

Briar Cliff University

Student Handbook

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This handbook is not to be construed as a contract. The University reserves the right to change policies, procedures, and regulations to protect students, the University and adhere to best practices. These changes can be made at any time and will take effect when the administration determines that such changes are prudent. Students will be notified of changes in a timely manner via email, official announcements, and postings to BCYOU (student portal) and campus bulletin boards.

Students are responsible for reading this handbook, official announcements, notices posted on bulletin boards, campus emails, and otherwise to be informed completely in regard to information related to their role as a student at Briar Cliff University.

I. STUDENT CODE OF CONDUCT

Briar Cliff University has as its primary objective, the academic, social and personal development of each student. The University strives to preserve for all of its students an environment that is conducive to academic pursuit, social growth, and individual discipline. Students are expected to behave in a moral and ethical manner, both on and off campus. It is essential that mutual respect for, and sensitivity to, the needs of others be accepted by all members of our community in accordance with the Catholic and Franciscan ideals of Briar Cliff University.

All students are expected to act responsibly and within the regulations and standards established by the University and all civil laws and ordinances. It is impossible to list every category or specific example of conduct serious enough to warrant discipline; therefore, the University reserves the right to initiate disciplinary action and seek appropriate sanctions for conduct which is not specifically identified in the Code of Conduct and regardless of whether the conduct occurred away from University premises or involved a University-related activity. The University will handle student disciplinary matters independently of any related civil or criminal proceedings.

The University does not prohibit students from joining and participating in online communities or social media as individuals. However, any online and/or social media behavior that violates the Student Code of Conduct which is brought to the attention of a University official will be treated as any other violation of the Student Code of Conduct.

The Student Code of Conduct shall apply to all undergraduates and graduate students attending Briar Cliff University. Additionally, all students are responsible for complying with University rules, regulations, policies, and procedures published in hard copy or available electronically including but not limited to the Student Handbook, Residence Life policies, Parking policies, and Student Athlete policies along with program handbooks and announcements which may be issued from time to time.

Please contact the Student Development Office if you have questions about the interpretation of the Student Code of Conduct.

A. TYPES OF MISCONDUCT

Misconduct which is subject to disciplinary action includes, but is not limited to, the following:

1. Cheating, plagiarism or any form of academic dishonesty as further explained in the Academic Integrity Policy. Conduct covered by the Academic Integrity Policy will be addressed in the manner set out in that Policy
2. Forgery, alteration or misuse of any campus document, record, or instrument of identification; or knowingly furnishing false information to the University.
3. Misrepresentation of oneself or an organization to be an agent of the University.
4. Obstruction or disruption, on or off campus property, of the academic, research, administrative or disciplinary processes.
5. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, stalking, bullying, cyber-bullying and harassment via social media, and/or other conduct which threatens and/or endangers the health of any person.
6. Attempted or actual theft of and/or damage to property.
7. Unauthorized entry into, unauthorized use of, or misuse of any building, structure, equipment, keys and/or facility; unauthorized and/or fraudulent use of ID cards and/or entry cards; any actions which allow for unauthorized entry into rooms or buildings.
8. Theft or other abuse of computer equipment, networks, facilities and/or resources, including but not limited to:
 - a.) Unauthorized entry into a file.
 - b.) Unauthorized transfer of a file.
 - c.) Use of another individual's identification and/or password.
 - d.) Interfering with the work of another student, faculty member or University official.
 - e.) Sending obscene or abusive messages.
 - f.) Interfering with the normal operation of the University computing system.
 - g.) Violating copyright laws.
 - h.) Violation of the University Guidelines for Computer Usage.
 - i.) Attempting to gain access to a computer or a network, on campus or off campus, without authorization (i.e., hacking).

j.) Sending or causing to receive, harassing, obscene or pornographic drawings, images, photographs, or the like.

9. The unlawful use, possession, manufacturing, distribution, or sale of any drugs, agents, and/or drug paraphernalia. Refer to the University Policy on Alcohol and Drugs.

10. Distribution, use or possession of alcoholic beverages and/or alcohol paraphernalia such as beer bong, binge drinking game equipment, etc. other than as specified in the University Statement on Alcohol and Drugs.

11. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.

12. Arson; abuse of, or tampering with fire alarm systems; tampering with fire emergency equipment or any other emergency equipment.

13. Discrimination as specified in the University Non-Discrimination policy.

14. Any form of gambling not allowed by law.

15. Sexual misconduct and relationship violence as specified in the Policy on Sexual Violence and Sexual Harassment. Conduct covered by the Policy on Sexual Violence and Sexual Harassment will trigger the investigation, hearing and appeal procedures set out in that Policy.

16. Engaging in behavior that is disorderly, lewd, indecent, obscene, and/or disruptive to the University community.

17. Failure to comply with directions of University officials, law enforcement officers, or their designated agents and/or failure to identify oneself when requested to do so.

18. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operation of the University and/or infringes on the rights of other members of the University community and/or the community at large; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.

19. Abuse of the student conduct process, including but not limited to:

a.) Failure to obey a notice from a Hearing Officer or Conduct or Appeal Board or any other designated University official to appear for a meeting or hearing as part of the student conduct process.

b.) Falsification, distortion, or misrepresentation of information during the course of the student conduct process.

c.) Disruption or interference with the orderly conduct of a student conduct proceeding.

d.) Instituting a student conduct proceeding in bad faith.

- e.) Attempting to discourage an individual's proper participation in, or use of, the student conduct process.
- f.) Attempting to influence the impartiality of a hearing officer and/or a member of a Conduct or Appeal Board prior to, and/or during the course of, the student conduct process.
- g.) Harassment (verbal or physical) and/or intimidation of a hearing officer and/or a member of a Conduct or Appeal Board.
- h.) Failure to comply with any sanction(s) imposed under the Student Code of Conduct.
- i.) Influencing or attempting to influence another person to commit an abuse of the student conduct process.

20. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.

21. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts, they are violations of this rule.

22. Commission of any act that could be found to be a violation of any federal, state or local law.

23. Making false reports of a fire, bomb threat, or other dangerous condition (including falsely activating emergency phones on campus); failing to report a fire; interfering with the response of University or municipal officials to emergency calls.

Student Conduct Procedures

The procedures described in this policy are not legal proceedings but are designed to advance the educational mission of the University. Formal rules of evidence and procedure used in legal proceedings do not apply to student conduct proceedings at Briar Cliff University.

Standard of Proof

The standard of proof for the Student Conduct process at Briar Cliff University, like many colleges and universities, is whether it is "more likely than not" that a student has violated University policy. Policy violations are generally brought to the attention of the Student Development Office through a report of an incident. The report may come from a campus Security Officer, a Residence Life staff member, Law Enforcement Officer, Briar Cliff University student, or any other member of the Briar Cliff or local community. Once a report is received, the Assistant Dean of Students, Vice President for Student Development, Residence Life Conduct Officer or a designee notifies the student that an initial conference may be held to discuss the matter and the process that will follow.

Conduct Hearings

Cases involving violations of the Student Code of Conduct and/or University policies by students are handled by the Student Development Office. The Vice President for Student Development and Assistant Dean of Students have the discretion and authority to determine who hears the case.

a.) Hearing Officer

If the alleged policy violation is a lower-level violation (a violation that will not result in student and/or resident status jeopardy) and/or the student's status is not in jeopardy, the accused will be assigned a Hearing Officer, who may be a Residence Life professional staff or another member of the Student Development staff. The Vice President for Student Development or Assistant Dean of Students will determine the Hearing Officer assignment. Parents/Guardians are not permitted to attend Conduct Hearings with students. During the Conduct Hearing, the accused student(s) will be given the opportunity to explain his/ her version of events. Based on the information before the Hearing Officer (including any available witness statements), the Hearing Officer will determine whether the student has violated a University policy. If the student is found not responsible, the case will be closed. If the student is found responsible, appropriate sanctions will be determined.

b.) Student Conduct Board

If the alleged policy violation is a higher-level violation, a Student Conduct Board Hearing may be held. A higher-level violation is defined as a violation that may result in student and/or resident status jeopardy. When a case is referred to the Student Conduct Board, the student is given a written statement of charges. After a date is set for a hearing, the student appears before the Student Conduct Board to discuss the case and answer questions. If several students are involved in a situation, each will have a separate hearing.

The Student Conduct Board will be comprised of members of the Briar Cliff community as determined by the Vice President for Student Development, Assistant Dean of Students, or a designee. A University Representative will chair the Student Conduct Board hearings.

A Student Conduct Board Hearing may be conducted in the absence of a student who fails to appear after campus officials have made a reasonable effort to provide advance notice of the hearing time, date, and location.

The responsibility for note-taking or for taping the session will be determined by the chair of the Student Conduct Board. The record of the case and the findings will be the property of the University but will not become part of the student's official academic record unless the final sanction is Dismissal.

Parents/Guardians are not permitted to attend Student Conduct Board Hearings with students. Students involved in a Student Conduct Board hearing shall have the right to choose a faculty or staff member of the University to serve as a Conduct Board Hearing Support Person. The University will maintain a pool of qualified support persons, or the accused student may request a different faculty or staff for that role. If the selected support person is not from the pool of trained support persons, the person selected is expected to meet with the Vice President for Student Development or the Assistant Dean of Student Development to be briefed on their role at the hearing.

The role of the Conduct Board Hearing Support Person during the hearing is limited to consultation with the student involved. They are not permitted to participate directly in the hearing unless requested by the Board to do so.

Students who have concurrent criminal charges pending against them may have legal counsel present, the cost of which is to be borne by the student. The role of legal counsel is limited to consultation with the student involved and therefore counsel is not permitted to address witnesses or the Board or otherwise participate directly in the hearing.

During the Student Conduct Board Hearing, the accused student(s) will be given the opportunity to explain his/her version of events. If a student wishes to present witnesses, the names of the witnesses must be provided to the Student Conduct Board at least two days prior to the hearing. No witnesses will be heard by the Student Conduct Board unless this requirement is met. Witnesses must have information relevant to the hearing in order to be heard.

Based on information presented at the hearing, the Student Conduct Board will determine whether the student has violated University policy. If the student is found not responsible, the case will be closed. If the student is found responsible, sanctions will be determined. The Student Conduct Board may announce a decision shortly after a hearing or may retire to consider the matter.

The chair of the Student Conduct Board will communicate the Board's decision in writing to the parties involved generally within 5 days of the hearing and in compliance with the privacy requirements of the Family Educational Rights and Privacy Act. Generally, if another student has filed the complaint, that student will be notified only whether the complaint has been deemed founded or unfounded but will not be informed of sanctions imposed. Exceptions apply in cases where the complainant has alleged a crime of violence or sexual misconduct. In those cases, the complainant will be notified of the final results of the proceeding, limited to the student's name, the violation committed, and any sanctions imposed. In such cases, any disclosure of this information is not permitted.

The accused student will be notified of the Student Conduct Board's findings on each of the alleged conduct violations and any related sanctions. The University may also legally notify parents of students who are under the age of 21 of any violation of the University's alcohol or drug policies and/or laws.

Student Status Pending Hearing or Appeal

Pending a hearing or appeal, the student involved may continue to have the same rights and privileges accorded other students. However, grades or diplomas shall be withheld pending final determination of charges that could result in suspension or dismissal. In certain circumstances, the University may temporarily limit or suspend a student's rights and privileges. Such limitations could include temporary removal from the residence halls, removal from co-curricular activities, and restriction to a specific area on campus in-between classes, a no-contact order, or interim suspension of student status. These measures will be determined in light of the severity of the alleged violation and the safety of or impact on the University community.

Right of Appeal from Sanction of Suspension or Removal/Dismissal from Residence Halls or University

A student who receives a sanction of Suspension or Removal from the residence halls or Suspension or Dismissal from the University has the right to one appeal. No other appeals are allowed under this policy. The following will be the only grounds allowed for an appeal:

- A procedural error or irregularity that has a material impact on the outcome of the hearing.
- Previously unavailable new information that has a material impact on the outcome of the hearing.
- Substantial evidence that the sanction imposed is disproportionate to the findings of fact established during the hearing process.

A written notice of appeal must be delivered to the Vice President for Student Development within 3 business days after the hearing decision has been issued. If the appeal is timely and sets forth a valid basis for appeal, the Vice President for Student Development will name an Appeal Board of at least 3 members to review the matter. The Appeal Board will consist of individuals who were not involved in the original Conduct Hearing.

After receiving the appeal and reviewing the hearing record and any allowable new information, the Appeal Board may elect to: affirm the finding and sanction, affirm the finding and change the sanction or reverse the finding. The decision of the Appeal Board is final.

The imposition of sanctions may be deferred pending the appeal proceedings. This decision will rest with the Hearing Officer or Student Conduct Board chair. The responsibility for monitoring the sanctions will rest with the Vice President for Student Development, Assistant Dean of Students or their designee.

Student Conduct Sanctions

The following are sanctions which may be imposed for violations of the Student Conduct Code:

- a.) *Disciplinary Reprimand*: A warning to the student that the cited behavior is not acceptable and that future misconduct will necessitate further disciplinary action. A Disciplinary Reprimand stays active on the student's disciplinary record in the Student Development Office files for four academic months of a fall or spring term.
- b.) *Disciplinary Warning*: Notice to the student that future misconduct will result in more severe disciplinary action by the University. A Disciplinary Warning stays active on the student's disciplinary record in the Student Development Office files.
- c.) *Disciplinary Probation*: A specified period of time during which the student is removed from good standing. The student may be restricted from representing the University in any extracurricular activity or running for or holding office in any student group or organization. The student may be allowed to remain in the residence halls and at the University on the condition that he/she complies with the sanctions imposed by the Hearing Officer or Student Conduct Board. Failure to maintain behavioral expectations will result in further disciplinary action.
- d.) *Restitution*: Student is held responsible for personal or property damages through financial compensation or appropriate service.

e.) *Fine*: Monetary sanction which must be paid within a designated time.

f.) *Suspension from the Residence Halls*: Student is temporarily removed from the residence halls, without refund of housing fees, and is not allowed to live in the residence halls or have residence hall visitation privileges for a designated period of time.

g.) *Removal from the Residence Halls*: Student is removed from the residence halls, without refund of housing fees, and is no longer allowed to live in the residence halls or have residence hall visitation privileges.

h.) *Suspension from the University*: Temporary loss of student status for a specified time with resultant loss of all student rights and privileges. A suspended student will be required to leave campus and not be permitted to return until the end of the suspension. A suspended student will lose credit for subjects carried that semester and fees and tuition will be forfeited in the same manner as would be determined for a withdrawing student. The disciplinary action will be recorded as a part of the student's record in the Dean of Student's office.

i.) *Dismissal from the University*: Termination of student status. The dismissal action may be permanent, may involve a specified time, or may remain indefinite, subject to reconsideration at a later date. A dismissed student shall receive a grade of "W" (withdrawal) in all courses carried during the term he/she is dismissed and fees and tuition will be forfeited in the same manner as would be determined for a withdrawing student. The sanction of dismissal will be noted in the student's permanent record in the files of the Registrar's Office. Unless otherwise stipulated, all dismissal sanctions include a ban from campus.

j.) *Immediate Removal from Campus*: A student who presents a threat to his or her own well-being or to the rights, safety and/or property of others may be subject to immediate removal from the Briar Cliff campus. The student may not re-enter any campus building, including the residence halls, or be present on campus without the advance written permission of the Vice President for Student Development, Assistant Dean of Students, or their designee.

k.) *Other Sanctions*: Other sanctions may be imposed instead of or in addition to those specified above, including but not limited to the following: community service, educational or research projects, mandated counseling or therapy, relocation to another University living area, restriction from specified University premises, or loss of specified privileges.

l.) *Parental Notification*: In compliance with FERPA regulations (Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99)), on-campus residents under the age of 21 who are found responsible for alcohol and/or drug policy violations may have their parents notified of their student conduct outcome. This notification will be shared with the student in their conduct hearing.

STUDENT GRIEVANCE PROCEDURES

To support its commitment to equity and due process, Briar Cliff establishes the following procedures for addressing student grievances. Students always maintain the 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 the grievant(s) by a Briar Cliff official or an officially sponsored University organization.

Note: Grievance Procedures are not avenues for appealing disciplinary sanctions. [There is a separate appeals procedure described on page 53 of the Student Handbook for appeals regarding disciplinary sanctions]. Nor are the grievance procedures proper arenas for contesting the wisdom of a specific University policy.

Briar Cliff Students May File Three Types of Grievances:

Academic Issues: Regarding course grades, academic practices, or academic integrity.

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

Discrimination Issues: Regarding unjustified or unlawful discrimination in the areas of race, color, religion, national origin, gender, age, handicap or disability, status as a Vietnam-era or special disabled veteran, or Title IX compliance.

For Grievances Regarding Academic Issues:

Appealing Grades: Students wishing to appeal grades or other academic practices (excluding academic integrity issues) should follow these procedures:

1. Discuss the concern with the faculty member involved within three weeks of the issuance of the final grade to initiate an appeal. If not resolved,
2. Appeal to the department chairperson in writing within three working days of discussing the grievance with the faculty member. Include in the written document circumstances of the grievance, specific concerns, and a proposed remedy. The student is notified in writing of the department chairperson's decision. If not resolved,
3. Appeal to the Vice President for Academic Affairs in writing within three working days of notification by the chairperson. Include in the written document circumstances of the grievance, specific concerns, and a possible remedy. The student is notified in writing of the Vice President for Academic Affairs' decision.
4. In all cases, the decision of the Vice President for Academic Affairs is final.

For Grievances Regarding Administrative Issues And Discrimination Issues:

The student should approach the person he/she perceives to be responsible for the offense in order to work out a solution. If the grievance remains unresolved after five working days, the student then may bring the issue to the immediate supervisor of the person against whom the grievance is being made.

If the grievance remains unresolved after 10 working days, the student through the Vice President for Student Development may ask in writing that a hearing be convened to evaluate the merits of the grievance. The Vice President for Student Development will

appoint a three-person Grievance Board, consisting of one faculty member, one administrator and one student to review 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. At the earliest possible date and within 15 working days of the receipt of the student's written request, the Grievance Board will inform both the grievant and the respondent in writing of the committee's decision to conduct or not conduct a formal hearing.

If Grievance Board members believe that the grievance has sufficient merit to conduct a formal hearing, they 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. Respondents may waive the right to attend the proceedings of the Grievance Board.

Grievance Board Composition:

Members of the Grievance Board should excuse themselves from participation in a formal hearing of a student grievance, if they have any conflicting interests. All members of the Grievance Board are subject to the approval of both parties in the grievance.

Board Processes:

Throughout all proceedings, the Student Grievance Board must maintain utmost concern for the dignity, safety, and comfort of all parties involved in the process.

Both the grievant and the respondent may seek counsel from any member of the Briar Cliff community, excluding those serving on the Board.

The hearing itself is closed. Each party may invite one member from the Briar Cliff faculty, administration, or student body to attend the meeting with them. This person may provide counsel but may not speak for the grievant.

Each Grievance Board must choose specific procedures for how it will deal with the presentation of evidence, witnesses, and cross examination.

The "Preponderance of the Evidence" will be the standard of proof throughout the proceedings. The Grievance Board will ensure that both parties have access to all the evidence being presented and sufficient time to examine it.

The Student Grievance Board should strive for consensus but may settle the case by majority vote. Proceedings and resolutions of the Board must remain confidential unless both parties agree in writing to release the information. In all cases, the decision of the Grievance Board is the final action in the Briar Cliff Grievance Procedure.

B. ACADEMICS

The University catalog contains all policies and requirements of Briar Cliff's academic programs. Check the University catalog for specific information regarding majors; academic status; internships; adding, dropping or withdrawing from classes; transfer credit; conditional admission; good academic standing; academic probation; academic dismissal; and, degree requirements for all programs.

Academic Integrity

Briar Cliff strives to create an environment where the dignity of each person is recognized. Accordingly, integrity in relationships and work is supported and rewarded, and honesty in academic matters is expected of all students. Actions which are contrary to the spirit of academic integrity will not be tolerated. Any attempt to misrepresent someone else's work as one's own, receive credit for assignments one did not do, obtain an unfair advantage over other students in the completion of work, or aid another student to do the above will be considered a breach of academic integrity. These include:

- Obtaining, disseminating or using unauthorized materials for the completion (by oneself or another student) of an examination, paper or assignment;
- Unauthorized collusion with another student in completing an assignment;
- Submitting as one's own the work of another student or allowing one's work to be submitted for credit by another;
- Copying from another student's paper or allowing one's paper to be copied;
- Computer theft which includes unauthorized duplication of software, unauthorized access into accounts other than one's own and the use of University resources (computer facilities, networks, software, etc.) for financial gain;
- Plagiarism: the representation of another's ideas, statements or data as one's own.

Plagiarism includes copying, paraphrasing or summarizing another's work (even if that work is found on the Internet) without proper acknowledgment (footnotes, in-text credit, quotation marks, etc.). For a more detailed explanation of what constitutes plagiarism and how to avoid it, refer to *The Little Brown Handbook*, available in the University bookstore and Bishop Mueller Library.

The policy of Briar Cliff University is that for an individual's first offense, the student's instructor or work supervisor will determine an appropriate penalty, with a possible penalty of "F" for the course or termination of employment. For a second offense, the instructor or supervisor and the vice president for academic affairs will determine an appropriate penalty, up to and including dismissal from the University. For an offense after the second, the vice president for academic affairs will determine an appropriate penalty, up to and including dismissal from the University. Depending on the nature and severity of the offense, the University reserves the authority to exact maximum penalty even in the case of a first offense.

In all cases of alleged academic dishonesty, the faculty member or work supervisor shall, in writing, notify the student of the specific charges and circumstances and a copy of the notice shall be sent to the vice president for academic affairs. If the student wishes to deny the allegations or appeal the penalty, he/she must, within 10 working days, file a written intent to appeal, first the department chairperson or the work supervisor's immediate superior. If the appeal is not resolved and the student wishes to continue the appeal, the student must, within three working days, file a written intent to appeal with the division chairperson. If the appeal is not resolved and the student wishes to continue the appeal process, the student must, within three working days, file a written intent to appeal with the vice president for academic affairs.

If the instructor is the chairperson of the department, the appeal shall be directed to the division chairperson. If the instructor is the division chairperson, the appeal shall be directed to the vice president for academic affairs.

The person to whom the appeal is made will weigh the evidence presented (in writing or at an oral hearing) by both the student and the instructor or work supervisor and make a judgment. If the matter is not resolved to the satisfaction of the student, faculty member,

supervisor, department chair or division chair, the appeal process will continue to the vice president for academic affairs, whose decision will be final. If a student is found in violation of the University's Policy on Academic Honesty, the student may be subject to disciplinary review that may include an appropriate penalty, up to and including dismissal from the University. Depending on the severity of the offense, the University reserves the authority to exact maximum penalty even on the first offense.

All material and information relative to any violation of academic integrity shall be kept by the vice president for academic affairs in a special file during the period in which the student is enrolled at Briar Cliff University, serving only as a statement of record if the student is subsequently charged with a violation of academic integrity. In case of an appeal, the file will be destroyed if the student is found not guilty of the offense. If the student is found guilty, the file remains until the student's graduation from Briar Cliff University or three years after the student's last date of enrollment.

In order to support the academic integrity statement, faculty members are expected to administer, monitor and evaluate tests and other assignments in a fair and consistent manner.

Advising

Advising is important for academic success at Briar Cliff University. Every student has an academic advisor at the University. First-year students are assigned advisors by the Director of New Student Programs [Stark Student Center SD2, ext. 5393]. Transfer students and adult learners are assigned advisors in their major departments. If students do not know their advisors or wish to change advisors, they should consult the registrar's office at ext. 5447 or 279-5447.

Advisors are a student's primary source of academic information. Advisors help students identify skills and academic goals, as well as explore career options. Advisors also are good sources of information on other areas of campus life. Students should consult their advisors on a regular basis. Advisors keep a file on each student that includes:

- A. Profile sheet (including address and admissions information);
- B. Summary evaluation sheet of completed courses;
- C. Copies of grade reports for each term; and,
- D. Test scores (ACT, assessment results) and transcripts.

Throughout the semester faculty may send written warning notices to students performing poorly in their classes. A copy of this notice is sent to the student's advisor. Advisors will ask students to discuss the conditions which led to this warning and work on strategies to remedy the situation.

Assessment

All incoming students are assigned to either CORE 130 (ACT reading/English of 19 or below) or CORE 131 (ACT reading/English of 20 or higher) based on ACT/SAT scores. Students with a math ACT score of below 21 will be required to take developmental math courses, prior to enrolling in a 3 or 4 credit math course. Students may request to assess in writing or to take a math assessment to test into a higher level writing or math course. Before assessment, students should show that they have engaged in study or preparatory work likely to enable better performance on the assessment instrument.

Tutoring

Tutoring, especially in group settings, promotes active learning, peer interaction, and good study habits. Tutors assist students with course work and test preparation. Tutoring is available for students desiring to improve their grades and understanding of course content, as well as those experiencing academic difficulties. Students attending classes that meet on the Briar Cliff campus during the spring and fall semesters can request assistance for 100- and 200-level courses of two or more credit hours. Students may sign up for tutoring sessions in the Student Support Services office, HH 057, from the first day of the semester through the eleventh week of classes. There is no charge for tutoring. Students signing up for tutoring must commit to:

1. Attending weekly sessions. Students who skip two or more sessions without notifying the tutor can be dismissed from the program for the semester.
2. Contacting the tutor (or the coordinator if the tutor cannot be reached) well in advance if they must be absent.
3. Providing the tutor with a copy of the class syllabus.
4. Bringing relevant materials (class notes, texts, written assignments, homework) with them to the tutorial.
5. Letting the tutor know if projects they work on together will be turned in for a grade.

Learning Communities

Briar Cliff University's CORE learning communities aim to foster intellectual development and personal and professional growth by mindfully engaging our campus, Siouxland region and global society and by offering the entire Briar Cliff community value-centric opportunities to collaborate and build meaningful, long-term personal and institutional relationships.

C. STATEMENT ON ALCOHOL AND DRUGS

Drug Free Workplace Policy

University Regulations - Preface

In March 1988, Congress enacted the Drug-Free Workplace Act which requires all federal contractors and grantees to maintain a drug-free workplace. In September 1989, President Bush's National Drug Control Strategy proposed that the Congress pass legislation to require schools, colleges and universities to implement and enforce firm drug prevention programs and policies as a condition of eligibility to receive federal financial assistance. The Drug-Free Schools and Communities Act of 1989 demonstrates the intent of Congress to draft institutions of higher education into the federal government's war on drugs.

The law requires that schools certify that they have adopted and implemented a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The law requires that the school distribute annually to each student and employee the following information:

- standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of drugs and alcohol by students and employees on the school's property or as any part of the school's property or as any part of the school's activities,

- ❑ a description of the applicable legal sanctions under local, state and federal law for unlawful possession, use or distribution of illicit drugs and alcohol,
- ❑ a description of the health risks associated with the use of illicit drugs and the abuse of alcohol,
- ❑ a clear statement that the school will impose sanctions on students and employees, consistent with local, state and federal law, and a description of these sanctions, up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct, and
- ❑ a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.

The school must conduct a biennial review of its program to (i) determine its effectiveness and implement changes if they are needed, and (ii) ensure that the sanctions developed are enforced consistently.

The purpose of this policy is not only to comply with the Drug-Free Schools and Communities Act of 1989, and the Drug Free Workplace Act of 1988, but to continue the work of providing both students and employees an opportunity to understand the harmful effects of drug and alcohol use so that responsible choices can be made.

The policy of Briar Cliff University is to provide a drug-free workplace and learning environment for all of its employees and students. The presence of illegal drugs in our school and workplace is a danger to each one of us because they impair the safety and health of those who are here to work and learn. In addition, drugs undermine the confidence in the work done by each employee and student. Additionally, all employees and student are responsible for compliance with any University policies outlined in any program handbooks and announcements which may be issued from time to time (i.e. Student Athletic policies).

Definitions

In order to provide a uniform understanding of the policy, the following definitions apply:

- *Reasonable Cause* is to have knowledge of facts which, although not amounting to direct knowledge, would cause a reasonable person, knowing the same facts, to reasonably conclude the same thing. This may apply to reasons to search a room or determining if an individual is intoxicated or under the influence.
- *Possession (alcohol and drugs)* – An individual may be determined to be in possession of alcohol or drugs if:
 - a. An individual is in direct physical possession of drugs or alcohol.
 - b. An individual is in a residence hall room, common area, etc. where alcohol or drugs are being consumed.
 - c. An individual is determined to be intoxicated/under the influence by BCU officials.
 - d. Alcohol or drugs are present in a residence hall belonging to that individual.

- *Alcohol* is defined as ethyl alcohol, and includes any beverage, mixture, medication or preparation containing ethyl alcohol.
- A *drug* is defined as any substance, other than alcohol, that has a known mind- or function-altering effect upon the human body or that impairs one's ability to safely perform his or her work, and specifically includes, but is not limited to, all prescription drugs and all illegal drugs.
- A *prescription drug* is defined as any substance prescribed by a licensed medical practitioner, when that drug is taken by the individual for whom it was prescribed.
- An *illegal drug* is defined as any substance listed on the Schedules I through V of the Controlled Substance Act as further defined by federal statutes and regulations (a listing of controlled substances will be maintained in the human resources office, health office, and the library), any substance otherwise illegal under federal, state, local or Indian law, any synthetic, counterfeit or designer drug, any *look alike* drug and any item of drug paraphernalia.
- *Under the influence* is defined as that condition where any of the body's sensory, cognitive or motor functions or capabilities are altered, impaired, diminished or affected due to alcohol and/or drugs.
- An *employee* is defined as any person in the service of the university, who is paid through the university's payroll system (including work-study students).
- A *student* is defined as any person taking any class at Briar Cliff University on campus or at a correspondent facility.
- *University premises* is defined as all property owned by the university, all university vehicles, all private vehicles on university property or being used on university business, and all university parking lots and recreational areas.
- *Designated areas* residence hall rooms designated as “wet” in Baxter and Noonan, Pub in Stark, and authorized special events.
- *Dry residence hall* Toller and Alverno Halls in which students are not allowed to consume or possess alcohol or alcohol-related paraphernalia.
- *Dry room*: room or suite in which students assigned are under the age of 21. Room or suite in which a minor lives, or when a minor visits a wet room.
- *Conviction* is defined as a finding of guilt including a plea of *nolo contendere* (no contest).
- *Official University event*: Meets one or more of the following conditions open to all Briar Cliff students, uses the name Briar Cliff, or sponsored by a University organization.
- *Open container*: Any container in which the manufacturer's seal has been broken, including water bottles, cups, and other open-faced containers.

- *Wet rooms*: Room or suite in which all students assigned are 21 or older in Baxter or Noonan Hall.
- *Wet room contract*: Agreement is signed by students in room/suite in which all residents are of legal age.
- *Drinking Game*: Games in which the intent is to consume alcohol in an irresponsible way. (e.g., beer pong, quarters).
- *Conviction* is defined as a finding of guilt including a plea of *nolo contendere* (no contest).
- *Legal age* is defined as 21 years.
- *Minor* is defined as any person under the age 18 years old. When concerning alcohol any individual under the age 21 years old will be considered a minor.
- *Maximum room capacity for guests*: Each assigned resident of room/suite may have 2 guests. (e.g. single = 2 guests, double = 4 guests)

Alcohol Policy

Briar Cliff University has the responsibility to maintain an educational environment conducive to academic achievement and at the same time help young adults develop into mature and responsible citizens. The university promotes a respect for individual rights and privileges. Individuals must recognize that when exercising rights, they assume the responsibility to become well informed about alcohol use and abuse.

Briar Cliff University respects the right of those who choose to abstain from alcohol use and encourages responsible drinking habits by individuals who choose to drink. Because of our concern for the rights and personal growth of each individual, the institution will intervene when inappropriate behavior is demonstrated.

The legal drinking age in the state of Iowa is 21 years. Briar Cliff University upholds the federal, state, and local statutes and has established specific regulations to govern the use, sale and possession of alcoholic beverages on the property of the university. Except for specified areas on the university campus, the consumption, sale, or use of alcoholic beverages is prohibited. Violation of state law, city ordinance, or university regulations will be considered grounds for disciplinary action and referral to appropriate law enforcement agencies.

Regulations

1. Briar Cliff University Alcohol policy applies to the Academic year
2. Briar Cliff University residence halls are alcohol free during university winter, spring, and summer breaks.
3. Use and Possession

The use or possession of alcohol is forbidden on campus except by individuals of legal age in residence hall rooms with valid wet room contract or designated approved locations.

Except as noted above, the Vice President for Student Development must approve the sale and/or consumption of all alcohol at any university-sponsored activity. The vice president has the right to decide the locations in which alcohol may be served. Under no circumstances will alcohol be served or consumed in hallways, employee offices or student organization offices.

2. Guidelines for Social Events

The following guidelines apply to all social events, both on and off campus, sponsored by Briar Cliff University.

- a. All functions that include serving of alcoholic beverages must be registered with the Vice President of Student Development. Each sponsor must fill out a registration sheet to be filed with the Vice President of Student Development. Each sponsor is responsible for upholding the laws of the state of Iowa, and the Briar Cliff alcohol policy. Briar Cliff University will maintain an up-to-date liquor license for on-campus events.
- b. Individuals sponsoring events must implement precautionary measures to ensure that alcoholic beverages are not accessible to or served to persons under the legal drinking age or to persons who appear intoxicated.
- c. At social functions where alcoholic beverages are provided by the sponsoring organization, sellers of alcohol must be at least 21 years old and servers of alcohol must be at least 19 years old.
- d. Consumption of alcoholic beverages is permitted only within the approved area designated for the event.
- e. Non-alcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.
- f. A reasonable portion of the budget for the event shall be designated for the purchase of food items.
- g. Institutionally approved security personnel shall be present at all times during a university-sponsored event (on and off campus) in which more than 100 attendees are expected. If more than 200 persons are expected to attend, at least two security personnel must be present.
- h. No employee event shall include the serving/selling of alcoholic beverages during regular work hours.

3. Athletic Events

No alcohol will be permitted in association with any intercollegiate or intramural athletic event.

4. Advertising Guidelines

Alcohol may not be mentioned on any sign or poster advertising social events on or off campus. Alcohol shall not be mentioned on any advertisement accepted by any campus publication. No advertising that encourages irresponsible drinking of alcohol will be accepted by any campus publication.

5. Violations

The following are considered violations of the Briar Cliff University alcohol policy:

- a. possession or consumption or being in the presence of an alcoholic beverage by a minor,
- b. providing alcoholic beverages to a minor,
- c. visible intoxication (e.g. slurred speech, difficulty walking without assistance, inability to answer simple questions),
- d. possession or drinking an alcoholic beverage (open container) in a public area,
- e. possession of alcoholic beverage containers (full or empty) larger than one gallon or possession of a tap without authorization,
- f. disrupting the rights of others by being abusive, disorderly, or disrespectful because of alcohol,
- g. lounge parties involving alcohol consumption,
- h. alcohol consumption in hallways, student organization offices, or employee offices, and
- i. failure to register a social event in which alcoholic beverages are served

6. Enforcement

Every member of the university community should take individual responsibility for upholding the alcohol policy. The area coordinators have direct responsibility for upholding the alcohol policy within the resident halls. The campus security staff has direct responsibility for upholding the alcohol policy in all campus areas.

7. Student Sanctions for alcohol violations

The Vice President for Student Development or his/her designee will determine sanctions for students' alcohol violations.

Any individual or group violating the alcohol policy or regulations will be subject to one or a combination of the following sanctions:

- a. confiscation and disposal of alcohol,
- b. monetary fine,
- c. loss of housing privileges,
- d. chemical dependency evaluation
- e. required follow-up sessions at a counseling center or alcohol referral resource,
- f. suspension,
- g. community service and/or
- h. any other action deemed appropriate including dismissal from Briar Cliff University and/or termination

B. Sanctions for Alcohol Policy Violations

Possession of alcohol or presence in a room with alcohol and minors:

First violation: Minimum \$100 fine

- Educational sanction(s)
- University will require the student to undergo a chemical dependency evaluation or participate in an alcohol education, rehabilitation, or counseling program.
- Vice President for Student Development or designee may notify parent(s) or guardian(s)
- Completion of sanctions may result in reduced fine.

Second violation: Minimum \$200 fine

- Educational sanction(s)
- Alcohol Assessment at student's expense
- Counseling session based on assessment results
- Community Restitution
- May result in notification of parent(s) or guardian(s)

Third violation: Minimum \$300 fine

- Possible sanctions include loss of campus housing, scholarships, or suspension from the University.
- Required out-patient alcohol class
- University restrictions imposed
- Community restitution
- Mandatory counseling session with campus councilor
- May result in notification of parent(s) or guardian(s)

Fourth violation: Minimum \$300 fine

- Possible sanctions include loss of campus housing, scholarships, or suspension from the University.
- May result in notification of parent(s) or guardian(s) that the student has violated the University's alcohol code for a fourth time.

Fifth violation: Minimum \$300 fine

- May result in dismissal from the University.

* All assessments and educational components are at the expense of the person in violation of the policy. Failure to complete them will result in fines or other disciplinary action.

***Fines are doubled for violations of Alcohol policy during University breaks**

8. Residence Halls

A. Regulations

At all times students are to recognize that they are responsible for their behavior and must accept the consequences of their decisions and actions. If attention is drawn to a student's room for any of the following reasons and alcohol is present, the residents of the room and the individual present will be subject to disciplinary actions:

- 1) noise
- 2) overcrowding,
- 3) excessive or irresponsible drinking,
- 4) inappropriate behavior or major disturbances,
- 5) reasons relating to the safety, health and general welfare of the student,
- 6) vandalism, and/or
- 7) any violation of a residence hall policy.

All students are responsible for the conduct of their guests and their compliance with the alcohol policy. If a guest is not a Briar Cliff student, the host will be responsible for all fines and/or disciplinary action relevant to that individual. Students should implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under legal drinking age or to persons who appear intoxicated.

GOOD SAMARITAN EXCEPTION

At Briar Cliff, we are "our brother's/sister's keeper." In order to promote helping without fear of penalty, the University establishes the Good Samaritan Exception.

If an individual or group assists a BCU intoxicated student or guest obtain assistance from a University staff member, security officer, medical professional, or law enforcement official, the intoxicated student and individual(s) assisting may not be subject to University discipline for either being intoxicated or for providing alcohol, provided responsible, peaceful, and appropriate actions are taken.

LIABILITY

Hosts who provide alcohol or provide the place to consume alcohol can be held responsible for the actions of intoxicated persons. Should tragedy occur from actions of someone intoxicated, hosts may be held liable.

ILLCIT DRUGS POLICY

It is the policy of Briar Cliff University that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is prohibited on its property or as part of any of its activities. Any full or part-time employee or student (regardless of length of the student's program of study) found to be illegally manufacturing, distributing, dispensing, possessing, or using controlled substances on university premises or while conducting university business off university premises shall be subject to disciplinary action in accordance with applicable policies of the state of Iowa, the Board of Trustees, and Briar Cliff University, up to and including termination or Dismissal from Briar Cliff University. Employees and students are reminded that illegal manufacture, distribution, dispensing, possession or use of controlled substances may also subject individuals to criminal prosecution. The presence of marijuana odor or smoke constitutes "reasonable cause" for authorized staff to enter and search a room. Drugs or paraphernalia found will be secured and police called. The smell of marijuana will result in a violation of the illicit drug policy. Violations of this policy may include but are not limited to, \$250 fine, housing and disciplinary probation, suspension, dismissal from University, or completion of a drug assessment or treatment program at the student's expense and fine.

DEFINITIONS

Controlled substances: those substances included in Schedules I-V of the Controlled Substance Act outlined in the Drug Free Workplace Policy.

Drug: any substance, other than alcohol, that has a known mind-altering or function altering effect upon the human body or that impairs ability to perform work safely. Includes illegal substances.

Prescription drug: any substance prescribed by a licensed medical practitioner and taken by the individual for whom it was prescribed.

Regulations for Employees

A. Prohibited Actions

1. The following actions or behaviors are strictly prohibited by Briar Cliff University. This list is not all inclusive.
2. The unauthorized or unlawful use, possession, sale, manufacture, theft, dispensation or distribution of drugs and/or alcohol while on the job, on university property, or in any university work site or at school activities is strictly prohibited. All employees are prohibited from being under the influence of drugs and/or alcohol at any time while on duty, on university property or in any university work site.
3. Conviction of a criminal drug offense which includes violation of federal or state drug statutes or other drug-related offenses occurring on Briar Cliff University premises or while engaged in Briar Cliff business

4. Unauthorized consumption of or possession of alcoholic beverages or abuse of alcoholic beverages, misuse of prescribed controlled substances on Briar Cliff work sites or premises or during university business

B. Employee sanctions

Any violation of the drug free workplace policy will result in disciplinary action(s) up to and including termination of employment. Depending on the seriousness of the infraction one or more of the following may be imposed.

1. Written warning
2. Final written warning
3. Suspension
4. Evaluation by local or regional treatment facility and/or successful completion of recommended treatment (FMLA may apply for required rehabilitation, see FMLA policy for more information)
5. Termination of employment

Regulations for Student

As a condition of enrollment for students, any criminal drug statute conviction (*conviction* means a finding of guilt, including a plea of *nolo contendere*) occurring on university premises, or while conducting university business off university premises, must be reported to the Vice President for Student Development within five days of conviction. If not reported, disciplinary action will be taken, up to and including Dismissal from University.

Specific regulations regarding controlled substances are as follows:

1. Students may not possess any illegal drug in university buildings or on the general university property. The maximum penalty for violating this rule is dismissal from Briar Cliff University, with the right of appeal, and/or civil prosecution.
2. Irresponsible conduct under the influence of drugs while on campus is subject to disciplinary action by the Vice President for Student Development or his/her designee
3. Irresponsible conduct, while under the influence of drugs off campus, which brings discredit or ill favor to the good name of the university is subject to disciplinary action by the Vice President for Student Development.
4. In accordance with state and federal laws, possession of controlled drugs is prohibited at off-campus functions sponsored by any organization representing the university. Students at off-campus functions found to be in possession of or using illegal drugs will be subject to disciplinary action by the Vice President for Student Development or his/her designee.

5. In the specific case of marijuana, the detection of the odor of marijuana is sufficient evidence to constitute complicity in the use for those present. In addition, the smoking of any kind of herbal blend or mix is strictly forbidden on campus and will be subject to the same penalty as applies to controlled substances.

Disciplinary Action/Treatment

Conduct which brings discredit or ill favor to the good name of the university and involves the use of drugs or alcohol on campus, while conducting university business off campus, or while attending an off-campus function sponsored by any organization representing the university, is subject to disciplinary action. If any of the above occurs Briar Cliff University may require an assessment/evaluation at a local or regional drug treatment facility (at the employee's or student's expense) and, if warranted, successful completion of a drug/alcohol treatment program at the employee's or student's expense.

Inspections

Any employee or student whose actions give Briar Cliff reasonable cause to suspect that he/she has violated this policy will be required to submit to an inspection by the security department of any vehicle brought on Briar Cliff premises and/or inspection of any pocket, package, purse, briefcase, tool box, lunch box or any other container brought onto or being removed from Briar Cliff premises and to submit to inspection of desk, file cabinet, locker or other furniture on the Briar Cliff premises. The inspection must be related to the suspected violation and will be completed with a witness and the employee/student present if possible.

Referral to Enforcement Agencies and Professional Licensing Boards

Any employee or student who violates this policy shall be subject, depending on the circumstances, to notification of appropriate law-enforcement agencies and professional licensing boards. This action may be taken at the university's sole discretion.

Drug Statute Convictions

Employees convicted of any federal, state, or local criminal drug statute violation occurring at the workplace must notify their supervisors or vice presidents of that conviction within five days of conviction. Failure to do so may result in discipline up to and including immediate discharge from employment. Supervisors and vice presidents are to promptly relay this information to their superiors and/or to the Director of Human Resources for investigation.

As a condition of enrollment for students, any criminal drug statute conviction occurring on university premises, or while conducting university business off university premises, must be reported to the vice president for enrollment management and student development within five days of conviction. If not reported, disciplinary action will be taken up to and including Dismissal from Briar Cliff University.

Federal, state and local sanctions regarding drug and alcohol violations are attached to this Policy.

HEALTH RISKS ASSOCIATED WITH THE ABUSE OF ALCOHOL AND THE USE OF ILLICIT DRUGS

Alcohol: 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. Low to moderate doses of alcohol also increase 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.

Repeated use of alcohol can lead to dependence. Sudden stopping 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.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Illicit Drugs: The harmful effects of illicit drugs vary from substance to substance. The following is a summary of the effects of a number of such substances by category:

1. **Narcotics:** Repeated use of narcotics, such as opium, morphine, and heroin, results in an increasing tolerance; the user must administer progressively larger doses to attain the desired effect, leading to dependence. Possible effects of the use of narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Effects of overdose include: slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Withdrawal may lead to watery eyes, runny nose, yawning, and loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating.

2. **Depressants:** Depressants, including barbiturates (e.g., Phenobarbital), benzodiazepines (e.g., Valium) and chloral hydrate have a potential for abuse associated with both physical and psychological dependence. The effect may vary from person to person and from time to time in the same individual. Low doses produce mild sedation. Higher doses, in so far as they relieve anxiety or stress, may produce a temporary sense of well-being; they may also produce mood depression and apathy. Higher doses also result in impaired judgment, slurred speech, and loss of motor coordination, disorientation, and the potential for dependence. The effects of overdose include shallow respiration, clammy skin, dilated

pupils, weak and rapid pulse, coma, and possible death. Withdrawal may lead to anxiety, insomnia, and possible death.

3. **Stimulants:** Use of stimulants, such as cocaine, met amphetamine and amphetamines, may lead to a temporary sense of exhilaration, an excess of energy, hyperactivity, excessive wakefulness, and a loss of appetite. They may also lead to irritability, anxiety, and apprehension. These effects are greatly intensified with administration by intravenous injection, which may produce a sudden sensation known as a “flash” or “rush”. The protracted use of stimulants is followed by a period of depression known as “crashing.” Long term use can lead to brain damage. The effects of overdose include agitation, increase in body temperature, hallucinations, convulsions, and possible death. The effects of withdrawal include apathy, long periods of sleep, irritability, depression, and disorientation.

4. **Hallucinogens:** Hallucinogens, including LSD, peyote, and mescaline, distort the perception of objective reality. They induce a state of excitation of the central nervous system, shown by alterations of mood, usually euphoric, but sometimes seriously depressive. Other effects include hallucinations and poor perception of time and distance. Effects of overdose include longer, more intense “trip” episodes, and psychosis.

5. **Cannabis:** There are three drugs that come from cannabis, or hemp, that are distributed in the United States: Marijuana, hashish, and hashish oil. The effects vary from individual to individual. Marijuana is considered a “gateway” drug that may lead to the use of other illicit drugs. Low doses of these drugs tend to induce restlessness and an increasing sense of well-being, followed by a dreamy state of relaxation, and often hunger. Changes in perception may lead to disorientation. Overdose may lead to fatigue, paranoia, and possible psychosis. Withdrawal may lead to insomnia, hyperactivity, and decreased apathy.

Examples of Federal, State and Local Penalties and Sanctions for Drug/Alcohol Violations

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a) 1st conviction: Up to 1 year imprisonment and fined at least \$1,000.00, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years, and fined at least \$2,500.00.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years, and fined at least \$5,000.00.

Conviction for possession of flunitrazepam: up to 3 years’ imprisonment and fined as provided above, or both.

21 U.S.C. 853(a)(2): Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year of imprisonment.

21 U.S.C. 881(a)(4) and 881(a)(7): Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance and any real property used to facilitate such crime.

21 U.S.C. 862(b): (any State or Federal conviction involving possession of controlled substance). First offense - denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year, successful completion of drug treatment program with periodic testing, and/or community service; second or subsequent offense - denial of Federal benefits up to 5 years, successful completion of drug treatment program with periodic testing, and/or community service.

Miscellaneous

Revocation of federal licenses and benefits (e.g., pilot licenses, public housing tenancy) are vested with the authorities of individual Federal agencies.

Note: Federal penalties for manufacture or distribution of controlled substances include various prison sentences ranging up to life in prison without parole and various fines ranging up to \$10 million for individuals and \$50 million for defendants other than individuals, or both. **21 U.S.C. 960.**

State Penalties and Sanctions

Iowa Code §123.46: Consumption of alcohol or intoxication in public places is a serious misdemeanor.

Iowa Code §§ 123.47(1), 123.47(4), 123.47(5), 123.47(6): Providing alcoholic liquor, wine or beer to persons under legal age. Minimum fine of \$200-\$500.00 for first offense. For second or subsequent offense, minimum fine of \$500 and other monetary penalties. If violation results in serious injury or death to any person, imprisonment and higher monetary fines for an aggravated misdemeanor or Class D felony may be imposed.

Iowa Code §§ 123.47(2), 123.47(3): Purchase of alcoholic liquor, wine or beer or attempt to purchase by person under legal age; possession or control by persons under legal age. First offense - fine of \$200.00; second or subsequent offense - fine of \$500.00 and possible suspension of motor vehicle operating privileges for up to 1 year.

Iowa Code § 123.49(1): Providing alcoholic liquor, wine or beer to an intoxicated person. Possible imprisonment or fine.

Iowa Code § 124.401(5): Possession of a controlled substance. In general, if the substance is marijuana, first offense is 6 months in jail and \$1000 fine, second offense is a serious misdemeanor and third or subsequent offense is an aggravated misdemeanor. If the substance is other than marijuana, the first offense is a serious misdemeanor, the second offense is an aggravated misdemeanor and the third or subsequent offense is a Class D

felony.

Iowa Code § 124.406: Distribution of a controlled substance to person under age 18. Depending on nature of substance, the location of the crime, and the ages of the parties, penalties can involve minimum imprisonment for periods of 5 or 10 years.

Iowa Code § 124.407: Sponsoring, promoting, aiding, or assisting with a gathering with knowledge that controlled substance will be distributed, used or possessed there. Where the controlled substance is other than marijuana this is punishable as a Class D felony. Where only marijuana is present, it will be punishable as a serious misdemeanor.

Second or subsequent offenses of most of the above-referenced offenses may be punished by imprisonment for a period up to three times the term otherwise authorized and/or a fine of up to three times the amount otherwise authorized. Iowa Code § 124.411.

Iowa Code § 124A.4: Manufacture, delivery or possession with intent to deliver an imitation controlled substance. Depending on ages of the participants, this will be penalized as an aggravated misdemeanor or a Class D felony with applicable imprisonment and fines.

Iowa Code § 124B.9: Sale, transfer, furnishing or receipt of a "precursor substance" with knowledge or intent it will be used unlawfully manufacture a controlled substance will be penalized as a Class C felony with applicable imprisonment and fines.

Local Penalties

Sioux City Municipal Code § 8.16.010: Consumption in public places- Intoxication. Imprisonment not to exceed 30 days and/or fine of at least \$65.00, not to exceed \$625.00.

Sioux City Municipal Code § 8.16.020: Operating, conducting, causing or allowing or suffering to be conducted or operated a place where intoxicating liquor is illegally kept, sold or given away. Imprisonment not to exceed 30 days and/or fine of at least \$65.00, not to exceed \$625.00.

Sioux City Municipal Code § 8.20.050: Possession of drug paraphernalia. Imprisonment not to exceed 30 days and/or fine of at least \$65.00, not to exceed \$625.00.

Sioux City Municipal Code § 8.20.060: Manufacture, delivery or offering for sale of drug paraphernalia. Imprisonment not to exceed 30 days and/or fine of at least \$65.00, not to exceed \$625.00.

Sioux City Municipal Code § 8.48.060: Use of public property or public place for purposes of drug trafficking. Imprisonment not to exceed 30 days and/or fine of at least \$65.00, not to exceed \$625.00.

Note: Statutory references are current as of October 20, 2015, but are subject to change.

DRUG/ALCOHOL COUNSELING, TREATMENT AND REHABILITATION PROGRAMS

Briar Cliff University recognizes drug and alcohol dependency as an illness and a major health problem. Students and employees who need help in dealing with such problems are encouraged to contact the health/counseling office in Heelan-057, or other on-campus/off-campus resources listed below. Consultation will be provided in a non-judgmental and confidential manner. Students or employees who can best be assisted by off-campus counseling/treatment facilities will be referred to one of the off-campus agencies listed.

Employees and their families covered by the university's health plan may receive either inpatient or outpatient treatment as part of their health care benefits. For more information, contact the Director of Human Resources, Noonan G-16 (for insurance information) or the health office, Heelan-057.

Students need to check their individual insurance policies, either through their parents or their individually purchased policies.

On-Campus Resources

- Assistant Dean of Student Development, 712-279-1715
- Director of Health Services, 712-279-5436
- Director of Counseling Services, 712-279-5433
- Vice President for Student Development, 712-279-5494
- Director of Campus Ministry, 712-279-5227
- Director of Human Resources, 712-279-1633

Off-Campus Resources

Alcoholics Anonymous
2001 Leech Ave
Sioux City, IA 51106
(712) 252-1333

Provides information and times for AA meetings and locations of AA groups. Member contact with persons needing help with drinking problems. Emergency help for after-hours can be obtained.

Associates for Psychological and Therapy Services
1551 Indian Hills Drive
Sioux City, IA 51104
(712) 252-1473

Catholic Charities
1601 Military Road
Sioux City, IA 51104
(712) 252-4547

Jackson Recovery Center
800 5th Street, Suite 200
Sioux City, IA 51101
(712)234-2300
1-800-472-9018

Narcotics Anonymous Helpline
(712) 279-0733

Siouxland Community Health Center
1021 Nebraska Street
Sioux City, IA 51104
(712) 252-2477

Siouxland CARES
101 Pierce Street
Sioux City, IA 51101
(712) 255-3188

Siouxland Mental Health Center
625 Court Street
Sioux City, IA 51101
(712) 252-3871

B. NON-DISCRIMINATION & AFFIRMATIVE ACTION

Briar Cliff University is committed to providing an environment where all students feel valued and respected and are free from discrimination and harassment. Briar Cliff University complies with its legal obligations to prohibit discrimination in its admissions, educational programs and activities, including employment in such programs or activities, on the basis of age, race, creed, color, sex (including family or marital status and pregnancy), sexual orientation, national origin, ethnicity, religion, disability, or any other classification protected by law. As a religious institution, Briar Cliff University may consider certain classifications when such qualifications are related to a religious purpose of the University. Briar Cliff University will consider accommodation requests from qualified students with disabilities with the goal of providing reasonable accommodations.

Any student with concerns regarding discrimination or harassment under this policy should report those concerns so that the University can take appropriate action. For sexual harassment complaints, students should refer to the University's Policy on Sexual Violence and Sexual Harassment.

Any questions or reports related to this policy should be directed to either of the following:

Louise Paskey, Vice President for Student Development: Phone: (712) 279-5494

Email: louise.paskey@briarcliff.edu

Beau Sudtelgte, Director of Human Resources: Phone: (712) 279-1633

C. POLICY ON SEXUAL VIOLENCE AND SEXUAL HARASSMENT

1. Introduction

In accordance with Title IX of the Education Amendments of 1972 and state civil rights law, Briar Cliff University does not discriminate on the basis of sex in its education programs and activities. Discrimination on the basis of sex can include sexual harassment or sexual violence. Briar Cliff University pledges to maintain an environment that promotes the development of healthy relationships and respect for individuals.

The University prohibits sexual violence and sexual harassment in any form, (including sexual assault, sexual misconduct, dating and domestic violence and stalking). Sexual violence and sexual harassment are often misunderstood and under-reported. It is important that individuals understand these issues so they can avoid committing or being victims of such behavior.

If sexual violence or harassment occurs, it should be reported so the University can take prompt and appropriate action to investigate. The University has a duty to attempt to end sexual violence and harassment, prevent its recurrence, and address its effects.

The University has appointed a Title IX Coordinator, Louise Paskey, Vice President for Student Development, who can be reached at (712) 279-5494; Student Development Office, Stark Student Center, louise.paskey@briarcliff.edu.

Any questions about an individual's rights under Title IX, (the federal law that prohibits discrimination on the basis of sex in education programs and activities) can be directed to Louise Paskey, Title IX Coordinator, or the Office of Civil Rights for the Department of Education.

2. Definitions

Coercion: unreasonable pressure for sexual activity.

- **NOTE:** Coercing someone into sexual activity is comparable to physically forcing someone into a sexual activity.
- Coercive behavior differs from seductive behavior based on the type of pressure someone uses to obtain consent from another.
- When someone makes clear that he/she does not want to engage in sex or a sexual activity, that he/she wants to stop, or that he/she does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Complainant: the individual who has experienced an alleged instance of sexual misconduct.

Consent: the mutual, deliberate and voluntary agreement to engage in sexual activity. Consent is a clear **YES** to the sexual act. Consent is an ongoing process and must be

obtained for each level of sexual contact. Even if a victim does not resist or if the victim knows the offender, the law does not presume consent.

- **NOTE:** In order to give effective consent, one must be of legal age; in most circumstances, 16 is the legal age for consent in Iowa.
- Under Iowa law, the following persons are considered unable to give consent:
 - A child;
 - A victim who is procured by threats of violence;
 - A victim who is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness
 - A victim who lacks the mental capacity to know right from wrong concerning sexual matters or is suffering from any type of mental or physical incapacity or disability that precludes consent;
 - A victim who is incapacitated (further defined below)
- Consent cannot be gained by force, coercion, by ignoring or acting without regard to the objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or should have reasonably known of such incapacitation.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Silence, in and of itself, cannot be interpreted as consent.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

Dating Violence: 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 shall be determined by the victim with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;
- For the purpose of this definition,
 - Dating violence includes sexual or physical abuse or the threat of such abuse;

Domestic Violence: a felony or misdemeanor crime of violence between:

- family or household members who resided together at the time of the assault;
- separated spouses or persons divorced from each other and not residing together at the time of the assault;
- persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time;
- persons who have been family or household members residing together within the past year and are not residing together at the time of the assault;
- persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether persons are or have been in an intimate relationship, the following factors may be considered;
 - The duration of the relationship;
 - The frequency of interaction;
 - Whether the relationship has been terminated;
 - The nature of the relationship, characterized by either party's expectation of sexual or romantic involvement.

Force: the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that overcome resistance or produce consent. The presence of force is not demonstrated by the

absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

- **NOTE:** There is no requirement that a person resists a sexual advance or request, but resistance is a clear demonstration of non-consent.
- The use of force is not “worse” than the subjective experience of violation of someone who has experienced sexual contact or intercourse without consent.
- The use of physical force constitutes a stand-alone, non-sexual misconduct offense as well, and it is the University’s expectation that those who use physical force (e.g. assault, restricting movement or activity, battery, etc.) would face not just the sexual misconduct charge but also charges under the University Regulations for the additional assaultive behavior.

Incapacitation: a state in which someone cannot make rational, reasonable decisions because she/he lacks the capacity to give knowing consent (i.e., to understand the “who, what, when, where, why, or how” of his/her sexual interaction).

- **NOTE:** Sexual activity with someone who one should know to be—or based on the circumstances should reasonably have known to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness, or blackout) is prohibited. The question of incapacitation is determined on a case-by-case basis that will include an analysis of whether the respondent knew, or a sober, reasonable person in the position of the respondent should have known, that the complainant was incapacitated.
- This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or the ingestion of substances or drugs that result in incapacitation.
- When alcohol or other drugs are being used, a person will be considered to be incapacitated and unable to give effective consent if he/she cannot fully understand the details of a sexual interaction (i.e., who, what, when, where, why, or how) because he/she lacks the capacity to reasonably understand the situation.
- Consumption of alcohol or drugs alone is insufficient to establish incapacitation.
- Possession, use, and/or distribution of any substances such as Rohypnol, Ketamine, GHB, Burundanga is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org>.

Respondent: an individual who has been accused of sexual misconduct.

Retaliatory Harassment: intentional action taken by an individual or allied third party that harms an individual and is done as reprisal for filing a complaint or for participating in an investigation or complaint proceeding.

Sexual Abuse: any sex act between persons performed under any of the following circumstances: a) the act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person or if the act is done while the other is under the influence of a drug inducing sleep, or is otherwise in a state of unconsciousness, the act is done against the will of the other; b) the other person is suffering from a mental defect or incapacity which precludes consent, or lacks the mental

capacity to know the right and wrong of conduct in sexual matters; c) the other person is a child. (Iowa Code Section 709.1).

Sexual Assault: any offense that meets the federal or state definitions of that term, including rape, sodomy, sexual assault with an object, fondling, incest, or statutory rape Iowa law broadly defines “sex act” to include intercourse, oral or anal sex, or any contact between the genitals, hands, or fingers of one person and the genitals or anus of another. Violent sexual conduct may also be prosecuted as an assault (an act intended to cause pain, injury, or offensive physical contact, or place another in fear of pain or injury); for example, using any object to sexually penetrate another.

Sexual Harassment: unwelcome gender-based statements, gestures, or physical contacts which are so frequent or severe that it creates a hostile or offensive work environment, or interferes with a student’s ability to participate in or benefit from the university’s educational program or activities. Sexual harassment may be against a person of the opposite or same gender.

Examples of sexual harassment:

- Demanding or soliciting sexual favors accompanied by implied or overt threats;
- Creating an offensive interpersonal environment;
- Comments or jokes referencing sex or sexual orientation;
- Unnecessary touching or leering at another’s body; and,
- Sexist remarks about clothing, body, or sexual activities.

Sexual Violence: includes sexual assault, sexual harassment, sexual exploitation, and sexual intimidation and can be committed by men or women. It can occur between people of the same or different sex. It may include any touching or fondling of the victim’s genitals, breasts, thighs or buttocks directly or through the clothing without the victim’s consent. In addition to being forbidden by this policy, such conduct may be a violation of state criminal law and of other University policies.

Stalking: a course of conduct directed at a specific person that would cause a reasonable person to feel fear or suffer substantial emotional distress. Examples of prohibited stalking can include but are not limited to (a) non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, and other social networking communications, letters, gifts, or any other communications that are undesired and/or place another person in fear; (b) Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by the victim.

3. Policy Statement

Members of the Briar Cliff University community, guests, and visitors have the right to be free from sexual violence and sexual harassment. Briar Cliff University believes in a zero-tolerance policy for gender-based misconduct, including sexual harassment, sexual violence, domestic or dating violence, and stalking and the University is committed to fostering a community that promotes the prompt reporting of sexual misconduct and timely and fair resolution of sexual misconduct complaints. As a result, Briar Cliff University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, related educational (Online educational training for students and employees, Resident Assistant, PAL and Academic Peer Mentor training, Sexual

Violence Awareness Week, New Student Orientation Programs) programs, and procedures for addressing sexual assault, sexual harassment, domestic violence, dating violence, and stalking, whether an incident occurs on or off campus and when it is reported to a University official.

- Our ongoing prevention and awareness programs as described in this policy include training on safe and positive options for bystander intervention; information on risk reduction; and information on the institution's policies and procedures after a sex offense occurs.
- The University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.
- The University will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The institution must make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Briar Cliff University reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

Briar Cliff University believes that in order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. This policy has been developed to reaffirm these principles, to educate our community on issues pertaining to sexual violence, and to provide a procedure for investigating and addressing violations of this policy.

4. Scope

This policy applies to all members of the University community and its guests. Its scope is inclusive of, but is not limited to, any individuals regularly or temporarily employed, studying, living, visiting, or with an official capacity at Briar Cliff University (i.e.: volunteers and contractors).

This policy applies to any allegation against a Briar Cliff University community member (staff, administrator, faculty or student) that affects the Briar Cliff University campus environment and which is construed as sexual harassment, sexual misconduct and/or sexual violence regardless of geographical location of the alleged incident.

5. Reporting Sexual Violence

5.1. Reporting to Law Enforcement

The University encourages victims of all crimes, including sexual violence (which includes date/acquaintance rape) to report such actions to the local police department. The Campus Security Office (Heelan Hall, Rm. G-30) 712-898-1888, will assist students in making such reports if they so choose. Judicial no-contact orders or restraining orders may be available through the legal system.

5.2. In the Event of Sexual Assault

Go to a safe place. Call 911, 1- 800-982-SAFE (7233) or the Rape Crisis Center (712-258-7233).

- Tell the first person you see what happened. This account could corroborate your testimony if you decide to report or prosecute.
- Seek medical attention at an emergency room at Unity Point St. Luke's for access to a Sexual Assault Nurse Examiner (SANE) 712-279-3500 or Mercy Medical Center 712.279.2010. Request tests for pregnancy and sexually transmitted diseases.
- Do not shower, bathe, or douche. Preserve physical evidence, such as clothing. Resist the urge to change clothes or clean up the area until medical and legal evidence is collected.
- Request a urine test as quickly as possible to detect the presence of sedating substances.

5.3. Preservation of Evidence

Evidence should be preserved, even in cases involving non-violent conduct. Such evidence may include documentation, emails, photos and the like.

5.4. Confidential Reporting/ Support

There are people on campus that victims or witnesses can talk to confidentially. You can call or approach any of the following professional staff confidentially and tell them what happened. They will listen and explain options, including, where deemed appropriate, the option of reporting a crime on a confidential basis for purposes of the University's annual crime report. Talking to a "Confidential Support Contact" listed below does not constitute reporting the incident to the University.

Confidential Support Contacts:

- Director of Counseling Services: Jenny Tobin
- Director of Health Services: Jo Morgan
- Director of Campus Ministry: Sister Janet May

5.5. Responsible Employees

Any University faculty, administrator, and staff - including Resident Assistants (RAs), Peer Assistant Leaders (PALs), and Academic Peer Mentors who takes such a report or who is aware of sex- based harassment, including sexual assault and relationship violence, is required to report the information to one of the reporting Contacts specifically listed below. (This does not apply to those employees identified as Confidential Support Contacts).

5.5.1. Reporting to University Officials

Affected individuals or witnesses should immediately report any incidents of Sexual Violence or Harassment to an appropriate University staff member. Any of the following persons may be contacted:

- Title IX Coordinator/Vice President for Student Development: Louise Paskey, 712.279.5494
- Deputy Title IX Coordinator/Director of Human Resources: Beau Sudtelgte, 712.279.1633
- Deputy Title IX Coordinator/Assistant Dean of Students: Dave Arens, 712.279.1715
- Director of Campus Security: 712.898.1888

Upon receipt of such a report, the University contact will assist the victim in getting to a safe place and may seek the assistance of Campus Security. Additionally, the University contact will encourage the victim to seek prompt medical attention for treatment of injuries and preservation of evidence, discuss the reasons why prompt medical treatment is important, and arrange for transportation to the hospital if the victim agrees to such medical treatment. The University contact will notify the Title IX Coordinator and other responsible University officials of the report taking into consideration the victim's desire for confidentiality. The Title IX Coordinator will inform Campus Security of the alleged crime and unless the individual requests confidentiality, will provide the name of the reporting party. The victim will have the option to file a criminal report. Campus Security will offer to provide assistance if the student elects to contact the police. Campus Security may contact law enforcement independently where circumstances warrant, such as where there may be a danger to the campus or the community. Declining to speak with Campus Security or the police at the time of the initial report does not preclude the student from filing a criminal report at a later date. The University contact or Title IX Coordinator will offer and coordinate counseling and other support services for the student. The student shall also receive written information regarding their rights under this policy to file a complaint and initiate the University's complaint process. Even if a formal complaint is not filed or the individual requests confidentiality, the University must promptly investigate the report and take appropriate steps under the circumstances.

6. Interim Measures

Upon receipt of a report, the Title IX Coordinator will seek a meeting with the complainant to discuss internal and external support services, and other interim measures such as options regarding changes in academic or work schedules, living arrangements, transportation, or a campus no-contact order or interim suspension of the perpetrator. These options, if requested and reasonably available, will be made available regardless of whether the individual proceeds with a formal complaint under University policy or a criminal report to the police. Failure to adhere to any of the interim measures taken during an investigation is a violation of policy and may lead to independent disciplinary action(s).

7. Investigation

Upon receipt of a report, the University will initiate a prompt and equitable investigation and will work with both parties (the complainant and respondent) to assign a designated support person throughout the investigation process. Either party may refuse the assistance of a support person, but the offer will be made.

The filing of a complaint under this policy is independent of any external criminal investigation or court proceeding, and the University will not necessarily wait for the conclusion of any such investigation or proceeding to commence its own investigation and to take immediate steps to ensure the safety and well-being of members of the University community.

Role of Title IX Coordinator

The Title IX Coordinator will remain a neutral administrator in the investigation and any disciplinary process involving sexual misconduct allegations. The Title IX Coordinator will work with all involved parties, and will be responsible for directing compliance with this Policy. The Title IX Coordinator will not ultimately determine if a policy violation occurred. The Title IX Coordinator will:

- Maintain Title IX investigative/hearing records.
- Guide the process and involve only people with a legitimate need to know.
- Assess the University's responsibility to issue timely warnings in accordance with the Clery Act for reported incidents that may pose a threat to members of the University community.

University Investigation is Independent of Law Enforcement Investigation

In cases of reported sexual violence or misconduct, the University will continue its internal investigation regardless of whether or not the complainant files a criminal complaint and/or wants the school to take action. If the University knows about a possible sexual harassment or sexual violence incident, it will promptly investigate the allegations to determine what occurred and to decide if further action is necessary.

Requests for Confidentiality/Impact on University's Investigation

In instances where a complainant requests confidentiality, it may limit the University's ability to respond. Depending upon the circumstances, the University may not be able to ensure confidentiality because of its obligation to provide a safe and non-discriminatory environment for all students. Factors that may impact the request include the seriousness of the alleged conduct, whether there have been other complaints about the same perpetrator, and the alleged perpetrator's rights to receive information maintained in education records relevant to the accusation.

8. University Complaint Procedure

The University has two approaches for resolving complaints of alleged violations of this policy: informal resolution and the formal complaint process. The informal resolution process will NOT be used for any sexual violence complaint. Informal resolution efforts and the formal complaint processes are not mutually exclusive, and neither is a prerequisite for the other. Moreover, the informal resolution process may be ended at any time in order to initiate a formal complaint.

8.1 Informal Resolution: Seeking Mediation (Not applicable for sexual violence complaints)

- 8.1.1** Informal resolution procedures are intended to allow the complainant and the respondent to provide detailed information about the alleged incident(s) of discrimination or harassment and reach a mutually agreeable resolution. The mediation process aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties.

- 8.1.2** With consent of both the complainant and the respondent, the Office of Human Resources (if the complaint involves only faculty, staff, or administration) or the Student Development Office (if a student is involved) will appoint a mediator. The mediator is not an advocate for either the complainant or the respondent. The role of the mediator is to aid in the resolution of problems in a non-adversarial manner.
- 8.1.3** The informal resolution process ends when a resolution has been reached or when the complainant or the respondent has terminated the process. At any time during the mediation process, the complainant and the respondent are free to withdraw from the process.
- 8.1.4** The mediator shall notify the Human Resources Director or the Vice President for Student Development of the result of the mediation process. If the dispute is not resolved through mediation, the Human Resources Director or the Vice President for Student Development shall immediately inform all affected parties and discuss with the complainant other alternatives for achieving resolution. The complainant may file a formal complaint at that time or withdraw the informal complaint. The informal resolution process, if unsuccessful, will not prejudice the rights of the parties involved

8.2 Formal Complaint Process

A formal complaint process may be initiated in person or in writing. For all faculty, staff, and administration complainants this process is handled by meeting with the Deputy Title IX Coordinator/Human Resources Director or Title IX Coordinator. For all student complainants this process is handled by meeting with the Title IX Coordinator or a Deputy Coordinator/Assistant Dean of Students.

- 8.2.1** A formal complaint must identify and include the following information, if known:
- Name of the accused individual (respondent), his or her position or status, and contact information, if known;
 - Clear and concise description of the alleged incident(s), what, when and where it occurred with supporting documentation and evidence, if any;
 - Description of all informal efforts, if any, to resolve the issue(s) with the person involved (except in the case of sexual violence allegations). This includes names, dates and times of attempted or actual contact along with a description of the discussion and the manner of communication made in the course of each effort;
 - Names of witnesses or individuals who may have direct and relevant information about the specific allegation (with accompanying addresses, email addresses, and telephone numbers).
 - Complainant's signature and the date signed;

8.3 Preliminary Review of Complaint and Notice of Receipt

- 8.3.1** Upon receipt of a complaint, the Title IX Coordinator/Designee will review the complaint for appropriateness. Title IX Coordinator/Designee will provide the complainant with written notice of receipt of the complaint within 5 working days, and will provide the complainant with written information of the University's complaint procedures.

- 8.3.2** Formal complaint requires that the respondent be advised of the allegations and the source of the complaint by the Title IX Coordinator/Designee. Title IX Coordinator/Designee, as appropriate, will provide the respondent with a copy of the formal complaint (by hand delivery or certified mail) within 5 working days of receipt of the complaint, and will advise the respondent of the University complaint policy and procedures.
- 8.3.3** Title IX Coordinator/Designee, as appropriate, shall discuss with the complainant whether or not the alleged incidents of discrimination, harassment, gender-based misconduct and/or sexual misconduct if proven, would constitute a violation of the University's policy, and whether or not it is appropriate to convene a Hearing Panel.
- 8.3.4** The Hearing Panel membership shall consist of three trained faculty/administrator's representatives appointed by Title IX Coordinator, one of whom will be appointed as Chair.
- 8.3.5** The Title IX Coordinator will appoint a designee to serve as a University Representative to attend the Hearing as a non-voting member. The University Representative will facilitate the preparation of the hearing and presentation by the Investigator(s) of the case to the Hearing Panel.

8.4 Hearing Procedures

- 8.4.1** The complainant and respondent are entitled to the same rights including, to appear in person, hear all information presented, present any relevant information, have a support person present, call witnesses, or make a statement to the Hearing Panel. In appropriate cases, the complainant and respondent will be in separate hearing rooms.
- 8.4.2** A witness must be a person who has firsthand knowledge of the event or actions in question.
- 8.4.3** The complainant/respondent must submit in writing the names of any witnesses that he/she wishes to give testimony. The list of witnesses must be submitted to Deputy Title IX Coordinator at least 24 hours prior to the scheduled hearing.
- 8.4.4** Prior to the hearing, both the complainant and the respondent will be given notice of the date, time and place of the hearing; the names of the Hearing Panel members (and opportunity to raise any conflict of interest concerns); their right to have a support person of their choice attend the hearing; their right to present witness testimony and other evidence; and their right to submit written statements to the Hearing Panel detailing the charges or any defense.
- 8.4.5** A support person can be anyone the respondent and/or the complainant wishes to fulfill that role, with the exception of any individual participating in the hearing or called upon to serve as a witness for either party. The role of the support person will be to consult with the individual he/she is there to support at reasonable intervals during the course of the conference. The support person generally may not address the Hearing Panel or other persons at the hearing. She/he may only address the chair of the Hearing Panel and only with explicit approval in an exceptional circumstance by the chair of the Hearing Panel. The parties may choose an attorney for their support person at their own expense; however, an attorney will be subject to the same rules as other support persons.
- 8.4.6** If the respondent/complainant elects not to appear at the hearing, the hearing shall be conducted in his/her absence.
- 8.4.7** If the respondent/complainant refuses to answer any questions or make a statement, the Hearing Panel will proceed to make its decision on the basis of information available to it at the time of the hearing.
- 8.4.8** All hearings shall be conducted in a confidential setting. All statements, information, or comments given during the hearing will be kept confidential by the complainant, the respondent, the Hearing Panel, the University personnel, and witnesses and advisors before,

during and after deliberation. The University will comply with any legal obligations that require the disclosure of information.

8.4.9 The Panel will formulate specific procedures to deal with the orderly presentation of information and witnesses as well as any other matters as appropriate to the conduct of the hearing.

8.4.10 The proceedings shall be preserved by means of written and audio records.

9. Possible University Sanctions

The University's primary concern is safety for members of our community. Students are encouraged to report suspected violations of this policy to promote the health and welfare of our community. In general, a student reporting an incident or complaint under this policy will be given amnesty for potential code violations (e.g. alcohol or drug use) that are related to the reported incident.

The University's decision to impose sanctions will depend on the nature and severity of the incident and whether or not it can be determined by a preponderance of the evidence that a policy violation has occurred. If it appears that a policy violation has occurred, the range of responses includes, but is not limited to:

- Intervention by supervisor or appropriate authority
- Individual meeting with option of support person in attendance
- Facilitated conversation or mediation (not available for sexual assault cases)
- Educational or University sponsored activities
- No contact order between complainant and respondent.
- Change in academic or work schedules or arrangements
- Change in living situation on an interim or permanent basis.
- Disciplinary action, including but not limited to:
 - Suspension
 - Dismissal, termination or expulsion.
 - Discipline short of dismissal, termination or expulsion such as verbal or written warnings or probation.
- Public Service.
- Referral to law enforcement when there is danger or threat to community and/or when requested by complainant.

10. Standard of Proof/Evidence of Prior Sexual History

According to Title IX requirements, Briar Cliff University will apply a preponderance of the evidence standard. A preponderance of evidence is described as enough evidence to make it more likely than not that the accused has violated this Policy. In general, information about a person's prior sexual behavior or history will not be considered to determine whether a violation has occurred. However, information regarding a prior intimate or sexual relationship between the parties involved in the hearing may be considered relevant depending upon the issues presented.

11. Time Frame

Upon receiving a report, Briar Cliff University will respond promptly and equitably. Both parties will be given periodic status updates during the process and both the complainant and the respondent will be given notice of the outcome and an opportunity to file an appeal,

if applicable. Absent unusual circumstances, sexual misconduct investigations as well as hearings will be completed within 60 calendar days following receipt of the complaint.

12. Notice of Outcome

The parties will be concurrently notified, in writing, about the outcome of the investigation/hearing. In a hearing involving sexual violence allegations both parties will be notified of the final determination and of any sanctions imposed on the perpetrator. In all other types of hearings, the complainant will only be notified as to whether the alleged conduct was found to have occurred, and any individual remedies offered or provided to the complainant or any sanctions imposed on the respondent that *directly relate* to the complainant as well as any other steps the University has or will take, for example, to eliminate a hostile environment.

13. Appeals

Either party may elect to appeal the decision and/or sanction rendered by the Hearing Panel. Both parties will be informed of any appeal, the status of the appeal and the outcome. Appeals may be filed only on grounds of previously unavailable new evidence or procedural error that has a material impact on the outcome, or where there is substantial evidence that the sanction imposed is disproportionate to the findings of facts established during the hearing process. Disagreement with the finding or sanctions is not, by itself, grounds for appeal. An appeal of a disciplinary outcome must be made, in writing, to the Title IX Coordinator within five business days after the decision has been made. Failure to file a timely appeal to the Title IX Coordinator/Designee constitutes waiver to file an appeal.

If the appeal is based on approved ground(s) for appeal and has been timely filed, the Title IX Coordinator will name an Appeal Panel to review the written appeal. The Appeal Panel will be composed of three trained designees that were not involved in the original decision.

After receiving an appeal and reviewing the hearing record and any allowable new evidence, the Appeal Panel may elect to: affirm the finding and sanction, affirm the finding and change the sanction, or reverse the finding. The decision of the Appeal Panel is final and will be communicated in writing to both parties as well as appropriate University officials.

14. Complaint Falsification

The University recognizes the right of all parties involved in a complaint to a fair framework for encouraging resolution of complaints. Falsification, malicious accusations, distortion, or misrepresentation of information during the course of a complaint process may be grounds for disciplinary action.

15. No Retaliation

Any attempt by an employee or student to penalize, threaten, coerce, intimidate, discriminate, or retaliate in any way against a person who makes a report of, or who is otherwise involved in, a report or proceeding under this policy is completely prohibited and

will not be tolerated. If you believe that you have been a victim of retaliation during an investigation, please contact the Title IX Coordinator.

16. Public Recordkeeping

The University will take steps to maintain confidentiality of persons reporting incidents of sexual misconduct and relationship violence in records that are required to be available for public inspection by using alternative means of identification and not including personally identifiable information in the annual campus security report, campus crime log, and emergency warning notices under the Clery Act.

17. Resources

For additional on and off campus resources visit:

<http://www.briarcliff.edu/legal-and-consumer/sexual-abuse-and-assault/>

II. EMERGENCY PROCEDURES:

PURPOSE

This quick reference guide has been developed for all members of Briar Cliff University Community to use in the case of an emergency. The goal of this guide is to prepare community before emergencies occur and to help ensure the safety of Students, Employees, and Campus Visitors.

Communications

For serious emergencies call **911** first then contact security at 712-898-1888.

Security will notify 911, and all pertinent parties. If a crime has been committed secure the area and preserve evidence if possible.

Get all personnel away from danger, and if needed, to appropriate shelter.

Remember: Time is critical in responding to any emergency--- and safety of people always comes first, before protection of property.

Unlawful Activity Medical Incidents or Injury

Unlawful Activity

- Call 911 and Security at 712-898-1888
- Remain calm
- Note the event you saw, descriptions and names of people involved in the incident if possible.
- Refer all media or external inquires to Public Relations 712-212-4210.

Medical Incidents

- Call 911 then Security 712-898-1888
- Make sure universal precautions are used for protection.
- Do not move a non-ambulatory victim until qualified medical or first-aid personnel arrive.
- Fill out Incident Report with Security as soon as possible.
- Refer all media or external inquires to Public Relations 712-212-4210.

THREATENING & Irate Persons

Person with Weapon

- Immediately call (911) then Security at 712-898-1888, give specific information (Bldg., Room # etc.)
- When Police arrive, obey all commands.
- Do not respond to anyone, including someone identifying themselves as law enforcement, without visual verification.

Weapon holder outside the buildings: Run away from the threat if you can, as fast as you can.

Weapon holder inside the buildings: You should immediately lock or close doors and block them.

REMAIN CALM: Close blinds, turn off lights, stay away from windows, stay low and out of sight, Stay quiet!

Violent and Irate Persons

Briar Cliff University Faculty and Staff are not expected to physically deal with violent workers, students or visitors. If you are dealing with a violent or irate person, ask that person to leave the campus, if they fail to leave, have someone immediately call Security at 712-898-1888. It is a good idea for everyone in a common work area to pay attention to fellow employees in the event they encounter problems and need assistance in calling security.

Suspicious Mail or Similar Threat

Suspicious Mail

- If suspicious mail or packages are discovered, the package should be evaluated by security prior to notifying local law enforcement.
- Personnel suspicious of a letter or parcel should take the following measures:
 - a. Be wary of unexpected packages and check the return address
 - b. Look for handwritten addresses, misspelled words, leaking contents, odors, or ticking
 - c. Ensure that all persons who have touched the mail piece wash their hands
 - d. List all persons who were in the vicinity when the piece arrived to the authorities
 - e. Shower with soap as soon as practical

Do not handle, shake or bump the item

Do not open, smell, touch or taste

Bomb Threat

- All bomb threats should be taken seriously. **REMAIN CALM.**
- Do NOT put the caller on hold. Do NOT transfer the call. Do NOT interrupt the caller, Do NOT hang up the phone, Do NOT touch any suspicious objects or packages, Do NOT use wireless technology, (Cell phones, or radios)
- After the threat, notify Security at 712-898-1888 from another phone,
- If instructed to evacuate, move a minimum of 500 yards away from the building.
- Instructors and supervisors should account for the students, employees, and visitors in their areas.
- Refer all media and external inquires to Public Relations 712-212-4210.

Fire, Tornado Physical Plant Outages

Fire

- All students and employees will participate in fire drills and become familiar with the locations of exits, pull stations and fire extinguishers.
- To report smoke or fire call security at 712-898-1888.
- When a fire alarm sounds everyone must leave the building.
- The Fire Department, Security, or Physical Plant personnel will determine when it is safe to re-enter the building.
- Move a minimum of 100 feet away from the building.
- Instructors and supervisors should account for their students, employees and visitors in their area.
- Refer all external inquires to Public Relations 712-212-4210.

Tornado

- All students and employees will participate in tornado drills and become familiar with the closest shelter to their workstations or classrooms.
- A tornado warning means a tornado has been sighted near Sioux City.
- All persons should remain in the designated shelter area until, an all-clear signal has been received.
- Keep away from open doors, windows, and large open areas.
- Students, employees, and visitors are encouraged to stay on campus.
- Instructors and supervisors should account for the students, employees, and visitors in their areas.
- Do not move a non-ambulatory victim until qualified medical or first aid personnel arrive.
- Refer all media and public inquires to Public Relations 712-212-4210.

Physical Plant Outages and Emergencies

- Call Security at 712-898-1888
- Students and employees are advised not to endanger their lives.
- If instructed to evacuate move a minimum of 500 yards away from the buildings. Instructors and supervisors should account for the students, employees and visitors in their areas.

In the event of a gas leak, get out of the affected area immediately.

Do Not light matches, run electrical equipment or touch light switches. **Do Not** use wireless technology

CAMPUS SECURITY:

Briar Cliff University makes the safety and security of all its campus members and guests an institutional priority. Even though the campus is not closed to others, it remains private property for use by the University community and invited guests. The Briar Cliff University security staff protects campus and its students, faculty, and staff. When appropriate, the University issues warnings to the campus community of potential emergencies.

AUTHORITY OF CAMPUS SECURITY OFFICE

The Briar Cliff campus is monitored 24 hours a day. Campus Security staff strive to provide a safe campus by locking buildings, monitoring suspicious activity, enforcing parking regulations, and reporting emergencies to local authorities. Security staff

may detain individuals for questioning. They have direct communication with local police and may call for assistance when needed

REASONABLE SECURITY

The concept of “reasonable security” recognizes that there must be a balance between an accessible academic setting and a completely secure campus. We, as community members, must also do our part to maintain a safe and secure yet friendly campus environment. Campus Security is a resource for all of campus in helping maintain that environment.

LOCKING CAMPUS FACILITIES

To protect campus facilities, a specified locking schedule is followed. Students entering or leaving campus facilities after lock-up hours must secure the doors. Students may not prop open or alter a door so that it cannot lock. Students doing so will be subject to disciplinary action. Students should not admit unknown persons into locked buildings. Broken locks or propped doors should be reported immediately to Campus Security.

REPORTING CRIMES AND OTHER EMERGENCIES

Students should report suspected criminal activity and other emergencies to the Campus Security Office or the Residence Life staff. Whether you are a victim or an observer; any crime, suspicious activity or campus emergency should be reported immediately and the following procedures should be followed:

Crime Statistics

Briar Cliff Security reports all on-campus crimes as defined by Uniform Crime Reporting System. Briar Cliff is in full compliance with this federal mandate, and our Safety and Security report is available by clicking following link: <http://www.briarcliff.edu/student-life/campus-services/security>

Information regarding campus safety and security is provided in compliance with the Student Right-To-Know and Campus Security Act of 1991.

III. FINANCIAL AID

It is the goal of the Office of Financial Aid to work with you to identify every possible way to make the BCU education as affordable as possible. If you want access to financial assistance you must file the Free Application for Federal Student Aid (FAFSA). Briar Cliff's Title IV Code (001846) must be listed in the school section. Refer to the Financial Aid Guide online for more information on the various aid programs.

TYPES OF FINANCIAL AID

There are essentially two types of financial aid:

1. Gift Aid – BCU Academic Scholarships, Athletic or other Talent Scholarships, State Grants like the Iowa Tuition Grant and Federal monies like PELL, TEACH and SEOG.

2. Self-Help Aid -- Includes federally-funded work study and Direct subsidized and unsubsidized loans, Direct Parent/Grad PLUS Loans, and Private Alternative Loans.

You must be a full time undergraduate student attending the Sioux City campus to be eligible for institutional aid. Full time at Briar Cliff University means you are enrolled for 12-18 credit hours per semester.

Enrollment Status for various aid:

- BCU Institutional Aid (Academic, Athletic, Talent, other Incentive Grants)
 - Available Fall and Spring semesters only
 - Must be Full-Time each semester
 - Undergraduate-12 credits per semester
 - Graduate-9 credits per semester
- Federal Student Loans
 - Available Fall, Spring and Summer semesters
 - Must be at least Half-Time each semester
 - Undergraduate-6 credits or more per semester
 - Graduate-5 credits or more per semester
- Iowa State Aid
 - Available Fall and Spring semesters
 - Undergraduate-3 credits or more per semester
- Federal Grants (Pell and SEOG), Federal work study
 - Available Fall, Spring and Summer semesters
 - Eligibility depends on student's EFC and enrollment status
 - Undergraduate and Graduate-1 or more credits per semester

FINANCIAL AID SATISFACTORY ACADEMIC PROGRESS (SAP)

The Higher Education Act of 1965, as amended, requires that each student maintains satisfactory progress in the course of study the student is pursuing. So, in order to receive institutional aid – scholarships and grants, and/or Title IV Federal Financial Aid – PELL, TEACH, SEOG student or PLUS Loans and Federal Work Study you must make Satisfactory Academic Progress. Satisfactory Academic Progress is calculated by a combination of cumulative grade point average and a completion rate of 66.67% of hours attempted Satisfactory Academic Progress (SAP) is calculated based on the number of credit hours completed and a minimum cumulative grade point average.

- If you do not meet the minimum cumulative grade point average or the 66.67% completion rate requirement for SAP, a Warning notification will be issued for one semester.
- If you are unable to achieve the required minimum cumulative grade point average or 66.67% completion rate after a second consecutive semester you will be placed on Financial Aid Suspension.

End-of-Semester Grade Point Average Requirements	
Semester 1	1.5
Semester 2	1.75
Semester 3	1.90
Semester 4	2.0

If you are placed on Financial Aid Suspension you have the right to appeal the suspension. See the Financial Aid Guide online for information about the appeal process. If you are granted an appeal you will be placed on Financial Aid Probation with an Academic Plan.

After each probationary semester your progress will be re-evaluated and you will either be

- Meeting SAP standards again
 - SAP status changes back to Good Standing
 - Can continue to receive financial aid
- Not meeting SAP standards but meeting your Academic Plan
 - SAP status remains as Probation
 - Can continue to receive financial aid
- Not meeting SAP standards and not meeting your Academic Plan
 - SAP Status changes to Suspension
 - Cannot receive federal, state or institutional funds
 - May only receive financial aid once the student is again in Good Standing. Student will need to have outside funding to pay for the courses taken to be able to return to Good Standing. (Provided the student is allowed to return by the Academic Department.)

Students are eligible for Federal Financial Aid for 150% of the length of their program, or until it is no longer possible to complete their program within 150%. For instance a student in a Bachelor's degree (4 year program) is eligible for Federal Financial Aid for 6 years (4 x 150%).

RESIDENTIAL LIFE AND AUXILLARY SERVICES

Residence Life Staff

The Residential Life staff consists of live-in professional and student staff members. The staff works cooperatively to help students capitalize on the academic, cultural, spiritual and social opportunities that are inherent to residential living. The staff, along with residential students, strives to maintain academically-centered, safe, and comfortable living conditions within the residence halls.

Area Coordinators or and Resident Assistants live in each building to serve residential students. Staff members' major roles include facilitating the development of the residential community, serving as a resource to students, providing support to students who have personal concerns, planning and participating in social and educational events with students, managing administrative tasks, and supporting a safe and comfortable living environment through community adherence to University policy and procedures.

Residency Policy

“It is the policy of Briar Cliff University that all full-time undergraduate students are required to live in on-campus housing, and to be enrolled in an on-campus meal plan until a student has completed at least 91 credit hours (as determined by the Registrar) prior to August 1 of the applicable academic year in which the exemption is requested. Note that on-campus residency and on-campus meal plans are for an entire academic year.”

Exceptions to this housing policy include:

- Students living with their parents or legal guardians within commuting distance (40 miles) of campus. Proof of residence must be submitted to the Assistant Dean of Student Development prior to August 1 of the applicable academic year. The address listed on the most recent tax return for the parents of the student (if claimed as a dependent for tax purposes) or the independent student will be the determining address for purpose of this policy.
- Individuals establishing independent student status. In order to establish independent student status, a student must meet one (or more) of the following guidelines and provide proof of same.
 - is at least 23 years of age.
 - is married
 - has children
 - is a veteran
 - achieves independent status in accordance with federal financial aid guidelines as verified by the Director of Financial Aid.

All Housing Exemption Request forms must be submitted prior to August 1 of the applicable academic year and approved in writing by the Assistant Dean of Student Development.

PLEASE NOTE: Do not sign a lease for off-campus housing unless and until your Housing Exemption Request has been approved in writing as set forth above.

Guest/Escort Policy

a) Student must escort any guest, who is not a University resident student, at all times. This includes parents, family members, and University students living off campus. (b) Every guest must present an official ID when requested. (c) Student should advise all guests that they are subject to all University policies outlined in the Student Handbook while on campus or at University events off campus. Student is responsible for informing guests of University policies. Student is responsible for the conduct of Student's guests at all times. (d) Students must be sensitive to the concerns of their roommates and other residents on the floor. (e) The University maintains the right to ask any guest to leave campus if they violate policy or disturb other University residents. If Student's guest is asked to leave campus, Student is responsible for making sure that the guest leaves. Visitation by members of the opposite gender will be allowed from 8 a.m. - 2 a.m. daily. From 2 a.m.-8 a.m. daily members of the opposite gender can be hosted in lounges, study areas, and computer labs. Opposite gender guests are not to be hosted in private residence hall rooms during the hours of 2 a.m. - 8 a.m. All visitors must be escorted as stated in the guest policy.

Quiet Hours

Quiet hours are 10 p.m. to 10 a.m. Sunday – Thursday and 12 midnight to 10 a.m. on Friday and Saturday. During quiet hours Student should be conscientious of the noise level. During final exams, quiet hours run continuously. Violations of policy will be cause for disciplinary action. Courtesy hours are observed beyond the designated quiet hours. Student should exercise good sense and consideration for others. Stereo speakers may not be played out windows

Housing Agreement

Housing agreements are for the entire academic year and cannot be broken once initiated by University without the consent of the Assistant Dean of Students/Director of Campus Life. Residential students are responsible for all of the terms of the housing agreement. The Assistant Dean of Students/Director of Campus Life reserves the right to grant individual exemptions to the residency policy. Note non-residential students are also responsible for all policies contained in housing contract when guests in residence halls. See link for all policies. <https://old.briarcliff.edu/campuslife/HousingContract.aspx>

Missing Resident Student Policy

If a member of Briar Cliff University has reason to believe that a student is missing, all possible efforts are made to locate the student to determine his or her state of health and well-being through collaboration of Campus Security, the Department of Student Development, and the missing student's family and friends. If not located within 24 hours, appropriate family members, associates, or a university official will make an official missing person report with the law enforcement agency with jurisdiction. Anyone who believes a student to be missing should report their concern to Student Development or Campus Security. Depending on the circumstances presented to college officials, the parents of or the designated confidential contact of the missing student will be notified. In the event that parental notification is necessary, a university official will place the call. This policy is in compliance with Section 488 of the Higher Education Act of 2008.

Mailroom

Stark Student Center (East End), 712-279-5276

Hours: Monday through Friday from 9:00am to 3:00pm. All students residing on campus will receive a mailbox number and combination at the time of check in. Packages that will not fit in a student's mailbox are held in the mailroom. (Notices that are received from UPS, PO and FedEx reflect the time the package arrives in town, not necessarily on campus.) A notification will be, e-mailed to the student to alert him/her when the package arrives on campus. Students residing off campus also may request a mailbox by coming to the mailroom during normal business hours. Of course, the mailroom has a drop box for outgoing mail near the student mailboxes for after hour drops.

Mailing address assigned to students:

Student's First/Last Name

Briar Cliff University

3303 Rebecca Street

Sioux City, IA 51104

Dining Services

Stark Student Center, Cafeteria, 712-279-1727

BC Dining Services offers breakfast, lunch, and dinner, Monday through Friday with brunch and dinner served on Saturday and Sunday. Meals are not served between semesters, over holiday periods, or during the summer. Hours of operation are posted at the beginning of each school year. Also available for your convenience are the Fire Pit Grill and Java City Coffee Shop where declining balance funds can be used. More information about dining services, meal plans, locations, hours of service, and nutritional information can be found online at bcufood.com.

Residential Meal Plans

All resident students living on campus are required to be on a meal plan. Meal plans may be changed only during the first ten days of each semester. Meal plan change forms are available online at BCYou. Students living on campus choose from one of five semester meal plans which include: 105 meals + \$260 (for juniors and seniors only), 135 meals + \$470, 180 meals + \$360, 225 meals + \$275, or the 300 meals + \$240 per semester. The meals and declining balance dollars do not transfer from one semester to the next. Please consult the Director of Dining Services at 712-279-1727, with help or questions regarding choosing the right plan.

Commuter Meal Plans

Students who live off campus but want to enjoy the convenience of on-campus dining may purchase a Commuter Meal Plan. Three plans are available including 10, 25, and 50 meals/semester with declining balance dollars also available. These plans do transfer from one semester to the next. For more information on Commuter Meal Plans, please visit our BC Dining website at bcufood.com. To purchase a Commuter Meal Plan, contact the Director of Dining Services at 712-279-1727.

Meal Plan Cancellations

If a student cancels a meal plan before the end of a semester, meal charges will be assessed based on the total number of full and partial weeks completed through the sixth week of each semester. If a student cancels a meal plan after the sixth week, students will be assessed 100% of the meal plan charges for the semester. This applies only to students who have terminated their enrollment during a semester.

Contract Terms

All students living in campus housing must purchase a meal plan. This policy is waived only for serious medical issues directly related to diet, providing that dining services cannot meet those dietary requirements. This condition must be verified by a physician. Contact the Director of Campus Life and the Director of Food service at 712-279-1727.

For detailed information regarding residence hall policy and procedures, please refer to the housing contract, or contact the Director of Campus Life at 712-279-1715.

Maintenance and Custodial Services

Maintenance Building (712) 279-5376

Briar Cliff University has a contract with National for maintenance and custodial services on campus.

III. OTHER UNIVERSITY POLICIES

ACADEMIC

Violations of the academic policies and procedures outlined in the Student Handbook and Course Catalog may be considered violations of University regulations and as such, are subject to University judicial processes and sanctions.

ALCOHOL

Briar Cliff permits responsible use and legal possession of alcohol on campus by students of legal age and in the designated areas. Further detail for this regulation is provided in the Statement on Alcohol and Drugs outlined in this handbook.

COPYRIGHT

Briar Cliff University expects students to comply with Copyright Law, PL 94-553. Information regarding this law is available via the BCU's website. Persons disregarding copyright laws violate BCU policy and do so at their own risk.

DISORDERLY CONDUCT

Disruptions of the University community, residence halls and University activities and events; including presence during a violation of the student handbook is prohibited. If students are present during a violation of the student handbook, even if they may not have initiated or actively participated in the violation, they may be charged with the specific violation or face disciplinary action.

DISRUPTIONS OR PROTEST

Activities that disrupt the normal operations of the University, threaten or endanger the safety of community members, interfere with the rights of others or violate civil law are not

acceptable. In order to ensure peaceful protest, students should inquire with the Student Development Office located in the Stark Student Center.

DRESS CODE

Students should be properly attired on campus. This applies to public areas, classrooms, dining hall, library, student center, and University grounds. Shoes and shirts are always required in the dining hall. Clothing offensive to cultural, ethnic, or social groups are not acceptable. University policies on discrimination apply to clothing.

DRUGS

In compliance with the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act, the University seeks to provide a drug-free learning environment and workplace.

ELECTRONIC HARASSMENT

Any harassment, threats, or intimidation through electronic media, including, but not limited to, cell phone, text message, social media, email, or any other form may be automatically referred to the Sioux City police for investigation and/or action.

EXPLOSIVES

Possession or use of explosives, ammunition, firecrackers, or pyrotechnics of any nature on campus is prohibited.

FAILURE TO COMPLY

Failure to comply with a request or official sanction issued by an authorized University staff, faculty or administrator. This includes but is not limited to request for meetings and completion of sanctions issued by members of the Student Development, Security, and Residential Life staff.

FIREARMS & WEAPONS

Possession or use of firearms, ammunition, metal-tipped darts, bows and arrows, BB guns and other projectile weapons including air-soft guns, including knives not specifically designed for kitchen use, are not permitted on University property. Possession of any weapon or item directed to be a weapon is subject to severe disciplinary action, including suspension or expulsion.

FIRE ALARMS

When the fire alarm sounds, all occupants must evacuate. Complete evacuation of buildings is a matter of law. Tampering with fire equipment or alarms is a serious safety issue, and subject to severe disciplinary action including loss of campus housing, suspension, or prosecution under Iowa law. All residents of building may be held responsible judicially and financially for misuse of fire equipment. **Failure to leave a building when fire alarms sound will result in a Minimum of \$100.00 fine.**

FIRE PERMIT

Sponsoring groups may request a fire permit through the Sioux City Fire Department. Permit requests require minimum 30-days' notice prior to the event. If a permit is granted, the fire department will send a copy of the permit to the sponsoring organization. Copies need to be left with the director of Facility Services, and the Office of Student Development. Even though Briar Cliff University has a valid fire permit, the police, fire department, and campus security have the discretion to revoke the permit at the event.

Use or storage of flammable fluids in campus buildings without proper authorization is prohibited.

FIRE REGULATIONS AND PROCEDURES

Students guilty of arson or similar acts or endangering the safety of others will be subject to severe disciplinary sanctions, including expulsion. The University may also take civil action.

GUESTS

Guests must follow BCU's rules and regulations as outlined in the Student Handbook and Academic Catalog while on campus or at BCU events. BCU Students are held responsible for the conduct of their guests and subject to disciplinary action accordingly.

HARASSMENT

Harassment of any campus community member or guest based on gender, religion, race, color, age, disability, national or ethnic origin, sexual orientation, gender identity, or marital status is prohibited. Any conduct that interferes with a University community member's rights, responsibilities, and/or abilities to achieve his/her academic, personal and professional potential may be considered violations of the Harassment Policy and are subject to disciplinary action.

HAZING

Hazing is defined as any act which endangers the mental, physical, or emotional health or safety of a student for the purpose of initiation or as a condition for continued membership in a group. Hazing is unilaterally prohibited at Briar Cliff.

HOUSING CONTRACT

Students found in violation of the University Housing Contract are subject to all judicial processes, sanctions, and penalties as outlined in the Student Handbook.

<https://old.briarcliff.edu/campuslife/HousingContract.aspx>

IDENTIFICATION CARDS

Briar Cliff students should carry their current student ID cards at all times. The card is used to gain admission to campus activities and facilities. ID cards are required for meal service and to vote in student elections. Alteration of a BCU ID card is prohibited. Lending the card to someone or failing to present it when requested by authorized University personnel violates University regulations. The cost for replacement of an ID card is \$20.00.

INTERNATIONAL STUDENT CONDUCT POLICY STATEMENT

International students have a unique relationship with the University, and their individual visas and other status as a student can be impacted by a great number of variables.

International students are expected to exhibit high standards of personal conduct. The University expects all international students to know and follow all campus policies, local laws, state laws, and federal laws and guidelines. Failure to do so on even one occasion either on or off the campus, may result in immediate action or discipline at the discretion of the Vice President for Student Development or his/her staff designee, including, but not limited to, revocation of visa, removal from campus, suspension, or expulsion from the University.

KEYS AND STUDENT ID/GUARD CARDS

Unauthorized possession, use, or duplication of keys or ID/guard cards is prohibited. Lending of key and guard cards to another person is prohibited.

MILITARY DUTY

Briar Cliff pledges full support to members of our military and/or the spouse of a member (*if the member has a dependent child*) of the Iowa national guard or reserve forces of the United States and those members who are ordered to state military service or federal service or duty.

Academic:

If members of the military and/or the spouse of a member (*if the member has a dependent child*) are called to active duty within an academic semester, Briar Cliff will arrange for them to:

- Complete courses for which they are registered at an accelerated pace;
- Receive “delayed” grades so that these courses can be completed at the +/- conclusion of active duty; or
- Withdraw with a grade of “w” from one or more of the courses for which they are registered.

Student Fees:

Military members and/or spouses of a member (*if the member has a dependent child*) will receive a full refund of tuition and fee charges for the academic semester in which they completely withdraw from the institution due to a call to active duty. Room and board charges will be refunded based on the percentage of semester completed.

Campus Jobs:

Return of campus jobs will be guaranteed to students upon conclusion of their active duty.

Athletics:

Briar Cliff pledges its support to work with the NAIA to restore a full season of athletic eligibility to any student-athlete who was unable to complete an athletic season because of the call to active duty.

NOISE AND SOUND AMPLIFICATION PERMIT

Any group sponsoring an outdoor event with amplified sound must obtain a noise permit from Sioux City Police Department at a cost determined by issuing party to sponsoring group. Requests should be made minimum of two weeks in advance. Copies of the permit will be given to Campus Security 48 hours prior to the event. A copy must be available at the event.

PARKING POLICIES

GENERAL INFORMATION

Briar Cliff University provides parking for students, employees and visitors of the university. Permits are required to park on campus at all times, including spaces designated for disabled persons. Distinct permits will be issued to employees, resident students, and

commuter students. All permits will be valid from August 1st to July 31st of each academic year.

Note: purchasing a permit does not guarantee the availability of an immediate parking space. Please take this into consideration when planning to park on campus.

Application for a BCU parking permit constitutes the applicant's agreement to comply with all University parking policies as set forth herein. The permit remains the property of BCU, and may not be copied, re-sold or transferred.

Briar Cliff University accepts no responsibility for loss or damage to any vehicle or its contents, however caused, while parked in any university parking lot or anywhere on campus.

PARKING REGULATIONS

Parking at Briar Cliff University is by permit only. Permits are good for the respective academic year and replacement is required each year. A new and/or replacement permit will not be issued until all parking fines, if any, have been paid in full. A valid parking permit must be displayed at all times to park anywhere on the Briar Cliff University campus.

Permits must be affixed to the lower left hand corner of the back window of the vehicle. The permit must be fully visible. Failure to properly display a valid permit will result in a citation. Students and employees may not park in designated visitor parking spots for any reason.

Motorists parked (without proper authorization) in a space designated for disabled persons, in a fire lane, or in a no parking area will be ticketed and fined, and may be booted and or towed at the motorist's expense.

Vehicles parked in a restricted lot without a proper permit will be ticketed and fined, and the vehicle may be booted and/or towed at owner's expense. (See "Restricted Lots").

Short-term parking (30 minutes or less) is permissible for loading/unloading only, indicated by activating the vehicle's hazard (flashing) lights.

Violators of the above regulations will be ticketed and fined as set forth herein.

PARKING DESIGNATIONS

Permits are required for all BCU employees and students for all lots and all campus parking. Failure to comply with Briar Cliff University parking rules and regulations will result in parking citations. Parking in the following lots is restricted as follows: A campus map depicting parking lot designations is available at the Security Office.

<u>Any BCU Permit Allowed:</u> The following lots are open to any permitted BCU vehicle only, where designated.	
Lot C	(back of Noonan)
Lot E	(upper pit)
Lot F	(lower pit)
Lot G	(gravel lot)
Lot I	(Newman Flanagan Center (NFC)/Lower Baxter – up to the bend in front of the NFC)
Lot J	(lower Toller)
Lot K	(north side of the McCoy Arnold Center)
Lot L	(Toller-Alverno)
Lot M	(east side of The McCoy Arnold Center)
Lot N	(Alverno)
<u>Employees Only:</u> The following lots are reserved for permitted BCU employee vehicles only, where designated.	
Lot B	(lower level Noonan)
Lot H	(Heelan-Theater)
South of Heelan	(directly in front of Heelan)
<u>Employee & Event Parking Only:</u> The following lots are open to any permitted BCU employee vehicle & Event Parking only, where & when designated.	
Lot I	(Newman Flanagan Center (NFC)/Lower Baxter – parking area after the bend directly in front of the NFC)
<u>Employee & BCU Maintenance Parking Only:</u> The following lots are open to any permitted BCU employee vehicle & BCU Maintenance only, where designated.	
Lot D	Lower Theater
<u>Employees & Visitors Only:</u> The following lots are reserved for permitted BCU employee vehicle and visitors only, where designated.	
Lot A	(front of Noonan)
Charger Blvd	(the hill)
San Damiano Drive	(the campus road)
B/w Heelan & Library	
Clare Court	(the road)

PARKING VIOLATIONS, FINES & FEES

PARKING VIOLATION	FINE/FEE
No BCU Permit Displayed	\$60
Unauthorized parking in handicapped space (No Handicapped Permit Displayed)	\$200
No Parking Zone/Unauthorized Parking/Yellow Curb/Hash Marks	\$25
Blocking a sidewalk/Parking in a loading zone/Parking on grass area	\$25
Unauthorized parking in reserved area without valid, pertinent BCU permit	\$25
Unauthorized vehicle in roadway/Parking lot aisle/Obstructing traffic	\$25
Improper parking (more than one stall)	\$25
Parking in a fire lane (Fire Department regulation)	\$50
Immobilization/Boot fee	\$50
Towing Fee	Tow Charge

Student-incurred parking fines and/or fees as set forth above will be billed to student accounts, subject to student account policies and guidelines.

Employee-incurred parking fines and/or fees as set forth above will be deducted from the employee's next BCU paycheck.

Any vehicle that has been ticketed and fined three times in an academic year will be towed, or booted, as appropriate (said appropriateness determined at BCU Security's sole discretion), and student violators may be subject to discipline in accordance with the Briar Cliff University Student Code of Conduct.

APPEALS PROCESS

Parking tickets may be appealed in writing to the Director of Security or Assistant Director of Security within 7 calendar days of the ticket issuance date. Students and employees will be notified of the status of their appeal in writing within 30 days of the filing of said appeal. E-mail correspondence shall satisfy the "in writing" requirements set forth herein.

NOTE: Ignorance of these regulations or inability to find a "convenient" or "acceptable" parking spot is unacceptable as grounds for said appeal.

VISITOR PARKING

Visitors may only park in designated spots. Visitors may only park in Handicapped Parking stalls if they are displaying a valid Handicapped Parking permit.

An overnight visitor/guest and host will need to obtain a Guest Parking Permit from the Security Office after they have received permission from the Residence Life Coordinator for the guest to be on campus. The visitor/guest must park in the same lot as his/her host. All visitor/guest vehicles are subject to all parking regulations. Any tickets issued to a visitor/guest must be paid in full at the Briar Cliff University Business Office within 7 calendar days of issuance or they will be added as a charge to the host student's account.

Only registered residential students may park overnight on BCU's campus. Prior approval from the Security Office must be obtained for any visitor or employee to park overnight on campus.

DISABLED PERSONS PARKING

Students and employees parking in a Handicapped Parking stall must visibly display both their state-issued Handicapped Parking permit and BCU parking permit at all times.

OBTAINING A BCU PARKING PERMIT

To obtain a BCU parking permit, visit the Security Office to complete the requisite form. No permit will be issued without a completed form on file. Permits will not be mailed. The total price for a student permit will be billed to student accounts. Employee permits are free of charge but require the completion of the aforementioned requisite form, available at the Security Office.

TEMPORARY PERMITS

If a student or permitted BCU employee is driving a different vehicle for a day, or temporary period of time, a temporary parking permit must be obtained from the security staff. Temporary parking permits must be visibly displayed on the driver's side of the dashboard. Temporary permit holders are subject to all university parking rules as set forth herein.

PARKING PERMIT FEES - ANNUAL

Student and Employee permits are for the academic year (August 1st to July 31st of each academic year).

PARKING PERMIT DESIGNATION	FEE
Resident Student	\$90
Commuter Student	\$90
Employee	N/C

REPLACEMENT PARKING PERMITS

Replacement decals for permanent parking permits can be obtained in the Security Office. You must bring in your old permit, or know the number, to obtain a free replacement permit. All fines must be paid in full before a replacement permit will be issued.

NOTE: Please remember to remove your permit before selling or trading in your vehicle.

PROPERTY DAMAGE

Destruction or attempt to damage property belonging to the University, a member of the campus community, or a guest of the University is prohibited. Although the University provides reasonable protection for students' property, the University is not responsible for the loss, theft, or damage to any property, including vehicles belonging to students or items in residence hall rooms. Briar Cliff University recommends all students carry homeowners or renter's insurance to cover loss or damage to personal property.

All damages impacting University property will be reasonably investigated. If responsible parties are not identified, charges may be made to groups or segments of campus populations connected to the location of damages.

SECURITY

Impeding the security of the buildings, doors, or any area of campus is prohibited. This includes but is not limited to the propping open of locked doors, giving keys and guard cards to unauthorized individuals.

SKATEBOARDS

The following activities are prohibited: acrobatics (e.g., jumping on or over steps, benches, walls, rails, bike racks, etc.); excessive speed; blocking pedestrian paths, skateboarding near doorways, sidewalks, ramps, malls, hallways, etc.); and any activity which reasonably presents a risk of injury to persons or damage to property. All traffic including pedestrians has the right of way. Furthermore, any participant who is involved in an accident on University property may be held liable for causing physical injury or property damage. Students are encouraged to wear helmets. The following forms of transportation are included in this policy roller skates, rollerblades, heelee skates, longboards, scooters, etc...

SEARCHES

Students whose actions present probable cause to suspect that they violated a University regulation or a law may be required to submit to an inspection by University officials. Inspection may include a vehicle on campus, package, purse, briefcase, backpack, or container brought onto or being removed from campus. Desks, file cabinets, lockers, closets or other stationary containers may be inspected for probable cause. The inspection must be related to the suspected violation and completed with a witness and the individual present if possible.

SEGWAYS/HOVERBOARD/RECREATIONAL DRONE DEVICES

The use and/or possession of hands free-Segway (Swagway), Hover boards, self-balancing scooters, and recreational drones are **banned** on the Briar Cliff University campus. This includes all buildings, sidewalks and public areas. If you use or possess any of these devices on any Briar Cliff University property, the device will be confiscated by Campus Security and/or Residence Life and held until the device can be safely removed from University property. Subsequent violations will be subject to disciplinary action which may include monetary fines.

SERVICE AND ASSISTANCE ANIMALS POLICY:

Briar Cliff University is committed to compliance with state and federal laws regarding individuals with disabilities. With respect to a request for a service or assistance animal, the University will consider whether the presence of such animal on campus is a reasonable accommodation.

Where the animal is being requested in University housing, students are requested to notify the Office of Residence Life 30 days in advance of the desired move-in date and will be required to follow the procedures below.

In all situations, to facilitate appropriate acceptance of service animals in classes and other campus areas, students with service animals are strongly encouraged to communicate with the Coordinator of Disability Services, particularly prior to bringing service animals into classes. Where the need for a service animal is not readily apparent, the University may require additional information similar to the process for evaluating assistance animals in campus housing.

Service animals must be harnessed, leashed, or tethered while in public areas on campus, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. Service animals in training must wear a vest identifying them as a "Service Animal in Training" when in public areas on campus.

Assistance/emotional support animals may be considered for access to University housing. Assistance animals, *including service animals*, may not reside in University housing without prior approval from the Office of Residence Life and Director of Student Support Services and subsequent registration with the Office of Residence Life. All assistance animals residing in University housing must be housebroken and controlled by the handler.

Handlers must take responsibility for obtaining any required animal licenses from the City of Sioux City within 30 days of bringing a service or assistance animal to campus, and abiding by all other Sioux City animal control ordinances. Handlers are also responsible for ensuring that animals are under their control and adhering to any University or City cleanup rules.

Definitions

Assistance Animal: ***Assistance animals are not pets.*** Assistance animals, including emotional support animals, are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or animals that provide emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals perform many disability-related functions, including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection to rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. Some, but not all, animals that assist persons with disabilities are professionally trained. Other assistance animals are trained by the owners themselves and, in some cases, no special training is required. The question is whether or not the animal performs the assistance or provides the benefits needed as a reasonable accommodation by the person with the disability. An assistance or emotional support animal may or may not also qualify as a service animal.

Service Animal: Any dog, which is individually trained to do work or perform specific tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Although there are special provisions for miniature horses, other animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting an individual who is blind or has low vision

with navigation and other tasks, alerting an individual who is deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to an individual with mobility disabilities, and helping an individual with psychiatric and/or neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Service Animals in Training: Individuals training a service animal are afforded the same rights to those individuals who require the assistance of a service animal. If you are training a service animal to aid and guide persons with disabilities, you must contact the Coordinator of Disability Services and comply with the requirements set forth in this Policy.

Individual with a Disability (ADA definition): An individual with a disability is a person who 1) has a physical or mental impairment that limits one or more major life activities or 2) has a record of such an impairment.

Handler: The individual with a disability who utilizes a service or assistance animal as an accommodation.

Accommodation: Any modification or adjustment in policies, practices, procedures, or work/school/housing environment to enable a qualified individual with a disability to enjoy equal opportunities and access to University rights, privileges, benefits and services.

University Housing Procedures for Service/Assistance Animals

Assistance animals, including service animals, may not reside in University housing without prior notification and registration. Documents required for review of requests for assistance animals in University housing must include the following:

a) The University may require sufficient documentation to support a reasonable accommodation request involving animals. Generally, this will include a letter from a treating health care provider confirming that the handler has a disability (the University does not require information about the nature or extent of the disability) and that the animal is necessary for the handler to access the University housing program. b) A written request from the prospective handler explaining

- If not readily apparent or already known to the University, the nature of the requested accommodation;
- the type of animal
- the date when the animal was acquired
- description of the animal (e.g. weight, breed, etc.), whether the animal is housebroken, and the animal's name.
- if a service dog, and not readily apparent, the type of work or task the animal has been trained to perform.

Prospective handlers should be aware that it may take time for information to be received from health care professionals. Insufficient documentation may result in accommodation delays or denial.

Accommodation requests will be granted if reasonable. Reasonableness is determined on a case-by-case basis and may be denied if the animal is not housebroken or cannot be effectively controlled by the handler. The University will balance the needs of the handler with health and safety issues and the administrative and financial burdens involved.

NOTE: No documentation of the disability-related need for an assistance animal is required if the disability or disability-related need is readily apparent or already known to the University.

In the event that an assistance animal is approved to be in University housing, the Director of Residence Life (or designee) will meet with the student handler to review and sign the Guidelines and Agreement: *Service and Assistance Animal Agreement*. Once this has been completed, the handler must follow all sections of the Briar Cliff University Service and Assistance Animal Policy, including Handler Responsibilities. Permission to have a non-service assistance animal in University housing does not extend to other campus facilities or to common areas of the residence hall (e.g., lounges, class/meeting rooms, laundry rooms).

Handler Responsibilities

In this section, “animal” refers to a service or assistance animal, as described above. Handlers are responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage or injury. The care, supervision and well-being of animals are the sole responsibility of their handlers at all times.

Handlers of animals on campus must:

1. Take responsibility for meeting legal requirements regarding vaccinations and licensing.
2. Ensure that animals are under control at all times. If an animal exhibits unacceptable behavior, the handler must take effective action to correct the situation.
3. In order to help faculty prepare for any facility or curriculum accommodations, it is recommended that handlers inform faculty of their use of service animals prior to the beginning of any block in which they will be using a service animal in class. Faculty are strongly encouraged to work with the Coordinator of Disability Services regarding communications with student if there are any concerns.
4. Ensure that animals are provided adequate care and treatment.
5. Adhere to cleanup rules: Handlers must follow local clean up ordinances when their animals defecate. Individuals with disabilities who physically cannot clean up after their own service or assistance animal may not be required to pick up and dispose of feces but are responsible for finding someone to do so for them.
6. Take responsibility for property damage or additional cleaning: Costs associated with any damage to campus facilities or properties resulting from the animal’s behavior are the sole responsibility of their handlers. Damage that occurs in a residence hall will be resolved according to the Residence Life damage policy.

Removal/Relocation of Service/Assistance Animals

Animals may be removed from any campus facility for the following reasons:

1. Out-of-control Behavior: A handler may be directed to remove an animal that is unruly or disruptive (e.g. barking excessively, running around, bringing attention to itself, jumping up on people, exhibiting aggressive behavior) if the handler is unable or unwilling to take effective action to control the animal. Repeated instances of such behavior may result in exclusion from University facilities until the handler can demonstrate that s/he can effectively control the animal.

2. Not Housebroken: Animals must be housebroken. Handlers must also ensure that their animals are kept clean and well-groomed. Animals that are excessively unclean (e.g., repeated soiling of facilities, flea-infested, foul-smelling and/or shedding excessively) may be excluded from University facilities. Although animals will sometimes become ill unexpectedly, the University recommends that animals that are sick should not be brought into University facilities.

If a service animal is properly excluded from the premises, the handler will be offered the opportunity to participate in the service, program or activity without the service animal.

Conflicts between animals and others' severe allergies, phobias, etc., will be addressed on a case-by-case basis (e.g., relocation to another University housing facility or an alternate office location).

Confidentiality and Authority

Information regarding disability is considered highly confidential, is maintained in separate, secure files with limited access, and is only shared on a need-to-know basis. Authorizations for animals used for disability-related accommodations are made based on medical and/or mental health documentation and the situation at hand, and are not subject to challenge by someone other than the person utilizing the service or assistance animal.

Policy Revisions and Review

This policy is subject to revision and will be reviewed as needed.

FORMS

City of Sioux City Pet license information: <https://www.sioux-city.org/pet-licensing>

SMOKING\TOBACCO

In compliance with Iowa state law, Briar Cliff University is a smoke-free campus. In addition, the use of chewing tobacco, electronic cigarettes, and vapor cigarettes/devices are also prohibited.

SOLICITATION

In general, the University prohibits unauthorized solicitation on the Briar Cliff main campus and all properties. The following statements govern individuals, groups and outside organizations which wish to solicit students and/or employees, sell products and/or services and promote these products and services.

Off-Campus Representatives:

- Off-campus Individuals or companies wishing to distribute or to sell their services or products must be authorized to do so by the Vice President for Student Development.
- A company representative, seeking students for employment part-time or full-time, must see the Director of Career Education for authorization to post advertising and to schedule a visit to the campus.

On-Campus Organizations:

- Selling, soliciting or promotion of services or product sales must be coordinated with the Vice President for Student Development. If an organization is selling or soliciting services or product to raise money for the organization, the request must also be coordinated by the Vice President for University Relations.
- Selling or soliciting by recognized Briar Cliff organizations must occur only in campus building lobbies and does not include residence halls. Door-to-door selling in any campus building is prohibited.

Individual Selling:

Individual students selling services or products cannot sell door-to-door in any campus building, or set up displays for individual gain. Acceptable notices (posters, newspaper ads) may be used to promote sales. Posters must be approved in the Office of Student Development. Briar Cliff University resources (i.e. residence hall rooms, campus network resources) cannot be used for commercial selling or solicitation. Any questions concerning the above policy should be directed to the Office of Student Development.

Fundraising:

All solicitation, fundraising and related events must be approved by the Vice President for University Relations. When University facilities are requested, the event must also be approved by the Vice President for Business Administration and Finance.

STATEMENTS ON AIDS

Statement on AIDS

Current knowledge affirms that persons testing Human Immunodeficiency Virus (HIV) positive do not pose a health risk to others in an academic setting. The American College Health Association (ACHA) states that there is no risk created by casual contact with an infected person. Briar Cliff University supports the ACHA recommendation that institutions not adopt blanket policies concerning students with AIDS-related conditions, but rather respond to each case specifically. The Director of Health Services and Vice President for Student Development will:

1. Manage the process of individual cases;
2. Assist in organization of AIDS educational programs; and,
3. Recommend any necessary policy or procedure decisions.

ADDITIONAL CONSIDERATIONS FOR PREVENTION OF AIDS

1. Abstinence from intimate sexual contact and avoidance of shared needles are ways to avoid transmitting AIDS. The efficacy of condoms for preventing HIV is unproven, but the consistent use of them with spermicide containing nonoxynol-9 may reduce transmission.
2. Toothbrushes, razors, and other implements that may become contaminated with blood should not be shared.

STUDENT ORGANIZATIONS GUIDELINES AND PROCEDURES

Responsibility for Coordination

The Director of Student Activities is responsible for the general coordination of all student organizations and groups. This includes the process of obtaining and maintaining official recognition by Briar Cliff University. It is the policy of the University that all organizations (social, academic, honorary, service, interest group, or other) obtain official recognition in order to be eligible for privileges at Briar Cliff University, renewable annually.

Official Recognition

To gain official recognition as an organization or to start a new organization a group needs to fill out a Student Organization Form, which is available from the Director of Student Activities. Once completed, this form needs to be returned to the Director of Student Activities and a review of the application will be done by members of the Student Development staff. The new organization will then be asked to give a short presentation on the mission of their group to the Briar Cliff Student Government (BCSG). Following the recommendation from BCSG, members of the Student Development staff, including the Vice President of Student Development will rule on the official recognition of the new organization.

Maintaining Official Recognition

To maintain the status of an officially recognized organization, an organization must comply with the following regulations:

- Updated roster of officers and advisor, with signatures must be on file with the Director of Student Activities.
- A current constitution for the organization must be on file at all times.

Loss of Recognition

Loss of recognition due to the conduct of a recognized organization will be handled by Student Development and appropriate University officials.

General Guidelines

All organizations will comply with the Equal Opportunity Policy of Briar Cliff University. Additionally, organizations must be open to all BCU students.

Advisors

Selection of Advisor

Each student organization is required to have at least one advisor, who will be either appointed by Briar Cliff University or otherwise chosen by the members of the group itself. The appointment, usually for one year, and may be renewed and continued as long as it is the desire of the group and is acceptable to the advisor. The principal advisor must

be a member of the faculty or administrative staff. Additional advisors may be faculty spouses, alumni or interested members of the Siouxland community.

Role of Advisor

An advisor should play major roles with the organization:

1. Leadership – participation without domination.
2. Counseling advice as a resource person.

Advisors should be thoroughly familiar with the University procedures and philosophy and with the formal structure of the organization. Advisors should encourage the group to develop purposes and activities that are feasible, worthwhile, and which contribute to the overall educational experience of all persons involved. Where there is disagreement within a group or divergence from the group's self-defined purpose(s), advisors should help officers and members to identify and resolve the conflict(s). Advisors should attend all regular meetings if possible.

Advisors' Responsibility Statement

- Every organization must have an advisor who is on the BCU faculty or professional staff. The advisor serves as an ally, a resource, and liaison between the University and the organization.
- Organizations should give advisors copies of their charters and by-laws. Advisors should have a clear understanding of the organizations' goals and objectives.
- Advisors must be informed of organizations' meetings and attend as often as possible. Advisors should receive minutes of meetings.
- Advisors should attend the organization's social functions on and off campus. Advisors are the official spokespersons for BCU at the function.

Constitution

Minimal requirements for Constitutions Name of the organization

- A statement of goals, purposes, and activities
- The organization and its activities, including membership eligibility, will be in line with BCU's Equal Opportunity Policy
- Procedure for succession of officers
- A statement that no elected or appointed officer and member will be allowed to participate if they no longer are officially enrolled full time at Briar Cliff University or are on social probation or have below a minimum 2.00 cumulative grade point average. Seniors in the final semester are exempt from the full time requirement, if they need fewer hours to graduate.
- Impeachment proceedings given and explained
- An explanation of general membership requirements and qualifications for officers and members
- Provision for an advisor, selection procedures, and specified duties
- List of standing committees and committee procedure, if applicable
- Procedure for amending the constitution

Sign Posting Policy

The following guidelines have been established to comply with the fire code, prevent damage to walls and surfaces, and ensure that signs for events or programs respect Briar

Cliff University community as a Catholic Franciscan institution. All parties wishing to post signs on campus are expected to adhere to this policy.

All signs must be approved by the Student Development Office. Please allow up to five business days for approval.

All signs must include the following to be approved for posting on Briar Cliff University campus:

1. Title of event, program.
 2. Date of event, program.
 3. Time of event, program will begin / or deadline to enroll.
 4. Location of event, program / location to submit registration.
 5. University office / department or student organization sponsoring event, program.
 6. All signs/posters must have the University stamp of approval prior to being hung on campus.
- Signs are allowed in public areas of the residence halls (Alverno, Baxter, Noonan and Toller), Newman Flanagan Center, the Mueller Library, the Theatre, North Hall, and the Stark Student Center.
 - In Heelan Hall, signs may be hung on walls of the main corridors. Groups are limited to two signs per floor. ***No signs are to be posted in the Heelan Atrium.***
 - Masking tape/painters tape should be used at all times to keep surfaces clean and undamaged. ***No duct, packaging or scotch tape is allowed.***
 - Signs may not be hung in stairwells, on stairwell doors (fire doors), or interior of elevators.
 - Signs may not be hung on wood or glass.
 - Signs may not be derogatory to individuals or groups.
 - Signs may not promote alcohol or drug use.
 - Signs should be carefully proofread for spelling and grammatical errors.
 - University departments and student organizations are responsible for maintaining their own signs and removing them after the event. Failure to adhere to this policy may result in loss of posting privileges.
 - Signs falling down, outdated, or in poor condition will be removed.
 - Posters, pictures, and other signage on the outside of residence hall room doors or windows are subject to these guidelines.
 - Signs will be removed if they do not follow these guidelines.
 - Failure to adhere to these guidelines will result in possible judicial action towards student(s) or student organization(s) responsible.

RESPONSIBILITY STATEMENT FOR STUDENTS SERVING ON CAMPUS COMMITTEES

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

- Attend all committee meetings
 - Prepare for meetings by reviewing the agenda and discussing items with constituents to assure accurate representation of the prevailing student point of view
 - Report to students, through BCSG, committee discussions affecting students
 - Share the committee workload
- Work with the committee to make the best decisions for BCU
- Maintain appropriate confidentiality

ESTABLISHING A NEW ORGANIZATION

Student interested in establishing a new student organization should contact the Director of Student Activities for further guidelines.

STUDENT RECORDS

Student Records Policy and Notification of Rights under FERPA

The federal Family Educational Rights and Privacy Act (FERPA) provides eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.)

These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Briar Cliff University receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to request an amendment to a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the University decides not to amend the record as requested, the student will be notified in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the University discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, Briar Cliff will maintain a record of disclosures. Students have a right to inspect and review the record of disclosures. Briar Cliff University may disclose PII from a student's education records without obtaining prior written consent of the student –

- To “school officials” with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the University who performs an institutional service or function for which the University would otherwise use its own employees and who is under the direct control of the University with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an 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. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes.

(§99.31(a)(8))

- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as “directory information” under §99.37. (§99.31(a)(11)) The University has designated the following as directory information:

Briar Cliff University has designated the following types of information as Directory Information:

Student’s name, parents’ name(s), date and place of birth, high school or previous educational institution attended, local and permanent address, university email address, identifiable video and photographs, including those used for marketing purposes, telephone listing, enrollment status and classification, student employment information, dates of attendance, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received.

To review the Directory Information Notice and understand your rights regarding Release of Student Information, please visit <https://www.briarcliff.edu/legal-and-consumer/directory-release-rights/>

- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

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

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

Directory Information Notice

[Release of Student Information]

The Family Educational Rights and Privacy Act (FERPA), a Federal law, provides certain privacy protections for a student's education records.

Most information in a student's education record is considered confidential and is not released without the student's prior written consent. However, there are some exceptions to that rule. The Student Records policy in the Student Handbook explains in further detail the types of disclosures that the University may make without a student's consent. One such disclosure is of information referred to as "Directory Information." Directory Information is information contained in a student's education record which would not generally be considered harmful or an invasion of privacy if disclosed.

Briar Cliff University has designated the following types of information as Directory Information:

Student's name, parents' name(s), date and place of birth, high school or previous educational institution attended, local and permanent address, university email address, identifiable video and photographs, including those used for marketing purposes, telephone listing, enrollment status and classification, student employment information, dates of attendance, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received.

A student who does not want his or her directory information to be disclosed by the University must complete a "Request to Withhold Directory Information" form and submit it to the Registrar's Office, Noonan Hall Room G2. The deadline for submitting this form ***within the first 3 weeks of each semester.***

A student may direct the withholding of any or all of the types of information listed as Directory Information above.

The effect of submitting a "Request to Withhold Directory Information" form may be to:

- Prevent the release of attendance, withdrawal or graduation information even after the student leaves the University. To deactivate the hold, the student would need to submit a new written authorization.
- Prevent the release of directory information on official Briar Cliff University websites, or publications, such as honor rolls, graduation programs, playbills, roster information for athletic teams, and similar types of publications.
- Prevent the University from releasing student contact information.

Any questions concerning this policy or these procedures should be directed the Registrar's Office.

THEFT

Unauthorized possession of University property or the property of others is prohibited

VANDALISM

Vandalizing or defacing of campus property or the property of others is prohibited. Threats or acts of violence against any member of the University community are prohibited. Fines, replacement costs, and repair costs for vandalism may be charged to individuals, groups, or portions of the campus community.

Appendix A – Graduate Program Information

APPLICATION PROCESS TO GRADUATE PROGRAMS

The Office of Admissions at Briar Cliff University administers the application process for graduate programs. Each graduate department determines eligibility and acceptance for the program. When the Office of Admissions receives an application and all proper documentation, the applicant will be sent an acknowledgement that these items have been received. The respective graduate department will review all applications, determine acceptance and notify applicants of their status. Each graduate department may opt to have admissions deadlines, as well as interviews. All applicants who meet the minimal admissions requirements will be approved for the pool of the specified graduate program. From this pool of approved applicants, those who (a) best exemplify the admission requirements, and (b) are most likely to benefit from the program, will be admitted until the program is full. Once the program is full, the approved applicant may be placed on a waiting list.

Before a decision is made regarding admission to the graduate program, the following must be received by the Office of Admissions, unless a centralized application system is utilized by the Department:

- One copy of the formal application for admission.
- A minimum cumulative grade point average (GPA) of 3.0 (on a 4 point scale) from the undergraduate program from which one received his/her degree.
- An official transcript from all prior undergraduate and graduate study documenting a baccalaureate degree from an accredited program.
- Two letters of reference/recommendation from individuals within the profession.
- A \$35.00 non-refundable application fee, which must accompany the application (waived for Briar Cliff alumni).

Additional admission requirements may be made by each graduate program.

TRANSFERABLE CREDITS

Nine credit hours of graduate course work with a minimum grade of 3.0 on a 4.0 scale in each course may be transferred into the graduate program from another accredited institution if they meet the requirements of the graduate program and have been completed within five years of acceptance into the program.

Courses taken from a non-accredited institution will not be accepted.

ADMISSIONS PROCESS

- Once an applicant's application folder is complete, the file will be transferred to the office of the graduate program.

- Each graduate program will determine and publish the mode for evaluating applications, including whether or not interviews will be part of the process, as well as the maximum number to be admitted, waiting list procedures, and application deadlines.
- Notification of admission to the graduate program is made by the respective department. After the department notifies the applicant of admission to the graduate program, the student will have a defined amount of time to accept or decline admission to the program. If accepting admissions, the student must pay a minimum \$250 non-refundable deposit (exact amount of deposit is dependent on program) that will be applied to the tuition for the first semester. Upon accepting placement and paying the deposit, the student will receive a packet of required documents to complete and return. Students must return the completed paperwork prior to starting classes. Students may be required to complete background checks and/or drug screens based on the graduate program and/or clinical placements. Outcomes of these tests may affect the admission status for the applicant.

CONDITIONAL ACCEPTANCE

An applicant may be conditionally accepted to a program if he/she has not completed all prerequisite requirements, completed department specific requirements, etc. All conditional requirements must be completed, with appropriate documentation provided, prior to starting the program.

If the applicant does not meet the minimum grade point average (GPA) requirements, but meets all other requirements, the applicant may be conditionally approved for admission to the program. In order to continue enrollment, the student must achieve a 3.0 grade point average on a 4.0 scale for the first semester of courses, excluding the first summer. The student will then change to regular acceptance status and be allowed to register for additional courses in the program.

HEALTH STATUS

A health appraisal may be required for certain graduate programs. For those programs, a completed Briar Cliff University health form must be on file in the health office prior to beginning the program. It is the policy of Briar Cliff University not to admit to these program any applicant whose health, in the judgment of the University, might impair the ability to render safe care.

The student may also be required to submit a record of immunizations, including a second MMR if the student was born after 1957. Certain graduate departments may require that students who have not had clinical evidence of chicken pox receive the Varicella vaccine and/or titer. Students may also be required to submit validation of a Hepatitis B vaccine or sign a waiver releasing the agency and Briar Cliff University of responsibility prior to beginning clinical experiences. Additional requirements for certain graduate programs include a Mantoux Test (TB) or report of chest X-ray, which should be submitted at admission to the major and every year prior to beginning the clinical experience. If the Mantoux is positive, the student must be followed up by a physician. Students may not progress within the program and/or clinical courses unless appropriate tests and vaccinations are completed.

Additionally, various graduate programs may have essential functions and technical standards which students must meet in order to progress in the respective program.

BACKGROUND CHECK

In order to maintain the highest standards possible and protect the safety of the public, certain graduate programs may institute a mandatory background check. Students participating in programs that require such checks will be required to submit data for a certified background check at their expense. Individual departments will determine the type of background check that must be completed and when they must be completed by. Students each have confidential access to the results of their own background check status, but will be reviewed by each graduate program. Should there be a negative background check finding, the department will determine if a student is eligible to participate in the program and/or clinical courses. Eligibility is based on the nature of the finding, clinical site requirements, and licensure board rules. Students may submit an appeal and supply additional data that may be have benefit. Appeal decisions will be judged on documented factual issues. Students may be dismissed from the program in which they are enrolled for not being truthful on an application and/or a negative finding before or during the program of study.

HEALTH INSURANCE

All students carrying nine or more credit hours on the Briar Cliff University campus are required to carry health insurance. Coverage may be through the student's parents or through insurance students carry on their own. Policy information is requested during the validation process and is maintained as a part of the student's university record.

ADDITIONAL CERTIFICATIONS

A certain graduate programs may require additional certifications or trainings prior to matriculation into the program. This may include, but is not limited to completion of training for child and dependent adult mandatory reporters, as well as CPR and AED for the Health Care Provider Certification. Students participating in programs that require such trainings must do so at their own expense.

FINANCIAL INFORMATION

TUITION

Tuition is subject to change annually for each graduate program.

FEES

\$35.00 Non-refundable application fee (waived for Briar Cliff alumni)

\$50.00 Non-refundable graduation fee

Additional fees may be set by each graduate program, including, but not limited to: library/technology, audit, clinical/practicum, books, other required materials, placement services, and transcripts. Fees are subject to annual change.

PAYMENT

Briar Cliff's payment policy requires all charges to be paid by the date shown on the billing statement. Checks and money orders should be made payable to Briar Cliff University. To assist students in meeting their financial obligations, a wide range of financial aid options are available.

Accounts not paid in full by the date shown on the billing statement will be assessed a late-payment charge. Unpaid account balances are subject to a 1.5% per month late-payment charge. Before registering for a new semester students must have accounts current.

All charges are subject to change at the beginning of any semester or on 30 days' notice. Briar Cliff will not be responsible for money or valuables. Textbooks and other supplies are sold on a cash basis in the University bookstore.

FINANCIAL ASSISTANCE

In efforts to help reap the rewards of a quality education, Briar Cliff provides a full range of financial aid resources. Please refer to the Briar Cliff University Catalog for a more detailed account of financial assistance available and resources to contact.

Assistance may be applied for by completing the Free Application for Federal Student Aid (FAFSA) and listing Briar Cliff University's Title IV School Code 001846. This allows students the opportunity to be considered for federal financial aid. The federal financial aid programs BCU has available to students include:

Federal Stafford Loan

Federal Perkins Loan

Federal Work Study

Guidance for applying for graduate-specific grants and scholarships is available from the Program Director or Advisor. Students who have questions regarding the financial aid process can contact the Department of Financial Aid at 1-800-662-3303, ext. 5239 or 712-279-5239.

REFUNDS

If a student totally withdraws from all classes before the end of the semester, charges for tuition are made on the following basis:

- Withdrawal during the first week of the semester will result in no charge for the student.
- Withdrawal for classes any time after the first week will result in a pro-rated charge based on the number of days the student attended class up to the 60% completion date of the semester.
- Withdrawal after the 60% completion date will result in no refund
- Other fees, such as general, activity, or laboratory, are assessed and payable at registration; they are not refundable.
- If a student withdraws from an online class prior to logging into the class, the refund is 100%. Once a student has logged in to take the class, there is no refund.

PROGRESSION REQUIREMENTS

DEVELOPMENT OF A PLAN OF STUDY

At the time of admission, the graduate student is assigned an academic advisor. The student should make an appointment to meet the academic advisor in order to become acquainted and to determine the student's plan of study.

ACADEMIC ADVISING

Once admitted, the graduate student will meet with their assigned academic advisor who will serve as the academic advisor until graduation. Each student should meet with his/her respective academic advisor at least once each semester to discuss professional behavior and progression within the graduate program; more frequent meetings may be required by the advisor and/or department. Students should submit to their advisor the signed form at the front of this handbook denoting that they have read and understand what has been presented in the handbook.

PLAN OF STUDY CHANGES

Any change in an approved plan of study is to be initiated by the student in consultation with the academic advisor. The student and the academic advisor will fill out the Change of Plan of Study Form and submit the form to the Director of the respective graduate program. The Graduate Program Director will review the form and inform the student and the advisor of its acceptance or rejection. This must be adhered to even in the substitution of courses.

PROGRAM LENGTH/ TIME LIMITS

Once admitted, graduate students has a specified number of years, as determined by each program, in which to complete the program. Should the completion be delayed beyond this time, initial coursework will be outdated and will require update in order to apply towards fulfilling degree requirements.

OUTDATED COURSES ON PLAN OF STUDY

Courses on the Plan of Study taken 6 years prior to the completion of the graduate degree are considered outdated unless they have been used for another degree. Students may petition to update courses, but may only update 50% of the total coursework. Such petitions begin with the department in which the course is now being offered. The student must obtain documentation from that department verifying that her/his knowledge is current. If the course is to appear on the Plan of Study for the student, approval from the respective Graduate Program Director is required.

PROCEDURE FOR UPDATING OUTDATED COURSE WORK

The following guidelines are designed to assist the student, advisor, and instructor in completing the update process:

- During the semester preceding the semester of the update, the student initiates the process with her/his academic advisor. The advisor will notify the current instructor of the course needing updating at the student's request.
 - a. The advisor will notify the student of the name of the instructor who has agreed to complete the update. It is the student's responsibility to contact the instructor. The student must complete arrangements the semester preceding the update. Delay in arrangements may result in delaying the updating process, as the agreement is based on time and faculty assignment in that particular semester.

It is the responsibility of the instructor to determine the requirements for a successful update, based on the current course requirements.

COURSE OFFERINGS

Graduate program courses will be offered as adequate enrollment, faculty, and available resources permit. Due to conditions beyond the control of Briar Cliff University, the University reserves the right to modify, consolidate, or cancel courses. Graduate study may include required activities on campus and in off-campus locations for degree completion.

FINANCIAL AID SATISFACTORY ACADEMIC PROGRESS (SAP), GRADUATE

The Higher Education Act of 1965, as amended, requires that each student maintains satisfactory progress in his/her pursued course of study to receive Title IV federal financial aid.

Academic Progress will be measured both qualitatively and quantitatively. A minimum grade point average (GPA) and a minimum number of credit hours completed in the academic year are requirements. Graduate students are required to be enrolled in at least 5 credit hours each semester to receive financial aid. Graduate students must also have a cumulative GPA of a 3.0 each semester.

Students who do not meet the grade point average after a given semester will receive a Warning notification. Students unable to achieve the required grade point average after two semesters will be placed on Financial Aid Suspension. Students may also be placed on Financial Aid Suspension after 2 semesters for not completing 70% of the hours they attempted.

Students placed in Financial Aid Suspension have the right to appeal the suspension. The Financial Aid Suspension form is mailed to the student to complete. The appeal will require reasons for the suspension and an Academic Plan, which must be signed off by the student's academic advisor. The student will have a timeframe to complete and submit this form to the Financial Aid Office so a decision can be made.

Students who are granted approval will be placed on Financial Aid Probation for one semester. After the probationary semester, the student will either be in good standing or will not be able to receive any federal, state, or institutional funds until he/she is in good standing again.

GRADE POINT AVERAGE

Students must maintain a cumulative GPA of at least a 3.0 for progression within a program. If a cumulative GPA falls below a 3.0, the student will be placed on academic probation for the following semester. A student who obtains a semester GPA of at least a 3.0 during a probationary semester, but fails to achieve a cumulative GPA of at least a 3.0, may continue in the Program, but will remain on academic probation until at least a 3.0 cumulative GPA is obtained. While on probation, if both the semester and cumulative GPAs are below a 3.0 at the end of a probationary semester, the student may be dismissed from the program. Students must have a cumulative GPA of at least a 3.0 in order to graduate. Graduate programs may have other requirements for progression based on their specific needs.

GRADING

Any course in which a student receives a grade below a "C-" must be retaken at the student's expense. With permission, students may repeat one graduate course in which a "D+," "D," or "F" was earned. Upon failing a second graduate course or failing a graduate course twice, the student is dismissed from the program. A student who needs to retake a failed course may be enrolled in the course on a spaced available basis. The course may be taken at another college or university, up to a total of 9 transferable credits, but the course should be approved for the appropriateness of the transferability by the program director prior to enrolling in the course. Specific programs may have additional grade requirements for core, specialty, and clinical courses.

The quality of the student's work is indicated by the following grades and quality points:

Grade Rating		Quality Points
A	Superior	4.00
A-		3.67

B+		3.33
B	Above Average	3.00
B-		2.67
C+		2.33
C	Average	2.00
C-		1.67
D+		1.33
D	Below Average	1.00
F	Failure	0.00

The mark “I” signifies that work in a course is incomplete because of illness or circumstances beyond the control of the student or because an instructor feels further evaluation is needed before the grade can be determined. A student who receives an “I” at the end of a course must complete the necessary work within three weeks, or in the time specified by the instructor, or the “I” will automatically become an “F.”

The mark “N” signifies that a student’s grade has been delayed, not because the work is incomplete, but because the learning experience extends beyond the end of the semester. The grade is typically used for internships and field experiences. The “N” grade will not affect placement on the dean’s list or the probationary status of a student. All “N” and “I” grades must be cleared prior to graduation.

The mark “W” signifies withdrawal from a course and is given when a student officially withdraws from a course in the registrar’s office with the approval of the advisor. Students may not withdraw from a course after the end of the 70% point of the course. If they do so after the 70% point, they will earn a grade of “F,” unless they are completely withdrawing from the university.

The mark “X” signifies that a student has audited a class. No credit is earned when a class is audited. Students should consult with faculty members before registering to audit a class in order to determine the expectation member may have of an auditing student. Full-time students may audit a course without additional charge. A student must register to audit prior to attending the course.

Grades are available through the BCYOU Student Portal on the Briar Cliff University web page (www.briarcliff.edu).

REPEATED COURSES

All courses taken appear on the student’s academic record, but when a course is repeated, only the most recent grade is calculated into the cumulative GPA. Students may repeat one failed graduate course with permission. Upon failing a second graduate course or failing a graduate course twice, the student is dismissed from the program. A student who needs to retake a failed course is re-enrolled in the course on a spaced available basis.

DROPPING A COURSE

Students may drop a course if done so during the first 5 days of the course with a 100% refund. No refund is given for withdrawing after 5 days. Students may withdraw up until the 70% point of the course and receive a “W.” If the student withdraws after the 70% point a punitive grade of “WP” for withdrawal passing or “WF” for withdrawal failing. The “WF” calculates as an “F” when figuring cumulative GPA. Please note certain graduate programs require that students pass certain courses prior to progressing in the program.

DISMISSAL FROM THE PROGRAM

A student may be dismissed from the program at any time for failure to meet the program's standards of academic performance and progress. A student may be denied admission or be dismissed from the program for such things as:

- Poor academic performance,
- Conduct which violates the ethical or professional standards of the program.

GRADUATION

Students must have a minimum overall GPA of 3.0 and have completed the plan of study to satisfaction within six years of the student's initial admission into the program.

Various graduate programs may also have other requirements for graduation, including, but not limited to a scholarly paper, defense, oral, written, and/or practical cumulative examination.

INTENT TO GRADUATE

The student must file an "Application for Graduation" form with the Registrar's Office in the semester prior to intended graduation. Graduation requirements will be determined by the respective graduate departments.

PROFESSIONAL BEHAVIOR

All graduate students are expected to adhere to the professional documents that guide their profession. Failure to adhere to the standards of professional behavior while a registered student in the program can lead to dismissal from the program. This includes, but is not limited to unethical, dishonest, and illegal conduct.

IN THE CLASSROOM

If a student's behavior in a course is considered to be unsafe or disruptive by the faculty member, it is the responsibility of the faculty member to inform the student of the unsafe or disruptive behavior as soon as possible and provide guidance and direction for improvement. Should a student's behavior continue to be unsafe or disruptive, the faculty member has the right to remove the student from the course. The student must be informed of reason for removal, and must be presented with a written learning contract within two working days. The written learning contract must include:

- A description of the unsafe behavior.
- The criteria that must be met for return to the classroom/lab area
- The date by which the criteria must be met
- The consequences of not meeting the criteria by the due date.

The written learning contract is signed by the faculty member and the student, and a copy is forwarded to the Graduate Program Director. The student is accountable for the terms of the contract.

UNSAFE OR UNACCEPTABLE BEHAVIOR DURING CLINICAL COURSES/ PROFESSIONAL EXPERIENCES

If a student's behavior is considered to be unsafe in the clinical setting, it is the responsibility of the faculty to talk with the student about the behavior and to provide guidance and direction for improvement. The guidance may include a learning contract. The following are examples of unsafe or unacceptable performance. However, this is not

an inclusive list, and the final determination of unsafe behavior is based on the faculty member's professional judgment:

- Inability to complete care within the established time frame.
- Inappropriate or untimely communication.
- Evidence of behaviors that reflect an impaired state.
- Evidence of inadequate preparation for clinical activities.
- Incorrect or inadequate assessment or intervention.
- Failure to follow dress code guidelines.
- Dishonesty.
- Failure to arrive on time for clinical activities.

In consideration of faculty guidance, should a student's behavior continue to be unsafe in a clinical course and the student has chosen not to drop the course, the faculty member can choose to remove the student from the clinical area. The faculty should advise the student that they will fail the course; however, the student has ultimate responsibility to drop the course.

Please refer to specific graduate department handbooks for further information about expectations.

BEHAVIOR ON UNIVERSITY RELATED TRIPS

Behavior during University related trips reflects on the University, the School, the Department, and yourselves. Professional behavior is expected at all times. Students will respect the property and personal rights of others in all lodging, eating, meeting, and educational facilities. If a faculty member witnesses inappropriate behaviors on trips, they are obligated to submit a written report to the department chair on such behavior, which may result in departmental disciplinary action and/or dismissal.

CHANGES IN PROFESSIONAL STATUS

It is the responsibility of the student to notify the respective graduate department of any changes in the status in the background check or potential licensure status as soon as possible.

CLASS ABSENCES

Attendance at all classes is a university expectation. All students are held accountable for attaining the course outcome criteria despite absences. Although individual departments may have additional standards, the norm is that students are required to notify the course professor of all absences prior to the absence or immediately thereafter, in the case of an emergency. Students hold the responsibility for making up missed content and are required to submit proposed plans to make up the missed class activities no later than the next class period unless granted special permission in writing from the course professor. Individual instructors have the right to decide if graded activities that occurred during class may be made up. Online course expectations will be set out in the syllabi.

There are activities that are regarded by individual graduate departments as approved events for excused absences from classes, labs, or practicum. In order to be an excused absence, students must be attending these events either in conjunction with their participation in a professional organization, as a class assignment, or as a professional

board or committee member. Students must arrange in advance with the course faculty member to request an excused absence from class and/or lab or practicum experience to attend approved events. The student is responsible for any missed course content.

ACADEMIC INTEGRITY

Honesty is highly valued at Briar Cliff University. You must always submit work that represents your original words or ideas. If any works or ideas used in a class posting or assignment submission do not represent your original work or ideas, you must cite all relevant sources and make clear the extent to which such sources were used. Works or ideas that require citation include, but are not limited to, all hard copy or electronic publications, whether copyrighted or not, and all verbal or visual communication when the content of such communication clearly originates from an identifiable source. Please see the Academic policy section of Briar Cliff University's Student Handbook more information about academic integrity, including consequences of academic dishonesty.

SCHOLARSHIP INTEGRITY

Students must adhere to integrity standards that pertain to research, including, but not limited to, proper submission and updates to Institutional Review Boards, obtaining proper informed consent, ethical treatment of subjects, appropriate record retention, upholding confidentiality, and appropriate dissemination of findings. Failure to do so may result in consequences up to and including expulsion from the program.

GRIEVANCE PROCEDURES

APPEALING GRADES

Please refer to Briar Cliff University's Student Grievance Procedures above.

COMPLAINTS OUTSIDE OF DUE PROCESS (GRADUATE CLINICAL EXPERIENCES/PRACTICUMS)

The following procedures will be followed in order to respond to complaints that fall outside of due process, such as those that may be submitted by clinical personnel, patients, or other stakeholders:

1. The Department Chair is responsible for handling complaints that fall outside of due process. In the event the Department Chair is not available or if it is inappropriate for the Department Chair to handle the complaint (e.g., the complaint involves the Department Chair), the complaint will be forwarded to the Vice President for Academic Affairs or to the Director of Clinical Education.
2. Complaints should be submitted in writing.
3. The Department Chair or his/her designee must respond to the complainant within 3 weeks of receiving the complaint. When appropriate, the Program Director or his/her designee may consult with other University offices and personnel in addressing the complaint.
4. Documentation regarding the complaint and any actions taken are maintained in a locked file in the Departmental office. In order to be accessible to stakeholders that are not covered by due process, a copy of these procedures are sent to the clinical sites and maintained on the program web-site.

PROTECTIVE POLICIES

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

Briar Cliff University is in full compliance with the federal law pertaining to student records. A complete statement of the Family Education Rights and Privacy Act of 1974 is available in the Office of Student Development. Please see the Student Records Section of Briar Cliff University's Student Handbook above.

Students who request to release of information or letters of recommendation that include personally identifiable information from one's educational record (GPA, grades, etc.) must provide a written and signed statement that gives authorization to a faculty member(s) to access and release information in one's educational record. The document must specifically state what items may be accessed and shared (grades for all classes, grades for specific classes, GPA, class rank, etc.). This document will kept in the student's permanent academic record.

HUMAN SUBJECTS PROTECTION

Various graduate students may be required to participate research involving human subjects, and faculty members are encouraged to make learning opportunities in research or service available to graduate students outside of class. The student's involvement must be clearly outlines prior to the student being involved. Proposals should be submitted to the student's primary project advisor by a designated date. If human subjects are involved in the project, the application must be sent to the appropriate Human Subjects Committee for approval. Data collection using human subjects cannot be initiated until approval from the committee has been received in writing. The project advisor will also help the student determine whether or not other approval are necessary before data collection begins.

Students who participate in any research involving human subjects are required to successfully complete a university or program approved training and obtain informed consent from individuals (or their guardians) who participate as subjects in research.

OCCUPATIONAL EXPOSURE TO BLOOD BORNE PATHOGENS

If graduate students may be at risk for exposure to blood borne pathogens, students will be given instruction in precautionary and infection control measures prior to the students' first contact with patients, clients, human tissue, blood products, and body fluids. This includes instructing students on what constitutes an exposure and the protocol to follow in the event of an exposure.

In the event of an occupational exposure to blood or body fluids, the student is responsible for immediately reporting the incident to a faculty member, supervisor, employee health, or infection control official, as well as following-up with an appropriate health care provider for post-exposure management. After care is provided, the student must document essential information and a report to the Program Director as soon as possible. The student is responsible for payment of all post-exposure testing and follow-up.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

Various graduate students may be involved with electronic health care transactions and health data. Graduate students involved with activities that may fall under national standards of HIPAA must successfully complete a course to ensure competency of this information prior to any clinical activity. All students are expected to adhere to HIPAA standards in all settings. Failure to do so may result in disciplinary action up to and including dismissal.

ADDITIONAL STUDENT INFORMATION

IDENTIFICATION CARDS

Students enrolled at Briar Cliff University are expected to carry a current student identification card. The card is the official university identification and may be used to gain admission to Briar Cliff University activities and facilities.

The card must be validated at the beginning of each year of enrollment at Briar Cliff by the Registrar's office. Alteration of a Briar Cliff University identification card, except by university officials, is prohibited and will result in disciplinary action.

All students are held responsible for all uses of their card until its loss is reported in writing to the Assistant Dean of Student Development's office. There will be a charge for replacing the card.

Lending this card or failure to present it when requested by authorized university personnel, i.e., student leaders, faculty members, or official members of the university staff, is in violation of university regulations and will result in disciplinary or legal action.

PARKING

For safety and security reasons, all cars parked on main campus Briar Cliff property must have a valid parking permit. (Parking on Mayfair campus ONLY is excluded from this policy and does not require a permit) This includes students, faculty, staff, and visitors. Parking permits must be obtained from the Security Office (Ground Floor, Heelan Hall, 279-5430) at the time of orientation.

The responsibility of finding authorized parking spaces rests with the motor vehicle operator. Lack of a parking space, mechanical problems, or other disabilities are not considered valid excuses for failure to comply with these regulations.

Continuous violations of parking regulations as well as student vehicles found unregistered may result in referral by campus security for university disciplinary action. Frequent parking violators will be subject to towing or the application of the Denver Lock (boot) to their vehicle. The Security Office reserves the right to utilize these measures when deemed appropriate.

LIBRARY SERVICES

The Bishop Mueller Library is available for students on campus and by the World Wide Web.

PHOTOCOPYING SERVICES

Students are responsible for expenses of photocopying related to class presentations and other course assignments.

STUDENT HEALTH CARE

A registered nurse coordinates the health services. In addition, the nurse practitioner provides medical care during regularly scheduled hours on campus at no cost to the student. The Health Office provides educational programs and activities to encourage a healthy lifestyle. If a student is unable to see the nurse practitioner on campus, the nurse will assist the students in scheduling appointments with primary care providers off campus. The student may need to use insurance or pay an office fee.

Two excellent medical centers are in close proximity to the campus. Community health resources and a consulting staff of specialists are available through referral by the campus Health Office.

TRAVEL

Graduate students are responsible for their own transportation to class, labs and practicum placements. Unique assignments that involve group arrangements may be negotiated with the course professor. **Travel time does not count as clinical/ practicum time and mileage will not be reimbursed.**

USE OF UNIVERSITY VEHICLES

Compliance with policies concerning the use of Briar Cliff University vehicles is critical. Violation of these policies will not be tolerated and could lead to those involved being dismissed from the program. Vehicles are for official use only. The driver must be a faculty member or student. Faculty, if present, command the vehicles and should be in possession of the keys.

A student driver is responsible for all aspects of the sentence when convicted of, or pleading guilty to, a traffic law violation. Passengers in the vehicle have a moral responsibility to help prevent traffic violations.

INCLEMENT WEATHER

If weather or another emergency warrants cancellation of classes, announcements will be made on local radio and television stations. An e-mail or text alert may also be sent out. When inclement weather interferes with scheduled class meetings because the University is closed, Department faculty may require students to make-up the lost time by attending evening or Saturday classes. On-campus classes should not be held if classes on the University are cancelled.

If a student is on an internship/ preceptorship cancellation policies will be determined by the internship/ preceptorship site, unless a program issues a universal cancellation.

EMERGENCY PROCEDURES

Fire evacuation and tornado emergency procedures are located in each building. Please review these procedures and discuss them with faculty if you have questions. Periodically there will be emergency drills to review these safety procedures. Students are expected to follow instructions and participate in the drills.

FACULTY OFFICE HOURS

Each faculty member will post office hours specific to their schedule. Students are expected to schedule face-to-face appointments within the set office hours. If a student requires a meeting time different than the scheduled office hours, the faculty member will make every attempt to accommodate the needs of the student. However, the student must be mindful of faculty workload and other responsibilities.

TRANSCRIPTS

Transcripts can be obtained from the Registrar's Office (provided all financial obligations to the university have been met) by completing the "Request for Transcript" form and paying the appropriate fee.

COMMENCEMENT

Candidates are urged to attend departmental, and University commencement exercises.

OPPORTUNITIES FOR STUDENT PARTICIPATION IN DECISION-MAKING

Briar Cliff University offers a number of ways in which graduate students can participate in the decision-making related to their respective graduate programs, such as sitting on committees, attending faculty meetings, and providing input related to program effectiveness and suggestions for change and improvement.

In order to evaluate the on-going effectiveness of teaching and learning in the graduate program, students are invited to participate in the assessment process at the completion of each course, at the end of the program, and as alumni. Student input is vital to continual quality improvement of the program. The feedback provided is utilized by faculty in an ongoing process of curriculum development and revision.

DEPARTMENTAL STUDENT HANDBOOKS

Graduate departments may have student handbooks with additional policies and/or policies that further define expectations set forth in this handbook. Students are expected to adhere to policies set forth in the University, and Departmental Student Handbooks.