered by the board, all statements made by witnesses must be eyewitness accounts to circumstances under question (i.e. not hearsay), and all testimony of witnesses must be signed by the witness. The testimony of any witnesses must include information about the witness' employment status, official responsibilities pertinent to the case, relationship with the accused if any and other information regarding any potential conflict of interest.
- Statements from witnesses, as well as testimony in the form of character witnesses or expert witnesses based on hearsay are not permissible. It is useful, but not a requirement, for witnesses to be available at the time of the hearing to answer questions of the board. Board members have

the option of questioning witnesses but it is not required. Witnesses who are present will be required to wait outside the room where the board meets until such time that they are called by the board. When the board has completed questioning a witness that witness will be dismissed from the room. Neither party will be permitted to cross-examine the testimony of any witness. Unless there are questions from the board for a particular witness, the witness will not be called upon to testify.

- Once the board has reviewed the materials presented and questioned witnesses (if this option is exercised), board members may question the accused or the Dean of Students and/or his/her designee.
- All procedural questions are subject to the final decision of the board advisor.
- When the board has completed its questions of the participants in the hearing, the participants are excused to allow the board opportunity to deliberate in closed session. The board is charged with the responsibility to determine whether or not the individual is responsible for a violation of Brescia University's Student Code of Conduct, and if so, to recommend what conduct sanctions should be administered.

The board has three options:

1. To dismiss all charges against the accused;
2. To concur with the finding of the Dean of Students and/or his/her; or
3. To determine the accused is responsible for violations other than those determined by the Dean of Students and/or his/her designee.

While meeting in closed session, the board shall consider only that evidence which has been presented in the hearing, and shall determine whether the accused is in violation of the University's policies. The board shall make its determination using the aforementioned "preponderance of the evidence" standard. Under this standard, if the available evidence supporting the allegation is determined to be adequate to make a reasonable conclusion of responsibility (what most likely occurred), the student should be found responsible and appropriate sanctions should be applied.

- At an appropriate time, the chair of the board shall call for a vote of the board in order to make a determination. The first vote may be done by a show of hands on the questions before the board. In the case of a tie, further deliberations will be allowed and a secret vote shall follow. If the second vote results in a tie, the case will be referred to the Dean of Students for resolution without recommendation.
- Once the board has come to a determination of responsibility, it will then make recommendations of sanctions to be applied.
- All determinations of the Student Conduct Board are to be signed by the board members present. The accused, complainant(s) and the Dean of Students (and/or his /her designees) are informed of the determination(s) to the extent provided by FERPA.
- When the Student Conduct Board is unable to make a determination in a case because of the inability to achieve a quorum or when the vote remains deadlocked, the determination in the matter will be made by the Dean of Students. The decision of the Dean of Students in these cases is final with the exception of those cases resulting in expulsion where a final appeal may be made to the President of the University. Appeals must be made in writing and received in the President's office within three (3) business days. The decision on an appeal to the President will be made by the President without any further hearing or appeal, and will be based solely on the record submitted at the board hearing.

## **THE RIGHT TO APPEAL CONDUCT OFFICER/BODY**

Students have the right to appeal hearing decisions. Requests for appeals must be made in writing/email within three (3) business days of the date on the sanction notification. After consideration, the Student Conduct Board Chair and/or Appeals Board Chair may request that the original hearing officer review and consider the new evidence, or the appellate body (defined below and determined

by the nature of the original hearing) may choose to review and either uphold or revise the original decision. The decision of the original hearing officer (the Dean of Students and/or his/her designee) will be upheld on appeal if the decision is supported by a preponderance of the evidence. All matters of credibility are in the sole province of the person or persons hearing the case and are not a basis for appeal.

Students wishing to appeal must complete an Appeal Request Cover Sheet and state their grounds for appeal. Guidelines are provided to students to assist them in composing their appeal.

If the appeal is dismissed, the student is bound by the original decision and sanctions levied. If an appeal is not dismissed, and the Student Conduct Board and/or the Appeals Board has the authority to **uphold** the original decision, **increase** the original sanctions, **decrease** the original sanctions, or **drop** the case. Decisions by the appellate officer/board represent the final level of appeal. Alleged victims of reported incidents are not permitted to appeal judicial outcomes as they relate to the alleged perpetrator unless permitted by law.

The following information details the usual assignment of hearing officers, but a different hearing officer may be appointed at the discretion of the Dean of Students.

- The Director of Residence Life normally hears conduct cases related to areas of the Student Code of Conduct related to residence life, unless he/she is directly involved in the case.
- The Dean of Students normally hears all cases referred by the Director of Residence Life, and/or all other alleged violations of the Student Code of Conduct.
- The accused student has the option of requesting the Student Conduct Board to hear a case within three (3) business days of the initial conduct hearing.
- The Dean of Students has the option of summoning the Student Conduct Board to hear a case, to consider an appeal and/or to render recommendations for sanctions.
- If the Dean of Students calls the Student Conduct Board to serve as a hearing body, their decision is communicated to the student by the Dean of Students and/or his/her designee and any appeal may be made to the Dean of Students in writing within three (3) business days of the date on the sanction notification.
- If the original hearing officer for the case is the Dean of Students and/or his/her designee, then the appeal may be made to the Student Conduct Board (by way of the board chair, which may be submitted to the Dean of Students) in writing within three (3) business days of the date on the sanction notification.
- If the original hearing body is the Student Conduct Board, then the appeal may be made to the Appeals Board (by way of the Dean of Students) in writing within three (3) business days of the date of sanction notification.

## **APPEAL PROCESS**

Following an initial review, the accused student may file a written appeal within three (3) working days of receipt of the determination of the initial conduct hearing. The primary documents reviewed by the appeals officer/board are:

- The written decision and supporting documentation from the initial Conduct Hearing;
- The Appeal Request Cover Sheet (must be submitted for appeal to be reviewed); and
- The written appeal and any supporting documentation.

A written appeal should state clearly and specifically what change(s) the appellate officer/board is being asked to make. It is important to provide a supporting rationale for the requested change(s). That is, the written appeal must persuade the reviewer(s) that the proposed modification(s) will result in a better decision than that made in the initial conduct hearing.

After the appeal is submitted, the student may be invited to meet with the appellate officer/board. While a meeting is not required, students can use this opportunity to expand on the information submitted in the written appeal. It is important to note that the written document will be the primary

basis for the decision rendered by the appellate officer and should therefore be clear and complete. Appeals are based on one (1) or more specified grounds. Consequently, the written appeal should present compelling arguments that support the grounds for appeal. Note: **the appeal is not a re-hearing of the case**, therefore it is important to focus on the point of the appeal and its grounds.

The appellant should remember that it is his/her burden to convince the appellate officer/board that the decision from the initial review should be modified. Toward that end, the appellant should be sure to address the main points made in the original written decision.

If supporting documentation is provided, an explanation of its importance should be provided in the written appeal. Documents already in the conduct file need not be resubmitted, but should be referenced if they contribute directly to the rationale stated in the appeal.

The Chair of the Student Conduct Board and/or the Appeals Board will determine whether the accused student's appeal is valid, and then take appropriate action. If the Appeal is deemed not valid, the student will be notified within three (3) business days of receipt and the Appeals process ends.

If the Appeal is deemed valid, the Chair of the Student Conduct Board and/or the Appeals Board will distribute, via Brescia email, the Written Appeal to appropriate Board members within three (3) business days of receipt. Board members may request to read through the accused student's Conduct File, but must adhere to University FERPA policies. The Chair or of Board may request to interview the accused student, who must comply with timelines provided by the Chair. Note that the Board is not required to interview the accused student. Board members will respond, via Brescia email, within three (3) days of receipt, their response to the Chair, who will then notify the Dean of Students and the accused student. The entirety of the process may take place via email. All decisions of the respective appellate board are final.

The makeup of the Appeal Board will be determined by the Dean of Students, though the Appeal Board will mirror the Student Conduct Board in structure: one faculty member, one staff member, and three students, one of whom is an SGA Executive Officer. The faculty member will serve as the chair of the Appeal Board.

## **HEARING BY THE VICE PRESIDENT FOR ACADEMIC AFFAIRS**

In matters of purely academic concern, as opposed to those involving student behaviors, the Vice President for Academic Affairs, and/or his/her designee will assume jurisdiction. Such violations include, but are not limited to, academic cheating, plagiarism, or interference with academic process. The Vice President for Academic Affairs holds the due process information related to academic concerns.

## **EMERGENCY SUSPENSION**

The University reserves the right to immediately suspend any student on an emergency basis when:

- The student is believed by University officials to be a danger to others;
- A complaint or information is provided to the University providing credible information to suggest the student has engaged in conduct representing a flagrant disregard for the safety or dignity of others and/or the University's mission and values; or
- A student is charged with a felony or another serious crime by federal, state or local law enforcement authorities.

In such cases, the Dean of Students has the authority to immediately suspend the student. The extent of the suspension will reflect the gravity of the circumstances and may adversely impact any of the following:

- Eligibility to participate in extra-curricular activities;
- Eligibility to live in or be present in on-campus student residences;
- Eligibility to participate in specific University events or activities;
- Eligibility to use certain University facilities;
- Eligibility to attend specific classes; or

- Full suspension as a student from the University which may include suspension of the student's eligibility to be present on campus at any time during the suspension.

All suspensions executed by Dean of Students will indicate a duration of time for the suspension to last (although indefinite suspensions are allowed where facts and circumstances dictate), and may also be based upon a certain condition or set of conditions being satisfied, as judged by the University in its sole discretion.

Emergency suspensions made by the Dean of Students may be appealed to the President of the University. All appeals must be in writing and received in the President's office within three (3) business days from the time of the suspension. Any subsequent decision by the President will be final and binding on the student.

## **VIOLATIONS OF THE STUDENT CODE OF CONDUCT**

*The listing below consists of the most common violations of the Student Code of Conduct. This list is intended to serve as a quick reference for students, staff, and faculty. This list is not intended to serve as an exhaustive inventory of all student conduct violations. Some of the violations listed below are explained in greater detail elsewhere in this handbook. Students are advised to reference the entirety of this handbook for further explanation of student conduct standards at Brescia University.*

Violations for which the maximum sanction may be college expulsion:

1. Violation of written University Policy or regulations contained in any official publication or administrative announcement of Brescia University;
2. Interference with the academic process or operations of the college;
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the health or safety of any person (See the Harassment section of this handbook for more information);
4. Furnishing false information to the University with intent to deceive, or to the University or any member of the University community with intent to defraud;
5. Forgery, alteration, or misuse of University documents or records;
6. Theft, vandalism or property damage (See the Stealing and Property Damage sections of this handbook for more information);
7. Willful or negligent actions which endanger the health and safety of one's self or other persons;
8. Sale, use, distribution, manufacture, dispensing or possession of illegal drugs and drug paraphernalia (See the Alcohol and Drugs section of this handbook for more information);
9. Use or possession of explosives, firecrackers, smoke bombs, firearms or explosive materials on campus property (See the Fire Safety section of this handbook for more information);
10. Abuse of the University Student Conduct System, including but not limited to:
  - a. Failure to obey the summons of a student conduct body or University official;
  - b. Falsification, distortion, or misrepresentation of information before a student conduct board;
  - c. Disruption of interference with the orderly conduct of a student conduct proceeding;
  - d. Institution of a student conduct hearing knowingly without cause;
  - e. Attempt to discourage an individual's proper participation in, or use of, the student conduct system;
  - f. Attempting to influence the impartiality of a member of a student conduct board prior to, and/or during the course of, the student conduct proceeding;
  - g. Harassment (verbal or physical) and/or intimidation of a member of a student conduct board prior to, during, and/or after a student conduct hearing;

- h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct; or
  - i. Influencing or attempting to influence another person to commit an abuse of the student conduct system.
11. Harassment (See the Harassment section of this handbook for more information);
  12. Failure to abide by University policy on vehicle usage or obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored functions;
  13. Misuse of the University computer system, including but not limited to:
    - a. Unauthorized entry into a file, to use, read, or change the contents, or for any purpose;
    - b. Unauthorized transfer of a file;
    - c. Unauthorized use of another individual's identification and password;
    - d. Use of computing facilities to interfere with work of another student, faculty member, or University official;
    - e. Use of computing facilities to send obscene or abusive message or other messages prohibited by the University's policy on electronic mail;
    - f. Use of the computing facilities to interfere with normal operation of the University computing system; or
    - g. Failure to comply with the University's policies regarding the use of the internet and email system.
  14. Behavior that would constitute a violation of local, state, or federal law on University property or off campus when such behavior has a substantial adverse effect upon the University or upon individual members of the University community (See the Student Responsibility section of this handbook for more information);
  15. Unauthorized possession, duplication, or use of keys to any University premises or unauthorized entry to or use of University premises;
  16. Public intoxication, use, possession or distribution of alcoholic beverages except as permitted by Kentucky law and University regulations (See the Alcohol and Drugs section of this handbook for more information);
  17. Failure to comply with the direction of a University official or law enforcement acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so;
  18. Misuse of or tampering with the fire alarm systems, fire extinguishers, or other security equipment (See the Fire Safety section of this handbook for more information);
  19. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by the University;
  20. Unlawful entry into University-owned property or University-leased property;
  21. Consumption of alcoholic beverages on campus except as permitted by University policy and Commonwealth law (See the Alcohol and Drugs section of this handbook for more information); or
  22. Failure to abide by the rules, regulations, policies and directions relating to on-campus housing (See the Residence Life section of this handbook for more information).

## **SANCTIONS**

When it has been determined that a student was involved in violating a policy, a sanction or combination of sanctions is imposed. Sanctions give students an opportunity to grow, to become a better member of the community, and to be held accountable for their actions. Students who fail to comply with sanctions levied for violations of University policy may also receive additional sanctions and/or

loss of privileges. At the end of the semester or upon graduation, any unfulfilled sanction obligations will be converted to monetary fines determined by the Dean of Students.

## **SANCTIONS AND DISCIPLINARY STATUS**

The conduct officer or Student Conduct Board determines and issues sanctions, giving consideration to the following:

- The seriousness/severity of the incident;
- The student's understanding of his/her responsibility/involvement;
- The rights of others in the community;
- The disciplinary record of the person(s) involved; and/or
- Any special/mitigating circumstances.

Sanctions imposed for violating the Brescia University Code of Conduct include but are not limited to the following:

### **DISCIPLINARY WARNING**

- The student is given written or verbal warning that further misconduct will result in more severe disciplinary action.

### **EDUCATIONAL/DEVELOPMENTAL**

- The student is required to attend a program or counseling sessions; complete an online course; write an apology, paper or report; meet with a University official; and/or design a poster or bulletin board or other related activities.

### **WORK ASSIGNMENT**

- The student is required to participate in a prescribed number of work assignment hours with the Brescia University or general community.
- The type of work, location, and number of hours depend on the violation.
- The conduct officer has the discretion to assign work assignment hours in lieu of fines.

### **RESTITUTION**

- The student is required to make payment to the University, or to persons or groups, for damages incurred.
- The amount of the damages will be billed directly to the student's account.

### **FINES**

- Fines are assessed for various infractions and will be placed directly on the student's business account.
- The conduct officer has the discretion to assign fines in lieu of work assignment hours.

### **RELOCATION**

- The student may be required to move to another room, floor or residence hall.

### **LOSS/LIMITATION OF PRIVILEGES**

- The student will lose residence hall and/or University privileges for a temporary or permanent period of time (e.g., loss of visitation privileges, loss of privilege to attend campus student activities, loss of privilege to participate on an athletic team, loss of lottery status for residence hall placement for the following year, being barred from residing in or entering a particular residence hall for a period of time, etc.).

### **NO CONTACT**

- The student will be prevented from addressing or communicating with particular parties and/or individuals.

## **RESIDENCE HALL PROBATION**

- The student will be placed on Residence Hall Probation; if found responsible for another residential or University violation, then the student may be removed from the residence halls either for a period of time (suspension) or permanently (expulsion).

## **UNIVERSITY PROBATION**

- The student will be placed on University Probation; if found responsible for another residential or University violation, then the student may be removed from the University either for a period of time (suspension) or permanently (expulsion).
- A student may also be banned from the residence halls while on University Probation.

## **CLASS ONLY PROBATION**

- The student will be placed on Class Only Probation, if found responsible for another University violation, the student may then be removed from the University either for a period of time (suspension) or permanently (expulsion).
- While on Class Only Probation a student may not represent the University in any public way without approval from the Dean of Students.
- A student on Class Only Probation may be present on campus only to attend class. Other campus presence and involvement must be approved by the Dean of Students.

## **DISMISSAL FROM THE RESIDENCE HALLS**

- The student is dismissed from the residence halls and must leave the residence halls within the period of time designated.
- The student may apply to the Director of Residence Life and/or the Dean of Students to re-enter the residence halls after the period of dismissal has expired.
- Dismissal from the residence halls automatically bans the student from entering the residence halls.
- Any entrance to or attempt to enter the residence halls after dismissal will be viewed as trespassing and charges may be pressed against the individual.
- Students dismissed from the residence halls are not entitled to any refund for room and board.

## **DISMISSAL FROM THE UNIVERSITY**

- The student is dismissed from the University either for a period of time (suspension) or permanently (expulsion).
- Suspension requires that if the student wishes to return to the University after the period of suspension then he/she must articulate in writing to the Dean of Students the student's intent to return and why the request should be granted.
- Dismissal from the University will also result in being banned from campus either for the period of suspension or permanently in the case of expulsion.
- Cases of expulsion result in permanent separation from the University.
- Expelled students are not entitled to any refunds from the University.

Note: More than one sanction may be imposed for any single violation. Other than expulsion, conduct sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential conduct record. Upon graduation, the student's confidential conduct record may be expunged of disciplinary action other than residence hall expulsion, University expulsion or suspension, upon application to the Dean of Students. Cases involving the imposition of sanctions other than residence hall expulsion, University suspension or expulsion shall be expunged from the student's confidential record within five years after the final disposition of the case. All cases of suspension or expulsion shall be kept as permanent records in the student's confidential conduct record.

## BRESCIA VALUE ON SANCTIONS

Scripture Reference: *St. Luke 10:16*

*BU Charter of Values:* **Honesty:** We practice honesty when we are accountable, trustworthy, genuine, and unpretentious in our academic pursuits, personal activities, and relations with others.

## STUDENT GRIEVANCES

To support its commitment to equality and due process, Brescia University has established procedures for addressing student grievances. Students always maintain their right to seek legal recourse in public courts of law.

A grievance constitutes a formal complaint contesting the perceived injustice of a specific action or judgment imposed directly upon a student by a Brescia University official or an officially sponsored University organization.

NOTE: The Grievance Procedure is not an avenue for appealing student conduct sanctions. There is a separate procedure for appealing sanctions resulting from student conduct hearings.

Students may file grievances for:

**Academic Issues:** Regarding course grades or academic dishonesty;

**Administrative Issues:** Regarding application of college policies; decisions pertaining to Brescia's co-curricular program and decisions regarding student records, rights, financial matters, and campus employment; and

**Discrimination Issues:** Regarding unlawful discrimination in the areas of race, color, creed, national origin, gender, age, or disability or discrimination based on sexual orientation or marital status.

For grievances regarding **Academic Issues:**

**Grade Review:** A student who believes that s/he has received an unfair course grade may use the following procedure:

- 1) The student should bring the complaint before the instructor who gave the questionable grade.
- 2) If a student cannot communicate with the instructor or is dissatisfied with the meeting, s/he should bring the complaint to the Chairperson of the appropriate Division/School; if the Division/School Chairperson is the instructor in question, to the VPAA/Academic Dean.
- 3) If a student is not satisfied with the results of these steps, s/he may submit a formal written complaint to the VPAA/Academic Dean, who will consult all persons involved to determine the present status of the problem and then try to resolve the issue.
- 4) If all attempts to settle the dispute informally fail, the VPAA/Academic Dean will appoint a review board consisting of
  - a. three faculty members from outside the divisions/school in question, whose selection will be subject to approval of the student and the instructor involved; and
  - b. two students chosen by the Judicial Council of the Student Government Association, also subject to the approval of both parties.
- 5) The review board will select a chair for the proceedings from among the three faculty representatives, who will moderate the meetings of the group, vote only in case of a tie, and submit records of the proceedings to the VPAA/Academic Dean. [Curriculum and Standards Committee, 02/05/09]
- 6) This board will hear both sides of the issue, gather information needed, and vote on the appropriateness of the grade. A simple majority (one over half) will be required to approve/disapprove of the grade.
- 7) The board may use moral persuasion to have the grade changed. If the instructor refuses, the VPAA/Academic Dean, at the student's request, will place a memo detailing the resolution of the

grade dispute in the student's permanent file. The memo will be attached to the official transcript when the transcript is distributed if the student requests the attachment at that time.

- 8) The student has six weeks from the start of the following regular semester (fall/spring) in which to submit the formal written complaint to the VPAA/Academic Dean. The VPAA/Academic Dean should form the review board and meet within a four-week period after the student has made the request for a formal hearing. Students in traditional format and 16-week online classes have six weeks from the start of the following regular semester (fall/spring) in which to submit the formal written complaint to the VPAA/Academic Dean. Students in 8-week online classes have until the end of the 6th week of the following Fall/Spring Module to submit the formal written complaint to the VPAA. The VPAA/Academic Dean should form the Review Board and meet within a four-week period after the student has made the request for a formal hearing.

**Academic Dishonesty:** An instructor, who becomes aware of an act of deliberate academic dishonesty, including plagiarism, should report the student(s) involved to the Academic Dean and describe the disciplinary action proposed. (**Note: "Plagiarism" is defined as the deliberate use of another's ideas, work, or words as one's own, without properly documenting and crediting the original source.**) Purchasing or copying another's work and using it as your own are examples of academic dishonesty.

If the incident is particularly damaging to the University community, or if the proposed disciplinary action seems out of proportion to the gravity of the incident, the Academic Dean may interview the student(s) personally. After conferring with the faculty member, the Academic Dean will either support the proposed disciplinary action or recommend an alternative.

Academic dishonesty is so serious that a repeat offense may result in the Academic Dean's decision to suspend or dismiss the student.

Any student who feels that s/he has not had a fair hearing, or that the severity of the penalty is unwarranted, may appeal to the Academic Dean within ten (10) days for a hearing by an ad hoc board similar to that used for grade review appeals. (See Section 3.3.5. of the Faculty Handbook)

For grievances regarding **Administrative Issues:**

1. The student should approach the person s/he perceives to be responsible for the offense in order to work out a solution.
2. If the matter remains unresolved after seven (7) working days, the student may then bring the issue to the immediate supervisor of the person against whom the grievance is being made.
3. If the grievance remains unresolved after fifteen (15) working days, the student may ask in writing that the Student Welfare Committee (SWC) consider the complaint and appoint a review board to mediate the grievance. The student's concisely written request should include the substance of the grievance, the avenues that already have been pursued, and the specific relief desired.
4. At the earliest possible date and within fifteen (15) working days of the receipt of the student's written request, the chair of the SWC will inform both the grievant and the respondent in writing of the committee's decision.
5. Once the Review Board has formed and has appointed a chair, the board chair will send letters to the grievant and respondent outlining the specific grievance and suggesting a timeline for the proceedings. Any schedule must consider the time constraints inherent within or between semesters. All parties will receive written allegations.
6. Respondents may waive the right to participate in the proceedings of the Review Board.

For grievances regarding **Discrimination Issues:**

1. The student should approach the person(s) who s/he perceives to be responsible for the offense in order to work out a solution.
2. If the grievance remains unresolved after seven working days, the student may choose one or both of the following actions:
  - a. With the assistance from a member of the SWC, the student may meet with the party(ies)

involved to attempt to resolve the matter.

- b. The student may ask in writing that the SWC consider the complaint and appoint a review board to mediate the grievance. The student's concisely written request should include the substance of the grievance, the avenues that already have been pursued, and the specific relief desired.
3. If step 2b fails, at the earliest possible date and within 15 working days of receipt of the student's written request, the chair of the SWC will inform both the grievant and the respondent in writing of the committee's decision. If the SWC recommends that a hearing board mediate the grievance, the chair will send a letter to the student and the grievant outlining the specific issue and will suggest a timeline for a meeting. Any schedule must consider specific time constraints inherent within or between semesters.
4. Once the Review Board has formed and has appointed a chair, the board chair will send letters to the grievant and respondent outlining the specific grievance and suggesting a timeline for the proceedings. Any schedule must consider the time constraints within or between semesters. All parties will receive written allegations.
5. Respondents may waive the right to participate in the proceedings of the Review Board

### **The Student Welfare Committee**

The Student Welfare Committee membership consists of three faculty members, two junior or senior students selected by the Student Government Association, the National Association of Intercollegiate Athletics faculty representative, and the Dean of Students. The committee considers policies governing the out-of-class experience of students and appoints ad hoc committees on allegations of administrative discrimination issues or grievances. Issues and concerns may be brought to the attention of Student Welfare Committee members. Committee members should be viewed by students as approachable persons capable of dealing wisely and compassionately with all parties as well as demonstrating sensitivity, discretion, and skill in mediation.

Any member of the SWC with a conflict of interest in a filled grievance must withdraw from participating in all matters relating to that grievance.

The SWC does not itself adjudicate grievances but rather appoints an ad hoc Review Board to mediate a specific student grievance.

### **Review Boards** (for administrative and discrimination issues)

Board Composition:

1. The SWC will appoint individuals to serve on the Review Board who have no conflicting interests and who are particularly qualified or appropriate to deal with a specific matter or person.
2. A Review Board will be composed of 3 faculty members or administrators and 2 students, each subject to the approval of both parties in the grievance.
3. A Review Board will select one of its members to chair the proceedings.

Board Processes:

1. Throughout all proceedings, the Board must maintain utmost concern for the dignity, safety, and comfort of all parties involved in the process.
2. Both the grievant and the respondent may seek counsel from any member of the Brescia community, excluding those serving on the Review Board.
3. The hearing itself is closed. Each party may invite one member from the Brescia faculty, administration, or student body to attend the meeting with them. This person may provide counsel but may not speak for the grievant.
4. Each Hearing Board must choose specific procedures for how it will deal with the presentation of evidence, witnesses, and cross examination
5. "The Preponderance of the Evidence" will be the standard of proof throughout the proceedings.

6. The board chair will insure that both parties have access to all the evidence being presented and sufficient time to examine it.
7. The Board should strive for consensus but may settle the case by majority veto
8. Proceedings and resolutions of the Review Board must remain confidential unless both parties agree in writing to release information.
9. In all cases, the decision of the Review Board is the final action in the Brescia Student Grievance Procedure.

This process reviewed by SGA March 1996 and approved by the Faculty Assembly April 1996.

## COMMITTEES AND POLICYMAKING

Governance at Brescia University is collegial. Administrators and faculty engage in campus governance through the Faculty Assembly. Students participate through committees and the Student Government Association. Students serve on every University committee that impacts student life and academics. The SGA appoints students to University and Board of Trustee Committees. The SGA has the authority to establish ad-hoc committees.

**The Academic Program Review Committee (APRC):** reviews academic programs for strength and quality.

**Curriculum and Standards Committee:** promotes improvement and innovation in academic majors, course offerings, and degree requirements.

**The Food Services Committee:** meets with the Food Service Director to look for ways to upgrade menus, meal preparation, to add variety to the service and to plan special events.

**The Graduation Committee:** plans Honors Convocation, Baccalaureate, and Commencement Ceremonies.

**The Student Welfare Committee:** considers policies governing the out-of-class experience of students and appoints ad hoc committee on allegations of administrative discrimination issues or grievances. Issues and concerns may be brought to the attention of Student Welfare Committee members. Membership consists of three faculty members, two members of the Student Government Association, the NAIA Faculty Athletic Representative, and the Dean of Students.

## RESPONSIBILITY OF STUDENTS SERVING ON COMMITTEES

Committee membership is a matter of trust and serious commitment, carrying fundamental responsibilities:

- Attend all committee meetings;
- Prepare for meetings by reviewing the agendas and discussing items with constituents to assure accurate representation of the student point of view;
- Report to the SGA committee discussion affecting students;
- Share the committee workload;
- Work with the committee to make the best decisions for Brescia University; and
- Maintain appropriate confidentiality.

## FINANCIAL AID

Students needing assistance to meet their educational costs at Brescia University may receive assistance through the University from Federal, State, and Institutional grant, scholarship, and loan programs.

### ELIGIBILITY FOR STUDENT AID

To be eligible for Federal and State aid, a student must be enrolled in a degree seeking or post-bacca-

laureate certificate program of study, hold U.S. citizenship or be an eligible non-citizen, maintain satisfactory progress, and comply with Federal rules and regulations.

## APPLICATION PROCEDURES

Students wishing to be considered for financial aid should go online to the Federal Government's website at [www.FAFSA.ed.gov](http://www.FAFSA.ed.gov) to fill out a Free Application for Federal Student Aid (FAFSA). Enter our school code, 001958, and when your application has been submitted, the government will forward the information to us. The priority filing date is March 15 of each year for State grants.—State aid is determined on a first come first receive according to the date you file your FAFSA.

## FINANCIAL AID SATISFACTORY PROGRESS

**To be eligible for federal and state aid, a student must be enrolled in a degree or certificate program, hold U.S. citizenship, maintain satisfactory academic progress, certify that s/he will use financial aid for educational purposes only and that s/he has complied with the selective service requirement, and not be in default on a federal or state loan or owe a repayment on any federal or state aid.**

Satisfactory Progress at Brescia University is measured using cumulative grade point average and by credit hours earned in relation to hours attempted. Credit hours attempted are the number of hours in which a student is enrolled at the end of the drop/add week for a semester. After that week, all failed, withdrawn, repeated or incomplete hours are counted in the number of hours attempted. Grade point average, credit hours earned in relation to hours attempted, and the maximum timeframe standard will be checked at the end of each semester prior to disbursement of financial aid for the following semester. Grade point average is the average calculated by the Registrar's Office on hours for which a grade is earned, that is, A/B/C/D/F. Any student with Incompletes (I) for a grade may not receive a disbursement in following semesters until the Incomplete grade is a letter grade of A/B/C/D/F according to academic policy.

At the completion of these attempted credit hours	6 – 30	31 - 48	49+
A student must have earned at least this percentage of attempted hours	67%	67%	70%
With at least this cumulative grade point average	1.5	1.7	2.0

**Maximum Time Frame:** A student must complete their program of study within a 150% timeframe. This means that a student may only receive aid up to 150% of attempted credit hours. For example, if a bachelor's degree requires 128 credit hours to complete, a student may only receive aid for up to 192 credit hours. Progress for maximum time frame will be evaluated for each student. The student will be notified if you are nearing a maximum time frame. There are no appeals for financial aid once a student reaches the maximum time frame.

## FINANCIAL AID WARNING

Financial Aid Warning results from the first offense of failure to meet either GPA requirements or hours of completion or both. A letter is sent to the student after the warning is imposed on the financial aid record. During the warning semester, the student can continue to receive financial aid, but must bring their cumulative grade point average, hours of completion percentage or both up to the appropriate standard for their attempted hourly level. At the end of the warning semester, if the student does not achieve the appropriate cumulative GPA, hours of completion or both for their level then the student will be placed on Financial Aid Suspension.

## FINANCIAL AID SUSPENSION

Financial Aid Suspension results when a student fails to meet satisfactory academic progress when reviewing overall completion rate or cumulative GPA or both. A student may appeal to have their aid

reinstated on a probationary status.

## FINANCIAL AID APPEAL

Financial Aid Appeal is a form that the Office of Financial Aid will send to you along with your Financial Aid Suspension letter. This letter can be filled out and submitted when unusual circumstances or circumstances beyond your control are the cause of the suspension of financial aid. Appeal applications with supporting documentation, should be sent to the Director of Financial Aid who will determine through an appeals committee if a probationary status is warranted. With their appeal paperwork, the student must submit an academic plan which can spread an approved probationary period to up to three semesters or more if needed. Without an academic plan, the director of Financial Aid may place the student on probation for only one semester. However, after that the probationary semester(s), the student must be back in good standing with GPA and hours of completion or financial aid suspension will be imposed on the student's financial aid record. The student must follow the academic plan of courses outlined each semester until back in good standing. Appeal paperwork can be attained by contacting the Financial Aid Office at 270-686-4253 or by requesting appeal paperwork at [financial.aid@brescia.edu](mailto:financial.aid@brescia.edu).

## FINANCIAL AID PROBATION

Financial Aid Probation results when a student submits a financial aid appeal and it is approved. The appeal must be accompanied with an academic plan that is created by the student and the Vice President of Academic Affairs. During the probationary period, if the student withdraws or fails a class he will be on financial aid suspension after that semester. The student will not be able to receive any financial aid after that point until back in good standing with the GPA or hours of completion or both.

**Dual Credit:** Dual credit hours that are earned by the student while in secondary school (high school) are reviewed for SAP policy. The courses are entered onto the transcript for the student with the years associated the student earned the credit(s). For SAP policy, the hours are added to attempted and earned hours and the course grades are factored into the GPA.

**Transfer hours:** Students that transfer to Brescia University may have hours that transfer in according to academic policy with the degree attempted. Transfer hours are entered onto the transcript for the student with the years associated the student earned the credit(s). For SAP policy, the hours are added to attempted and earned hours and the course grades are factored into the GPA.

**Repeat courses:** A student may repeat a course one time after credit is earned for higher grade in the course. The course is counted as attempted each time the student is enrolled in the course and counted as earned hours anytime the student earns a grade of A, B, C, D. A grade of F is not considered to be earned hours, but is counted as attempted hours.

**Withdrawn courses:** Withdrawn courses are counted in the attempted hours for SAP policy. These courses will not be counted in earned hours because there will not be a grade associated with the course. Withdrawn courses will affect the percentage of earned to attempted hours.

**Incomplete courses:** When a student receives an incomplete for a grade, the standards of academic progress will not be evaluated until the incomplete becomes a letter grade. Financial aid will not be paid for any future semesters until the grade is posted. Please see the policy with Academic Affairs on the time frame a student has to complete coursework for an incomplete grade.

**\*\*\*PLEASE NOTE: APPEALS FOR FINANCIAL AID SUSPENSION WILL ONLY BE GRANTED ONE TIME AS A GENERAL RULE.**

## FINANCIAL AID OFFICIAL/UNOFFICIAL WITHDRAWAL PROCEDURES

PLEASE REMEMBER YOU MUST OFFICIALLY WITHDRAW FROM CLASSES OR YOU WILL AUTOMATICALLY RECEIVE A FAILING GRADE. IF YOU COMPLETELY WITHDRAW FROM CLASSES, FAIL ALL OF YOUR CLASSES, OR DROP TO LESS THAN HALF TIME STATUS FOR A

SEMESTER, THE FOLLOWING RULES APPLY.

## **RETURN OF TITLE IV FUNDS**

Federal regulations require the Financial Aid Office to perform a Return to Title IV Calculation for any student that officially withdraws from a semester or unofficially withdraws by receiving all F grades or a combination of F grades and Withdrawals. A percentage of aid earned will be determined and any funds not earned by the student will be returned to the Department of Education or Kentucky Higher Education Assistance Authority and institutional funds could be reduced. The student will be billed for any funds that are outstanding to Brescia due to the return. Student loan funds are to be repaid according to the terms of the loan agreement. Students who owe a grant repayment will be required to make satisfactory repayment arrangements with the Department of Education before any more funds can be awarded and disbursed. For further information regarding the adjustments on financial aid due to R2T4 should be directed to the Financial Aid Director.

**\*\*\*NOTE: NO FEDERAL (TITLE IV) FUNDS ARE REQUIRED TO BE RETURNED IF THE STUDENT REMAINS ENROLLED FOR MORE THAN 60% OF THE SEMESTER, AND THEN OFFICIALLY WITHDRAWS BY COMPLETING AND SUBMITTING A SIGNED DROP SLIP.**

**\*\*\*IF AN ATHLETE LEAVES THE TEAM, HIS/HER SCHOLARSHIP WILL BE PRORATED AND THE STUDENT WILL BE RESPONSIBLE FOR THE REMAINING BALANCE ONCE INFORMATION IS RECEIVED FROM THE COACH.**

## **RIGHTS AND RESPONSIBILITIES**

Students are expected to understand fully their rights and responsibilities with respect to Institutional, Federal, and State financial aid. Information is mailed to the students with their first Official Award Letter, at appropriate times during the year, published in the school newspaper, distributed at registration time, and is available at all times through the Financial Aid Office by paper and on the Brescia website at [www.brescia.edu](http://www.brescia.edu)

# **INSTITUTIONAL AID**

## **INSTITUTIONAL SCHOLARSHIPS AND GRANTS**

Institutional scholarships and grants are awarded annually to incoming traditional students on the basis of academic excellence, leadership qualities, athletic ability, talent, and need. Awards range from partial to full tuition, room and board, and are renewable provided the recipient maintains full-time enrollment as well as all academic requirements associated with the award. To receive institutional aid, the student must complete the Free Application for Federal Student Aid (FAFSA).

## **CONTRIBUTED ENDOWED SCHOLARSHIPS**

Through the generosity of alumni, families, and friends, Brescia University is pleased to offer contributed and endowed scholarships to prospective and current students. These scholarships carry with them very specific criteria and funding levels. Many of these scholarships help Brescia University underwrite institutional aid programs.

## **BRESCIA UNIVERSITY WORK STUDY**

Brescia University Work Study is awarded to full time students who do not qualify for Federal Work Study funds. Students will work on campus for an hourly wage, paid once monthly, and can use the funds to help meet the cost of their tuition or can use the money earned as spending money when their bill has been paid in full. Students are paid a wage in accord with federal wage and hour regulations. Continued employment is contingent upon satisfactory academic progress and work performance. This fund is limited and is awarded as funds and positions are available.

## **BRESCIA UNIVERSITY LOAN**

Brescia University Loan is awarded to full time students who need additional aid to meet the cost of tuition at Brescia after all other Federal, State, and Institutional fund options are exhausted. This fund is limited and is awarded as funds are available.

## **FEDERAL AID**

### **PELL GRANTS**

Pell Grants provide assistance in the form of non-repayable funds to students attending post-secondary institutions, who exhibit financial need as determined by the FAFSA.

### **SUPPLEMENTAL EQUAL OPPORTUNITY GRANT (SEOG)**

SEOG is a supplement to the Federal Pell Grant and provides assistance in the form of non-repayable funds to students attending post-secondary institutions, who exhibit extraordinary financial need as determined by the FAFSA. This fund is limited and is awarded as funds are available.

### **FEDERAL WORK STUDY (FWS)**

Federal Work Study allows undergraduate and graduate full time students with financial need, as defined by the FAFSA, to work on or off campus for the University or Community Service to help pay for their tuition costs, or to be used as spending money after their bill has been paid. Students are paid a wage in accord with federal wage and hour regulations. Continued employment is contingent upon satisfactory academic progress and work performance. This fund is limited and is awarded as funds and positions are available.

### **PERKINS LOANS**

Perkins Loans are federal loans that are open to Pell Grant eligible students at a maximum of \$5500 per year. These loans are non-interest bearing loans (subsidized) while the student is enrolled in an approved College or University at an at least half-time status. These loans may also be partially or fully forgiven after graduation, when the student works in certain specialty areas such as math, science, and special education in Title III areas. This fund is limited and is awarded as funds are available.

### **DIRECT SUBSIDIZED STUDENT LOANS**

Direct Subsidized Loans are low interest loans for undergraduate and graduate students enrolled in at least a half -time status and demonstrate financial need as defined by the FAFSA. A credit check is not required to receive these loans. The federal government pays the interest on these loans until six months after the student is no longer enrolled in school at least half-time.

### **DIRECT UNSUBSIDIZED STUDENT LOANS**

Direct Unsubsidized Student Loans are low interest loans for undergraduate and graduate students enrolled in at least half-time status. These loans are available to all students regardless of financial need (although the FAFSA still must be filed). A credit check is not required to receive these loans. The student is responsible for the interest, which may be paid while the student is in school or accrued and then added to the principal balance when the student enters repayment, which occurs six months after the student is no longer enrolled in school at least half-time.

### **PLUS LOANS**

Plus Loans are low interest loans that parents can obtain to help pay the cost of education for their children. In addition, graduate students may obtain PLUS loans to help pay for their own education. PLUS loans require a credit check and, in some instances, an eligible cosigner. If the parent is turned down for a PLUS loan, the student may be eligible for an additional amount of Unsubsidized Stafford loan up to \$4000. Repayment of PLUS loans begins following the final disbursement for the year. Graduate students may be able to defer repayment of their PLUS loans until after the student is no longer enrolled in school at least half-time, although interest will continue to accrue.

## **STATE AID**

### **KENTUCKY EDUCATIONAL EXCELLENCE SCHOLARSHIP (KEES)**

KEES is administered by the Kentucky Higher Education Assistance Authority (KHEAA), is funded by Kentucky Lottery proceeds. Students who try to get the most from high school by studying hard

and making good grades (2.5 GPA or higher) can earn scholarships for college or technical school. The better students do in high school, the more they will earn toward college scholarships. KEES funds continue for eight semesters and are 100% renewed each year with a 3.0cum GPA, or at 50% with a 2.5 to 2.99 GPA.

### **COLLEGE ACCESS PROGRAM (CAP)**

CAP helps Kentucky's financially needy undergraduate students attend eligible public and private colleges and universities, proprietary schools, and technical colleges. CAP Grants are awarded to Kentucky residents enrolled for at least six semester hours (half time) in academic programs that take at least two years to complete and are receiving Federal Pell Grant Funds.

### **KENTUCKY TUITION GRANT (KTG)**

KTG provides need-based grants to qualified Kentucky residents to attend the Commonwealth's independent colleges. The program is designed to assist students with the higher tuition charges at the independent colleges. Students must be full-time undergraduates enrolled in an associate or baccalaureate degree program and have no past due financial obligations to KHEAA or to any Title IV program. Credit hours attempted by correspondence or internet courses are **not** acceptable for grant enrollment purposes, except for courses taken through the Kentucky Virtual Campus.

### **ROBERT C. BYRD HONORS SCHOLARSHIP**

The Robert C. Byrd Honors Scholarship program provides scholarships to academically talented high school seniors, home school seniors, and GED graduates who show promise of continued excellence in postsecondary education. Further information and application information can be accessed at the KY Higher Education website at [www.kheaa.com](http://www.kheaa.com)

**IT IS THE RESPONSIBILITY FOR THE STUDENT TO REVIEW THEIR BILL WHEN IT IS RECEIVED TO ENSURE THE FINANCIAL AID FUNDS ARE ENOUGH TO COVER THE BALANCE OR MAKE SUFFICIENT PAYMENT ARRANGEMENTS BY THE BILL STATEMENT DUE DATE EACH SEMESTER.**

**TO OBTAIN FORMS OR FURTHER INFORMATION REGARDING FINANCIAL AID**, prospective financial aid applicants should contact the Office of Financial Aid, Brescia University, 717 Frederica Street, Owensboro, KY 42301-3023. (270-686-4253 or 1-877-Brescia)

## **PAYMENT**

Charges for tuition, fees, room, and meals for full-time students are due by **August 1 (fall) or January 3 (spring)**. Charges for tuition and fees for part-time students are due 10 days before the first class meeting date. Full-time students in good standing may sign up for a payment plan. For more information, go to [www.brescia.edu/student-accounts](http://www.brescia.edu/student-accounts) or contact the cashier at 270-686-4238.

**To pay in person:** Cash, check or credit card (VISA, MasterCard, & Discover) payments can be made in the Cashier's Office (Student Services Center, 531 Frederica Street), Monday through Friday, 8:00 AM to 4:30 PM.

**To pay online:** VISA, MasterCard, Discover, and American Express are accepted online at [www.brescia.edu/student-accounts](http://www.brescia.edu/student-accounts). *For your protection, Brescia no longer accepts credit card information over the phone.*

**To mail payment:** Checks can be mailed to: Brescia University, Cashier's Office, 717 Frederica Street, Owensboro, KY 42301.

A late charge of 1.5% per month will be assessed on past due balances as of the 15th of any month. A Late Payment Fee of \$100 will be added to accounts not settled by the 1st day of classes. A charge of \$25.00 is imposed for checks returned because of insufficient funds.

Satisfactory settlement of accounts must be made before a grade report or transcript of credits will be issued, and before a student may register for subsequent terms. Students with past due accounts may be excluded from campus activities including but not limited to participating on athletic

teams, University sponsored travel, and other University sponsored activities. Non-payment of charges may also affect the student's eligibility to use campus resources including but not limited to room, board, and access to campus technology.

Students can view their bill online through the Netclassroom link on the Brescia home page at [www.brescia.edu](http://www.brescia.edu) Contact the Registrar at 270-686-4248 for your username and password. Students should check their Brescia email often for official communications from the University, including the Brescia Business Office.

## **REFUND POLICY**

The Department of Education requires institutions to establish fair and equitable refund policies for unearned tuition, fees, room, board, and security deposits.

The following is a synopsis of the University refund policy. The full policy is available in the Business Office, the University catalog, the Student Handbook, and at [www.brescia.edu](http://www.brescia.edu) on Student Accounts page. Calculations will be based on University refund policy only.

Students withdrawing after classes have started will be charged an administrative withdrawal fee of \$100. There will be no refund/reduction of fees or health insurance. Residential students withdrawing from the University after classes have started will be charged an additional administrative fee.

Students who withdraw from classes may lose all or part of their financial aid and should visit the Financial Aid office to determine the impact on their aid package. The date of withdrawal is the date the student provides official notification to the Office of the Registrar. Non-attendance at class or unofficial notification of withdrawal does not constitute formal withdrawal.

### **FULL-TIME TRADITIONAL STUDENTS**

Tuition and room/board charges will be pro-rated based on the number of days in the semester, until 60% of the semester has been completed. Once 60% of the semester has been completed, there will be no refund of charges.

### **PART-TIME AND BU ONLINE STUDENTS**

Tuition will be pro-rated based on the number of days enrolled in the class, until 60% of the class has been completed. Once 60% of the class has been completed, there will be no refund of charges.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

### **FERPA**

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of and gives students certain rights to their education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives "eligible students" certain rights with respect to their education records. These rights are provided to "eligible students" when he/she reaches the age of 18 or attends a school beyond the high school level.

"Eligible students" at Brescia University are those students who have reached the age of 18 or are attending Brescia University. In a situation where a student is enrolled in a dual credit course at a high school and at Brescia University, the two schools may exchange information on that student. If the student is under 18, the parents retain the rights under FERPA at the high school and may inspect and review any records sent by Brescia University to the high school.

### **ACCESS TO EDUCATION RECORDS**

**Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review**

## **the records. Schools may charge a fee for copies.**

Eligible students have the right to inspect and review his or her education records maintained by the University. Brescia University must provide an eligible student with an opportunity to inspect and review his or her education records within 45 days following its receipt of request. Requests may be made by completing the Student Request to Inspect and Review Education Records form either on the Brescia University website or in the Office of the Registrar. Requests to review conduct records may be made by completing the Student Request to Inspect and Review Conduct Records form either on the Brescia University website or in the Dean of Students office. Brescia University is not required to provide copies of records unless, for reasons such as a commuting distance of 50 miles or more, it is impossible for eligible students to review the records.

## **AMENDMENT OF EDUCATION RECORDS**

**Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.**

Eligible students have the right to request that Brescia University correct records which they believe to be inaccurate or misleading. Requests may be made by completing the Student Request for Record Correction form either on the Brescia University website or in the Office of the Registrar. Brescia University is not required to amend education records in accordance with an eligible student's request, but the University is required to consider the request. If the University decides not to amend a record in accordance with an eligible student's request, the University must inform the student of his or her right to a hearing on the matter. If, as a result of the hearing, the University still decides not to amend the record, the eligible student has the right to insert a statement in the record setting forth his or her views. That statement must remain with the contested part of the eligible student's record for as long as the record is maintained.

While the FERPA amendment procedure may be used to challenge facts that are inaccurately recorded, it may not be used to challenge a grade, an opinion, or substantive decision made by the University about an eligible student. FERPA was intended to require only that schools conform to fair recordkeeping practices and not to override the accepted standards and procedures from making academic assessments, disciplinary rulings, or placement determinations. Additionally, if FERPA's amendment procedures are not applicable to an eligible student's request for amendment of education records, the University is not required under FERPA to hold a hearing on the matter.

## **DISCLOSURE OF EDUCATION RECORDS**

**Generally, schools must have written permission from the eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):**

- **School officials with legitimate educational interest;**
- **Other schools to which a student is transferring;**
- **Specified officials for audit or evaluation purposes;**
- **Appropriate parties in connection with financial aid to a student;**
- **Organizations conducting certain studies for or on behalf of the school;**
- **Accrediting organizations;**
- **To comply with a judicial order or lawfully issued subpoena;**
- **Appropriate officials in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to specific State law.**

Under FERPA, Brescia University **may not** generally disclose personally identifiable information from

an eligible student's education records to a third party unless the eligible student has provided written consent. Brescia University provides eligible students with the option to permit the University to release any information from his or her education record. Eligible students may complete the FERPA Release form on the Brescia University website or in the Office of the Registrar, Business Office, or the Office of Financial Aid.

Brescia University follows the Department of Education's Family Policy Compliance Office interpretation of "**school official**" as: professors; instructors; administrators; health staff; counselors; attorneys; clerical staff; trustees; members of committees and disciplinary boards; and a contractor, volunteer or other party to whom the school has outsourced institutional services or functions. Brescia University also considers a student's athletic coach to be a "school official." A school official generally has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her personal responsibility.

In order for Brescia University to disclose personally identifiable information from an eligible student's education record to another school in which the student seeks or intends to enroll, the student must complete the Transcript Request form on the Brescia University website or in the Office of the Registrar.

In regards to financial aid, **FERPA permits** a school to disclose personally identifiable information from education records without consent if the information is necessary for such purposes as to: determine the eligibility for the aid, determine the amount of aid; determine the conditions for aid; and/or enforce the terms and conditions for the aid. With respect to this exception, the term "financial aid" means payment of funds provided to an individual (or payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at the school.

Brescia University **may** disclose personally identifiable information from education records without consent when the disclosure is to the parents of a "dependent student" as that term is defined in Section 152 of the IRS code. Generally, if either parent has claimed the student as a dependent on the parent's most recent year's income tax statement, the University may non-consensually disclose the eligible student's education records to both parents.

Brescia University **may** also disclose personally identifiable information from education records, without consent, to appropriate parties, including parents (even if the parents do not claim the student as a dependent) of an eligible student, in connection with a health or safety emergency.

Brescia University **may** disclose personally identifiable information from education records without consent when the disclosure is to the parents of an eligible student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the institution, governing the use of alcohol or a controlled substance. The University may non-consensually disclose information under this exception if the school determines that the student has committed a disciplinary violation with respect to that use or possession and the student is under 21 years of age at the time of the disclosure to the parent.

There are several other exceptions to FERPA's prohibition against non-consensual disclosure of personally identifiable information from education records, some of which are briefly mentioned below. Under certain conditions (specified in the FERPA regulations), a school **may** non-consensually disclose personally identifiable information from education records:

- to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and State and local educational authorities for audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs;
- to organizations conducting studies for or on behalf of the school making the disclosure for the purposes of administering predictive tests, administering student aid programs, or improving instruction;
- to comply with a judicial order or a lawfully issued subpoena;

- to the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing with respect to the alleged crime; and
- To any third party the final results of a disciplinary proceeding related to a crime of violence or non-forcible sex offense if the student who is the alleged perpetrator is found to have violated the school's rules or policies. The disclosure of the final results only includes: the name of the alleged perpetrator, the violation committed, and any sanction imposed against the alleged perpetrator. The disclosure must not include the name of any other student, including a victim or witness, without the written consent of that other student.

## DIRECTORY INFORMATION

As stated above, conditions specified in the FERPA regulations at 34 CFR § 99.31 have to be met before a school may non-consensually disclose personally identifiable information from education records in connection with any of the exceptions mentioned above.

Brescia University follows the Department of Education's Family Policy Compliance Office interpretation of "directory" information which is defined as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Brescia University **may** disclose, without consent, "directory" information such as: a student's name, address, email address, telephone number, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, honors and awards, dates of attendance, degrees and awards received, the most previous educational agency or institution attended, grade level or year (such as freshman or junior), and enrollment status (undergraduate or graduate; full-time or part-time).

Eligible students may request to withhold directory information. Such requests should be made within the first two weeks of the semester. The Request to Prevent Disclosure of Directory Information form may be completed on the Brescia University website or in the Office of the Registrar.

## FERPA NOTIFICATION AND CONTACT INFORMATION

The University must notify eligible students annually of their rights under FERPA. The actual means of notification (special letter, official email communication, student handbook, catalog, etc.) is left to the discretion of each school.

**For additional information**, eligible students may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.

Eligible students may also send correspondence via mail to the following address:

Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-8520

## RECORDS/RIGHTS

Brescia University respects the confidentiality of student records. Normally, data is only released to faculty and staff needing information to perform their duties. The following offices keep records:

- Academic and Admissions Records are kept in the Office of the Registrar;
- The Office of Residence Life keeps personal records such as health records;
- Student Conduct records are maintained in the Office of Student Affairs. All personal records, with certain exceptions, may be destroyed after graduation or after five years for non-graduates;
- Financial Aid records are kept for five years in compliance with federal regulations; and
- Placement records are maintained for students and graduates wishing placement assistance. Placement records are not shown to employers without permission and will be destroyed upon request.

The Federal Register of June 1, 1999 details changes in the Family Educational Rights and Privacy Act (FERPA or Buckley Amendment). The University may now:

1. Notify the parents of any student under the age of 21 found using alcohol or illegal drugs;
2. Disclose the final results of disciplinary proceedings against a student charged with a violent crime who is found to have violated a University rule or policy in the incident. The University can release the name of the student charged, the violation committed, and any sanction imposed on the student by the institution. Additionally, the University is required by law (2009), upon written request, to disclose to the alleged victim of a crime of violence or a non-forcible sex offense, or to the alleged victim's next of kin (if the victim dies as a result of the crime or offense), the final result of any institutional disciplinary proceeding dealing with that crime or offense;
3. Disclose educational records to federal law enforcement officials without a student's consent; and
4. Release a student's educational records to a court, without the consent of the student or his/her parents, if the student or parent has sued the institution.

## **STUDENT SERVICES**

### **ACTIVITY PERIODS**

Two activity periods are scheduled each week to allow for meetings and other activities. From 11:00 AM to 12:30 PM each Tuesday and Thursday, no classes are scheduled.

### **ATHLETICS**

Brescia University sponsors intercollegiate, NAIA, sports. Many athletic events are held at Brescia's Kamuf Park, 5400 Todd Bridge Road, Owensboro. For women: Volleyball, golf, softball basketball, soccer, and tennis as well as cross-country, indoor and outdoor track. For men: Soccer, basketball, golf, baseball, and tennis, as well as cross-country, indoor and outdoor track. Brescia also offers the following co-ed programs: competitive cheer, competitive dance, and eSports. Students wishing to try out for a team should contact the head coach. Sport physicals are due to the athletic director by the first day of classes, or the first team practice, whichever date comes first. Team managers, statisticians, and support staff are always needed. Interested persons should contact the athletic director or coach. Athletics is part of the Office of Student Affairs.

Student-Athletes should consult the Student-Athlete Handbook found at <http://www.bresciabearcats.com/> for policies and procedures specific to the student-athlete experience.

### **INTRAMURAL AND RECREATIONAL SPORTS**

Intramurals and recreational sports are co-sponsored by the Athletic Department and the Student Government Association. Scheduled events try to accommodate class and work schedules of the students. Efforts are made to offer every event in which there is sufficient student interest. Specific goals of the intramural programs are fun, social contact, skill development, and the opportunity to learn new activities and develop interest in lifelong recreational sports. Look for announcements and sign up opportunities throughout the academic year. Ideas for new events are welcomed at the Athletic Department and the Student Government Association meetings.

### **CAMPUS MINISTRY**

Campus Ministry embraces the hope that all individuals will be "empowered by the Spirit" to recognize their own dignity and worth, to reach out to others, and to collaborate in building God's reign of love and justice. Campus Ministry is integral to the mission of Brescia University where higher education and the Church intersect. Campus Ministry seeks to proclaim the Good News to the entire academic community to form the faith community. A variety of opportunities is created to deepen one's relationship with God within the Brescia family. All are welcome. You are invited to stop by, share your ideas, discuss concerns, etc., and visit the campus minister anytime. The Office of Campus Ministry is located in the Moore Center, Room 207, 270-686-4319.

### **CAREER SERVICES**

Career planning is a lifelong process and a major component of the mission of Brescia University. It

involves assessing each student's interests, skills, and lifestyles in relation to their career choice. Discussions with academic advisors and faculty members are necessary to facilitate thoughtful career development. Brescia students are encouraged to consult with Career Services.

Career Services can also be helpful to students seeking off-campus employment (internships, full-time, part-time, and summer). Job announcements are posted regularly outside of the office and on Brescia University Career Services Facebook Page and e-mail. The office offers professional assistance with resume writing, job interview skills, cover letters, and professional dress. While career planning begins on your first day as a Brescia University student, junior and seniors, in particular, are encouraged to meet with Career Services at the start of the fall semester for help with the transition from the campus to the working world. Both paid and unpaid internships are available to Brescia students to support the student to professional transition. The Career Services Office is located on the Moore Center, Room 210

## CHECK CASHING

The Cashier's Office will cash personal checks for students during regular office hours for up to \$75.00. A valid Brescia University ID is required for check cashing.

## COMPUTER SERVICES AND INSTITUTIONAL TECHNOLOGY

Brescia University maintains three open computer labs for student use, one in Room 212 of the Science Building, one in Room 101 in the William Thompson School of Business, and Room 340 of the Bartholomy-Taylor Hall. Additionally, there are two other class only computer labs: the teaching lab Room 110S of the Science Building, and the MAC Lab on the third floor of the Bartholomy-Taylor Hall. Wireless access is available on campus. Students may have to bring their laptop to the Information Technology Department (IT) to be configured to access the wireless network. Laptops are available for checkout from the Library to be used in the Library. The computers in the lab on the second floor of the Science Building contain specialized software such as ChemDraw and Mathematica that may be required in certain classes.

Computers for student use may be found in the Library. The University provides on-campus email service for all students via webmail at [www.brescia.edu](http://www.brescia.edu). Students must sign up for email service and agree to the Computer Use Policy stated on the email request form to use campus resources. All residence hall rooms have wired network hookups.

Technical support is available by email to [techsupport@brescia.edu](mailto:techsupport@brescia.edu), by calling 270-683-4186 on campus, or helpdesk ticket at <https://helpdesk.brescia.edu>. Distance learning students may contact Brescia University at 270-683-4186 and ask for tech support, create a helpdesk ticket at <https://helpdesk.brescia.edu>, or email [techsupport@brescia.edu](mailto:techsupport@brescia.edu)

At Brescia University, institutional technology includes computer laboratories, computer and related equipment, software access, network bandwidth, phone system, access card system, multimedia systems, copiers, security and fire systems and university-owned cell phones.

Brescia University's institutional technology is primarily provided to enhance learning, to enrich educational opportunities, and to increase the efficiency of university operations. Personal use of institutional technology within the parameters of the Brescia Technology Use Policy can enrich the campus and is permitted, however use of console game units is limited in the residence halls, see the Director of Residence Life for more information. Any use which is incompatible with purposes of institutional technology or the mission of Brescia University is prohibited. Peer to Peer software is not allowed on campus and use of such software may be grounds for referral for student judicial punishment.

For complete Brescia University Technology Use, go to: [www.brescia.edu/information-technology-2](http://www.brescia.edu/information-technology-2)

## COUNSELING

College life can be stressful. Recognizing this, Brescia University offers supportive and caring counseling, sensitive to the concerns and challenges faced by our students. Counseling Services, located in the Moore Center, Room 205, 270-686-4282, is available to new, returning and continuing students to provide support and guidance in dealing with personal problems and life challenges. Consultation for online students available by phone or HIPAA compliant video call. The professional staff

is available during the day when classes are in session and by appointment on evenings and weekends. Your confidentiality is always assured and students are not charged for counseling services.

## **COURSE BOOKS & SUPPLIES**

Course books are available for purchase through the Brescia University online bookstore. Students whose financial aid packaging is complete and sufficient to cover all charges may be eligible for a student book voucher. Notification of vouchers will be sent to students' Brescia email addresses. See the Student Accounts Clerk for more information. Books can be shipped directly to your home or to the Brescia University Mailroom in Bartholomy-Taylor Hall See the online bookstore website for information regarding book returns and buybacks <https://www.brescia.edu/ordering-your-textbooks>

The Spirit Store stocks a wide assortment of Brescia clothing and souvenirs. The Spirit Store is located on the first floor of the Moore Center, Room 110.

Hours of operation (subject to change) are: Monday thru Thursday, 8:00 AM – 12 Noon and 1:00 till 4:00 PM; Friday, 8:00 till 12 Noon and 1:00 till 3:00 PM.

## **DISABILITY SERVICES**

Brescia University strives to provide an accessible campus where all students are comfortable, productive and independent. If you have a documented disability or experience an accessibility concern, contact the Dean of Students.

Brescia also provides accommodations for students with documented disabilities who have academic needs, such as note takers, scribes, readers, special seating, quiet testing environment or extended test time. To explore academic accommodations, please contact the Coordinator of Disability Services, Dwight Ottman, at [dwight.ottman@brescia.edu](mailto:dwight.ottman@brescia.edu) or 270-686-4281.

## **EMOTIONAL SUPPORT ANIMAL POLICY**

### **Emotional Support Animals in Brescia University Student Housing**

Brescia University is committed to creating and sustaining a successful community of inclusive excellence as we prepare students to live, learn, and work among people who experience the world in fundamentally different ways. Within this framework, the University is committed to providing a supportive environment for students with disabilities as well as to complying with all applicable provisions of the Americans with Disabilities Act as amended (ADAAA), Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act.

Under the Fair Housing Act (FHA) a person with a disability may keep an emotional support animal in the individual's dwelling when there is an established need for the therapeutic nature of the animal that is connected to the individual's disability. An Emotional Support Animal (ESA) provides emotional support to persons with disabilities who have a disability-related need for such support.

An ESA may be a reasonable accommodation for a student with disabilities but only within the student's privately assigned living space. Students may qualify for this accommodation if (1) the student has a documented disability; (2) the animal is necessary to afford the student with a disability an equal opportunity to use and enjoy their dwelling; and (3) there is an identifiable and documented nexus between the disability and the assistance that the animal provides. The University will allow only those ESAs that are allowed by local and state laws and conform to standards within this policy.

A [licensed mental health professional](#) must prescribe an emotional support animal or support animal to an individual with a disability in order to alleviate one or more identified symptoms or effects of an individual's disability. The Brescia University Disability Verification Form must be completed and submitted to the Dean of Students for review.

As specified in the Americans with Disabilities Act (ADA), an ESA is not a service animal or a therapy animal. An ESA does not receive specialized training to perform their role. An ESA accommodation must be requested in accordance with the appropriate Brescia University guidelines outlined below.

Students must receive Emotional Support Animal designation from the Dean of Students prior to bringing their animal to campus. Like all accommodations, the determination of whether or not an ESA will be permitted is made on a case-by-case basis through an interactive process between the

student and the Dean of Students. Once approved, the Dean of Students will notify the Residence Life Office, and the student. A Residential Life staff member will likely then contact the student for additional details and, along with the student's other residential life preferences or needs, determine a housing option for the student. Students should note that housing options may be limited as the University balances appropriate accommodations to students with disabilities with students who have allergies and/or animal fears. Consequently, advance notice of the need for an animal is essential to the University providing a smooth transition for the student and the rest of the community where the student will reside.

### **Requirements for Emotional Support Animals**

The care and supervision of the ESA is solely the responsibility of the student owner. The student must be in full control of the ESA at all times. ESAs may not pose a direct threat to the health and safety of persons on the University campus, cause physical damage to property, or fundamentally alter the nature of the University operations. The ESA must be maintained (kept clean, free from fleas or ticks, etc.) and may not create safety hazards for other people. Local and state ordinances and laws regarding animals apply, including requirements for immunizations, licensing, noise, restraint, at-large animals, and dangerous animals.

An animal's behavior, noise, odor and waste must not exceed reasonable standards for a well-behaved animal. These factors should not create unreasonable disruptions for other residents. If the noise (whining, barking or meowing) is excessive as judged by residence life staff, it is grounds to remove the ESA from campus. ESA's may also be excluded from the University campus if the animal behaves in an unacceptable way and or the student does not control the ESA. Uncontrolled barking, jumping on other people, or running away from the handler are some examples of unacceptable behavior for an ESA. Any suspected or observed issues related to animal abuse or neglect will be reported to the proper investigatory authorities and may subject the student to University disciplinary action as well.

The student is responsible for immediately cleaning up and properly disposing of the ESA's waste and is responsible for having the equipment to do so. People who are physically unable to accomplish this task are responsible for arranging for it to be done and any costs that it incurs. The University retains the right to designate a particular area for the ESA to relieve itself and/or for the disposal of its waste.

ESAs are limited to the privately assigned living space (room) of the student except when exiting or entering the student's residential building. It may not be taken into bathrooms, laundry facilities, indoor recreational rooms, lounges, hallways, computer labs, study rooms, or other areas of the residence hall. It also cannot be taken into classrooms or other buildings on campus or allowed to roam freely on campus grounds.

ESA's must have enough space within the privately assigned living space to be appropriate to the size of that animal. ESAs are to be confined (i.e. cage, tank) when the owner is not present in the room. Owners are not to leave their ESA unattended overnight. Roommates, neighbors, security, physical plant, grounds crew, housekeepers, on-call staff, and residential life staff may all be notified of the presence of the approved ESA in a particular space.

The student, not the University, is responsible for the actions of the ESA including, but not limited to, any bodily injury or property damage. Students with ESAs are likely to be charged if additional cleaning or damage occurs as a result of having the animal on campus. The student is expected to pay these costs upon repair or cleaning. In addition, the University retains the right to remove the ESA, at the owner's expense, should the animal become a direct threat to the health and safety of others or violates these requirements in any way. The owner must provide the name and contact information of an off-campus person who is willing and able to take the animal in the event of an emergency.

Brescia advises the earliest possible contact, no later than 30 days prior to the desired start date, to allow adequate time to meet the requirements and make the arrangements involved.

Students are advised not to be taken in by online companies that offer to certify or register Emotional Support/Assistance Animals. There is no such designation recognized legally nor at Brescia - it is

the person not the animal who must get qualified for this accommodation.

## SERVICE ANIMALS

In order to ensure access for individuals with disabilities, service animals are permitted on the premises per the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. ADA compliance as it relates to students is to be coordinated through the Dean of Students' Office. All faculty and staff inquiries should be directed to the Office of Human Resources.

Service Animals have access to all buildings and facilities unless such access poses a direct threat or fundamentally alters the nature of an educational program. Appropriate alternative accommodations will be made to provide the individual with access if the animal is unable to accompany. For example, a lab course may require a sterile/clean working environment, and the presence of the service animal may directly affect the ability to maintain a sterile/clean working environment. According to the ADA, fear of animals or allergies do not constitute a "direct threat" and cannot be grounds for denying access to a service animal. The Brescia University Disability Verification Form must be completed and submitted to the Dean of Students for review.

Service animals must be maintained (kept clean, free from fleas or ticks, etc.) and may not create safety hazards for other people. Local and state ordinances and laws regarding animals apply, including requirements for immunizations, licensing, noise, restraint, at-large animals, and dangerous animals. The owner is responsible for the appropriate management of his or her animal in all University facilities. Disruptive and/or aggressive (e.g., barking, growling, noises, movement, biting) behavior on the part of the animal may result in the owner being asked to remove the animal from university facilities.

## FOOD SERVICE (DINING HALL AND MEAL PLAN)

Brescia University's Dining Services offers a 19 meal a week plan for all resident students and a 5 meal a week plan or meals on a cash basis for off-campus students. Meals served in O'Bryan's Dining Hall include breakfast (7:30 – 9:00 AM), lunch (11:30 AM – 1:00 PM), and dinner (4:30 – 7:00 PM), on weekdays and brunch (10:30 AM – 12:30 PM), and dinner (5:00 – 7:00 PM), on weekends and holidays. Students on the 19 meal a week plan will also receive \$100 of flex cash to use at Barney's Café. Information will be provided by Fresh Ideas for the hours of service.

**Students on the plans should note:** Any entrance to the dining hall counts as a meal; missed meals are not credited to the following week, and contracts are not transferable. Meal plans do not cover dining service during semester breaks or holiday periods when classes are not in session. Shirts and shoes are required at all meals. All diners are expected to carry their own dishes to the washing window.

The University requires all resident students to purchase the meal plan, and the meal plan is identified by Brescia University ID card at the dining hall entrance. All students should be prepared to show their Brescia University ID card upon entering the dining hall.

Only extraordinary medical conditions, verified in writing by a physician, may exempt students from the requirement to purchase the meal plan. The written request from the medical doctor must be presented to the Dean of Students. All efforts must be made by the student and Dining Services to accommodate dietary requests or restrictions before any exemption will be considered.

Students withdrawing from the University receive a refund for the remaining weeks of the contract. The cost of meals is calculated on a weekly basis from the first day of the contract through the end of the week in which the withdrawal occurs. A full week is charged for any fraction of the week.

Diners are not permitted to remove food, china, glassware, utensils or filled personal beverage containers from the dining hall.

Students requiring special consideration due to class schedules or job responsibilities may request alternate meal times or box meals from the Director of Food Services. Request concerning special dietary or preparation requirements should be directed to the Director of Food Services.

## **HEALTH AND ACCIDENT INSURANCE**

Brochures with plan details are available in the Office of Student Affairs or the Cashier's Office, as well as on Brescia's website. <https://www.brescia.edu/new-students>

**All full-time students are required to have health insurance. Students already covered under a health insurance plan may waive the Brescia University Student Insurance coverage.**

Students will be charged one year's premium for the Brescia University Student Insurance Program unless a Waiver Form is completed and submitted by the first day of regular semester classes. Each Student Insurance Program Waiver is for the current academic year only. The Waiver Form must be submitted to the Cashier's Office and can be downloaded from [www.brescia.edu/student-accounts](http://www.brescia.edu/student-accounts)

## **FR. LEONARD ALVEY LIBRARY**

The Fr. Leonard Alvey Library of Brescia University is located on the corner of Seventh and Allen Streets. The Library holds over 156,300 volumes and contains an additional collection of over 60,000 electronic books, which are available 24/7. The library contains a computer lab and a group study room specifically for student use in addition to several conference rooms, a listening room, a fine arts room and a reading room. Computers are available throughout the library and a wireless network is also available for student use of personal tablets/laptops. An online one credit hour course, IDC 100 Introduction to Information Resources, is offered twice each semester to teach students how to use the library. The library staff is always available to assist students engaged in research or who need help with library services and resources. In addition to in-house assistance, the library has an online chat and texting service available for students to respond to student questions related to library research needs. A validated Brescia University ID card is required for circulation privileges, and a Brescia email address is required to logon to library computers and access databases when off campus.

## **LOST AND FOUND**

The lost and found station is located at Office of Student Affairs, Moore Center, Suite 200. All students are encouraged to put some sort of personal identification on all books and other belongings.

## **MAILROOM**

The mailroom, located on the first floor of the Bartholomy-Taylor Hall, is open from 8:00 AM to 4:00 PM on class days. Students may leave messages for instructors by dropping them through the slot outside the mailroom. Campus organizations, SGA and Class Officers have designated mailboxes. The mailroom clerk mails letters and sells stamps. Packages to be mailed should be wrapped. Mail preparation services, printing, copier, FAX, UPS, FedEx and U.S. Mail services are available to organizations on campus. The daily mail, generally, leaves the mailroom at approximately 4:15 PM. Items received after 3:30 PM may not be mailed until the next workday.

## **NOTARY PUBLIC**

Notary services are available to students free of charge from the Office of Student Affairs, Moore Center, Suite 200.

## **PARKING**

Students may park, with a University parking permit, in all campus lots except the faculty lots behind the Science Building and behind the Library. Parking permit may be obtained, free of charge, at the Office of Student Affairs at the start of each semester. A replacement parking permit is available for a \$5.00 fee. After 4:30 pm on weekdays and all day on the weekend, students may park in any campus lot. Residents of Merici and Saffer halls are encouraged to park in the lot in front of Merici, off of Ninth Street.

Students are not to park on lawns or in ways that restrict vehicular or pedestrian traffic. Parking on City streets must comply with City restrictions and ordinances.

Brescia University issues citations for parking violations. Unpaid fines are added to the student's account. The University reserves the right to tow illegally parked cars on the campus at the owner's

expense.

## PERSONAL PROPERTY

Brescia University students and guests must take responsibility for their property, including computers and automobiles. Brescia carries no insurance to cover student losses even in case of fire, theft, or other disasters. Students should insure their property with a homeowners or renters type policy (information is available at the Residence Life Office) or by extending their parents' policy. Students should mark personal possessions and maintain records of serial numbers to discourage theft and aid in filing insurance claims. Loss or damage to personal property should be immediately reported to the Office of Student Affairs.

## PUBLICATIONS

Brescia University affirms the value that student publications bring to the campus. Publications promote the exchange of information and responsible discussion. They provide opportunities for student learning, creativity, influence and leadership. Publications foster responsible and valued student involvement in the life and decision making of the University.

- **The Broadcast:** The student newspaper is published weekly and reports news involving or affecting Brescia students and provides a forum for campus issues. All students are invited to join the staff to help with writing, editing, layout, and ad sales. Students who are not on the staff may submit letters to the editor by noon on Wednesday of each week.
- **Open 24 Hours:** Published annually by the Brescia Writers Group, this literary journal presents creative writing by current and former Brescia students and faculty/staff, along with writings from authors associated with Brescia's creative writing program. Students are invited to submit their poems, stories, and drawings to the Brescia Writers Group for consideration. Students may obtain complimentary copies of the journal at the Bookstore.
- **Student Handbook:** The student handbook is a guide to campus support services, facilities, governance, and campus life. The handbook outlines the University's standards for a responsible environment and is published annually by the Office of Student Affairs.
- **Crime Awareness and Campus Security:** Published in October each year by the Office of Student Affairs in support of the *Michael Minger Act*. This information is in accordance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*.

## REGISTRAR

The Registrar's Office links students and alumni with their academic lives at Brescia University in a myriad of ways, including class registration, declaration of a major, transcripts, and a variety of other functions related to one's Academic Record.

The Registrar's Office is located in the Student Services Center, 531 Frederica Street.

The Registrar's Office may be reached by: Email: [registrar@brescia.edu](mailto:registrar@brescia.edu); Phone: 270-686-4248, or Fax: 270-689-9563

Office hours during the academic year are 8:00 am – 4:30 pm, Monday through Friday. Summer office hours are 7:45 am – 4:45 pm, Monday through Thursday, and 7:45 am – 12:15 pm on Friday.

Some general notices for students from the Registrar's Office:

1. The University reserves the right to cancel any class for which there is not sufficient registration.
2. Admission to class for those who pay special tuition or audit is on a "space available" basis.
3. Fees are subject to change without notification. If withdrawal is not made officially, the student will receive an "F" for the course taken and will be charged in full.
4. Check the University Catalog for other academic policies.

## VETERANS SERVICES

Veterans of the United States Military Service may apply through the Assistant Registrar for financial benefits available in the veteran's bill. Since a six to eight week period is customary between filing

and receipt of the first payment, veterans are encouraged to file early. Questions regarding veteran's affairs may be directed to the Assistant Registrar. Veterans making any changes to their schedules should notify the Office of the Registrar.

## **CAMPUS FACILITIES**

### **MOORE CENTER**

The Moore Center is home to a number of facilities and offices to serve and entertain the students of Brescia University. These include: O'Bryan's Dining Hall, Barney's Café, gymnasium, indoor walking track, fitness center, weight room, program room, the Student Leadership Office, Student Activities and Leadership Development, Career Services, Office of Residence Life, Counseling Center, Campus Ministry, the Office of Student Affairs, Spirit Shop, and the Office of Admissions.

### **CAT'S DEN**

The Cat's Den is located beneath the Immaculate Heart of Mary Chapel. The Cat's Den is designed to be a programming venue for events sponsored by the Office of Student Activities, Student Government Association, and other recognized student organizations.

### **CHAPEL**

The Immaculate Heart of Mary Chapel at Brescia University invites students of all faiths to visit for prayer and reflection. Liturgies and religious services are conducted on a regular basis throughout the year. Masses are generally celebrated at Noon on weekdays and 10:00 AM and 8:00 PM on Sundays. Campus Ministry helps students of all denominations locate churches and other places of worship.

### **TENNIS COURTS**

The tennis courts are located next to the residence area of the campus; therefore, lights are to be turned off by 11:00 PM each night. Members of the Brescia University community who want to use the tennis courts should contact the Athletic Department regarding practice times for the tennis team. Students need to furnish their own equipment.

## **STUDENT ACTIVITIES & LEADERSHIP DEVELOPMENT**

The Student Activities and Leadership Development Office is located in the Moore Center, Room 211. The staff offers a wide array of events and activities designed to help students be engaged in their campus experience. Events include leadership development workshops, musical performances, comedians, lectures, film screenings, game nights, off-campus excursions, etc.

### **THE STUDENT ACTIVITIES PROGRAM BOARD (SAPB)**

**SAPB** is a group of student leaders responsible for event planning, marketing, implementation and assessment. They review dozens of acts and attractions, identifying the ones that would appeal most to students. If you would like more information about how to get involved with SAPB, or have suggestions for future activities, contact Patricia Lovett, Director of Student Activities & Leadership Development, at 270-686-4336 or [patricia.lovett@brescia.edu](mailto:patricia.lovett@brescia.edu)

Follow "Brescia SAPB" on Facebook, Twitter, and Instagram @BresciaSAPB for event info, photos, contests, and more. All Brescia students are welcome, invited and encouraged to participate in events and activities sponsored by the Office of Student Activities and the SAPB. However, students who cause disruption, show signs of intoxication, or are in any way disrespectful to those involved in the event may be asked to leave. This is to ensure the most positive, safe and enjoyable atmosphere possible.

# CLUBS & ORGANIZATIONS

## FACULTY/STAFF ADVISOR'S RESPONSIBILITY STATEMENT

1. Every organization/club must select a faculty/staff advisor. The advisor must be a full time member of the Brescia faculty or professional staff. The advisor's name should be submitted to the SGA Secretary, Director of Student Activities, and to the Dean of Students. The advisor serves as an ally, resource, and mediator between the University and the class/club.
2. Classes/clubs should give the advisor their constitution and by-laws. The advisor should have a clear understanding of the organization/club's annual goals and objectives.
3. Advisors must be informed and attend regularly scheduled meetings, sign required student organization/club forms and documents and verify that all officers have a cumulative 2.0 GPA while holding office. Advisors should also make sure the organization/club meet the requirements for membership as stipulated in the student organization/club constitution/by-laws, and attend functions and activities sponsored by the student organization/club when possible and/or when required. If the advisor is unable to perform these duties as stated, they should notify the student organization/club, the SGA Secretary, Director of Student Activities, and Dean of Students.

Students who wish to establish a new student organization may ask the Student Government Association's (SGA) Secretary and Parliamentarian for assistance in writing a charter. The charter (constitution) details the purpose of the organization and its goals. If the charter is not in conflict with Brescia's mission, SGA, Director of Student Activities, Dean of Students normally approve it. Each recognized student organizations must register their student organization/club online at the beginning of the fall semester and submit a Student Organization Annual Report (copies are on file in Student Activities & Leadership Development Office) at the end of the spring semester, end of each spring semester. In order to receive recognition as an official Brescia University student organization/club each group must submit the following: name and contact information for officers and advisor, list of all members, constitution/by-laws governing the organization/club (only if there are any updates), and if the student organization/club has a national affiliation, then a copy of national organization constitution/by-laws. This information must be updated at the end of each spring semester.

## RECOGNIZED CLUBS AND ORGANIZATIONS

A list of all recognized organizations during the academic year is available from SGA. The following is a list of recognized campus organizations as of the beginning of the 2018-192017-18 academic year:

**Student Government Association (SGA)** – to provide for a representative government; a voice for the concerns of the undergraduate, graduate, and BU Online students; a method to promote involvement in the campus community; a forum for the communication to the University's faculty and administration, and to serve the best interest of the students and the University.

The SGA represents all students of Brescia University. It is the purpose of the SGA to be active in the life of the University, to explore and discuss issues within and outside of this learning community, to render service to the students of Brescia and to fulfill its role as the representative body and advocate on behalf of the students to the faculty and administration of Brescia. All students enrolled at Brescia constitute the membership of SGA. The Executive Branch includes the President, who serves as a Board member and appoints students to Board Committees, Vice President, the Parliamentarian, Secretary, Treasurer, Representative to the Administration, and the Historian.

**Alpha Chi** – to recognize and promote outstanding scholarship and the character to use that scholarship for good.

**Black Student Union** – to promote awareness and unity within the minority and African American community to all Brescia University students.

**Brescia Arts**-to provide and artistic outlet for Brescia students.

**Brescia Students for Life**-seek to promote respect for life at Brescia and the surrounding community, to educate on life issues, to help those in need so that life is a promising choice and to work with others who share a common goals.

**Clay Club** – an artistic club providing a creative outlet for students as well as a forum for members to participate in the recreational, educational, and philanthropic aspects of ceramics.

**Delight**-is a ministry for college women that grows together, serves together, learns together, and does life together while chasing the heart of God.

**Environmental Club**- purpose is to serve as unified voice of concern over climate change and environmental degradation and the need to for environmental protection.

**Fellowship of Christian Athletes**- purpose is to present to athletes, coaches, and all whom they influence, the challenge and adventure of receiving Jesus Christ as Savior and Lord, serving Him in their relationships and in the fellowship of the church.

**Freshman Class Council (FCC)** – to provide a system of support, programming, and a method of campus involvement for all new students of Brescia University.

**Habitat for Humanity: Brescia Chapter** –In partnership with the Owensboro-Daviess County Habitat for Humanity in efforts to provide simple, decent, affordable housing to people in need. Habitat for Humanity of Owensboro is a nonprofit organization building homes through volunteer labor and donations of money and materials.

**History Club**- purpose is to educate campus about current, as well as past, events. The history club may accomplish this purpose through documentaries, lectures, discussion panels, and/or other events.

**Ichabod Society** – to work together to advance the values of reading, writing, and all matters intellectual on our campus.

**Japanese Culture Club: Anime Association**- purpose of this club is to spread knowledge and appreciation of Japanese culture and Japanese animation.

**Kentucky Educators Association (KEA) & Council for Exceptional Children (CEC)** **KEA** – to provide opportunities for personal growth, professional development, understanding of the teaching profession, participation in cooperative work, and strive for higher standards of preparation. **CEC** – to improve the educational success of individuals with disabilities and/or gifts and talents. It is an international community of educators who are the voice and vision of special and gifted education. Its mission is to improve the quality of life for individuals with exceptionalities and their families through professional excellence and advocacy.

**Music Club**- to provide live music for Brescia University events, enhance school spirit and fellowship, raise awareness of the importance of Arts, and share the gift of music.

**National Student Speech Language and Hearing Association (NSSLHA)** – Brescia chapter's purpose is to promote awareness of speech language pathology and audiology as a profession and enrich the knowledge and understanding of both undergraduate and graduate students.

**Phi Alpha Honor Society**-provide a closer bond among students of social work and promote humanitarian goals and ideas.

**Political Science Club** – to actively engage, inform, and further explore the interest of the study of political science and its subfields.

**Psychology Club** – to challenge, stimulate, and provide an environment that will promote growth among individuals interested in psychology and other related fields.

**Social Work Club** – promotes community service and provides opportunities for discussion of important social concerns.

**Sophomore Class Council (SCC)** – to provide support, programming and a method of campus involvement aimed at representing the interests of all second year students of Brescia University.

**Student Activities Program Board (SAPB)** – the main student programming board on campus, responsible for a wide array of entertainment and educational programming.

**Theatre and Speech Club of Brescia University-** provide an artistic outlet for students and coordinate theatrical activities which include script readings, playwriting, performances, speeches, debates, and field trips.

**Young Americans for Liberty of Brescia-**purpose is to give liberty minded students a voice, and to advocate and education other students on liberty-based solutions to many of today's issues.

**Zombie Emergency Survival Team (Z.E.S.T.)** – to promote general student welfare, health, and protection from the living dead.

## **CONTRACTS**

Contracts between students or student organizations representing Brescia University and outside persons or agencies must be signed by the President or Vice President of Business and Finance.

## **FUNDRAISING AND SALES**

To insure proper use of Brescia University's name, to monitor requests to donors, and to assure adherence to local law, the Vice President for Institutional Advancement must authorize, in advance, all solicitations by campus organizations or students for money, goods, or services. Note that sales tax must be collected on goods sold as part of a fundraising activity.

**On-Campus:** Funds raised by students or groups can only be used for educational or charitable purposes. These funds cannot be used for personal gain. To protect the privacy of students, no soliciting or selling is permitted in the residence halls. These activities can be conducted in areas designated by the Office of Student Affairs.

Brescia University does not invite sellers, canvassers, or distributors on campus. Anyone attempting to sell on campus is trespassing. On occasion, the Dean of Students may give authorization to sell or solicit on campus at a given time and a given location.

## **INSUFFICIENT FUNDS**

Checks returned to Brescia University for insufficient funds should be made good by the student immediately upon notification. The University imposes a \$25.00 charge to cover the costs of processing checks. When off-campus merchants report returned checks, Brescia University will contact the student to remedy the problem. Brescia University accepts no liability for the debts of its students nor does the University act as an agent for outside organizations seeking to collect student debts.

## **OFFICIAL EVENTS PLANNING**

Official events meet any of these conditions:

1. Held or advertised on campus;
2. Open to all Brescia University students; or
3. Use of Brescia's name.

Organizations sponsoring may request authorization to permit alcoholic beverages at a particular event off-campus. The following conditions always apply:

1. Sponsoring organizations must obtain written approval from the Student Government Association and the Dean of Students;
2. As a part of the approval process, sponsoring organizations must present a plan outlining the efforts they will use to enforce the alcohol policy and the ways they will monitor the conditions of departing guests;
3. The sponsoring organization will promote the event and not the alcohol. Notices should display one of the following: No alcohol or cash bar only. No other reference should be made regarding alcohol;
4. No alcohol may be sold or furnished to anyone under the age of 21, by law in the Commonwealth of Kentucky. Brescia requires a valid driver's license for age verification;
5. Professional security guards must be present at functions where alcohol is served;

6. University money may not be used to purchase alcohol;
7. Sponsoring organizations must provide snacks and non-alcoholic beverages free or at reasonable prices;
8. Serving alcoholic beverages must end at least 30 minutes before the conclusion of the event, with no last call announcement;
9. Events with alcohol may not exceed four hours in length; and
10. Students may not bring alcohol for their personal use to any event. Kegs, cases, or containers over one liter, are never permitted at any event.

An organization permitting alcohol at an event without authorization will be fined \$200, will lose their privileges of sponsoring events for 12 months, and will not be eligible to receive SGA funding. Additionally, the offending organization may be referred for appropriate action under the University's student conduct system.

While possession or use of alcohol by students is not permitted on campus, limited exceptions to this policy may be granted by the President of the University provided:

- A sponsored event is approved and sanctioned by an administrative or academic department of the University;
- The event is limited to a select group;
- The event will have limited and controlled alcoholic selections such as wine or beer;
- Alcoholic beverages are limited to those who are at least 21 years of age;
- Alternate non-alcoholic beverages, other than water, and food must be available;
- The sponsor (host) assumes responsibility for enforcement of all appropriate University regulations and Commonwealth laws;
- Failure of the sponsor (host) to enforce all regulations will result in the immediate termination of the event; and
- A Kentucky certified bartender must serve the alcoholic beverage(s) at any University event, per Owensboro, Kentucky Mandatory Responsible Beverage Server Training Ordinance #1-2004.

Application for an exception to the University policy must be made in writing to the President, and it must outline the sponsor's plan to enforce the established rules.

## POSTING NOTICES

All student and student organizational signs, flyers or posters which are to be posted on campus must be approved by the Student Activities Office. **BEFORE** anything is posted it must be stamped by Student Affairs staff. Please bring the sign, flyer or poster to be stamped **BEFORE** it has been duplicated. Stamped items may be posted by students, student organizations, faculty, or staff in approved areas only. A list of approved posting areas is available at the Office of Student Affairs.

Posted items not stamped will be removed and discarded. Notices attached to walls, doors, and windows will be removed and discarded. No nails on wooden surfaces or tape on painted or varnished surfaces are permitted. Failure to receive approval will result in the removal of the items posted, restitution for any damage and may result in loss of posting privileges.

Once a flier/sign has been authorized, it can remain posted for up to 30 days or until the "down" date. All signs/posters must be in good taste, consistent with university policies, and shall not contain sexist, racist, homophobic, profane or derogatory remarks, or nudity. The University retains the right to deny posting of any materials on campus.

All posters must have the name of the sponsoring organization/individual on the poster. Persons not connected with Brescia University may be limited to one designated area, and are only approved at the discretion of the Office of Student Affairs. A notice posted on campus does not indicate the University's endorsement of the notice, sponsoring organization, or event.

- **Napkin Table Tents:** Persons wishing to post information on tables (in the table tent holders

provided) must receive approval from or the Office of Student Affairs. Table tent holders can be utilized in O'Bryan's Dining Hall. or Bartholomy-Taylor Hall. Table tent dimensions: 4" width by 6" height. Loose flyers, posters, or notices are not permitted without authorization from the Office of Student Affairs.

- **Sidewalk Chalk or Window Paint:** Students, faculty or staff that wish to publicize an event by using chalk on sidewalks or window paint (O'Bryan's Dining Hall only) must obtain permission from Student Activities office at least three days in advance of the advertising date. A sketch/text of proposed chalking must be submitted for approval. No other substance besides sidewalk chalk may be used. Chalking on walls, brick, or within ten feet of a campus building is prohibited. Also only designated window paint should be used on windows in O'Bryan's Dining Hall. Failure to follow these guidelines may result in restitution for any damage or necessary cleaning and may result in loss of chalking and painting privileges.

Failure to follow these guidelines may result in restitution for any damage or necessary cleaning and may result in loss of chalking privileges.

## RESERVING EVENT SPACE

For normal Brescia functions, schedule use of the campus space needed by contacting the following persons. Give name of the Brescia event or meeting, date, time, purpose, and location of the area you want to reserve. Functions are scheduled on a first come, first served basis. Special rules apply to any non-Brescia event reservation. Contact Housekeeping at 270-686-4257, for set-up needs in the area to be reserved.

- **Administration or Science Building classrooms,** Call 270-686-4248, Office of the Registrar.
- **Moore Center Commons and Program Room, O'Bryan's Dining Hall, Science Building, Taylor Lecture Hall, Cat's Den, Chapel, Gym, and Quad** – Call 270-686-4332, Administrative Assistant, Student Affairs
- **Library** – Call 270-686-4212, Office of Assistant Librarian

If the space is to be used for other than internal events, information and forms for rental are available at: [http://www.brescia.edu/about\\_brescia/room\\_rental.php](http://www.brescia.edu/about_brescia/room_rental.php)

## VEHICLES

Brescia University maintains van and buses that faculty/staff members who have been authorized to drive for the university may reserve for class, club and Student Government Association sponsored events. Procedures for using vehicles are:

1. University authorized driver may reserve vehicles through the Coordinator of Vehicles in the Athletic Department;
2. Upon return, the sponsoring group should clean the vehicle, fill the gas tank, park the vehicle in the proper area and report any mechanical problem. The sponsoring group will be assessed \$25 for failure to carry out these procedures; and
3. Authorized drivers (University faculty and staff) must have a valid licenses, a record free of moving violations, and be pre-approved by the Director of Human Resources. Driving a bus requires a Commercial Driver's License. Students may not drive Brescia vehicles.

## SAFETY PROCEDURES FOR DRIVERS

1. Coaches or other University personnel approved to drive by the Director of Human Resources are the only authorized drivers of Brescia vehicles.
2. All University trips must be planned carefully, allowing for plenty of time for safe arrival.
3. When traveling with more than one vehicle, the team/group must stay together in one convoy.
4. Drivers must stay within posted speed limits.
5. Drivers must stop for at least 10-minute rest period after driving for 4 consecutive hours.
6. Drivers must not drive more than 8 hours or 520 miles in any given 24 hour period.

7. Only University vehicles (owned or leased) can be used for school trips, exceptions are permitted for rented vehicles or for companied providing transportation services with trained drivers. Exceptions require the approval the appropriate Cabinet Member for each department.
8. Head coaches or faculty/staff sponsors must always travel with the group.
9. Drivers must conduct posed safety checks prior to departure and during regular intervals on the trip.
10. All vehicle or safety problems must be reported by the trip coordinator to the Coordinator of Athletic Vehicles (CAV) as soon as possible upon return to the campus.
11. With the support of the Maintenance Department, the CAV regularly will have the vehicles check for safety.
12. The trip sponsor must carry phone numbers of a contact person at the destination site, a Brescia contact person, and an emergency help number.
13. The trip coordinator must carry a University or personal cell phone.
14. No alcohol or controlled substances shall be consumed or carried in vehicles while on University related trips.

NOTE: Although Brescia approved trips are covered by the University's insurance, drivers may be held accountable should litigation occur due to driver negligence or error. Brescia's liability coverage extends only to travel related to University functions.

## **SAFETY AND SECURITY**

### **ACCESS TO BUILDINGS**

Valid Brescia IDs allow students, faculty, staff, and guests to academic, recreational, and administrative facilities on campus. Access to residence halls is limited to the students living in that particular facility. Employees may enter residence halls when required to do so in the performance of their jobs. The public may attend cultural and athletic events on campus, with access restricted to the facilities where these events are held.

### **ACCIDENTAL INJURIES**

An accident resulting in an injury to any student or visitor to the University is to be immediately reported to either the Office of Human Resources (during office hours) or campus security (after hours); the Director of Residence Life (for residents); or the Director of Athletics (for athletes). Personnel will respond to the scene, insure that the injured person receives the appropriate care and, if warranted, conduct an initial investigation of the accident.

### **CRIME STATISTICS**

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, Brescia University reports crimes as defined by the FBI Uniform Crime Reporting System. In October of each year, Brescia distributes this report to all students and employees. Brescia will also make the report available upon request to prospective students and employees.

In accordance with the Michael Minger Act, (KRS 164.948 to 164.9495 and 164.993), Brescia reports crime statistics annually to the Kentucky Council on Postsecondary Education. A campus crime log is available at [https://www.brescia.edu/uploads/Brescia-Campus-Crime-Report-Brochure-October-2017\\_FINAL.pdf](https://www.brescia.edu/uploads/Brescia-Campus-Crime-Report-Brochure-October-2017_FINAL.pdf) and lists incidents known to campus officials and security personnel. A paper copy of the crime log may be obtained from the Office of Student Affairs.

### **EDUCATIONAL PROGRAMS**

Brescia University seeks to educate students on issues of personal safety and to promote awareness of the dangers and complexities of sex offenses. Brescia University provides regular Bystander Intervention training to prevent sexual misconduct and sexual assault. Trainings are open to students, faculty, and staff. Some general precautions to take to reduce the risk of being drugged:

- Never leave beverages unattended;
- Take no beverages from someone you do not know well and trust;
- At a bar, accept drinks only from bartenders and servers;
- At parties, do not accept open container drinks from anyone; and
- Be alert to the behavior of friends and ask them to watch out for you.

In the event of a sexual assault:

- Go to a safe place. Call security at 270-686-4300, call the RA on duty, &/or dial 911;
- Tell the first person you see what has happened (helpful to corroborate your testimony in the event of prosecution);
- Talk with someone you trust;
- Seek medical attention at the emergency room;
- Request tests for pregnancy and sexually transmitted disease;
- Do not shower, bathe, or douche;
- Preserve physical evidence such as clothing; and
- Request a urine test as quickly as possible to detect the presence of sedating substances.

## EMERGENCIES

The Office of Student Affairs maintains a series of emergency procedures to assist students who may find themselves in difficult situations. Students are encouraged to contact a member of the staff, including Resident Assistants, if they are experiencing any kind of crisis situation.

For immediate assistance from the police, fire department or paramedics, call 911. From campus phones, just dial 911. From a pay or cell phone, simply dial 911.

- **FIRE:** If you discover a fire, set off the alarm. Exit the building, try not to panic and do not use the elevators.
- **TORNADO:** When a tornado is sighted, a loud warning siren is sounded. Go to the bottom floor of your building or at least into the hallways. Stay away from all windows and do not go outside to view the storm.
- **EARTHQUAKE:** You will only have 2-3 seconds to find a safe place, under a heavy desk or doorframe to protect yourself from falling objects. If you are out of doors, stay away from buildings. Do not smoke and do not touch electrical wires or appliances.

In an emergency situation, please contact Brescia University Security at 270-686-4300.

## EMERGENCY NOTIFICATION AND EVACUATION PROCEDURE

Brescia University has established the “One-Call” system to alert the University community of any emergency condition such as University closing and campus or surrounding area situations which may pose a threat or result in a dangerous situation. In addition to fire alarms, email communications, posting on the web-site and notices to the local media, all members of the University community will receive notification of these situation by voice mail. Specific instruction related to the emergency situation, will be included in the message. This may include announcements as to the University closing, lock-down instructions and information as to where to report in the event of a campus evacuation. Members of the administrative staff have been provided with emergency procedures regarding steps to be taken in such events to assure the safety of students, faculty and staff.

Any person who you may be aware of or suspect a situation is occurring which may pose a threat to the safety of the University community is requested to immediately notify a Brescia University Security officer at 270-686-4300.

## TO OPT-IN FOR TEXT ALERTS:

- Group Members in the United States: Text the word Alert to 22300

- Group Members in Canada, US Territories, and other countries using the [North American Dialing Plan](#): Text the word Resume to (937) 240-0720
- Group Members in any other country: Text the word Resume to +447937947401

## HOW TO OPT-OUT

If you would like to stop receiving text messages, you can opt-out by texting the word **Stop** to **22300** from your cell phone. Text messages will be disabled to your number. (You can opt-in again at any time by texting **Alert** to **22300**.)

Please note that you will be charged standard text messaging rates for all texts you receive via One Call Now for alerts.

## HATE CRIMES

Hate crimes are reported crimes involving those that must be reported in our annual report and/or those involving bodily injury, that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. In the years of 2013, 2014, and 2015, Brescia University reported zero crimes for each of the aforementioned categories.

## MISSING PERSON PROCEDURE

Students will be given the option of identifying contact information, on a confidential basis, of a person(s) to be contacted in the event a student is reported as missing. This may be someone listed as the emergency contact by the students or another person. If the student is under the age of 18, the student's parents or guardians will be notified.

If it is determined that a student has been missing for more than 24 hours, the University will notify the contact person as soon as possible, but no later than the next 24-hour period. In the event a student has not identified a person to be contacted and no emergency contact has been listed, the University will notify local law enforcement officials.

Institutions are required under the Family Educational Rights and Privacy Act (FERPA), upon written request, to disclose to the alleged victim of a crime of violence or a non-forcible sex offense, or to the alleged victim's next of kin (if the victim dies as a result of the crime or offense), the final results of any institutional disciplinary proceeding dealing with that crime or offense.

Brescia Security officers have the authority to detain violators until campus staff or local police take control of a situation. If required, police are called to control criminal activity and to assist with any emergency.

## REASONABLE SECURITY

The concept of "reasonable security" recognizes the demonstrable tensions between an accessible academic setting and a completely secure campus. Brescia seeks a balance between an open environment where academic exchange can thrive and a safe environment where intellectual inquirers feel secure.

## SAFETY, SECURITY, AND WELL-BEING

Brescia University makes the safety and security of its members and guests an institutional priority. Brescia University is private property for the use by the University and its guests. The University employs a professional security staff to protect the members of this community and the campus.

With a valid Brescia University ID, members of the Brescia University community may enjoy access to academic, recreational, and administrative facilities on campus. Access to the residence halls is limited to students living in those facilities and their guests. Employees may enter the residence halls when required to do so to perform their jobs. The public may attend cultural and athletic events in the facilities where the events are held.

Academic buildings are secured by 10:00 PM and opened at 7:30 AM on class days.

For immediate help, dial 270-686-4300 from any campus telephone for Brescia Security and 911 for

area law enforcement. For escort service by a security guard, call 270-686-4300 from a cell or off campus phone.

Incident Report forms are available from the "Residence Life Forms" page under "Residence Life" on the Brescia web page or from the Office of Residence Life. Below are some general safety tips for students:

- Always lock your room and car when unoccupied;
- Remove valuables from your car, or at least keep them concealed;
- Do not keep large sums of money;
- Do not leave keys, purses, or other valuables unattended;
- Remove valuables from the residence hall rooms over vacation periods;
- Register bicycles with the Police Department;
- Do not walk alone at night;
- Walk in well-lighted areas;
- Never prop open an exterior door and leave it unattended;
- Let someone know when you are leaving campus and when you intend to return;
- Report injuries, vandalism, encounters or loss; and
- Let someone know immediately if you see a stranger in the building.

## **REPORTING CRIMES AND EMERGENCIES**

Immediately call campus security at 270-686-4300 or local emergency 911 to report a crime, suspected crime, safety hazard, or suspicious persons. Provide as much of the following information as possible:

- Autos: License number, make, model, color, direction of travel, identifiers such as spots or dents.
- Persons: Name, gender, race, age, height, build, clothing, weapons, direction of escape

Any individual, victim, or witness may confidentially and voluntarily report crime for inclusion in crime statistics to any of the following:

- Mr. Isaac Duncan, Director of Residence Life, 270-686-4324
- Mr. Danny Clark, Director of Housekeeping & Security, 270-686-4300
- Mr. Joshua Clary, Vice President of Student Affairs/Dean of Students, 270-686-4332
- Ms. Tammy Keller, Human Resources Director & Title IX Coordinator 270-686-4246

It is the University's policy to encourage pastoral and professional counselors to inform the University of crime. Such persons may contact any of the above to report incidents for inclusion in the annual crime statistics.

## **UNIVERSAL PRECAUTIONS**

For protection from blood-borne, communicable diseases (Applies to: Blood, semen, and vaginal secretions; does not apply to: Feces, nasal secretions, saliva, sweat, tears, urine, vomit, breast milk).

1. Gloves should be worn for touching blood and body fluids and for handling items or surfaces soiled with blood or body fluids;
2. Hands and other skin surfaces should be washed immediately and thoroughly if contaminated with blood or body fluids;
3. Hands should be washed immediately after removing gloves; and
4. Article contaminated with body substances should be bagged and discarded in appropriately marked receptacles in the bathrooms.