

BENNIE BOOK CONDUCT

STUDENT CODE OF CONDUCT AND CONDUCT PROCESS

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Purpose Statement

Living and learning in community is a fundamental Benedictine practice and an integral part of the student experience at the College of Saint Benedict (“CSB”) and Saint John’s University (“SJU”) (collectively, the “Institutions”). Community standards and communal behavior expectations have always been necessary for successful community living. CSB and SJU students are expected to abide by established standards of conduct under the College of Saint Benedict and Saint John’s University Student Code of Conduct (the “Code of Conduct”) and are responsible for their decisions. Students are also expected to confront those within the community who are engaged in behavior that conflicts with the standards of conduct.

The purpose of the student conduct process is to assure that the rights and responsibilities of individual students and the community are upheld and respected. CSB and SJU are charged with the responsibility of creating and maintaining a campus learning environment that is safe and orderly, builds an awareness of the rationale for rules and regulations, and promotes an understanding of the rights and responsibilities of students that instills a sense of accountability for individual behavior. The student conduct process is the means by which students are found responsible or not responsible for allegations of behavioral policy violations and by which appropriate sanctions are administered.

Educational Role of Student Conduct Process

Student conduct at CSB and SJU is not a “legal” process. Rather, the process and determinations are educational in nature and intended to assist the student in learning from the incident. The conduct process invites and encourages students to reflect on, and learn from, their actions and behaviors and how those actions and behaviors may have negatively impacted the student, others and the community. The process can result in difficult, but important, lessons that include restricting or losing privileges for participating in extracurricular activities, living on campus, or separation from the CSB and/or SJU on a temporary or permanent basis.

Administration of Student Conduct Process

Policies and standards relating to student life outside of the academic realm are the primary responsibility of the Associate Provost for Student Success, as is the developing, publication, interpretation, and enforcement of these student life policies. The Associate Provost for Student Success delegates certain student conduct functions to the Dean of Students (or their designee). The Dean of Students (or their designee) trains appropriate CSB and SJU personnel to serve as conduct officers.

The CSB Bennie Book (“Bennie Book”) and the SJU J-Book (“J-Book”) are CSB and SJU’s student handbooks, respectively, and students are responsible for knowing and observing the policies, and standards found therein. Enrollment at CSB and SJU signifies the student’s understanding and intention to live according to the Bennie Book and J-Book policies, and the Institutions’ community standards. When an incident occurs that is not specifically covered in the Bennie Book or J-Book, the Associate Provost for Student Success (or their designee) will determine the appropriate institutional response. Actions taken by a CSB or SJU conduct officer are not limited to the parameters of the Institutions’ student conduct process. For example, actions not dealt with in the Bennie Book and J-Book include, but are not limited to: (1) actions taken against students whose behavior is criminal but not specifically addressed in the Bennie Book or J-Book, (2) actions taken in situations that require professional intervention, and (3) student employment matters.

Jurisdiction

The Code of Conduct applies to conduct that occurs at CSB or SJU sponsored activities or on CSB or SJU property. For the purposes of the Code of Conduct, “property” shall mean SJU Abbey, CSB Monastery, CSB Campus, SJU Campus and all property and facilities thereon. The Code of Conduct also applies to off-campus conduct that adversely affects the CSB or SJU community or is detrimental to the educational mission or interests of the Institutions. A student is responsible for their conduct from the time of application for admission through awarding of a degree, even though conduct may occur before classes begin or after classes end. Students are responsible for their behavior during the academic year and periods between enrollment terms. CSB and SJU retain jurisdiction if conduct occurring before graduation is discovered after a degree is awarded. If misconduct was committed while a student was enrolled but is discovered after graduation, CSB or SJU have the right to invoke the student conduct process and may, in some cases, revoke the student’s degree if found responsible. If the student withdraws from school while

a conduct matter is pending, the Code of Conduct remains applicable to the student's conduct prior to withdrawal. At its discretion, CSB and SJU reserve the right to proceed with the conduct process in a student's absence or delay it until the student seeks re-enrollment.

The Code of Conduct may be applied to behavior conducted online, via email, or other electronic mediums. Online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. Online postings may result in allegations of student misconduct if evidence of policy violations exists. CSB and SJU do not regularly search for online violations but may take action if such information is brought to the attention of the institution's officials.

Students are subject to their respective campus' disciplinary and administrative procedures regardless of where the alleged violation or incident occurred. In some cases, CSB and SJU may adjudicate a case jointly with a conduct officer from each institution.

Code of Conduct

As a Catholic, Benedictine, and residential institution of higher education, CSB and SJU strive to create a community environment that supports the holistic development of students and upholds the Benedictine values that define our community. Students are vital members of the CSB and SJU community and as such, CSB and SJU expect students to accept responsibility for participating in this community in ways that are positive and supportive of themselves and of the community as a whole, including responsibility for the behavior and actions of their guests. All members of the CSB and SJU community are expected to act with integrity and honor at all times and show care for self, for each other, and for the community.

The Code of Conduct sets forth the community standards that maintain and protect an environment that is conducive to learning and supports the institutional mission. When a student engages in behavior that violates the Code of Conduct, including behavior that occurs off campus, CSB and/or SJU require those involved in the behavior to be part of an educational process that provides an opportunity for students to consider the impact of their behavior on the community and themselves. Students found responsible for violating the Code of Conduct are expected to work with the Institutions' staff to address the concerning behavior. Students at CSB and SJU who are alleged to have engaged in any of the behaviors listed below will be subject to action under the Student Conduct Process.

1. Dishonesty

- a. Knowingly providing, possessing, or using false information, including furnishing false information to any public or to a CSB or SJU official, faculty, or staff member, including knowingly refusing, or falsely identifying oneself, to a college official. See Fake ID policy.

2. Noncompliance

- a. Failing to comply with CSB or SJU personnel at the time of an incident; failing to comply with a request to meet with CSB or SJU personnel concerning a disciplinary situation; or failing to comply with a disciplinary sanction.
- b. Obstructing the reasonable directives of, or interfering with, CSB or SJU officials or law enforcement officers.

3. Violation of Alcohol Policy

- a. Any violation of the CSB and SJU Alcohol Policy including but not limited to possessing or consuming alcohol under the legal drinking age; serving or providing alcohol to individuals that are under the legal drinking age; irresponsible use of alcohol regardless of age; or the illegal

or unauthorized manufacture or distribution of alcoholic beverages. See CSB and SJU Alcohol Policy.

4. Violation of Drug Policy

- a. Any violation of the CSB and SJU Drug Policy, which includes, but is not limited to possession or use of illegal drugs in violation of state or federal law, attempted or actual sale, distribution, social sharing, or manufacturing of illegal drugs, impairment as a result of the use of illegal drugs or misuse of prescription or over-the-counter medication, or unlawful possession, unlawful use, abuse, or attempted or actual distribution, social sharing or manufacturing of any controlled substance (i.e. prescription drug) or over-the-counter medication or non-prescription synthetic drugs. See CSB and SJU Drug Policy.

5. Violation of College and University Policies

- a. Violation of any CSB or SJU policy, residential life policy, or student life policy outlined in the student handbook and academic catalog. Misconduct off-campus may also be a violation of the Code of Conduct and will be referred to the student conduct process.

6. Violation of Local Ordinances, or Federal or State Laws

- a. Violation of any federal, state, or local law or city ordinance substantiated through the CSB or SJU conduct process, including violations that occur off campus. See Good Neighbor Policy and City of Saint Joseph Ordinances (<https://www.cityofstjoseph.com/95/City-Code/>).

7. Disorderly, Disruptive, or Obstructive Conduct

- a. Behavior or language that obstructs or disrupts the regular or normal operations of CSB or SJU, breaches the peace, violates the rights of others, intimidates others, creates risk of physical harm, or inciting others to do so. Normal operations, include, but is not limited to, teaching or research, administrative functions, disciplinary proceedings, CSB or SJU sponsored activities on or off campus, and other authorized or permissible activities that take place on campus. See MIAC (Minnesota Intercollegiate Athletic Conference) Sportsmanship Policy (<https://miacathletics.com/sports/2022/4/20/about-resources-sportsmanship->).

8. Behavior

- a. General Behavior: Students are accountable for ordinary standards of behavior even though their particular misconduct may not be explicitly mentioned in CSB or SJU documents.
- b. Threats: Serious written or verbal expression of intent to commit an act of violence or causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
- c. Harassment/Intimidation/Bullying: Behaviors that are sufficiently severe, pervasive, persistent, or patently offensive, physically, or emotionally, and unreasonably interfere with an individual's academic purpose at the Institutions by creating an intimidating, hostile, or offensive environment. Include links to bullying policy and harassment policy information.
- d. Assault: Physical acts of harm against another individual that threatens or endangers their health, well-being, or safety.

9. Hazing

- a. Any form of hazing is prohibited by the Hazing Policy.

- 10. Possession of Weapons, Firearms, or Dangerous Devices**
- Possession and/or use of weapons, regardless of their legality, is prohibited on CSB or SJU property except as permitted under the Weapons Policy.
- 11. Taking of Property**
- Attempted or actual theft of property owned by CSB or SJU, or any other group, member, or guest of CSB or SJU is prohibited. Unauthorized possession or any other misappropriation of CSB or SJU property or the property of any other group, member, or guest of CSB or SJU is prohibited.
- 12. Property Damage or Vandalism**
- Attempted or actual vandalism or damage to CSB or SJU property or the property of a member of campus community or guest of the campus community,
- 13. Fire Safety**
- Violation of federal, state, local or campus fire policies including intentionally or recklessly causing a fire; failure to evacuate a CSB or SJU facility during a fire alarm; improper use of CSB or SJU fire safety equipment; or tampering with, or improperly engaging a fire alarm or fire detection/control equipment while on CSB or SJU property.
- 14. Misuse of CSB or SJU Facilities or Resources**
- Unauthorized entry, exit or presence, or use of CSB or SJU facilities, property, or resources.
 - Intentional obstruction with ingress or egress from CSB or SJU facilities including propping or unauthorized use of alarmed doors for entry into or exit from a CSB or SJU building.
 - Unauthorized possession, duplication, or use of keys, or misuse of electronic access, to any CSB or SJU property.
 - Providing access or keys/ID to another person to gain unauthorized access.
- 15. Forgery**
- The forgery, alteration, or use of CSB or SJU documents, records, or instruments of identification with intent to defraud, misrepresent, or engage in illegal behavior.
- 16. Bias**
- Bias incidents include verbal, nonverbal and written conduct or behavior that is threatening, harassing, intimidating, discriminatory, and is based on an individual's identity or group affiliation, such as race, age, disability status, gender, gender identity/expression, national origin, sexual orientation, or faith tradition.
Some examples of bias incidents include but are not limited to, graffiti or signs, written/verbal slurs or threats, physical or verbal confrontation, gestures, and threatening physical or digital communications. See Bias and Hate Reporting (<https://www.csbsju.edu/bias-reporting/>)
- 17. Discrimination**
- Discrimination and discriminatory harassment are prohibited. Aiding another in acts of prohibited conduct is also considered a violation. See Non-Discrimination Statement (<https://www.csbsju.edu/about/non-discrimination-statement/>) and the College of Saint Benedict and Saint John's University Non-Discrimination and Harassment Policy (https://livecsbsju-my.sharepoint.com/personal/jterhaar_csbsju_edu/Documents/Documents/Carlson-Carlson-Stebbins/).
- Discrimination is conduct based upon an individual's protected class status that treats the individual differently, excludes the individual from participation in, denies the individual the benefits of, or otherwise adversely affects a term or condition of the individual's employment, education, living environment or participation in a program or activity.
 - Discriminatory harassment is conduct (including verbal, nonverbal, or physical conduct) based on an individual's protected class status, when submission to that conduct is made, either explicitly or implicitly, a term or condition of an individual's educational experience or employment, or the individual's submission or rejection of such conduct is used as the basis of an educational program or activity decision or employment decision affecting such individual; or such conduct would be determined by a reasonable person to be so severe or pervasive that it substantially and unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile, or offensive employment or educational environment ("hostile environment" harassment).
- 18. Social Media Violation**
- Personal social media accounts created by students cannot use the names or images of the College of Saint Benedict or Saint John's University or imply that CSB or SJU endorse or support the content of personal social media accounts.
- 19. Retaliation and/or Interference with Process**
- Retaliation is any act of intimidation, threat, coercion, or discrimination or any other adverse action or threat thereof against any individual for the purpose of interfering with any right or privilege secured under this Policy or because the individual has made a report or complaint, served as a witness, assisted, or participated or refused to participate in any manner in a process under this Policy. Retaliation may be in person, through social media, email, text, and other forms of communication, representatives, or any other person. Retaliation may be present against a person even when the person's allegations of other policy violations are unsubstantiated. Encouraging or assisting others to engage in retaliation or to interfere with the process are also considered retaliation/interference with process.

Conduct Procedures

Rights of Students in the Student Conduct Process

Although the student conduct process is an educational process, not a criminal process, students have certain rights under this process. These rights are:

- Written notification of the incident being addressed and the alleged Code of Conduct violations. This notification will typically be sent via email.
- An administrative conduct meeting, or in certain cases as determined by the Dean of Students (or their designee), a conduct hearing.
- An opportunity to present information on their own behalf and/or to refute any information provided.
- The option to have a personal advisor present at the conduct proceeding if the student chooses. The personal advisor must be

another student, faculty, or staff member from the CSB and SJU community who is not involved in the case. The advisor may not serve as a witness or verbally represent the student.

The advisor will be asked to sign an Advisor Agreement.

5. If the student is a respondent, to voluntarily waive the right to participate. However, if properly advised of the date, time and location of the conduct proceeding, failure of the respondent to participate will not result in the cancellation or postponement of that meeting. The meeting will be held in the absence of the respondent, unless that absence is excused by the Dean of Students (or their designee). If the respondent chooses not to participate, the student may not then appeal based on new information being available. In all cases, the information in support of the charges will be presented and considered even if the respondent does not participate.
6. Written notification of a decision within five (5) business days of a determination being made.
7. To be advised of the appeal process.

Advisors

Students may have an advisor present at the conduct meeting or meeting related to an alleged violation if they choose to do so. The advisor must be another student, faculty, or staff member from the CSB and SJU community who is not involved in the matter and will not be a witness. The advisor will be asked to sign an Advisor Agreement. Conduct meetings and conduct hearings will not be scheduled or postponed based on the availability of a student's advisor. If a student plans to have an advisor present at a conduct meeting, the student must notify the conduct officer, in writing, at least two (2) business days before the conduct meeting or conduct hearing. If a conduct meeting or conduct hearing is scheduled with less than two (2) business days' notice, the student is responsible for requesting additional time to obtain an advisor if needed. The role of the advisor at conduct meetings, conduct hearings, or other meetings related to the conduct matter is limited. An advisor may not serve as a witness, ask questions, interject, coach, advocate for, or otherwise speak on a student's behalf during a conduct meeting, conduct hearing, or other meeting related to the conduct matter. The student and advisor can confer at any point, but the advisor may not formulate specific questions, responses, or statements for the student. Violations of the guidelines may result in a warning being issued to the advisor by the conduct officer or conduct hearing chairperson. Repeated violations may result in the advisor being asked to leave the conduct meeting, conduct hearing, or other meeting related to the conduct matter.

Standard of Proof

The purpose of student conduct proceedings is to investigate the facts of the matter and to determine responsibility for alleged violations. A conduct meeting or conduct hearing focuses on whether the student is "responsible" or "not responsible" for violating the Code of Conduct. The standard of proof for a finding of responsibility is a "preponderance of evidence," meaning that the evidence indicates that it was more likely than not that the conduct violation occurred. There may be instances where a student is found responsible for a "lesser-related" violation than the one listed in their notice letter. This may occur if the allegations of the lesser-related violation stem from the same facts and circumstances described in the notice letter. For example, a student accused of "Behavior: Assault" may be found responsible for the lesser-related violation of "Disorderly, Disruptive or Obstructive Conduct".

Communication

Email is the official method of communication for the CSB and SJU conduct processes. The conduct officer will email a notice of allegations letter to the student's CSBSJU email address after receiving a report of a conduct incident. The notice informs the student they were identified as having violated one or more provisions of the Code of Conduct. Unless scheduled by the conduct officer, the notice also directs the student to meet with the conduct officer to review the violations documented in the complaint within three business days.

Conduct Meetings

In most instances, to determine whether or not an alleged policy violation or other behavior violation has occurred, a conduct meeting will take place between the student and the conduct officer. Conduct meetings are not open to the public and may not be recorded by the student or an advisor. The only people allowed to attend a student conduct meeting are the Dean of Students (or their designee), the conduct officer, the student, and an optional advisor selected by the student from within the CSB and SJU community.

The purpose of the conduct meeting is for the conduct officer to gain a deeper understanding of a conduct matter by hearing from the participant(s) and to then make a determination of responsibility for policy violations and appropriate sanctions. If more than one student is involved in an incident, the conduct meetings may be held separately and, in some circumstances, heard by different conduct officers. If different student conduct officers are involved, they will consult with each other prior to the determination and imposition of sanctions (if any). At the discretion of the Dean of Students (or their designee), two or more conduct officers may be appointed to adjudicate an incident involving students from both campuses.

If the student is a respondent, they can voluntarily waive the right to participate. However, if properly advised of the date, time and location of the conduct proceeding, failure of the respondent to participate will not result in the cancellation or postponement of that meeting. The meeting will be held in the absence of the respondent, unless that absence is excused by the Dean of Students (their designee). If the respondent chooses not to participate, the respondent may not then appeal on the basis that new information being available. In all cases the information in support of the charges will be presented and considered even if the respondent does not participate. See Conduct Procedures [Rights of Students](#).

Conduct Hearings

At the discretion of the Dean of Students (or their designee), conduct cases may be referred to a conduct hearing for adjudication before a hearing panel. The conduct hearing is a formal, but non-adversarial, setting that may be used to resolve incidents reported student misconduct. The purpose of the conduct is to adjudicate cases involving students who have allegedly violated the Code of Conduct to determine the responsibility of the student for the alleged violation, and to determine the appropriate educational sanctions.

During a conduct hearing, relevant information regarding alleged violations of the Code of Conduct is presented to the conduct hearing panel to determine responsibility, and sanctions, if warranted. A responding student is allowed a reasonable opportunity to prepare and present their response to the conduct hearing panel. The conduct hearing panel serves as a recommending body for situations involving

allegations of student misconduct and serious potential sanctions. They are also used for alleged violations of the Code of Conduct that, in the judgment of the conduct officer, cannot be resolved effectively in a conduct meeting.

Examples of situations which may lead to the convening of a conduct hearing are incidents involving:

- violence
- the sale or distribution of illegal drugs or controlled substances
- personal injury or acts of extreme negligence
- students with prior conduct violations
- potential suspension or expulsion from the residence halls or CSB or SJU
- concurrent investigation and/or resolution by law enforcement authorities
- a request from a conduct officer, in consultation with the Dean of Students

The above list is not exhaustive. It lists examples of situations in which a conduct hearing panel may be convened to hear incidents of student misconduct.

CONDUCT HEARING PANEL MEMBERS

The Dean of Students (or their designee) will select and train members of the conduct hearing panel. In general, five members will serve on the conduct hearing panel including one conduct hearing chairperson, one Residence Director or Faculty Resident, two faculty and/or staff members, and two student representatives. The Dean of Students (or their designee) has discretion regarding the composition of any conduct hearing panel.

CONDUCT HEARING PANEL PROCEDURES

Students whose allegations of misconduct are referred to a conduct hearing panel will meet with the Dean of Students (or their designee) to determine a date and time for the conduct hearing panel. The meeting with the Dean of Students (or their designee) is an opportunity for the student to review the notice of allegations, review student rights, and review conduct hearing panel procedures.

Conduct hearings are conducted in private. There will be a single verbatim audio recording of the conduct hearing, which is the property of CSB and/or SJU. Handwritten notes of the conduct hearing panel chairperson may suffice as a record when a verbatim recording cannot be made due to technical or other issues.

The responding student(s) (and their advisor(s)) may attend the conduct hearing in person, or remotely at the discretion of the conduct hearing panel chairperson. Admission of any other person to the Board meeting is at the discretion of the conduct hearing panel chairperson. If a responding student does not appear at their scheduled conduct hearing, the conduct hearing panel will meet as scheduled. Information in support of the reported violations will be presented and considered by the conduct hearing panel, which will determine responsibility and sanctions, without input from the responding student. It is the discretion of the conduct hearing panel chairperson whether the conduct hearing panel will review the responding student's conduct separately or jointly in incidents involving more than one accused student.

All individuals present at the conduct hearing are expected to abide by the procedures and conduct themselves in a civil and respectful manner. It is a violation of the Code of Conduct for any person to disrupt, obstruct, or otherwise interfere with the conduct hearing process. Persons who

are disruptive or otherwise interfere with the conduct hearing process may be excluded or removed from the conduct hearing proceedings at the chairperson's discretion.

WITNESSES

A responding student, a complainant, and the conduct hearing panel chairperson may arrange for witnesses to present pertinent information to the conduct hearing panel. Questions of whether potential information from witnesses is pertinent shall be resolved at the discretion of the conduct hearing panel chairperson. Witnesses will provide information to, and answer questions from, the conduct hearing panel. Only conduct hearing panel members will question witnesses. Responding students and complainants may submit questions to the conduct hearing panel chair to be posed to witnesses. At the discretion of the conduct hearing panel chairperson, witnesses at the conduct board meeting may also suggest questions to be posed by the conduct hearing chairperson. The responding students must provide names of witnesses and the nature of the evidence they will provide at least three (3) business days prior to the conduct hearing.

EVIDENCE

All pertinent records, exhibits, and written statements may be submitted for consideration by the conduct hearing panel. A responding student has the right to give their own testimony and present documentation or other evidence on their own behalf. Such rights are subject to reasonable limitation to avoid unduly prolonged meetings. All evidence considered by the conduct hearing panel will be provided to the responding student(s) at least three (2) days before the scheduled hearing. All evidence provided by the responding student(s) must be submitted at least five business days before the conduct hearing.

DELIBERATIONS

Conduct hearings conclude after all information regarding the incident of reported student misconduct is presented.

Following the conclusion of the conduct hearing the conduct hearing panel will deliberate to determine whether the responding student is responsible for violating the Code of Conduct. Conduct hearing panel deliberations are closed and only conduct hearing panel members and the Dean of Students (or their designee) may be present for deliberations. Deliberations are not recorded in any way.

DECISIONS AND SANCTIONS

If the Board determines the responding student is responsible for violating the Code of Conduct, the Board will consider appropriate sanctions. The Board may review the responding student's conduct history and may use prior violations when recommending appropriate sanctions. Decisions of responsibility and sanctions made by the Board are recommendations submitted in writing to the Dean of Students. The Dean of Students (or their designee) may accept the Board's recommendations in full, or amend, modify, or change decisions made by the Board. The determination letter will be sent within five (5) business days of the Board meeting.

APPEALS

See Appeals (p. 4).

Conduct Officer

Conduct officers are authorized by the Institutions to resolve incidents of student misconduct. They determine whether a student is responsible

or not responsible for violations of the Code of Conduct and issue appropriate sanctions to students found responsible.

The term “conduct officer” specifically applies to:

- Residence Directors in the Department of Residence Life & Housing;
- Faculty Residents;
- Director of Residential Life;
- Dean, Associate, and Assistant Deans of Students;

Hearing panel members and other CSB and SJU staff designated by the Dean of Students (or their designee) on a case-by-case basis.

Interim Administrative Action

In most cases, a responding student remains enrolled until a final determination in the incident is reached unless it is determined by the Associate Provost for Student Success or the Dean of Students (or their designee) that interim protective sanctions are needed, including removal from campus.

The Dean of Students (or their designee) may take interim administrative action when a student is deemed to threaten the health, safety, or well-being of the CSB and/or SJU community, threaten or impair the effective functioning of the college or university, or when a student has been charged with a serious criminal offense. Interim actions may include suspension from the college or university, removal from college or university housing, restriction of privileges, no-contact directives, and other similar measures.

Interim administrative action is not a disciplinary sanction. It is intended to help protect CSB, SJU and members of the community until a matter can be investigated, adjudicated, or otherwise resolved and remains in effect only as long as the Dean of Students (or their designee) determines there is a need for it or until the matter has been investigated, adjudicated, or otherwise resolved. In the case of interim action imposed as a result of criminal charges, the action may remain in effect until the matter is resolved both on and off campus.

Investigations

Some conduct cases, due to their complexity, nature of the allegations, or other circumstances, may be referred for an investigation. Investigations may be conducted by CSB Security, SJU Life Safety, the CSB and SJU Compliance Coordinator, or the Dean of Students (or their designee). An investigation typically includes meetings with the parties named in an incident, witnesses, and other parties who may have information that would be helpful to the investigation. Students are expected to comply with requests to meet with an investigator.

Sanctions

Sanctions are applied based on finding a student responsible for CSB and/or SJU policies or standards. Sanctions are intended to educate the student and encourage appropriate behavior in the community. Sanctions will be set forth in the determination letter by the conduct officer or the conduct board and may include but are not limited to the following:

1. **Warning**
 - a. An official written warning outlining inappropriate conduct and necessary conduct change.
2. **Restitution**

- a. Repaying injured parties or CSB and/or SJU for damage.

3. Conference

- a. A meeting with the Dean of Students, Academic Advising, Residential Life, or others as appropriate. The student will discuss the incident with the necessary administrator(s) and outline the student’s present standing. The student and the administrator(s) will recommend the necessary progress and develop a behavioral contract.

4. Behavioral Contract

- a. A written agreement that sets forth conduct the student will or will not engage in. The behavioral contract may also outline tasks or learning experiences the student will accomplish and will identify consequences for failing to comply with the behavioral contract.

5. Educational or Behavioral Intervention

- a. Completion of an educational or behavioral intervention. Examples include but are not limited to written assignments, research, reflection paper, letter of apology, bulletin boards, and community programs, required meetings with a designated staff member or another individual.

6. Restriction of Privileges

- a. Denial of specified privileges for a designated period of time. Examples include, but are not limited to, restricting a student’s access to certain parts of campus; access to computing and technology services; use of CSB and/or SJU property, facilities and/or buildings; participation in CSB and/or SJU clubs and organizations, attendance at CSB and/or SJU sponsored events and activities, parking on campus, guest privileges, bus riding privileges, driving on campus, and/or use of CSB and/or SJU owned vehicles.

7. Community Service

- a. Service to CSB, SJU, the St. Joseph community, or other locations relative to a violation.

8. Fines

- a. Monetary fines imposed for some violations, including failure to complete sanctions as directed.

9. Termination of the Housing Agreement

- a. The housing agreement is terminated, and the student must move out of their residence area within a designated period of time.

10. Disciplinary Probation

- a. A probationary status imposed student for a specific period with specific conditions. During Disciplinary Probation, a student is given the opportunity to demonstrate the ability to abide by the community’s expectations of behavior articulated in the Code of Conduct. A student on Disciplinary Probation may be required to engage with a CSB and/or SJU staff member and comply with assigned educational intervention(s). A student on Disciplinary Probation is not in good standing with CSB or SJU and may be prohibited from participating in study abroad and/or representing CSB or SJU in activities such as athletic teams, student organizations, performances, recognition, campus delegations, etc. During the probation period, any further violations by the student will initiate a review of the student’s status at CSB or SJU and could result in Suspension or Expulsion. CSB or SJU will notify parents if their student is placed on Disciplinary

Probation to the extent allowable under state and federal law.

11. Suspension

- a. Suspension is a temporary separation from CSB or SJU and imposed for a specific period based on the severity of a violation, the accumulation of violations, or failure to complete or comply with other sanctions previously administered. Suspension from CSB or SJU includes immediate disenrollment from all courses not already completed. A student sanctioned with suspension may not be present on the property of the CSB or SJU during the period of the suspension without the express permission of the Dean of Students (or their designee) and may be subject to other sanctions/conditions as well. A student who is placed on suspension is not permitted to engage in any of the privileges, courses, organizations, events, or activities associated with being a student at CSB or SJU. Following suspension, a student is eligible to apply for readmission, but admission criteria may be specified. CSB or SJU may notify parents if their student is placed on suspension to the extent allowable under state and federal law.

12. Expulsion

- a. Expulsion is permanent separation from the CSB or SJU. A student who is expelled is prohibited from being present on the property of CSB or SJU or attending any programs or events sponsored by the Institutions at on or off-campus locations. CSB or SJU will notify parents if their student is expelled to the extent allowable under state and federal law.

Appeals

An appeal is not a rehearing of the conduct incident. A student found responsible for violating a CSB or SJU policy or standard may appeal a decision by submitting an appeal form and an accompanying letter explaining the appeal to the Dean of Students Office by e-mail or in person, to the front desk. The appeal form and accompanying letter must be submitted within three (3) business days of the determination letter. Once an appeal form and accompanying letter are received, the Dean of Students (or designee) will direct the appeal form to the appropriate appeal officer. A student who chooses not to participate in the conduct meeting or Conduct and Standards Board meeting forfeits the right to appeal the determination.

A student may appeal the determination of a student conduct meeting or Conduct and Standards Board meeting on any one of the following conditions:

1. Alleged procedural errors which substantially affected the determination of the conduct meeting.
2. Newly discovered or previously unavailable information of a substance that would likely affect the determination of the conduct meeting.

In general, appeals from a conduct meeting will be considered by the next level conduct officer. Appeals from the decision of the conduct hearing panel will be considered by the Vice Provost for Student Success (or their designee).

The student will be notified in writing within ten (10) business days after the submission of the appeal regarding the decision of the appeal

conduct officer. The decision of the appeal officer is final, and the student will be allowed to appeal the decision of a particular case only once.

Student Conduct Records

Student conduct records are part of a student's educational record. The Dean of Students Office holds educational records regarding incidents of student conduct that have been referred to the CSB or SJU student conduct process. Conduct records are not part of the student's academic record.

Student conduct records will be maintained for a minimum of seven years following the incident. The Dean of Students Office may also maintain records for pending or unresolved conduct matters. Students who receive sanctions of Suspension or Expulsion will have their conduct records maintained indefinitely.

All conduct records are the property of CSB or SJU and are subject to the data privacy restrictions found in college and university policies and federal and state law. Third parties generally will not have access to a student's conduct record without written permission provided by the student. Information from student conduct records may be shared with other CSB or SJU departments and officials, including but not limited to Residential Life, the Center for Global Education, and Athletics, at the discretion of the Dean of Students (or their designee). The annual notice statement concerning the implementation of the Family Education Rights and Privacy Act of 1974 (FERPA), 20 UCS 1232g, describes circumstances under which contents of such records may be disclosed without the student's consent. A link to the CSB and SJU FERPA annual policy can be found here (<https://www.csbsju.edu/registrar/records-and-privacy/>).

Expungement of Student Conduct Records

CSB or SJU may allow for administrative expungement of minor prohibited behaviors under the Code of Conduct, if a student can demonstrate with documentation a meritorious reason for an early review of the student's record. If an expungement is petitioned and granted, the student conduct record will be deleted. As a result, the record of the case will not be disclosed to external third parties by CSB or SJU. The petition to expunge a record is a determination made in the sole discretion of CSB or SJU and is not a requirement of law. CSB and SJU have no obligation to expunge a student's conduct record.

Students may apply to have their disciplinary record expunged if all of the following criteria have been met:

1. The conduct violation did not involve academic dishonesty[1] (p.);
2. The conduct violation did not involve violence, threats of violence, sexual misconduct, or any form of harassment;
3. Four full semesters have passed since the conclusion of the sanctions;
4. The highest level sanction imposed for the violation is disciplinary probation; and
5. The student has no more than two disciplinary violations in their record.

Parental Notification

The Dean of Students (or their designee) may notify parents or legal guardians of conduct matters under the following conditions:

1. When it is determined that a student's behavior or misconduct puts their or another person's immediate health, safety, or well-being at risk.
2. When a student under 21 years old is placed on disciplinary probation for violating the Code of Conduct for using or possessing alcohol and/or drugs. Other CSB or SJU officials may also contact parents or guardians in this situation.
3. In incidents otherwise permitted by FERPA (<https://www.csbsju.edu/registrar/records-and-privacy/>).

Federal, State, and Local Laws and City Ordinances

Conduct that may violate federal, state, and local laws and city ordinances may also be investigated and addressed under the Code of Conduct. The Institutions' student conduct process is separate from the criminal justice process. Students will usually experience both processes if the conduct is reported to law enforcement and CSB and SJU. In such instances, the student conduct process may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Findings and/or sanctions are not subject to change if/when criminal charges resulting from the same facts are dismissed, reduced, or resolved in favor of or against the student. The Institutions are not obligated to request or agree to special considerations when a student is charged with violating federal, state, or local law because of their student status. The Institutions may advise off-campus authorities of the Code of Conduct, the Institutions' student conduct process, and how violations are typically addressed within the CSB and SJU community. Consistent with data privacy laws, the Institutions will attempt to cooperate with law enforcement and other agencies to enforce criminal activity on campus.

Special Provisions

The Code of Conduct and student conduct procedure address issues involving student life but do not guide all matters involving a student's behavior. Special policies and procedures exist and/or provisions have been made for the following:

1. Allegations of Sexual Misconduct or Title IX violations are adjudicated under the CSB and SJU Sexual Misconduct Policy (<https://www.csbsju.edu/title-ix/>).
2. Allegations of violations of the CSB and SJU Non-Discrimination Policy (<https://www.csbsju.edu/about/non-discrimination-statement/>) are responded to via the procedures outlined in that policy. Reports of bias and/or hate may be responded to via the procedures in the CSB and SJU Non-Discrimination Policy or through the student conduct process.
3. Allegations of Academic Misconduct (<https://www.csbsju.edu/academics/2022-2023-catalog/academic-policies-and-regulations/rights/academic-misconduct/>) are addressed by the Academic Dean or designee in accordance with the Academic Catalog.
4. Violations of Terms and Conditions for the Use of Information Technology Resources at CSB and SJU (<https://www.csbsju.edu/it-services/terms-and-conditions-for-use/>) may be referred for action

under the student conduct process in addition to action taken by Information Technology.

5. Allegations of misconduct while a student is participating in an education abroad program will be addressed by the program director and the Center for Global Education, who have the authority to impose sanctions that include but are not limited to behavior contracts, restriction of privileges, or termination of participation in the program. Misconduct in an education abroad program may be referred for action under the student conduct process in addition to action taken by a program director or the Center for Global Education.
6. Allegations of misconduct in a student employment position are typically managed by the supervisor and/or Director of Student Employment. Misconduct in a student employment position may be referred for action under the student conduct process in addition to action taken by a supervisor or Student Employment.
7. Student-athletes are expected to abide by the terms of the Student-Athlete Handbook. Violations of the Student-Athlete Handbook may be referred for action under the student conduct process in addition to action taken by a coach or the Athletic Director. Athletic Directors will be notified of allegations of Code of Conduct violations that involve athletes while that athlete is in-season.

Code of conduct and Conduct Process Review and Revision

The Institutions' Code of Conduct and Conduct Process are reviewed and updated annually to reflect the needs and values of our community. As such, CSB and SJU reserve the right to modify or cancel any policy, statement, or procedure at any time. The Conduct of Conduct and Conduct Process are not a contract between the student and CSB or SJU.

Proposed changes to the student conduct process shall be submitted to the Associate Provost for Student Success. The Associate Provost (or designee) is responsible for presenting policy or process revisions to the appropriate advisory bodies for review and recommendation. The final decision for conduct or student life policy revisions rests with the Associate Provost for Student Success. Revision and review dates will be noted in the Bennie Book and J-Book.

Any questions of interpretation or application of the Code of Conduct shall be referred to the Dean of Students (or their designee).

[1] (p.) Allegations of Academic Misconduct (<https://www.csbsju.edu/academics/2022-2023-catalog/academic-policies-and-regulations/rights/academic-misconduct/>) are addressed by the Academic Dean or designee in accordance with the Academic Catalog.