



# Jesuit School of Theology in Berkeley

A GRADUATE SCHOOL OF SANTA CLARA UNIVERSITY

SANTA CLARA UNIVERSITY



## STUDENT HANDBOOK 2020 - 2021

COMMUNITY STANDARDS, POLICIES, AND PROCEDURES





### STATEMENT OF STUDENT RESPONSIBILITY

You and Santa Clara University share the responsibility for your education. In keeping with this commitment, the University has developed a Student Conduct Code and related standards, policies, and procedures to guarantee each student's freedom to learn and to protect the fundamental rights of others. The concept of rights and freedoms carries with it corresponding responsibilities for which students are accountable. It is the responsibility of all students, undergraduate and graduate, those living on campus and off campus, to know and abide by the standards, policies, and procedures that govern their conduct as members of the University community.



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# Welcome

Dear Student,

Welcome to the Jesuit School of Theology of Santa Clara University (JST-SCU). To quote our mission statement: “the Jesuit School of Theology educates scholars and ministers to serve the Church and society by enlivening faith, promoting reconciliation, laboring for justice, and participating in God’s mercy. We bring theology into dialogue with communities, with their particular histories and cultures, serving people and learning from them in a spirit of solidarity.”

Here at the Jesuit School of Theology, you will study and grow in an international community engaged in theological inquiry, pastoral formation, and professional and spiritual renewal. We are women and men; lay and religious; Roman Catholics and persons of other religious traditions. Diverse in charism and cultural identity, we are united in our shared commitment to honor and learn from each other. As members of the Graduate Theological Union, we strive for ecumenical and interfaith understanding along with our fellow schools in the consortium. As a graduate school of Santa Clara University, we explore the intersection of theology with other disciplines and participate fully in the life of the University.

Our faculty and staff are ready to support you in your educational goals and in your ongoing formation. We encourage you to avail yourself fully of all the resources in the school community that will further your learning and growth in wholeness.

This handbook articulates the values of the Jesuit School of Theology of Santa Clara University, the policies that support them, and your responsibility in upholding these values as a member of the school and university community. Please read and give the handbook your careful attention.

Once again, welcome to the JST-SCU community and best wishes for this academic year.

Sincerely,



Paul A. Kircher  
Assistant Dean of Students

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# Community Standards

## INTRODUCTION

Welcome to the Jesuit School of Theology in Berkeley, a graduate school of Santa Clara University. Santa Clara's distinctive tradition expects from each of its community members an uncompromising commitment to excellence and to social responsibility that seeks to fashion a more humane and just society. Competence, conscience, and compassion are the cornerstones of our community values. To achieve our common goals, we must create a community environment that is shaped by its expressed values. The Student Handbook seeks to reflect the values of the community and unite them into a usable guide.

The Santa Clara University community includes students, faculty, staff, parents, alumni, neighbors, guests, and friends of the University. As a community, enriched by men and women of diverse backgrounds, we respect differences, encourage open dialogue, and commit to caring for all members of the community. Every member of the community serves as a representative to other members of our community, both on and off campus. Members of this community freely affiliate with the University and should be prepared to contribute to and abide by the standards set forth in this handbook.

Santa Clara University believes that the life of the University rests in the hands of each and every community member. Sharing this responsibility should lead all community members to make the most of their talents, to be sensitive to one another and work together, and to seek justice within, and beyond, the Santa Clara University community.

All community members are called upon to promote actions and behaviors that are consistent with the values of Santa Clara University and to confront, challenge, and respond to actions that are inconsistent with the established standards.

This Student Handbook has been designed to frame your role within the Santa Clara University community. Every attempt has been made to provide a clear explanation of the standards, policies, and procedures that reflect the type of community that you are joining. Familiarizing yourself with the contents of this handbook is an investment in time that you will not regret.

## STATEMENT OF COMMUNITY VALUES

The Santa Clara University community is dedicated to the promotion of values consistent with academic and personal excellence. Choosing to join this community evidences your acceptance of these values. The following are the values that each member of the community is invited to claim as their own:

As a member of this community, I will practice personal and academic integrity.

As a member of this community, I will respect and care for myself, others, and their property.

As a member of this community, I will value diversity and learn from diverse people, ideas, and situations.

As a member of this community, I will seek, share, and contribute to the common good.

As a member of this community, I will be a leader-in-service to the campus and greater community beyond campus.

## STATEMENT OF RESPONSIBILITIES AND STANDARDS OF CONDUCT

A goal of Santa Clara University is to provide students with a general education so that they will acquire the knowledge, skills, and wisdom to deal with and contribute to contemporary society in constructive ways. As an institution of higher education rooted in the Jesuit tradition, the University is committed to creating and sustaining an environment that facilitates not only academic development, but also the personal and spiritual development of its members.

This commitment of the University encourages the greatest possible degree of freedom for individual choice and expression, with the expectation that individual members of the community will:

- Be honest
- Demonstrate respect for oneself
- Demonstrate respect for others and property
- Demonstrate respect for the law and University standards, policies, and procedures, their administration, and the process for changing them

In keeping with this commitment, this Statement of Responsibilities and Standards of Conduct and related policies and procedures have been formulated to guarantee each student's freedom to learn and to protect the fundamental rights of others. The University administration has established standards, policies, and procedures that are necessary to achieve its objectives as a Catholic, Jesuit university. These standards, policies, and procedures are inclusive of the laws of the nation, the state of California, and the local community.

All members of the Santa Clara University community are expected to conduct themselves in a manner that is consistent with the goals of the institution and that demonstrates respect for self, others, and their property. Students living off campus are members of this community and, as such, are representatives of the University to the community at large. In this regard, students living off campus maintain an equal measure of accountability to the values and expectations of all members of this community, as identified in the Student Conduct Code.

Whether living in, or traversing through the neighborhood, or parking on the streets, students are expected to adhere to the same high standards of conduct and behavior that are consistent with the students' developing role as responsible and accountable citizens and to reflect well upon the Santa Clara University community.

The Assistant Dean of Students at the Jesuit School of Theology works under the guidance of the Office of Student Life at Santa Clara University, when addressing matters that pertain to Standards of Conduct.

## **STUDENT CONDUCT CODE**

All members of the University community have a strong responsibility to protect and maintain an academic climate in which the fundamental freedom to learn can be enjoyed by all and where the rights and well-being of all members of the community are protected. To this end, certain basic regulations and policies have been developed to govern the conduct of all students, as members of the University community.

The University reserves the right to review student conduct that occurs on and off campus when such behavior is inconsistent with these expectations and the Student Conduct Code. In addition, students are responsible for the actions of their guests and will be held accountable for any violations of University standards, policies, and procedures by a guest. Students should accompany their guests while on campus. If necessary, the University reserves the right to limit the guest privileges of a student.

The following acts may subject students to disciplinary action:

1. Engaging in any form of academic dishonesty such as plagiarism (i.e., representing the work or ideas of others as one's own without giving proper acknowledgment), cheating (e.g., copying the work of another person, falsifying laboratory data, sabotaging the work of others), and other acts generally understood to be dishonest by faculty or students in an academic context
2. Illegal use, possession, or distribution of drugs. The use or possession of equipment, products, or materials that are used or intended for use in manufacturing, growing, using, or distributing any drug or controlled substance. Possessing, concealing, storing, carrying, or using any drug paraphernalia as defined in California Health and Safety Code § 11364.5, including, but not limited to, objects intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body. A reported violation of this section will result in the confiscation and immediate disposal of drugs and drug paraphernalia by University officials
3. Falsification or misuse, including non-authentic, altered, or fraudulent misuse, of University records, permits, documents, communication equipment, or identification cards and government-issued documents
4. Knowingly furnishing false or incomplete information to the University, a University official, or conduct hearing board in response to an authorized request
5. Disorderly, lewd, indecent, or obscene conduct; excessive or prolonged noise; behavior that interferes with the orderly functioning of the University, or interferes with an individual's pursuit of an education on University-owned or controlled property, or during an authorized University class, field trip, seminar, competition or other meeting, or University-related activity
6. Detention, physical abuse, or conduct that threatens imminent bodily harm or endangers the physical well-being of any person, including harm to self
7. Nonconsensual physical contact of a sexual nature such as sexual misconduct, sexual assault, and rape
8. Destruction, damage, or misuse of University property or the property of any other person or group
9. Theft or conversion of University property or the property of any other person or group
10. Hazing, harassing, threatening, degrading language or actions, including stalking, or any practice by a group or individual that degrades a student or employee, endangers health, jeopardizes personal safety, or interferes with an employee's duties or with a student's class attendance or a person's educational pursuits

11. Engaging in single or multiple acts – verbal, written, or physical—in violation of the Student Conduct Code motivated in whole or in part by a person or group’s actual or perceived race, color, national origin, ancestry, sex, sexual orientation, age, religious creed, physical, or mental disability, medical condition, as defined by California law, marital status, citizenship status, gender identity, gender expression, genetic information, military or veteran status, or other status protected by law, and which has the purpose or effect of unreasonably and substantially interfering with an individual’s or group’s safety or security, or which creates an intimidating, hostile, and objectively offensive educational, living or working environment. Bias-related conduct in violation of the Student Conduct Code on the basis of actual or perceived religious faith and political affiliation/orientation is also prohibited.
12. Making a video recording, audio recording, or streaming audio/video of private, non-public conversations and/or meetings, inclusive of the classroom setting, without the knowledge and consent of all recorded parties<sup>1</sup>
13. Intentional obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities; or obstruction or disruption that interferes with the freedom of movement, both pedestrian and vehicular
14. Possessing, concealing, storing, carrying, or using any real or simulated weapons (including toy guns). The definition of weapons includes, but is not limited to, firearms (including BB/pellet, Airsoft, and paintball guns—regardless of whether they are disassembled), knives (switchblade, double-edged, hunting-style [fixed-blade] of any length, throwing, folding [pocket-style with a blade that locks into place], and knives with blades of 2.5 inches in length or greater), explosives (including, though not limited to, fireworks and firecrackers), ammunition, dangerous chemicals, or any other dangerous weapons or instruments, or chemicals as defined by, though not limited to, California State Law except if expressly authorized by University policy or procedure. A reported violation of this section will result in the immediate confiscation and disposal of real or simulated weapons by University officials
15. Unauthorized entry into, or use or defacement of, University facilities, including residence halls and other buildings and grounds, including unauthorized entry into, or presence in or on, a University building; unauthorized erection or use on University property of any structures including specifically, but not limited to, tents, huts, gazebos, shelters, platforms, and public address systems; or unauthorized use of University property for dances, concerts, assemblies, meetings, sleeping, cooking, or eating, if said activity interferes with the operation of the University or surrounding community
16. Publication, posting, or distribution through the use of University resources (e.g., computer networks, telephone lines, email services, Internet connections), or at authorized University activities of material that violates the law of libel, obscenity, postal regulations, the fair use of copyrighted materials, or any law or statute or University policy
17. Failure to comply with a reasonable request or order of a University executive or other authorized official(s); refusal or failure to leave such premises because of conduct prescribed by this code when such conduct constitutes violations of this code or a danger to personal safety, property, or educational or other appropriate University activities on such premises; or refusal or failure to identify oneself when requested by a University official provided the official is identified and indicates legitimate reason for the request
18. Possession, consumption, sale, or action under the influence of alcoholic beverages by persons under the age of 21; furnishing alcoholic beverages to persons under the age of 21; consumption of alcoholic beverages in a public place (all areas other than individual residences, private offices, and scheduled private functions); excessive and inappropriate use of alcoholic beverages. (See also “Alcohol Policy Within University Housing” on page 10.) A reported violation of this section will result in the confiscation and immediate disposal of alcoholic beverages and related equipment
19. Engaging in acts or deeds that may violate existing federal, state, county or municipal laws or ordinances that materially or adversely affect the individual’s suitability as a member of the Santa Clara University community
20. Tampering with, removing, damaging, or destroying fire extinguishers, fire alarm boxes, smoke or heat detectors, emergency call boxes, and other safety equipment anywhere on University property; creating a fire, safety, or health hazard; or failure to respond to fire alarms, evacuate buildings during alarm activation, or respond to the directions of emergency personnel

<sup>1</sup> The recording of classroom lectures, discussions, simulations, and other course-related activity is governed by this University recording policy, which balances the legitimate needs of students with disabilities that require the accommodation, the intellectual property concerns of its instructors, and the privacy of its students. In some instances, federal law may permit students with documented disabilities to record classroom activity. Disability Resources will determine if classroom recording is an appropriate academic adjustment, auxiliary aid, and/or service with respect to each individual student's documentation.

21. Any behavior that disrupts or causes disruption of computer services; damages, alters, or destroys data or records; adversely affects computer software, programs, systems, or networks; or uses data, computer systems, or networks to devise or execute any scheme to defraud, deceive, extort, or wrongfully obtain money, property, or data

*Students who are alleged to have violated the Student Conduct Code may be subject to disciplinary action and, if applicable, may also be subject to criminal prosecution.*

*Under the guidance of the Office of Student Life, the Assistant Dean of Students of the Jesuit School of Theology is the primary, though not the only, hearing officer for JST-SCU student conduct cases.*

# University Standards, Policies, and Procedures

*The following standards, policies, and procedures are designed to foster a climate in which students can succeed during their time at the University. All students are expected to familiarize themselves with these standards, policies, and procedures and adhere to them.*

## ACADEMIC INTEGRITY

The JST Plagiarism Policy and the Student Handbook outline the expectations that all members of the JST-SCU community are expected to be honest in their academic endeavors. Engaging in any form of academic dishonesty or other acts generally understood to be dishonest by faculty or students in an academic context subjects a student to academic and disciplinary action. For the full text of the policy, go to [www.scu.edu/jst/academics/office-of-the-registrar/plagiarism-policy/](http://www.scu.edu/jst/academics/office-of-the-registrar/plagiarism-policy/).

## ACCESS CARD POLICY

### Card Use

The ACCESS card is Santa Clara University's multipurpose photo identification card which grants SCU library circulation and access to some SCU facilities. The card and access privileges are nontransferable. The individual identified by the card is responsible for all usage of his or her card and is the only one authorized to present the card for services or access. A student using a card that does not belong to him or her may have that card confiscated and may be referred to the Office of Student Life for disciplinary action. The ACCESS Card Office is responsible for the issuance of all ACCESS cards and the maintenance of all card reader locations. If a card does not function properly at any location, the card owner should seek assistance at the ACCESS Card Office.

### Lost/Stolen Cards and Replacement Fees

The card owner is responsible for suspending any lost or stolen ACCESS card immediately 24 hours a day, seven days a week. The loss may be reported and the card suspended anytime online at <https://eacct-scu-sp.blackboard.com/eAccounts/>

AnonymousHome.aspx, in person at the ACCESS Card Office during business hours, or by phone at 408-551-1647. After hours, Campus Safety Services (open 24 hours a day) may be notified either in person, or by phone at 408-554-4441. The card owner is responsible for all card usage prior to the request for card suspension, whether the card was used online, at the ACCESS Card Office, or at Campus Safety Services. Damaged or defaced ACCESS cards are no longer valid and must be replaced. A \$15 fee is charged to replace a lost, stolen, or damaged card.

## ALCOHOLIC BEVERAGE POLICY

The Alcoholic Beverage Policy of Santa Clara University is based on the central and fundamental educational focus of the University of creating an environment that fosters learning. The University believes in personal responsibility, moral growth and development, awareness of communal consequences of personal choices, obligation of citizenship, and responsible decision making. The University strives to build a community that is welcoming, hospitable, fair, inclusive, rooted in mutual understanding and appreciation, and respectful of diverse perspectives, traditions, and practices. Therefore, it is critical that the members of the University community be committed to the physical and emotional health and well-being of those who work, study, or congregate at the University. The policy serves as a guide and applies to all members of the campus community including students, parents, staff, faculty, alumni, and guests of the University.

The Alcoholic Beverage Policy is set in the context of the legal requirements governing the sale, consumption, and distribution of alcoholic beverages, and in the context of community expectations for not only upholding the laws, but also for sharing responsibility for the safety and welfare of other members of the community. The University will not tolerate disregard for the law, or behaviors and practices that counter the education of the whole person, compromise rigorous and imaginative scholarship, inhibit moral and spiritual development, or constrain the University's fundamental values. Consequently, the University does not condone underage drinking and considers intoxication,

disorderliness, or offensive behavior deriving from the use of alcoholic beverages to be unacceptable, regardless of a person's age or on-campus or off-campus status.

To cultivate a campus environment consistent with the stated goals and purposes of an educational institution, the University has adopted the following policies and procedures for the use of alcoholic beverages.

1. The service and consumption of alcoholic beverages on the University campus and at University-sponsored events off campus shall be done in compliance with applicable municipal, state, and federal laws and regulations, and in accordance with University policies and procedures. All persons on the University campus or at any University-sponsored event off campus where alcoholic beverages are being served or consumed are expected to abide by, and respect all such laws, regulations, policies, and procedures. (Copies of applicable laws are available from the Office of Student Life. See the following section for a partial listing of laws.)
2. Alcoholic beverages at events held on campus shall be supplied and sold only by the University food service provider or another designated, licensed agent of the University, except in situations covered by No. 5 of this policy. No other individual person or private party shall supply or sell alcoholic beverages at on-campus events or hold the license for the sale of alcoholic beverages on campus.
3. Alcoholic beverages shall not be served or consumed in public areas of the University except at authorized University events. Public areas include all indoor and outdoor spaces on the campus except individual residences and private departmental work areas and offices.
4. Alcoholic beverages shall not be served or consumed at any University-sponsored intercollegiate or club sport athletic event or recreational sports activity.
5. The sponsorship of events by alcoholic beverage companies or distributors is limited to cash donations; donated products (other than those that directly promote or advertise alcoholic beverages) in support of fundraising or other special events as approved by the appropriate vice president, vice provost, or dean; and materials for University educational programs. The use of donated products for events that are held in Benson Memorial Center must also be approved by the University liaison to the food service contractor.
6. Alcoholic beverages may be served at on-campus events sponsored by University-affiliated student organizations whose membership is predominantly 21 years of age or older, provided that University operating funds are not used to purchase the alcohol for the event.

7. The service of alcoholic beverages at all events on campus shall be in accordance with the Office of Student Life's Alcohol Management Plan, which should be submitted and approved by the Vice Provost for Student Life or designee.
8. For student organization-sponsored events off campus that include the service of alcoholic beverages, and that require University approval of the contract or agreement with the off-campus facility, an Addendum to Agreement must be signed by the service provider and received by the Vice Provost for Student Life or designee. (Copies of this addendum are available in the Center for Student Leadership.)

## **RESPONSIBLE HOSTING OF EVENTS**

### **WHERE ALCOHOL IS SERVED**

The event manager for events where alcoholic beverages are served is responsible for implementing the following practices:

1. A University-affiliated student organization must identify an event manager responsible for planning and managing the event. The event manager must be present throughout the entire event and must remain alcohol-free prior to, and during the event. The event manager and the manager of the facility or his/her designee will work together to ensure that all University event planning requirements are met.
2. The event manager must complete the Event Management Plan for Events with Alcohol and obtain all required signatures prior to the event.
3. An appropriate crowd management and security plan shall be developed for the event to monitor excessive drinking prior to the event.
4. The location used for the event should have controllable points of entry and exit.
5. Alcoholic beverages should not be the primary focus of an event (e.g., progressive drinking party, kegger, or happy hour). Alcoholic beverages shall not be used as an inducement to participate in an event.
6. Promotions for the event shall not portray symbols of alcoholic beverage consumption (e.g., foaming mugs, cans, glasses, or kegs), shall not include any form of abusive consumption (e.g., drinking contests or competitions), and shall not emphasize frequency or quantity of alcoholic beverage consumption.
7. Promotions for the event should state that "identification will be required."

Questions regarding compliance with this policy are to be directed to the Assistant Dean of Students at the Jesuit School of Theology. The Assistant Dean of Students works in consultation with the Vice Provost for Student Life and Dean of Students and/or designee regarding the implementation of this policy.

## Partial Listing of Laws

### California State Laws on Alcohol

1. It is a crime to sell, furnish, or give alcoholic beverages to a person under the age of 21 or to any obviously intoxicated person.
2. It is a crime for a person under the age of 21 to purchase or possess alcoholic beverages.
3. It is a crime to sell alcohol without a valid liquor license or permit.
4. It is a crime for any person to drink while driving, to have an open container of alcohol in a moving vehicle, or to drive under the influence of alcohol.
5. It is a crime to be intoxicated in a public place.
6. Intoxication is presumed at blood levels of 0.08 percent or higher, and may be found with blood alcohol levels from 0.05 percent to 0.08 percent.

### Penalties for Drunk Driving Offenses

1. First offense: required attendance at an alcohol/drug program, fines of up to \$1,000, up to six months in jail, and driver's license suspension up to six months.
2. Second offense: fines up to \$1,000, imprisonment up to one year, driver's license suspension up to 18 months, and/or a required drug/alcohol program of up to 30 months.
3. Third offense: similar sanctions to Nos. 1 and 2 above plus revocation of driver's license.
4. Fourth offense: revocation of driver's license; one year in a state prison or county jail.
5. Refusal to submit to a blood alcohol content test: driving privileges are suspended for one year, for two years if there is a prior offense within seven years, and for three years if there are three or more offenses within seven years.
6. Drivers under the age of 21 found with any measurable amount of blood alcohol will have their driver's license suspended for one year. If the driver does not have a license, there will be a one-year delay in obtaining one.

### University Sanctions

See "Minimum Disciplinary Sanctions for Alcohol and Other Drug Violations" on page 23.

### ALCOHOL POLICY WITHIN UNIVERSITY HOUSING

Students of legal drinking age (21 years or older) may consume alcoholic beverages in the privacy of their own rooms in the residence halls and apartments, provided the space is not shared with an underage roommate. Regardless of age, excessive and inappropriate use of alcoholic beverages is strictly prohibited whether or not consumption occurred on or off campus.

Drinking games are prohibited in residential housing facilities. Students hosting guests (including fellow SCU students and non-SCU guests) are responsible for their guests' adherence to the policy. Any person under the age of 21 who is in possession of alcohol or is in a room where alcohol is knowingly or unknowingly present will be assumed to have been consuming alcohol, as it is difficult to determine who was drinking and who was not.

Students found responsible for hosting a gathering involving alcohol misuse in their space, or permitting alcohol or drug violations in public spaces, will face additional sanctions beyond the minimum standard sanctions.

Possession and/or consumption of alcoholic beverages in public areas is prohibited. Public areas are all areas other than individual living spaces. Rooms with open doors, rooms with closed doors to which public attention is attracted by excessive noise, hallways, lounges, restrooms, and outdoor areas, including private patios, are considered public areas.

No kegs, beer bongs, or other equipment for the sole use of consuming alcohol will be allowed in the residence halls or apartments. Empty alcohol containers and/or packaging within a student's room will be considered the property of the student. Students and their guests can be held in violation of the Alcohol Policy if empty containers and/or packaging are in their rooms. See "Student Conduct Code" on page 5 for additional information.

### Bereavement Resources

Santa Clara University recognizes that a time of bereavement is very difficult for a student. The University is committed to providing students with support through difficult and challenging times when someone in a student's life has passed away. The JST Assistant Dean of Students is available to assist students and connect them with resources. If a student needs to be absent from classes due to a bereavement situation, the student should contact the JST Dean of Students at (510) 549-5029. If the student wants to withdraw from the University, the JST Dean of Students can assist with this and provide information about the process for returning to the University.

If a student needs to miss class, it is the responsibility of the student to follow up with each faculty member as soon as practicable to make arrangements regarding missed class time and outstanding assignments. The sole authority for making decisions regarding missed class time and outstanding assignments resides with each professor.

Resources for students dealing with grief can be found at the following link: [www.scu.edu/cowell/caps/grief-counseling/](http://www.scu.edu/cowell/caps/grief-counseling/).

## Bias Incident Reporting

The University defines a **bias incident** as any speech, act, or harassing action that targets, threatens, or attacks an individual or group because of its actual or perceived race, color, national origin, ancestry, sex, sexual orientation, age, religious creed, physical or mental disability, medical condition, marital status, citizenship status, gender identity, gender expression, genetic information, military or veteran status, or other status protected by law.

### University Response to Bias Incidents Involving Students

The University adjudicates allegations of bias-motivated behavior under the Student Conduct Code, Section 10: Hazing, harassing, threatening, degrading language or actions, or any practice by a group or individual that degrades a student or employee, endangers health, jeopardizes personal safety, or interferes with an employee's duties or with a student's class attendance or a person's educational pursuits.

A report of a bias incident filed with the University is evaluated through the Student Conduct System. If applicable, the University process is independent of a criminal investigation and court proceedings. The University reserves the right to review all student conduct that occurs on and off campus when such behavior is inconsistent with the Student Conduct Code.

Possible sanctions for students found responsible for committing a bias incident or hate crime include educational sanctions, disciplinary probation, suspension, and expulsion. When applicable, student employees are also subject to termination of employment at the discretion of their supervisor.

Please note that bias incidents occurring in the context of student employment at the University will be addressed by the Office of Equal Opportunity & Title IX. Contact Belinda Guthrie at 408-554-4113.

### Reporting Process

*IF A HATE CRIME IS IN PROGRESS OR JUST OCCURRED, CALL CAMPUS SAFETY AT (408) 554-4444. Students may also contact the JST Assistant Dean of Students at 510-549-5029.*

The incident can be reported in one of the following ways:

- JST Assistant Dean of Students, 8:30 a.m. to 5 p.m. at 510-549-5029, Room 105, JST.
- Campus Safety at 408-554-4444. Any Campus Safety officer can take a report and will forward the information to JST Assistant Dean of Students.
- The Ethicspoint online incident reporting tool ([www.ethicspoint.com](http://www.ethicspoint.com)) is an anonymous way for filing incident reports of bias, discrimination, and harassment.

After a report is filed, the University will conduct an in-depth investigation.

### Rights of the Complainant(s)

The University will provide assistance in assuring the rights of the complainant(s). Specifically, the complainant(s) has/have the right to:

- Request and receive information about the investigation at any time
- Receive counseling from the University's Counseling and Psychological Services
- Receive campus escorts at any time for as long as the complainant(s) feel(s) the service is needed
- Contact community resources such as social services, counseling services, or legal counsel

### Definitions

- **Reporting Party:** An individual who provides information about any bias incident/hate crime to a University official. The reporting party can be any person who witnessed the incident, the complainant, a friend, or advocate of the complainant.
- **Complainant:** An individual who is the object of an unwanted act, crime, or incident.
- **Respondent:** An individual who is allegedly responsible for committing and/or participating in the bias incident/hate crime
- **Witness:** An individual who was present while the bias incident/hate crime was taking place and who can provide a first-hand account of what occurred.
- **Hate crimes** are motivated by bias and include a definable crime such as threats of violence, property damage, personal injury and other illegal conduct.

## BUILDING EVACUATION AND FIRE SAFETY

The following standards are for the safety of all resident and nonresident students. Any violation of many of these standards is also punishable by local and state law.

Evacuation for fire alarms is required of all occupants of University buildings whenever an alarm is sounded. Be familiar with emergency evacuation routes from buildings in which you spend time.

Specific procedures are:

- Exit the building immediately by the proper pathway.
- Lock your door and take your key, if you are a resident and in your room at the time the alarm sounds.
- Use stairways; do not use elevators.
- Once outside, move to your designated emergency assembly point.
- Do not return to an evacuated building until the all-clear signal is given by the designated incident commander.

Failure to evacuate for an alarm is a violation of city and state ordinances and will be treated as a serious violation of the Student Conduct Code.

Fire alarms and fire-safety equipment are located in each building to save lives and property. Initiating a false alarm or tampering with fire-safety equipment is a violation of University policy.

Tampering with fire-safety equipment or transmitting false alarms is a violation of University Policy and Berkeley City Ordinance No 901.8. Violators may be charged with a misdemeanor in addition to University sanctions.

## **COMMUNICABLE DISEASES POLICY**

Communicable diseases may be a potential health problem for the University population. As with any community, students studying and functioning in close proximity to one another are susceptible to communicable diseases. Communicable diseases are transmitted from one person to another by direct contact, through inhalation of infectious droplets, or through contact with contaminated objects.

The Cowell Student Health Center on the Santa Clara University campus provides evaluation, diagnosis, and treatment of infectious disease. Educational materials are available at the Cowell Student Health Center and the Wellness Center, also on the university campus.

One measure to prevent communicable diseases is to maintain appropriate immunizations/vaccinations. Santa Clara University encourages incoming students to have completed all recommended immunizations and to be aware of the availability of the meningococcal and influenza vaccines.

Students diagnosed with certain communicable diseases, such as pandemic influenza, chicken pox, etc., must be isolated during the infectious period of their illness. Students who are isolated may not continue attending classes, obtaining meals in the various University dining facilities, or living in the residence halls. There is no provision made by the University for offering accommodations to contagious students who are required to leave the residence halls. However, depending upon the nature of the communicable disease, for example pandemic flu, the University may offer a limited number of accommodations for students with communicable diseases who live in a residence hall, need to travel home, stay with local relatives or friends, or stay at a nearby hotel or motel. Off-campus housing and travel arrangements are made at the student's expense.

Cowell Student Health Center routinely communicates and coordinates with the Santa Clara County Public Health Department. Should a communicable disease occur that requires campus-wide notification and/or treatment, Cowell Student Health Center would coordinate this process with the Public Health Department as needed, and with other appropriate agencies when applicable.

## **COMPUTING AND ELECTRONIC RESOURCES POLICY**

The computing and other electronic resources at SCU are provided solely for the support of students and employees in the pursuit of their scholarly or required academic activities, and for conducting the business of the University. General guidelines for use of computing, communication, and electronic resources on campus are based upon principles of etiquette, fairness, security and legality. In using these resources at SCU, community members are expected to be respectful of other individuals' ability to enjoy equal access to the resources, refrain from malicious or annoying behavior, and abide by state and national laws, including those related to intellectual property and copyright. More details are available in the University's Network and Communications Policies and Guidelines accessible at [www.scu.edu/is/technology-policies-procedures-and-standards/](http://www.scu.edu/is/technology-policies-procedures-and-standards/) or from the Information Technology office on the main university campus.

## **CONTRACEPTION AVAILABILITY POLICY STATEMENT**

Santa Clara University, a Catholic, Jesuit university, provides educational information regarding contraception and related issues. The Cowell Student Health Center strives to ensure students have clear, up-to-date, and candid information regarding contraception, sexual health, and related issues. The Cowell Student Health Center does not provide condoms or prescribe contraception.

Cowell Student Health Center's staff of qualified physicians, nurse practitioners, physician assistants, registered nurses, and health educators provide education regarding contraception and related health issues. The goal of this educational approach is not only to provide information, but to assist students in clarifying their values, making decisions, and assuming personal and social responsibility for their choices.

## **CRIME REPORTING**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities across the United States to disclose information about crime on and around their campuses. Go to [www.scu.edu/jst/current-students/student-services/campus-safety/](http://www.scu.edu/jst/current-students/student-services/campus-safety/) for more information.

It is the policy of Santa Clara University to inform the campus community, in a timely manner, of any potential threat to the safety, health, and security of any and all persons on campus. The Director of Campus Safety Services is responsible for gathering, recording, and disseminating such information and for decisions regarding the content, time, and manner of distribution. Depending on the circumstances, the Director of Campus Safety Services may request the assistance of various University departments and/or administrators in carrying out this responsibility. For campus statistics on crime, go to [www.scu.edu/jst/current-students/student-services/campus-safety/](http://www.scu.edu/jst/current-students/student-services/campus-safety/) and follow the links to Campus Safety and Crime Reporting.

## **DEATH OF A STUDENT OR PARENT**

Students, faculty, or staff members who become aware of the death of a student should immediately notify the Jesuit School of Theology Assistant Dean of Students at 510-549-5029.

This applies during holiday periods as well. When the parent of a student dies, the student, a friend of the student, or a faculty or staff member who is aware of the situation, should notify the Assistant Dean of Students at 510-549-5029. With the student's permission, the Assistant Dean will notify others at the school so that assistance can be offered to the student or the family.

## **Office of Accessible Education (formerly Disabilities Resources)**

### **Access Policy**

Santa Clara University seeks to respect each person's dignity and desire for personal growth and accomplishment, and is committed to ensuring that enrolled students with disabilities be given equal opportunity for full participation in all programs without discrimination based on disability. The University will make every reasonable effort to remove existing barriers, whether physical, programmatic, or attitudinal, and to ensure that new barriers are not erected. Santa Clara University is committed to providing access for qualified students with disabilities, faculty, staff, and visitors to University programs. This policy is in line with the University's nondiscrimination policy, which applies to all qualified participants with disabilities in employment, access to facilities, student programs, activities, and services.

### **Resources**

The Office of Accessible Education (formerly Disabilities Resources) has been designated by the University to ensure access for all qualified students with disabilities to all academic programs and University resources. This goal is met through the provision of academic accommodations, support services, self-advocacy skill training, and disability-related educational programming for the University community. The Office of Accessible Education (formerly Disabilities Resources) is located in Benson Center, Ground floor, Room 1. The Office of Accessible Education (formerly Disabilities Resources) is open Monday through Friday from 8 a.m. to 5 p.m.) For further information, visit [www.scu.edu/disabilities](http://www.scu.edu/disabilities) or contact the Jesuit School of Theology of Santa Clara University (JST-SCU) Assistant Dean of Students at 510-549-5029, who will coordinate with the SCU Office of Accessible Education (formerly the Office of Disability Resources.)

## **TITLE IX AND AMERICANS WITH DISABILITIES ACT**

The Americans with Disabilities Act, as amended requires that the university ensure that all students have equal access to academic and university programs. Students with disabilities who are registered with the Office of Accessible Education (formerly Disabilities Resources Office) may be qualified to receive an accommodation, auxiliary aid or service based on supporting documentation. The federal department of education has issued a clarification of laws associated with Title IX and class attendance. To be in compliance with Title IX, a school must offer appropriate accommodation to a student whose absence is related to pregnancy or childbirth for as long as the student's doctor deems the absence to be medically necessary.

See "supporting the academic success of pregnant and parenting students under Title IX of the Education Amendments of 1972," U.S. Department of Education, Office for Civil Rights, June 2013.

### **DRUG-FREE POLICIES**

It is the goal of Santa Clara University to maintain a drug-free workplace and campus. The unlawful manufacture, distribution, dispensation, possession, and/or use of controlled substances or the unlawful possession, use, or distribution of alcohol is prohibited on the Santa Clara University campus, in the workplace, or as part of any of the University's activities. This includes the unlawful use of controlled substances or alcohol in the workplace, even if it does not result in impaired job performance or in unacceptable conduct.

The unlawful presence of any controlled substance or alcohol in the workplace and campus itself is prohibited. The workplace and campus are presumed to include all Santa Clara premises where the activities of the University are conducted.

Violations will result in disciplinary action up to, and including, termination of employment for faculty and staff or expulsion of students. A disciplinary action may also include the completion of an appropriate rehabilitation program. Violations may also be referred to the appropriate authorities for prosecution.

The policy information is distributed on an annual basis to all faculty, staff, and students. New staff employees are given a copy at New Employee Orientation. New faculty employees are given a copy at New Faculty Orientation. The policy is reviewed at least biennially by the Office of Student Life, Affirmative Action Office, and the Department of Human Resources. Contact the Office of Student Life for a complete copy of the policy.

## **EATING DISORDERS**

Santa Clara University recognizes the prevalence of eating disorders, eating-related problems, exercise obsession, and body-image concerns in students. Eating disorders affect student learning in numerous ways including depleting students' energy, distracting their attention, diminishing their intellectual resources, causing depression and social withdrawal, and adversely affecting the morale of students around them. The University is committed to educating the whole student and sees the student's mind, body, character, and spirit as interrelated.

Our approach to students with potential eating disorders is to do a thorough medical and psychological evaluation. The medical and psychological staffs work as a team. If a student is determined to have an emerging or existing eating disorder, the medical and psychological practitioners will recommend a treatment plan. In many cases these students benefit from brief psychological therapy at the SCU Counseling and Psychological Services (CAPS) combined with medical monitoring at Cowell Health Center.

Santa Clara University and Cowell Health Center do not have the expertise or the specialized comprehensive resources and extended time to treat students who present themselves or are referred for evaluation of severe eating disorders. This is particularly the case with students who resist treatment. Students with serious eating disorders may be referred to outside providers or treatment facilities when so doing is deemed necessary for appropriate medical management.

## **MARIJUANA POLICY**

On November 8, 2016, voters in California passed Proposition 64, thereby allowing persons who are 21 and older to possess, transport, and buy up to 28.5 grams of marijuana and use it for recreational purposes. The Bureau of Marijuana Control is the state agency responsible for regulating and licensing marijuana sales.

It continues to be illegal to smoke marijuana in public and at locations where tobacco use is outlawed, such as restaurants, and within 1000 feet of a school, daycare or youth center when children are present. It is also illegal for motorists to smoke marijuana while driving.

Despite the change in state law regarding marijuana, Santa Clara University's policy remains unchanged: use and possession of marijuana on campus or in association with any university-sponsored or affiliated activity or program is prohibited.

The policy complies with the federal Drug-Free Schools and Communities Act. Under this federal law, as a condition of receiving federal funds, an institution of higher education such as Santa Clara University must certify that it has adopted and implemented a program to prevent the unlawful possession,

use or distribution of illicit drugs and alcohol by students and employees on campus and as part of its activities and programs. At the federal level, this law includes any amount of marijuana. California Proposition 215, passed in 1996, allows for the use of marijuana for medical purposes. Students who qualify under Proposition 215 to use marijuana for medical purposes are not permitted to possess, store, provide, or use the marijuana on university-owned or controlled property (including, but not limited to, residence halls, academic buildings, athletic facilities, and parking lots), or during a university sanctioned activity, regardless of the location.

Propositions 215 and 64 create a conflict between state and federal laws. When state and federal laws are in conflict, federal law takes precedence. If Santa Clara University does not comply with federal law and regulations on marijuana possession and use on campus and in university programs and activities, it risks losing federal funds for student financial aid, faculty research and other important programs and services. Thus, the Santa Clara University must continue to abide by federal laws and regulations and university policy barring the use and possession of any amount of marijuana on campus or in association with any university-sponsored or affiliated activity or program.

Students who fail to follow this policy are in violation of the Student Conduct Code and are subject to disciplinary action.

## **MISSING PERSON NOTIFICATION POLICY**

In compliance with the Higher Education Opportunity Act, this policy addresses the manner in which the University will proceed in the event that a resident student (i.e., a student who lives in University housing) is believed to be missing.

Any concern that a resident student is missing should be immediately directed to Campus Safety Services at 408-554-4441.

A resident student is considered to be missing if the person's whereabouts have not been established for a period of 24 hours, or if there is information within the 24-hour period that suggests the person is missing. In such circumstances, staff, faculty, and students are required to immediately notify Campus Safety Services. Campus Safety Services will implement the Emergency On-Call Protocol for the Office of Student Life and Office of Residence Life and will notify the appropriate law enforcement agency upon receipt of information establishing that a resident student is missing. Such notification shall be made in a timely fashion and within 24 hours of the receipt of this information. SCU Campus Safety will coordinate with the JST-SCU Assistant Dean of Students regarding missing students.

In support of this policy, resident students are encouraged to provide the University with the name and contact information of someone to be notified in the event that the resident

student is determined by Campus Safety Services or the local law enforcement agency to be missing. Resident students can confidentially provide this contact information via their eCampus account. If a resident student is determined to be missing and is under 18 years of age and not emancipated, the University is required by law to notify a custodial parent or guardian, and any other contact person designated by the student within 24 hours of when the resident student is determined to be missing.

## **POLICY FOR WITHDRAWAL FOR HEALTH REASONS**

Students may experience an illness, injury, or psychological condition, herein referred to as a health condition, which significantly impairs their ability to function successfully or safely in their roles as students. In these instances, time away from the University for treatment and recovery can restore functioning to a level that will enable them to return to the University.

The Vice Provost for Student Life or designee, in consultation with the appropriate mental and medical health professionals and other staff as deemed necessary, is responsible for the implementation of this policy.

For more details, see the Student Handbook at [www.scu.edu/osl](http://www.scu.edu/osl) or contact the JST-SCU Assistant Dean of Students at 510-549-5029.

## **NONDISCRIMINATION POLICY**

Santa Clara University prohibits discrimination and harassment on the basis of a person's actual or perceived race, color, national origin, ancestry, sex, sexual orientation, age, religious creed, physical or mental disability, medical condition as defined by California law, marital status, citizenship status, gender identity, gender expression, genetic information, military or veteran status, or other status protected by law in the administration of its educational policies, admissions policies, scholarships and loan programs, athletics, or employment-related policies, programs, and activities; or other University-administered policies, programs, and activities. The University condemns and will not tolerate such harassment or discrimination against any employee, student, visitor, or guest on the basis of any status protected by university policy or law, and upholds a zero tolerance policy for sexual violence and sexual misconduct.

The University will take prompt and effective corrective action including, where appropriate, disciplinary action up to and including dismissal or expulsion. The University may implement interim measures in order to maintain a safe and non-discriminatory educational environment. Additionally, it is the University's policy that there shall be no retaliation against a person for alleging discrimination, harassment or sexual

misconduct, cooperating with an investigation, or participating in an informal or formal resolution procedure.

The Office of EEO and Title IX is responsible for monitoring the University's compliance with federal and state nondiscrimination laws, assisting with all aspects of investigating and resolving reported violations of Policy 311: Prevention of Unlawful Discrimination, Unlawful Harassment and Sexual Misconduct. The EEO and Title IX Coordinator is also designated as the ADA/504 Coordinator responsible for coordinating efforts to comply with federal and state disability laws and regulations. The University encourages those who have witnessed or experienced any form of discrimination, harassment, or sexual misconduct to report the incident promptly, to seek all available assistance, and to pursue informal or formal resolution processes as described in this policy. Inquiries regarding equal opportunity policies, the filing of grievances, or requests for a copy of the University's grievance procedures covering discrimination and harassment complaints should be directed to:

Belinda Guthrie, EEO and Title IX Coordinator  
Office of EEO and Title IX  
Santa Clara University  
900 Lafayette Street  
Suite 100  
Santa Clara, CA 95050  
408-554-4113  
bguthrie@scu.edu

A person may also file a complaint within the time required by law with the appropriate federal or state agency. Depending upon the nature of the complaint, the appropriate agency may be the federal Equal Employment Opportunity Commission (EEOC), the federal office for Civil Rights (OCR), or the California Department of Fair Employment and Housing (DFEH).

## **NONDISCRIMINATION PROCEDURES WITHIN THE GRADUATE THEOLOGICAL UNION**

Cross-registration of students in courses within the GTU consortium is a valuable feature of the Graduate Theological Union. The GTU and all its member schools are committed to ensuring that students have appropriate recourse if they believe that they have experienced some form of discrimination while taking courses at a school other than their own. The following protocol shall apply in any such cases involving discrimination including, but not limited to, complaints concerning cultural insensitivity, sexual harassment, and disputes over grades and other forms of academic evaluation.

1. Each school within the GTU is committed to giving students from all other schools access to its normal complaint process, whenever they are taking courses or studying with faculty at the host school.

2. Students should initially attempt to resolve their complaint at the host school by raising the issue directly with the individual whose conduct is the focus of the complaint.
3. If the matter cannot be resolved directly, the student should bring the complaint to the attention of the dean of the student's own school.
4. The dean of the student's school will then contact the dean of the host school in order to help the student determine which policies and procedures at the host school are relevant to their situation.
5. The dean of the host school will follow the normal policies and procedures of the host school and keep the dean of the student's school informed of the progress made during the complaint resolution process.
6. At the conclusion of the complaint resolution process, the dean of the host school will report the outcome in writing to both the student and the dean of the student's school.

## **POSTING PRINTED MATERIAL**

Any printed materials for posting at the Jesuit School of Theology must be approved and posted by the JST-SCU Assistant Dean of Students and shall only be posted on bulletin boards. Any materials that have not been reviewed by the Assistant Dean's office will be removed.

## **PREGNANCY RESOURCES**

JST-SCU makes every effort to provide any student who should experience an unplanned pregnancy with a supportive environment that assures respectful, caring, nonjudgmental, professional assistance and support. In keeping with its mission as a Jesuit and Catholic university, Santa Clara is committed to offering resources that support the choice of life. The University community will do its best to accommodate the student's needs and concerns regarding classes, housing, and personal counseling during and after the pregnancy.

If you are pregnant, or if you know someone who is pregnant, the following support services are resources that are available at the University and in the local community. Please feel free to contact any of the individuals or offices listed. All consultations will be handled confidentially.

### **Contact Information**

#### **Cowell Student Health Center (Main Campus)**

Dr. Jillandra C. Rovaris, Director  
Peggie Robinson, Clinic Manager  
408-554-4501

#### **Health Educator (Main Campus)**

Kelly Schumacher  
Wellness Center  
408-554-4409

#### **Counseling Services (Main Campus)**

Counseling and Psychological Services (CAPS)  
Dr. Jillandra Rovaris, Director  
Dr. Marie Herbert, Assistant Director  
408-554-4501

#### **JST-SCU**

Assistant Dean of Students  
Paul Kircher  
510-549-5029

#### **Office of Accessible Education (formerly Disabilities Resources)**

Maude Nazaire, Director  
408-554-4109

### **Off-Campus Resources**

#### **National Nurturing Network**

1-800-TNN-4MOM  
[www.nurturingnetwork.org](http://www.nurturingnetwork.org)

## **GENDER-BASED DISCRIMINATION AND SEXUAL MISCONDUCT POLICY PURPOSE STATEMENT**

Santa Clara University is committed to providing an environment free of gender-based discrimination, including sexual harassment, sexual misconduct, sexual violence and assault, relationship (dating and domestic) violence, and stalking. The University provides resources and reporting options to students, faculty, and staff to address concerns related to gender-based discrimination and sexual misconduct prohibited by Title IX and University policy, and, through training and education, works to prevent its occurrence. The University seeks to provide a consistent, caring, and timely response when sexual and gender-based misconduct occurs within the University community. When the University becomes aware of allegations of sexual misconduct, it will take prompt and effective action. This action may include an initial assessment of safety and well-being, implementing interim remedies at no cost to the complainant for protection and support, discussing how the complainant wishes to proceed, initiating an investigation, and identifying appropriate avenues for resolution. The University's response will be overseen by the EEO and Title IX Coordinator.

The University's Gender-Based Discrimination and Sexual Misconduct Policy applies to all students, faculty, and staff, and includes any individual regularly or temporarily employed, studying, living, visiting, or serving in an official capacity at Santa Clara University (including volunteers and contractors).

The policy applies to both on-campus and off-campus conduct and to online actions that have a potential or actual adverse impact on any member of the University community, or which substantially interfere with a person's ability to participate in University activities, or which could affect a substantial University interest or its educational mission.

### **Policy Statement on What Constitutes Consent**

The University adheres to California's definition of affirmative consent for sexual activity. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. Under this definition, "No" always means "No." "Yes" means "Yes" only if it is a clear, knowing, and voluntary consent to any sexual activity. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. Fully informed consent means that a person understands the details of a sexual interaction (who, what, when, where, why, and how).

It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in that activity. Consent can be given by words or action, but non-verbal consent is not as clear as talking about what a person does or does not want sexually. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent. Consent is also not voluntary if forced or coerced. Coercing a person into sexual activity violates the University's policy in the same way as physically forcing someone into sexual activity. Because alcohol or drug use can impair the capacity to consent, sexual activity while under the influence of alcohol or drugs raises questions about consent. It shall not be a valid excuse that the accused (hereafter "respondent") believed that the reporting party (hereafter "complainant") affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity.

### **Reporting Options**

There are several ways to report an incident of gender-based discrimination, harassment and sexual violence.

- For immediate, emergency assistance or to report a crime, students should call the City of Berkeley Police Department: dial 911 or call Campus Safety Services: dial 408-554-4444.
- Students wishing to seek confidential assistance may do so by speaking with professionals who have the privilege

of maintaining confidentiality except in extreme cases of immediacy of threat or abuse of a minor. Confidential resources include on- and off-campus mental counselors, health service providers, advisors available through the University's Violence Prevention Program, local rape crisis counselors, domestic violence resources, and members of the clergy and chaplains.

- Students may report incidents and seek support from University officials, including the EEO and Title IX Coordinator, Office of Student Life, JST-SCU Assistant Dean of Students, Disability Resources, and Campus Ministry. These University resources are required to report incidents to the EEO and Title IX coordinator, who will oversee the investigation and resolution process. At the time a report is made, a complainant does not have to decide whether or not to request disciplinary action.

For more information about reporting, response, and adjudication, please see the University's Gender-Based Discrimination and Sexual Misconduct Policy or contact the EEO and Title IX Coordinator, Belinda Guthrie, 900 Lafayette Street, Suite 100, 408-554-4113, [bguthrie@scu.edu](mailto:bguthrie@scu.edu), or the Violence Prevention Program Coordinator, 862 Market Street, 408-554-4409. The complete policy, reporting protocol, and Student Conduct System procedures are available in the Office of Student Life and the Office of EEO and Title IX. It is also available at Jesuit School of Theology of Santa Clara University at [www.scu.edu/jst/current-students/scu-jst-policies/](http://www.scu.edu/jst/current-students/scu-jst-policies/)

### **SEXUALLY TRANSMITTED INFECTIONS**

Santa Clara University, a Catholic, Jesuit university, is aware that sexually transmitted infections are a potential health problem for the entire population. Santa Clara University and the Cowell Student Health Center provide educational opportunities about the transmission and prevention of sexually transmitted infections. These educational opportunities are provided with consideration of confidentiality, sensitivity, and compassion. Educational programs address medical information, issues of prevention, and the social, psychological, spiritual, and legal ramifications related to sexually transmitted infections.

The Cowell Student Health Center provides confidential appointments with physicians, nurse practitioners, physician assistants, and registered nurses regarding sexual health issues. These appointments may include evaluation, testing, and treatment of sexually transmitted infections.

### **SMOKE-FREE AND TOBACCO-FREE POLICY**

Santa Clara University has adopted a smoke-free and tobacco-free policy on the University campuses in Santa Clara and

Berkeley. All University faculty, staff, students, and visitors are covered by this policy.

The term “smoking” means inhaling, exhaling, burning, or carrying of any lighted or heated tobacco product, as well as smoking substances other than tobacco, or operating electronic smoking devices and other smoking instruments. “Tobacco product” means all forms of tobacco, including but not limited to cigarettes, cigars, pipes, hookahs, electronic smoking devices, and all forms of smokeless tobacco. “Tobacco-related” means the use of a tobacco brand or corporate name, trademark, logo, symbol, motto, or advertising message that is identifiable with the ones used for any tobacco product brand or company which manufactures tobacco products.

We encourage all students to take responsibility and inform all visitors of this policy. Any community member may request a smoker to move off campus and those that do not comply can be reported to Campus Safety. Any questions regarding this policy (including exceptions) can be answered by Campus Safety Services or the Office of Student Life.

## **SOLICITATION POLICY**

In order to protect students’ right to privacy, and to maintain and promote efficient operations, the University has established rules applicable to all students, faculty, and staff that govern solicitation, distribution of written material, and entry into premises and work areas. (Staff members are also directed to Staff Policy 308: Solicitation and Distribution.)

Solicitation that is prohibited includes, but is not limited to, selling products or services, door-to-door collections or campaigning, flier delivery or posting of materials in facilities owned, operated, or controlled by SCU, including kiosks, light poles, and in parking lots. Solicitors or tradespeople, including those who may be Santa Clara University students, faculty, or staff, are prohibited from entering University housing facilities for the purpose of transacting business and should be reported immediately to the Event Planning Office, Campus Safety, and/or the building staff.

Jesuit School of Theology students should direct their inquiries to the JST-SCU Assistant Dean of Students at 510-549-5029.

## **STUDENT RECORDS AND RELEASE OF INFORMATION**

The Family Educational Rights and Privacy Act of 1974 (FERPA) protects the confidentiality of the University records of Santa Clara University students. A student is any person who attends or has attended classes, which includes courses taken through videoconference, satellite, Internet, or other electronic and telecommunication technologies, and for whom the institution maintains education records. The University

is authorized under provisions of the Act to release directory information to any person on request, unless a student explicitly requests in writing that the University not do so and keep directory information confidential.

A student’s directory information is designated as follows:

1. Student’s name
2. Address: Campus post office box, local, and permanent addresses (residence hall and room numbers are not disclosed)
3. Telephone number
4. Email address
5. Photograph
6. Date and place of birth
7. Major field of study
8. Classification level/academic level
9. Dates of attendance (defined as academic year or quarter)
10. Participation in officially recognized activities and sports
11. Weight and height of members of athletic teams
12. Degrees (including expected or actual degree date), honors, and awards received and dates
13. Most recent educational agency or institution attended

During the registration period and throughout the academic year, students may request in writing through the Office of Student Life that directory information be kept confidential. Once filed, the request remains in effect until the beginning of the next academic year or a shorter period if designated by the student. Graduating students must notify the Office of Student Life in writing to remove the nondisclosure notation from their record.

The University is authorized under FERPA to release educational and directory information to appropriate parties without consent if the University finds an articulable and significant threat to the health or safety of a student or other individuals in light of the information available at the time.

Former or current borrowers of funds from any Title IV student loan program should note carefully that requests for nondisclosure of information will not prevent the University from releasing information pertinent to employment, enrollment status, current address, and loan account status to a school lender, subsequent holder, guarantee agency, the United States Department of Education, or an authorized agent.

Students have the right to inspect and review their educational records at the following offices:

1. Official academic records, including application forms, admission transcripts, letters of acceptance, and a student’s

permanent academic record are on file and maintained by the Registrar at JST

2. Working academic files are also maintained by the Drahmann Center on the main campus
3. Records related to a student's nonacademic activities are maintained in the Office of Student Life
4. Records relating to a student's financial status with the University are maintained in the various student financial services offices

Certain records are excluded by law from inspection, specifically those created or maintained by a physician, psychiatrist, or psychologist in connection with the treatment or counseling of a student. Parents' financial information, including statements submitted with scholarship applications, is also excluded from inspection, by law. Third parties may not have access to educational records or other information pertaining to students without the written consent of the student about whom the information is sought.

Students have the right to request the amendment of their educational records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. Students may direct complaints regarding academic records to the dean of the college or school in which they are enrolled or to the University registrar. In addition, students have the right to file a complaint with the United States Department of Education concerning alleged failures by the University to comply with the requirements of the Act. Written complaints should be directed to the Family Policy Compliance Office, Department of Education, 400 Maryland Ave. SW, Washington, D.C. 20202-5920.

For further information regarding Santa Clara University's FERPA policy, see [www.scu.edu/ferpa/](http://www.scu.edu/ferpa/).

## TRANSPORTATION

### Vehicles

Parking on the main SCU campus requires a valid parking permit or visitor pass at all times. Parking permits are available at the Main Gate kiosk, Monday through Friday from 6 a.m. to 8 p.m. and at Campus Safety Services in the parking structure 24 hours a day. A copy of the current traffic and parking regulations is available at <https://university-operations.scu.edu/campus-safety/parking-and-transportation-services/>.

### Permits

Permit parking is enforced Monday through Friday from 6 a.m. to 8 p.m., SCU holidays excepted, or unless otherwise posted. Visitor parking spaces are reserved for University guests. Temporary visitor permits may be obtained at the main entrance guard station or from Campus Safety Services. Certain spaces marked "Reserved" or "Enforced 24 Hours" may result in the vehicle being towed at the owner's expense.

Enforcement of parking regulations is carried out by Campus Safety Services. All citations are turned over to a contract citation-processing administrator. Unpaid parking fines will result in the placement of a hold on the student's University account. The accumulation of three or more unpaid parking citations may result in the towing and storage of the vehicle by any law enforcement agency until the citations are cleared. Three or more unpaid citations may result in the vehicle being immobilized.

Parking is authorized only in designated lots and spaces according to the class of the permit displayed on the vehicle. Anyone parking a car on campus should check for signs posted at the entrances plus interior signs and surface stencils to ensure that he/she is parking in an authorized space. The parking regulation brochure also includes a map showing the type of parking authorized in the various spaces.

Red zones are emergency access lanes and must be kept clear at all times. Vehicles parked in red zones will be towed at the owners' expense.

### Jesuit School of Theology Campus in Berkeley

Only street parking is available at the JST campus in Berkeley. Two-hour limits are enforced Monday through Friday from 8 a.m. to 7 p.m., unless a residential parking permit from the City of Berkeley is properly displayed on the vehicle.



# Student Conduct System

*The President of Santa Clara University delegates general supervision for matters of student conduct to the Vice Provost for Student Life. Specific responsibility and authority for the Student Conduct System is assigned to the Associate Dean for Student Life.*

*A conduct officer or the appropriate conduct board can review student disciplinary cases. The Associate Dean for Student Life or designee determines which course of action is taken based on the nature of the case.*

Conduct officers and members of conduct boards are appointed by the Vice Provost for Student Life or designee and have varying degrees of sanctioning authority. A conduct officer/board can recommend a higher level sanction to the Office of Student Life, if that conduct officer/board does not have the authority to assign it. All requests for appeal are made to the Office of Student Life, which acts on behalf of the University President.

In exceptional circumstances, the Vice Provost for Student Life may suspend the normal structure of the Student Conduct System and establish an appropriate procedure for the particular needs of the pending case.

## UNIVERSITY CONDUCT OFFICERS AND BOARDS

The Student Conduct System includes the following conduct officers/boards:

### Conduct Officers

University conduct officers are staff members or faculty members whose job descriptions include responsibility for reviewing conduct cases, or are appointed to be conduct officers by the Office of Student Life. The sanctioning authority of an individual conduct officer ranges from a warning, up to, and including housing contract cancellation. The sanctioning authority of the Assistant Deans, Associate Dean, and the Vice Provost for Student Life is expanded and ranges from a warning, up to, and including expulsion.

### Peer Conduct Board

The Peer Conduct Board is composed of students who are appointed as hearing officers on an annual basis by the Office of Student Life. When a Peer Conduct Board convenes to review student conduct, the board includes three to five students selected from the pool of members. The sanctioning authority of the Peer Conduct Board ranges from a warning, up to, and including housing contract cancellation.

### University Discipline Council

The University Discipline Council is a board composed of students, faculty, and staff who are appointed as hearing officers on an annual basis by the Office of Student Life. When a University Discipline Council convenes to review student conduct, the board includes three students, one faculty member, and one staff member selected from the pool of members. The sanctioning authority of the University Discipline Council ranges from a warning, up to, and including expulsion.

### Sexual and Gender-Based Misconduct Board

The Sexual and Gender-Based Misconduct Board is composed of faculty and staff who are appointed as hearing officers on an annual basis, by the Office of Student Life. When a Sexual and Gender-Based Misconduct Board convenes for a hearing, the board includes three faculty and/or staff from the pool of members. The sanctioning authority of the Sexual and Gender-Based Misconduct Board ranges from a warning, up to and including expulsion.

### University Board of Appeals

The University Board of Appeals conducts appellate hearings for cases when directed to do so by the Vice Provost for Student Life. The board is composed of student(s), staff, and faculty members who are conduct officers or serve as members of the University Discipline Council. The sanctioning authority of the University Board of Appeals ranges from a warning, up to, and including expulsion.

## STUDENT RESPONSIBILITIES AND RIGHTS

In any case of alleged misconduct, a student has the following responsibilities and rights:

1. To be notified of student responsibilities.
2. To cooperate throughout the entire conduct process by meeting any deadlines, providing requested information, and abiding by any requests or instructions of the conduct officer/board.
3. To be notified at least three (3) business days prior to the hearing of the alleged violation of the Student Conduct Code and/or University standards, policies, and procedures and to be notified of the date, time, and location of the hearing.
4. To object to the conduct officer or member(s) of the conduct board if the student believes the officer/board member cannot act in a fair and impartial manner. The student must explain the reason(s) for his/her objection. The University reserves the right to either honor or deny the request to assign a new conduct officer or conduct board member.
5. To discuss the incident and his/her alleged involvement in it, and to review the policies that were allegedly violated with the conduct officer/board.
6. To respond to information used in determining the outcome of the hearing.
7. To present pertinent information and witnesses on his/her behalf.
8. To identify witnesses on his/her own behalf and submit anticipated testimony to the conduct officer/board in advance of the hearing. It is the student's responsibility to assure witness participation in the hearing process.
9. To submit questions for the conduct officer/board to ask of the complainant or witnesses. The conduct officer/board can refuse to ask a submitted question if the conduct officer/board determines the question is irrelevant to the proceedings.
10. To be accompanied by one support person. (See "Support Person" for further explanation.)
11. To be notified in writing within five (5) business days of the outcome of the hearing. Notification could include the finding, disciplinary sanctions, or information concerning the date, time, and location of a secondary hearing in the event the case is forwarded to a different conduct officer/board.
12. To be informed of the appeal process and given the opportunity to file a request for appeal within five (5) business days of the date of the hearing outcome document. (See "Appeal Process" for further explanation.)

## COMMUNICATIONS WITH THE STUDENT

### REGARDING THE CONDUCT CODE MATTER

The Student Conduct System is an educational process.

University officials communicate and engage with the student throughout the conduct process to promote student learning and so the student assumes responsibility for managing his/her own affairs. University staff interact with the student and his/her parent or guardian to the degree that it is appropriate and permissible by the Family Educational Rights and Privacy Act of 1974 (FERPA). When doing so, the intent of the interaction with the parent or guardian is to inform the parent or guardian and appropriately engage them in promoting the educational experience of the student. University staff does not interact with legal counsel who is representing a student.

## Student Conduct Hearing Procedures

### Initial Review or Hearing

1. **Incident report:** Members of the University community and nonaffiliate persons may file a report regarding the behavior of a student. If the reported information constitutes a potential violation of the Student Conduct Code and/or University standards, policies, and procedures, the University will pursue the matter through the Student Conduct System, beginning with either an initial review or a hearing.
2. **Initial review:** The assigned University conduct officer/board reviews the report, notifies the involved student(s) of the report, gathers relevant information, and interviews any witnesses. The conduct officer/board may elect not to interview a witness who does not have first-hand knowledge of the incident, presents information that is deemed to be unnecessary for the deliberation process, or presents information about the involved student's character. After the conduct officer/board has gathered all relevant information, the conduct officer/board conducts a hearing or refers the case to another conduct officer/board.
3. **Hearing:** The assigned University conduct officer/board reviews the incident report(s) and statements presented by the complainant(s), respondent(s), and witness(es). The conduct officer/board may elect not to interview a witness who does not have first-hand knowledge of the incident, presents information that is deemed unnecessary for the deliberation process, or presents information about the involved student's character. A student is not entitled to be present for every interview related to the case that the conduct officer/board conducts. The conduct officer/board may conduct the hearing in a student's absence if the student does not report for a scheduled hearing, or if the student does not set an appointment for a hearing as directed. In some circumstances, the hearing process may take place over multiple meetings on multiple days.

4. **Burden and standard of proof:** The student responding to the reported allegation is presumed not to have violated the Student Conduct Code. The standard for determining a violation of the Student Conduct Code is preponderance of evidence. There must be persuasive information to establish that the involved student(s) “more likely than not” violated the Student Conduct Code.
5. **Deliberation:** The conduct officer/board may deliberate in private. Sanctioning for a Student Conduct Code violation is based upon the nature of the determined violation and any previous violations of the Student Conduct Code.
6. **Notice of outcome:** The conduct officer/board notifies the student of the hearing outcome in writing no later than five (5) business days after the conclusion of the hearing. The conduct officer/board must notify the student of the option to file a request for appeal. (See “Appeal Process” for further explanation.)

### Disclosure to Alleged Victims of Crimes of Violence or Non-Sex Offenses

Santa Clara University will, upon written request, disclose to the alleged victim of a crime of violence including forcible sexual offenses, non-forcible sex offenses, domestic violence, dating violence or stalking, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Santa Clara University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested. A crime of violence includes arson, assault offenses, burglary, robbery, kidnapping/abduction, forcible sex offense, criminal homicide (manslaughter by negligence, murder, and non-negligent manslaughter, and destruction, damage, and vandalism of property.

### No Contact Directive

In instances such as, though not limited to, a serious dispute involving a student, concern for the safety of a person due to the alleged actions of a student, or a conduct code allegation by a person against a student, the Office of Student Life reserves the right to institute a No Contact Directive to a student. This action is taken for the purpose of protecting individuals and to minimize the chance that a dispute between persons will escalate in the process of the matter being addressed by the Office of Student Life.

A No Contact Directive is an official notice to a student that he/she is not permitted to have any type of contact with an identified person(s). This includes, but is not limited to, person-to-person contact, contact through a third party, and contact by way of mail, email, telephone, voice mail, text messaging, etc. A student who violates a No Contact Directive is subject to disciplinary action by the Office of Student Life.

A No Contact Directive can be issued at the discretion of the Office of Student Life outside of the context of the Student Conduct System procedures or as a sanction at the conclusion of a hearing for a defined period of time.

### Support Person

The support person must be a member of the Santa Clara University community who is a current faculty or staff member, or a currently enrolled student. Parents or guardians who are members of the University community are not permitted to act as a support person for cases involving their own son or daughter. A student who is represented by legal counsel is not permitted to have the legal counsel be his/her support person. A witness is not permitted to serve as a support person.

The role of the support person is to provide emotional support during the hearing. A support person may not review any documents related to a conduct case or present information during the hearing on behalf of the student. If a support person is disruptive to the hearing process, the conduct officer/board may dismiss the support person. In such cases, the student will be given an opportunity to identify a new support person.

### Appeal Process

1. The outcome of a conduct hearing is subject to one request for appeal. An appeal will be granted only if one or more of the following criteria is met:
  - A. The disciplinary action appears to be grossly disproportionate to the conduct infraction.
  - B. The procedures provided for in the Student Handbook were not followed in the hearing.
  - C. New relevant information is available that was not available at the time of the hearing.
  - D. The decision is not supported by substantial information.
2. The request for appeal form, available in the Office of Student Life, must be completed by the student and returned to the Office of Student Life within five (5) business days of the date on the hearing summary. The request for appeal must include answers to the questions on the form, in accordance with the criteria described in No. 1 above.

3. The request for appeal, along with other pertinent information, is reviewed by the designated appeal officer to determine the validity of the request for appeal in accordance with the criteria described in No. 1 above. In general, a request for appeal is granted only when there is a preponderance of evidence that a procedural or substantive error occurred at the original hearing that effectively denied the student a fair and reasonable hearing.
4. The student must be informed of the decision pertaining to the request for appeal within five (5) business days of submitting the request. In exceptional circumstances, the five (5) business days notification requirement may be extended to allow adequate consideration of the request for appeal. If this is the case, the student is notified.
5. If the request for appeal is granted, the case may be referred back to the original conduct officer or board, a new conduct officer (who could be the appeal officer), or a new conduct board. The appeal officer may also modify the sanction(s) without granting a second hearing.
6. All appellate hearings are conducted in accordance with the general student rights and other Student Conduct System procedures outlined in the Student Handbook.
7. A request for appeal may only be filed one time. If a request for appeal is denied, a second appeal cannot be filed. If a request for appeal is granted, the outcome of any subsequent proceeding may not be appealed.

## **PROCEDURES FOR REVIEWING ALLEGATIONS OF GENDER-BASED DISCRIMINATION AND SEXUAL MISCONDUCT**

The procedures for reporting, investigating, and reviewing allegations of sexual and gender-based misconduct are addressed in the University's Gender-Based Discrimination and Sexual Misconduct Policy, Reporting Protocol and University Response, and Student Conduct System. This information is available at the Office of Student Life and the Office of EEO and Title IX. This information is also available at [www.scu.edu/media/offices/student-life/policies/GenderBasedDiscriminationandSexualMisconductPolicyPublication.pdf](http://www.scu.edu/media/offices/student-life/policies/GenderBasedDiscriminationandSexualMisconductPolicyPublication.pdf) or contact the JST-SCU Assistant Dean of Students at 510-549-5029. It may also be accessed at [www.scu.edu/jst/current-students/scu-jst-policies/](http://www.scu.edu/jst/current-students/scu-jst-policies/)

## **DISCIPLINARY ACTIONS**

The following sanctions are official University disciplinary actions that may be taken as a result of any conduct hearing. Sanctions include, but are not limited to those listed below. Violations of national, state, or local laws subject a student

not only to University disciplinary action but also to action by the appropriate court of law.

1. **Warning:** Official notification that certain conduct or actions are in violation of University regulations and that continuation of such conduct or actions may result in further disciplinary action.
2. **Educational sanctions:** Preparation and presentation of a program, preparation of a bulletin board, assigned reading and response paper, attending an alcohol education program, counseling, and/or other educational activities.
3. **Contributed service:** Contribution of service to the University or a designated community agency consistent with the offense committed.
4. **Restitution:** Reimbursement by transfer of property or services to the University or a member of the University community in an amount not in excess of the damages or loss incurred.
5. **Fines:** Financial assessment not to exceed \$500.
6. **Loss of privileges:**
  - A. Limitation on University-related services and activities for a specified period of time, which is consistent with the offense committed; including, but not limited to, ineligibility to serve as an officer or member of any University organization, to participate in intercollegiate competition, to receive any award from the University, or to participate in graduation-related ceremonies.
  - B. Residence hall relocation, housing contract probation, or housing contract cancellation. Housing contract cancellation will result in being placed on disciplinary probation by the Office of Student Life.
  - C. Restriction from using specific University facilities and services (including parking facilities).
  - D. Denial of the on-campus use of a vehicle.
7. **No Contact Directive:** An official notice to a student that he/she is not permitted to have any type of contact with an identified person(s). This includes, but is not limited to, person-to-person contact, contact through a third party, and contact by way of mail, email, telephone, voice mail, text messaging, etc.
8. **Disciplinary probation:** A specified period of observation and review of behavior, including terms appropriate to the offense committed, during which the student must demonstrate compliance with University regulations and the terms of the probationary period and is ineligible to serve in leadership positions in University co-curricular activities. (Refer to "Eligibility Policy.")

9. **Deferred suspension:** A specified period of observation and review of behavior, including terms appropriate to the offense committed, during which time the student is ineligible to participate in University co-curricular activities. (Refer to “Eligibility Policy.”) If an additional violation of University regulations occurs, suspension will result.
10. **Interim suspension:** In exceptional circumstances, the Vice Provost for Student Life may suspend a student or take other disciplinary action pending the hearing, especially in matters of safety or for the good of the community.
11. **Suspension:** Exclusion from the University for a specific period of time after which application may be made for readmission.
12. **Expulsion:** Permanent exclusion from the University.

## **MINIMUM DISCIPLINARY SANCTIONS FOR ALCOHOL AND OTHER DRUG VIOLATIONS**

### **Introduction**

The sanctions listed in this section are for alcohol and drug violations. These guidelines are a minimum standard. A hearing officer can choose to administer a more severe sanction, if it is determined there is reason to escalate the sanction due to the severity of the violation, or if the student has a previous conduct record that does not include alcohol or other drug offenses. For instance, housing contract cancellation can be assigned on the first or second offense if the violation is coupled with physical confrontation, vandalism, or another serious conduct code violation. If deemed necessary, the University reserves the right to mandate alcohol and other drug assessment.

The Counseling and Psychological Services, Cowell Health Center, and the Wellness Center are available to students who have concerns about their own alcohol or other drug use. The Counseling and Psychological Services and Cowell Health Center staff can also refer students to outside counseling and treatment agencies.

### **Cumulative Nature of Student Conduct Code Violations**

Sanctioning for a Student Conduct Code violation is based upon the nature of the determined violation and any previous violations of the Student Conduct Code.

If 18 months (from the date of the previous alcohol violation) pass without the student committing an alcohol or other drug violation, then the sanction for an additional alcohol or other drug violation will be in the same category as the previous

offense. For example, if a student commits his/her second alcohol violation in October of his/her first year and then commits a third alcohol violation during May of his/her third year, the offense will be considered a second offense. It will not be considered a third offense unless the violation is serious enough to warrant such action.

### **Low-Risk vs. High-Risk Drinking Violations**

Regardless of a student’s age, the University takes into consideration the degree of risk or actual harm done to the person, other individuals, and property or severity of the violation when considering the appropriate sanction to assign to a student who violated the Student Conduct Code. Students who commit an alcohol violation because they are in the presence of alcohol, whereas University policy states they cannot be in the presence and can be reasonably assumed not to be drinking alcohol or under the influence of alcohol are considered to have committed a low-risk violation.

An alcohol violation is considered to be a high-risk violation in the following circumstances, but not limited to: possession or consumption of alcohol when under the legal drinking age, disorderly conduct such as verbally abusive or lewd behavior, excessive consumption of alcohol (i.e., alcohol shots, beer bongs, drinking games, etc.), excessive intoxication, medical attention due to the use of alcohol, providing alcohol to a person under the legal drinking age, driving a motor vehicle while under the influence of alcohol, or assaults of any type.

It is up to the discretion of the University Hearing Officer to determine if an alcohol violation is considered a low-risk or high-risk violation.

### **Minimum Sanctions for Low-Risk Alcohol Violations**

#### **First Violation**

1. University fine: \$50

#### **Second Violation**

1. University fine: \$75
2. Sanctions will be assigned at the discretion of the Hearing Officer and will reflect the fact that this is a second alcohol violation. If appropriate, the violation may be classified as a high-risk violation by the Hearing Officer.

#### **Third Violation**

1. The violation will be classified as a high-risk violation.

## Minimum Sanctions for High-Risk Alcohol Violations

### First Violation

1. Educational sanction: options include, but are not limited to, a paper, community program, contributed work hours, community service, alcohol education class or program.
2. University fine: \$50
3. Parental notification (for any student under the age of 21)

### Second Violation

1. Educational sanction: options include, but are not limited to, a paper, community program, University service hours, community service, alcohol education class or program. The degree of work and time on the behalf of the student to complete this portion of the sanction will reflect the fact that this is a second alcohol violation.
2. University fine: \$75
3. Parental notification (for any student under the age of 21)
4. Housing contract probation (on-campus students)

### Third Violation

1. Housing contract cancellation (on-campus students)
2. Disciplinary probation
3. University fine: \$100
4. Parental notification (for any student under the age of 21)

### Fourth Violation

Any subsequent violation will result in either an extension of the student's disciplinary probation period, deferred suspension, suspension, or expulsion depending upon the nature of the incident and the student's overall conduct record.

## Kegs and Excessive Amounts of Alcohol Within University Housing

Any student who is in the presence or possession of a keg or an excessive amount of alcohol is subject to housing contract probation, a University fine not to exceed \$500, and parental notification. An excessive amount of alcohol is an amount that is too great to be reasonable or acceptable for individual consumption in the context of the incident report details.

## Police Action Related to Alcohol and Other Drug Violations

If a student is taken into protective custody, arrested by the Santa Clara or Berkeley Police Department or a similar law enforcement agency for an alcohol or other drug-related violation, or is charged with criminal alcohol or other drug charges, the minimum sanctions below will be administered.

### First Violation

1. Disciplinary probation
2. University fine: \$100
3. Parental notification (for any student under the age of 21)

### Second Violation

Any subsequent violation will result in either an extension of the student's disciplinary probation period, deferred suspension, suspension, or expulsion depending upon the nature of the incident and the student's overall conduct record.

## Minimum Sanctions for Other Drug Violations

### First Violation

1. Educational sanction: options include, but are not limited to, a paper, community program, community service, alcohol and drug education class or program.
2. University fine: \$100
3. Housing contract probation (on-campus students)
4. Parental notification (for any student under the age of 21)

### Second Violation

1. Educational sanction: options include, but are not limited to, a paper, community program, community service, alcohol and drug education class or program. The degree of work and time on the behalf of the student to complete this portion of the sanction will reflect the fact that this is a second alcohol violation.
2. University fine: \$200
3. Housing contract cancellation (on-campus students)
4. Disciplinary probation
5. Parental notification (for any student under the age of 21)

## Minimum Sanctions for the Distribution of Other Drugs

If a student is held accountable for distributing a regulated or illegal drug, then the student will be placed on disciplinary probation, at a minimum. Additionally, if the student lives on campus, his/her on-campus housing contract will be cancelled.

## Academic Sanctions

In addition to the sanctions imposed under the Student Conduct System, individual faculty members are vested with the power to lower a student's grade on a paper, exam, or other graded product, and/or for the course as a whole, for academic dishonesty.

### **Administrative Sanctions**

The administrative sanction gives official notice that a procedural violation has occurred and will advise the student on how the situation is to be corrected.

### **Disciplinary Disqualification of University Financial Aid**

Financial aid may be contingent upon a student remaining in good conduct standing within the University. If a student faces significant disciplinary matters, is placed on disciplinary probation, deferred suspension, or is suspended, the financial aid arrangement is subject to review. The review may be initiated by either the Office of Student Life or the Office of Financial Aid.

A student who is placed on disciplinary probation for the first time will continue to remain eligible for federal financial aid unless otherwise prohibited by federal, state, or University regulations. If within two years of being placed on disciplinary probation, a student is placed on suspension, deferred suspension, or probation (a second time), the student will automatically lose all eligibility for institutional aid effective the date the suspension, deferred suspension, or second probation is imposed.

### **STUDENT CONDUCT RECORDS POLICY**

The Office of Student Life maintains a hard copy file and a digital record of a student's conduct history. Conduct records are educational records, and are thereby subject to the Family Educational Rights and Privacy Act (FERPA) and the University's Student Records Policy.

The conduct record is confidential and is only shared internally with University officials, in instances when the student grants permission to release the record, or there is what FERPA defines "an educational need to know" basis for the request. The conduct record is maintained throughout the student's enrollment and thereafter, as indicated below. A student's conduct record will only be released from the hard copy file to a person or party external to the University, if the student has granted permission, where the disclosure of the record is permissible under the provisions of FERPA, or where the University is required to do so by law. The digital copy of the conduct record will only be released to an external person or party where the University is required to do so by law.

### **Retention of Hard Copy of Conduct Records**

1. The hard copy file of a student's entire conduct history is kept for a minimum of one (1) academic year beyond the academic year in which the date of the last violation of the Student Conduct Code occurred. When a student commits a violation of academic integrity, the hard copy file is retained for the remainder of a student's academic career.
2. The files of any student who has received one or more of the following sanctions will be maintained for three (3) academic years beyond the academic year in which the student's tenure in his/her current degree program at the University has ended:
  - A. Removal from University housing
  - B. Disciplinary probation
  - C. Deferred suspension
  - D. Suspension
3. The conduct records of a student who has been expelled will be maintained for seven (7) years beyond the academic year in which the student's tenure at the University has ended.

The University reserves the right to change this policy at any time at its sole discretion.







**Santa Clara  
University**

**Jesuit School of Theology of Santa Clara University**

**Office of Assistant Dean of Students**

Berkeley, California 94709

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[www.scu.edu/jst/](http://www.scu.edu/jst/)