



**BENTLEY**  
UNIVERSITY



# **STUDENT HANDBOOK**

2018-2019

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# IMPORTANT LAWS

## **TITLE IX OF THE HIGHER EDUCATION AMENDMENTS OF 1972 AS AMENDED BY PUBLIC LAW 93-568**

Bentley University provides this notice of its intent to comply with the regulations established to effectuate Title IX of the Higher Education Amendments of 1972 as amended by Public Law 93-568. It is our intention to adhere to the letter and spirit of the law with a policy of nondiscrimination on the basis of sex, gender, gender-identity, and sexual orientation. This policy applies to our education program and activities and extends to employees therein and to admission thereto, unless excepted under subpart C86.15(a). Any complaints concerning Title IX should be brought to the attention of ***Erin Kelley, Director, Student Conduct and Development/Title IX Coordinator at 781.891.2161.***

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (Buckley Amendment)**

According to the Family Educational Rights and Privacy Act of 1974 (Buckley Amendment), individual students have the right to review all official educational records, files and data related to them and the right to challenge the accuracy of the contents of such records. Furthermore, the act prohibits colleges and universities from releasing personally identifiable information, other than “directory information,” about students without their written consent, except as allowed by law. For detailed information regarding a student’s rights under this law and the procedures involved in obtaining access to official records, please contact the vice president for student affairs. Unless otherwise requested by the student in writing, Bentley University may release to the public student data considered “directory information.” If a student desires that directory information not be released, it is his or her responsibility to notify the Office of the Registrar in writing. Please note that students do not have the flexibility of choosing to release or not release particular items defined as “directory information.”

## **VOTER REGISTRATION ACT (Massachusetts General Laws, Chapter 51, Sect. 42E)**

The law requires all public and independent colleges, universities, high schools and vocational schools to make available affidavits of voter registration forms wherever students register for classes. Massachusetts residents will find such forms in the Office of the Registrar, in the Rauch Administration Center. Students who wish to register in another state may not use these forms. Out-of-state students who want to vote in their home state must use either a mail-in form supplied by an election official in the home state or the federal mail-in affidavit of voter registration. The latter may be obtained by writing or calling the ***Massachusetts Elections Division, Room 1705, McCormack Building, One Ashburton Place, Boston, MA 02108; 617.727.2828 or 800.462.8683.***

## **DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENTS OF 1989, Public Law 101-226**

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, Bentley University has adopted and implemented programs to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

## **MASSACHUSETTS HAZING POLICY (Massachusetts General Laws, Chapter 269, Sect. 17- 19)**

The Massachusetts General Laws state:

*Section 17: Hazing; organizing or participating; hazing defined*

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished

by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

***Section 18: Failure to report hazing***

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

***Section 19: Issuance to students and student groups, teams and organizations; report***

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

## **THE MASSACHUSETTS CLEAN INDOOR AIR ACT** *(Massachusetts General Laws, Chapter 270, Sect. 22)*

The Massachusetts Clean Indoor Air Act (Massachusetts General Laws, Chapter 270, Sect. 22) requires that smoking be prohibited at private colleges within the commonwealth except in areas designated by the university as smoking areas. All indoor smoking is prohibited.\*

*\*Please note: Bentley is a smoke-free campus. Please see our **SMOKE-FREE POLICY**.*

## **JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT**

Bentley University provides annual statistics concerning “criminal offenses reported to campus security authorities or local police agencies, as well as our security policies.”

## **NON-DISCRIMINATION**

Bentley University does not discriminate in admission or access to or treatment or employment in any of its educational programs or activities, including scholarships, loans and athletics, on the basis of race, color, religion, sex, sexual orientation, gender identity and/or expression, marital status, age, national origin, citizenship status, disability, genetic information, military or veteran status. Bentley University maintains and supports affirmative action plans for its workplace in compliance with federal law. Equal opportunity extends to all aspects of the employment relationship, including hiring, promotions, training, working conditions, compensation and benefits. Bentley University’s policies and practices reflect the university’s commitment to nondiscrimination in all areas of employment. The university complies with Title VI of the Civil Rights Act, Title IX of the Education Amendments, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and Revenue Procedure 75-50 prohibiting such discrimination. Anyone believing that he or she has experienced adverse treatment may register a complaint with **Ann Dexter, Associate Vice President and Equal Opportunity Officer, at 781.891.2640** or to the **Title IX coordinator, Erin Kelley at 781.891.2161**.

## FROM THE DEAN OF STUDENT AFFAIRS

Dear Students:

The **BENTLEY BELIEFS** outline our commitment to community. This handbook enumerates, in great detail, how we as a community live out those beliefs on a daily basis. It outlines the resources and opportunities provided to all students as well as the policies and procedures students are expected to follow. I encourage you to use this handbook as a resource during your time at Bentley.

As members of the Bentley community, we all have excellent resources available to us, from outstanding faculty, staff and students, to exceptional facilities and programs. It is important to understand the responsibilities that come with these resources. The handbook outlines responsibilities and expectations for how we treat each other, our facilities and ourselves. Our expectations are exceptionally high, both inside and outside of the classroom. By living out the **BENTLEY BELIEFS**, your time at Bentley can be safe, secure and successful. The policies and procedures outlined in this handbook have been developed over time with input from all members of the Bentley community, including students.

Please feel free to make comments and suggestions. The Student Government Association and the Graduate Student Association provide students with a great venue to make suggestions and be involved. If you have any questions about the handbook or if I can be of assistance, please contact me at **781.891.2161**.

Sincerely,

J. Andrew Shepardson  
Vice President for Student Affairs and Dean of Students



## THE BENTLEY BELIEFS

Bentley University is a community of faculty, students and staff who are gathered to learn and to support learning. To maintain and nurture our community and to maximize learning, we embrace the Bentley Beliefs, which govern our conduct in classrooms, residence halls and places of work. Our learning is a privilege. It is predicated upon our acceptance of the responsibilities described below.

### **WE STRIVE AT ALL TIMES TO TREAT EACH OTHER WITH RESPECT**

In language, personal interactions and the treatment of property not our own, we treat others as they would like to be treated. We recognize the inherent dignity and worth of every person in our community. We are each responsible to help keep our community safe, without vandalism, hate speech, physical violence and harassment.

### **WE ACKNOWLEDGE AND LEARN FROM OUR DIFFERENCES**

We are all different and we seek to understand one another. We protect and affirm the right of all people to be themselves.

### **WE ACT WITH INTEGRITY AND HONESTY IN OUR ACADEMIC, PERSONAL AND PROFESSIONAL AFFAIRS**

Within a framework of mutual respect, we are honest in our writing, classroom work and professional involvement. We are willing at all times to examine our own conduct in the light of ethical standards.

### **WE SEEK TO FURTHER THE LEARNING AND GROWTH OF EACH MEMBER OF OUR COMMUNITY AND OURSELVES**

We affirm that we are here, first and foremost, to learn. We acknowledge that much of our learning will occur through our interactions with others. Our own conduct will be of key importance in making possible our learning and growth and that of others.



# THE BENTLEY BELIEFS IN ACTION

In our community, students, staff and faculty enact the **BENTLEY BELIEFS** in our words and actions daily. Here are some examples of how you may see the **BENTLEY BELIEFS** in action:

- A student turns down the music they are playing when their roommate comes home and needs a quiet place to study.
- Students promote their growth and citizenship through engaging with Bentley's Center for Service Learning and Civic Engagement, and through other activities like Love Your Melon and Habitat for Humanity.
- Students challenge themselves to take classes that will develop their skills and knowledge rather than classes that seem like an "easy A."
- The Campus Activities Board looks out for their peers by providing food, snacks and water before, during and after their events.
- Student clubs and organizations work to make sure that any member of the community feels welcome and included at their events.
- Students recognize that wherever they are — on or off-campus, during the school year or over breaks — that they are a representative of Bentley University, and act as positive ambassador for our community.
- Students will hold each other accountable to do their best work, and to provide accurate and original work in group projects and presentations.
- A student seeks out a faculty or staff member to help a friend going through a difficult time.
- A student asks for help for themselves when they need, whether academic or otherwise.
- A student wants to better understand the experiences of others, so they participate in opportunities like intergroup dialogue, study abroad, or attending a Bentley Brave event.

# DISCLAIMER

The Bentley University trustees reserve the right to modify or amend curricula, and change or modify aspects of university operations, as well as increase tuition and other charges without notice. Policies and regulations may be amended from time to time by action of the responsible bodies or persons without notice. The information contained in this student handbook was complete and accurate as of August 2018. Changes will be sent directly to students via e-mail and will be posted in the **ONLINE STUDENT HANDBOOK**. **This handbook is not intended to be a contract between the university and its students.**

## PHOTOGRAPHY

Being a Bentley student means being part of a vibrant community in which many activities and events are constantly taking place. In order to capture the spirit of Bentley's students and the many opportunities for involvement present on Bentley's campus, Bentley frequently captures still photographs and video throughout campus and the many other places where Bentley students study, work, and recreate. As a Bentley student you agree that Bentley may capture and use your image in its communications, online or in print.

Specifically, you agree to the following:

*I grant Bentley University (a) permission to capture my image in any media, including but not limited to photography, video and/or film, in public, in campus settings, or wherever Bentley University business is taking place and (b) the irrevocable right to use such images in any manner or media for university purposes, including but not limited to publicity and marketing. I hereby unconditionally release Bentley University and its employees and representatives from any and all liabilities, claims, and demands whatsoever, in law or equity, whether known or unknown, which I (or my heirs, assigns and/or representatives) ever had, now have, or in the future may have relating to the uses described herein.*

# SAFETY & SECURITY

Members of the University Police are here 24 hours per day, 7 days per week to provide a safe and secure living, learning and working environment for the students, staff, faculty and guests of the university. They are sworn law enforcement officers and are available to assist with any and all safety concerns on campus. Even with full time police on campus, safety and security violations compromise and jeopardize the safety of other members of the campus community. Such violations include, but are not limited to: pulled fire alarms, tampering with fire safety equipment (including smoke detectors), failing to evacuate during a fire alarm and providing false identification. Bentley is not responsible for the loss, theft and/or destruction of student property, including motor vehicles. Therefore, students should have personal property insurance to cover loss of valuables from possible theft, flood and fire. Students should check their or their parents' or guardians' homeowners' insurance policy to see if personal property at the university is covered.

## FIRE SAFETY VIOLATIONS

A false alarm is extremely dangerous as it may cause other students to ignore an actual fire. Tampering with fire alarms, extinguishers or other fire equipment is a violation of Massachusetts state law and can endanger the lives of fellow students as equally as setting a fire. Anyone causing a fire, activating an alarm unnecessarily or misusing or disabling any fire equipment may be expelled from Bentley University and may be subject to criminal prosecution. Fire alarms caused by careless cooking and/or dirty ovens are avoidable and therefore violators will be referred to the **CONDUCT SYSTEM**, with penalties ranging up to suspension from university housing.

## FIRE ALARMS

In the event of a fire alarm, touch your door with the back of your hand to feel if it is hot and look underneath for any smoke seeping in. If it is safe to evacuate, leave the building immediately by way of the nearest exit. Staff members are not always around to assist with evacuation. Any student who does not leave a building when an alarm sounds is subject to severe disciplinary action up to and including suspension or expulsion.

## FIRE DRILLS

Fire drills are conducted to familiarize everyone with the sound of the alarms. Use the emergency exits to evacuate the building safely. These drills are conducted in every building once each semester at various days and times. Remember, failure to evacuate when the alarm sounds is punishable by university disciplinary action (see **FIRE ALARMS** above). Members of the Residential Center staff and University Police will tour the buildings during a fire drill and report those who do not evacuate.

## ID CARDS

Each student must have a valid Bentley ID card on his or her person at all times and show this card to university personnel upon request. University Police takes ID pictures and produces photo ID cards. Students, faculty and staff can possess only one ID card at a time. In the event that a "lost" card is found, you should destroy the old ID card by cutting it in half. The ID pictures are taken Monday to Friday, from 8:00 a.m. until 3:00 p.m. at the University Police Station. During non-business hours University Police staff are available to issue free temporary cards that will allow you building access until the Card Office is next open at which time you will need to return the temporary card and purchase a new Bentley ID.

There is a \$5 charge for the first lost card. Second and third replacement cards cost \$10 and all others \$25. Worn out or damaged IDs are replaced without charge. You must bring your damaged card with you when a replacement is made. ID cards are used for access into all locked buildings on campus, including the residence halls. University Police maintains records of access granted to all buildings. Transferring ID cards from student to student or from student to non-student is a violation of campus policy and subject to disciplinary action. This includes transferring IDs in order to gain access to dining services, the fitness center, or for any other reason.

## **RETURN FROM HOSPITALIZATION/INTENSIVE OUTPATIENT TREATMENT PROGRAM (IOP)**

Students who are unable to attend class as result of a hospitalization or participation in an intensive outpatient treatment program (IOP) and do not wish to take a medical leave must meet with members of the Office of the Dean of Student Affairs/Residential Center prior to return to campus.

Students must contact the Office of the Dean of Student Affairs office stating their desire to return and at that time, make an appointment to meet with a member of the Office of the Dean of Student Affairs and a member of the Residential Center. This meeting must be completed before the student is permitted to return to the residence halls and/or coursework following hospitalization or intensive outpatient treatment program.

Students must provide a Return to University Documentation form filled out by the hospital or ongoing treatment provider indicating that the student is ready to resume academic and social responsibilities of campus life. The Office of the Dean of Student Affairs will review the documentation and consult with various campus offices regarding the student's academic standing. Based upon this meeting and recommendations made by the treatment provider, a decision will be made as to whether the student will be permitted to return; whether the student will need to take a medical leave; or whether more information is needed.

# ACADEMIC PROGRAMS, POLICIES & PROCEDURES

The **UNIVERSITY CATALOGUE** serves as a student's academic contract with the university. Students should refer to the appropriate catalogue for information on academic programs and clarification of university academic policies.

## RETURN TO STUDIES AFTER AN ABSENCE OF FIVE YEARS OR MORE

Undergraduate students requesting to return to Bentley to resume their studies after an absence of five years or more are subject to the degree requirements in place at the time of their return. When possible, credit for courses previously completed at Bentley will be applied to meet the new program degree requirements with review by relevant departments. Students returning to Bentley to resume their studies within the five year period may follow the degree requirements in place at the time of their original matriculation at Bentley

## ACADEMIC PERFORMANCE STANDARDS

The academic performance committee monitors overall academic performance and accumulated failures. For details see the university catalogue: **UNDERGRADUATE/GRADUATE**.

## SATISFACTORY ACADEMIC PROGRESS POLICY FOR FINANCIAL AID APPLICANTS

In order to remain eligible for assistance, financial aid applicants must meet standards of academic progress established in accordance with federal regulations. See the university catalogue for further details: **UNDERGRADUATE/GRADUATE**.

Other policies related to financial assistance, scholarships and federal financial aid may be found in the university undergraduate and graduate **CATALOGUES**.

## UNDERGRADUATE COURSE AWAY POLICIES

The undergraduate Course Away Policy and forms can be found in the **UNIVERSITY CATALOGUE**.

- Courses must be approved in writing by the Office of Academic Services in advance of the course being taken.
- Full-time day students are permitted to take courses away only during interim periods between semesters (i.e., during summer and winter session).

*Please Note: Permission to take courses outside of Bentley during fall or spring semesters will only be granted for students with extenuating circumstances and for compelling reasons. Requests to take courses during fall or spring semesters must be accompanied by an Academic Petition.*

- For seniors intending to graduate in May and who are approved to take courses away in the Spring semester, official transcripts must be received in time to be processed prior to graduation. (Please see the Registrar's Office for deadlines and special instructions.)
- A minimum grade of 2.0 (C) must be earned in order for the course taken away to be eligible for course away credit.

*Please Note: Only the course away credits (TR) will appear on your Bentley transcript rather than the actual grade.*

- Once enrolled at Bentley, students can transfer in (through Course Away) up to 10% of their Bentley program from other institutions.

*Please Note: Students must complete a minimum of 60 credits at Bentley to meet graduation requirements.*

- Students may transfer no more than a total of 6 credits into their major.



- Students may transfer a maximum of 3 credits into a minor.
- Students taking courses at institutions outside of the United States, but in their home country, must have the courses reviewed and approved by Undergraduate Academic Services. Students taking courses at institutions outside of the U.S., but not in their home country, must have the courses approved by the Office of International Education.
- Courses must be credit-bearing courses and may not duplicate previous coursework. *Please Note: CEU (Continuing Education Unit) courses are not transferable.*
- Upper-level business courses must be taken at an AACSB-accredited college or university. For a listing of AACSB-accredited institutions, please see the AACSB website at [AACSB.EDU](https://www.aacsb.edu).
- **Students take courses elsewhere at their own risk.** Academic Services cannot guarantee that course content is 100% comparable to its Bentley equivalent. Students should exercise care as to whether they think courses taken elsewhere will offer the proper foundation for their subsequent coursework at Bentley.
- **General Business courses may not be taken away.** In addition, the following courses may not be taken away:
  - AC 340
  - CS 360 (CS majors)
  - COM 210 (IDCC majors)
  - EC 381 (EC majors)
  - EC 391 (EF majors)
  - FI 51 (FI & FA majors)MK 400 (MK majors/minors; MEMK majors)
  - MG 240 (MG majors/minors)
  - MG 345 (MG majors/minors)
- Course Focus Requirements may not be transferred in.
- Students are encouraged to have alternative courses reviewed in the event that the first choice becomes unavailable.
- Course Away approvals apply to undergraduate program requirements only.
- Students considering graduate study at Bentley should consult their program requirements to assess if classes taken elsewhere meet graduate admission standards.
- For the Course Away Form to be considered complete, the form must be accompanied by the following:
  - A course description, and
  - A copy of the student's Degree Works Audit

Additional academic policies may be found in the university undergraduate and graduate catalogues: [UNDERGRADUATE/GRADUATE](#).

## COURSE ATTENDANCE POLICY

For full semester courses, students (whether currently registered in the course or not) must start attending classes by the first class meeting after the add period ends.

An enrolled student who misses the first week of class and is not present at the first class meeting after the add period ends needs faculty and department chair approval to remain in the class. If the add period has ended, instructors retain the right to deny admission to a course to any student who is not yet enrolled.

After a course has met for two weeks, students may not register for it, and may not start to attend classes,

including those classes for which they are already registered. Instructors must report missing students as “no-shows” to the Registrar at the end of the second week of classes.

Exceptions to this policy can be made only in the following cases:

- The student has been attending one section of a course but needs to switch to another section.
- The student has been mistakenly placed in the wrong course and needs to be reassigned.

In such cases the exception will be made by the chair of the relevant department on a case by case basis.

- For intensive courses, a student who has missed the pre-session meeting must, prior to the first class meeting, get the instructor’s permission to attend. Students who are not present at the start of the first class may not thereafter attend.

Students who will be absent from class for an extended period of time (one week or longer) because of an emergency situation should immediately contact the Office of the Dean of Student Affairs, the Health Center, the Center for Wellness Promotion, the Counseling Center and/or Academic Services for assistance.

## **ACADEMIC DIFFICULTIES**

If a student is experiencing difficulty in a course, it is the student’s responsibility to contact the faculty member for advice and additional instruction. Faculty advisors, as well as representatives from Academic Services, Student Life and the Counseling Center are also available. It is the student’s responsibility to seek their aid.

## **REDUCED COURSE LOAD POLICY FOR INTERNATIONAL STUDENTS**

Please note that Bentley students on F-1 or J-1 visas are subject to additional restrictions regarding course load requirements. Contact **CISS** for more information.

# ACADEMIC INTEGRITY

## ACADEMIC INTEGRITY POLICY AND PROCEDURES

Bentley students and faculty are held to the highest standards of ethical behavior and moral conduct. Faculty are expected to adhere to Bentley's Ethics policy and the ethics conventions of their disciplines. Each student is expected to abide by the Honor Code and to become familiar with the entire academic integrity system.

Details may be found in the [UNIVERSITY CATALOGUE](#). Both undergraduate and graduate students adhere to the same academic integrity policies.

# DISCONTINUING ENROLLMENT

## WITHDRAWAL FROM THE UNIVERSITY

If a full-time student decides, for whatever reason, that they are unable to continue attending Bentley, the student must officially withdraw from the university. The official withdrawal process is initiated by full time undergraduate students by contacting the Office of the Dean of Student Affairs, [GA\\_STUDENTAFFAIRS@BENTLEY.EDU](mailto:GA_STUDENTAFFAIRS@BENTLEY.EDU) or **ONLINE**.

Part-time evening undergraduate students should contact **Academic Services in Lindsay 21 at 781.891.2803**.

Graduate students initiate the official withdrawal process by completing the **ONLINE** Leave of Absence/Withdrawal form located on the Graduate School website.

Mere absence from classes or exams is not an official withdrawal from Bentley, nor does it reduce financial obligations. The university's tuition refund policy is stated in the handbook. Withdrawals from the university must be done by the last day that you can withdraw from a single course in the semester. Withdrawal from individual courses is a different procedure; all students process course withdrawals through **MYBENTLEY** or in person at the Office of the Registrar.

## LEAVE OF ABSENCE POLICY

A student may choose to take a leave for any number of reasons. While not actively engaged in coursework at Bentley, these individuals are considered to have a special student status and must be eligible to continue studies at Bentley upon their return. A student begins the formal leave of absence process at the Office of the Dean of Student Affairs, [GA\\_STUDENTAFFAIRS@BENTLEY.EDU](mailto:GA_STUDENTAFFAIRS@BENTLEY.EDU) or **ONLINE**. Students may request to be placed on leave of absence for a period of up to two years after which it becomes an administrative withdrawal. While on leave, students may not participate in coursework or extracurricular activities at Bentley.

*Please Note: International students on a leave of absence cannot stay in the United States. Students on a leave of absence are responsible for meeting all appropriate deadline dates. This includes applications for financial assistance and housing as well as deadlines associated with course registration. For further information, a student should contact the specific office.*

Part-time students receiving financial assistance should consult with the Office of Financial Assistance if they plan to discontinue their studies at Bentley.

Students returning from a leave of absence begin the process by submitting a return/readmit form to the Office of the Dean of Student Affairs. For summer or fall return, forms must be completed by June 1; for spring return, by December 1.

Graduate Students please note: Upon admission to the McCallum Graduate School, all graduate students have five years in which to complete their program(s). Some students may find it necessary to interrupt their degree progress briefly due to short-term work, family or other obligations. In such situations, a leave of absence is not required for domestic students. (F-1 visa holders need to request a leave of absence regardless duration of time for leave of absence). A graduate student's active academic status will remain in place for two semesters — not counting summer and winter terms. If the nature of the interruption makes it likely the five-year deadline is unlikely to be met, a leave of absence should be considered.

If a graduate student is considering a leave of absence, Graduate Student and Academic Services should be contacted to discuss the impact of a leave of absence on academic progression and access to University resources. For graduate students to request a leave of absence, the **ONLINE** form is located on the Graduate School website.

## MEDICAL LEAVE

A medical leave or withdrawal is an option available to students who, for physical or psychological reasons, are unable to continue at the university. In cases where a medical leave is necessary, the normal university procedures for initiating a leave of absence or withdrawal will be followed. Medical leaves initiated by a student may extend up to two years. If a student is behaving in a way that is threatening to others, the Office of the Dean of Student Affairs or the chair of the CARE team may initiate these procedures. Students who engage in threats to others and self-harm behaviors that cause a significant disruption to the community may also be subject to the code of conduct outlined through the Student Handbook.

Students on medical leave are urged to use their time on leave to obtain treatment as recommended for the physical or psychological health issues that precipitated their leave. With this said, students on a medical leave may not participate in coursework or extracurricular activities at Bentley. A student who wishes to return to campus after a medical leave must submit a return/readmit form to the Office of the Dean of Student Affairs.

In addition, the student must also provide an evaluation from their treating provider outlining their treatment and any restrictions needed for their ability to resume academic and social obligations and responsibilities once on campus. Students on medical leave who wish to return are subject to any conditions or restrictions outlined and agreed to prior to their leave. An opportunity for an interactive dialogue with a Bentley clinician will be provided to students returning from a medical leave in order to review their return plan as well as individualized resources available to them upon their return.

Students should allow the University appropriate time to review the documentation submitted. The return/readmit form should be received by the Office of the Dean of Student Affairs no later than December 1 for a spring semester return and June 1 for a summer or fall semester return. The evaluation from the treating provider should be received by the Office of the Dean of Student Affairs at least three weeks before classes begin.

*Please Note: If a student is granted a medical leave after the last day to withdraw from courses, they must take a full semester off before returning to Bentley.*

## REFUNDS

All refund requests must be submitted in writing to the Registrar's Office, using the refund request form. Students who are disputing tuition charges must complete an academic petition form and submit it to the Office of the Registrar no later than the end of the following semester. Petitions received after the deadline will be referred to the Registrar's Office for review. All charges remain due until otherwise notified.

## TUITION

Tuition withdrawal credits are made for full-semester courses, as noted in the academic calendar.

*Please Note: Refer to academic calendar for specific refund dates and for courses other than full-semester. In case of withdrawal, scholarships initially credited toward tuition due are subject to the same withdrawal credit percentage as the tuition charge. In other words, there are no cash refunds of scholarships. In the event of disciplinary suspension or expulsion from the university, no refund of tuition charges will be made.*

## RETURN OF FUNDS POLICY FOR FEDERAL AID RECIPIENTS

A federal regulation specifies how universities must determine the amount of federal financial aid you earn if you withdraw from the university. The law requires that when you withdraw, the amount of federal aid that you have earned up to that point is determined by a specific formula. If you received (or had applied to your account) less assistance than the amount that you earned, you will be able to receive those additional funds. If you received more assistance than you earned, the excess funds must be returned. The amount of assistance that you have earned is determined by the percentage of the semester completed. For example, if you completed 30 percent of the semester, you earned 30 percent of the federal aid you were originally scheduled to receive.



Once you have completed more than 60 percent of the semester, you are considered to have earned all of your federal assistance. If you received excess funds that must be returned, Bentley must return a portion of the excess equal to the lesser of your qualifying institutional charges for the term multiplied by the unearned percentage of your funds or the entire amount of the excess funds.

If Bentley must return part of your financial aid and the removal of those funds from your account creates a balance due, you will be billed for this balance. If the university is not required to return all of the excess funds, you must return the remaining amount. Any loan funds that you must return, you (or your parent for a PLUS Loan) repay in accordance with the terms of the promissory note. That is, you make scheduled payments to the holder of the loan over a period of time.

If you are responsible for returning grant funds, you do not have to return the full amount. The law provides that you are not required to return 50 percent of the grant assistance that you receive that it is your responsibility to repay. Any amount that you do have to return is a grant overpayment and you must make arrangements with the Department of Education to return the funds.

*Example: A student has tuition charges of \$10,480 and no room or board charges for the fall semester. The student pays \$7,813 toward the bill and the rest is covered by a federal Stafford loan for \$2,667. The student withdraws from the university after completing 40 percent of the semester. The student is considered to have earned 40 percent of the aid received or \$1,066. The remaining 60 percent or \$1,601, must be paid.*

<b>WITHDRAWAL PERCENT OF TUITION CHARGES TO BE REFUNDED STUDENTS DROPS BELOW FULL TIME IN CREDITS</b>	
Date of registration through the drop/add period	100%
First full week of semester	100%
Second full week of semester	80%
Third full week of semester	60%
Fourth full week of semester	40%
Fifth full week of semester	20%
After fifth week	No refund returned

Bentley will return \$1,601 of the loan from the student’s account to the lender. This leaves an unpaid balance of \$1,601 on the student’s account. The student will be billed by the university for this amount and is responsible for paying because not all of the aid used to pay the initial bill was considered to have been earned by the student.

For information regarding Room and Board refunds, see the [HOUSING POLICY SECTION](#).

### **STUDENT FINANCIAL SERVICES BILLING AND COLLECTION POLICY**

Student Financial Services is responsible for billing and collecting fees for tuition, housing, meal plans, health insurance, computers, parking violations and any other applicable charges.

Our goal is to work with students and parents to resolve outstanding balances. We understand that students and their families may experience financial difficulties and it is important for those types of issues to be communicated to our office at an early stage. Bentley University offers payment plans to assist with the budgeting of the cost of education. However, those plans are only available to students prior to the due date of their bill.

We URGE students and/or parents to contact our office prior to the due date of the bill to discuss any financial concerns that they may have. The earlier the issue is discussed the more tools we have to assist students in resolving the situation.

Bentley University recognizes that employers may pay some costs on behalf of students/employees. These agreements are made between the student and their employer and are not contractual agreements with the University. We do not bill companies/employers for student tuition. Students are expected to pay the balance due at the time of registration or by the due date for the semester.

- Bentley University does not accept foreign checks under \$250.
- Bentley University does not accept foreign currency traveler's checks.
- It is the student's responsibility to update Bentley University of address changes.

Each semester, all students are required to agree to the "Terms and Conditions of Payment Obligation" form prior to registering for classes through [MYBENTLEY](#). Click [HERE](#) to view these terms and conditions.

If the balance is not resolved by the due date, a financial hold will be placed on the account. This financial hold will prevent students from registering for classes, changing their course schedule, participating in senior week activities, the graduation ceremony and from obtaining diplomas and/or transcripts. If applicable, the student may also be required to move out of housing.

Also, accounts with unresolved balances are subject to late payment fees of \$100.00 each.

If a balance remains unpaid the account will be assigned to the Bentley University Collection Department. If an acceptable payment arrangement cannot be reached, the account will be assigned to a collection agency. There are several consequences that accompany that action:

- The account will be reported in a default/collection agency status to the credit bureau. This may prevent the student from obtaining credit in the future.
- The student will be assessed collection fees between 25% and 50% and possible legal fees in addition to the outstanding balance owed to Bentley University.
- Any future classes that the student plans on taking at Bentley University must be prepaid (in full) via certified funds.

Please note, students that default on their Bentley University Perkins loan are subject to the following consequences:

- The loan will be reported in a default/collection agency status to the credit bureau. This may prevent the student from obtaining credit in the future.
- The student will be assessed collection fees between 25% and 50% and possible legal fees in addition to the outstanding balance owed to Bentley University.
- The student will not be eligible to obtain any Title IV aid at any institution.
- The student is not eligible to receive a transcript from Bentley University and/or return to the University until the debt is resolved in full.
- Also, the loan could be assigned to the US Department of Education and subject to additional collection consequences such as: additional collection fees, wage garnishment, withholding of federal income tax refunds and litigation by the US Department of Justice.

## BENTLEY CARE TEAM

The Bentley CARE Team is a group of professionals that provide support, guidance, or feedback to students who may be in crises or are engaging in behaviors that are perceived as concerning (either to the student individually or to others). The Bentley CARE Team accepts referrals and responds to students, families, faculty, and staff when concerns for a student's health and safety are identified.

The CARE Team supports all members of the University community who interact with students by assessing and evaluating concerning situations, communicating with individuals involved or impacted by a student's behavior, and providing referrals and resources to assist and address behavioral or health concerns.

The CARE Team is composed of individuals from the Residential Center, Office of the Dean of Student Affairs, Health Center, Counseling Center, Academic Services, and University Police. Community members who are concerned about a student are encouraged to talk with the student whenever feasible and then make a referral to an appropriate resource if necessary. Any direct conversation with a student can be supplemented by a referral to the CARE Team and/or any resource on campus.

In cases of emergency, reporters must contact **University Police (781.891.3131)** for on-campus emergencies or 911 for off-campus emergencies **FIRST** if the person of concern poses an immediate threat to self or others or if the individual experiences a medical emergency (e.g. seizure, loss of consciousness). The CARE Team plays a secondary role to all urgent circumstances and should be contacted only after initial emergency notifications are made.

To submit a CARE report online, visit: [WWW.BENTLEY.EDU/BENTLEY-CARES](http://WWW.BENTLEY.EDU/BENTLEY-CARES)

# DISABILITY SERVICES

Bentley University, in accordance with the Americans with Disabilities Act (ADA), is committed to offering an accessible, equitable and inclusive learning environment for all students with disabilities. The Office of Disability Services provides reasonable accommodations and services that promote individual growth and self-advocacy. Through collaboration and innovative programming, the staff strives to inform and educate all members of the Bentley community and promote diversity that respects and appreciates disability.

The office works closely with undergraduate and graduate students with various types of:

- Learning disabilities
- Attention Deficit/Hyperactivity Disorder
- Mobility, visual and hearing impairments
- Medical conditions
- Psychiatric/psychological disabilities

The major components of these services include:

- Academic, residential and meal accommodations
- Assistance with accessibility issues
- Organization, time management, and study skills strategies

Individual advising and support services are tailored to each student's individual needs, and students are invited to take advantage of these services. In turn, staff will listen, guide and educate students on the full range of the accommodations and services available. Staff will also help evaluate students' strengths and weaknesses, thereby enabling them to make wise choices on an independent basis.

To register with Disability Services, students must submit a copy of their current documentation completed by medical professional to the mailing address below. The documentation must include a comprehensive assessment and should include recommendations for treatment.

For further information, visit [THE OFFICE OF DISABILITY SERVICES ONLINE](#).

## Office of Disability Services

175 Forest Street  
Jennison 336  
Waltham, MA 02452  
781.891.2004

## FOOD ALLERGY POLICY

Bentley University, in accordance with the Americans with Disabilities Act (ADA), believes that students with food allergies should reasonably and equally enjoy the university's food services and meal plans. Students who choose to live in a university residence hall or suite style accommodation are required to purchase a university meal plan. Students housed in those types of settings who have food allergies or other dietary restrictions, may request reasonable accommodations. Requests for such accommodations are made through the Residential Center and reviewed by the Housing & Meal Plan Medical Accommodation Committee.



# HEALTH INSURANCE

Student health insurance information is sent electronically to all new and returning students during the summer. If a student does not receive this information or needs clarification about the program, he or she should contact the **Health Center at 781.891.2222**. Billing questions should be addressed to **Student Financial Services at 781.891.2162**. The student health insurance program is administered by the Health Center. The billing is done by Student Financial Services.

The Massachusetts Universal Health Care Act mandates that all students enrolled three-quarter time to full-time in a degree-granting program at all colleges and universities in Massachusetts participate in a qualifying health insurance program. The determination of full-time and part-time status is made at the end of the drop-add process. Students who are enrolled less than three-quarter time are not eligible for student health insurance. Therefore, all students enrolled three quarter time to full-time (both undergraduate and graduate, day and evening) will be billed for student health insurance. That means nine or more credits for undergraduate students and 6.75 or more credits for graduate students. To remove the fee for health insurance, an **ONLINE** waiver form must be completed.

*Please Note: All international students and other non-U.S. residents are required to purchase the student health insurance plan offered by Bentley University and will automatically be enrolled in the plan. You do not need to take any action. If you have Embassy sponsored insurance, you may be eligible to waive the plan. Please contact **Student Financial Services at +1 781.891.2162** to discuss this option. If you are covered by a Massachusetts based Employer-Sponsored Insurance plan, please contact **University Health Plans at 800.437.6448** to see if you qualify for an exception to this requirement.*

**Students who have comparable coverage** (through themselves, parents or a family member) are not required to enroll in the student health insurance plan offered through Bentley but must complete a waiver form **ONLINE**. The online waiver must be received by August 1 for fall enrollments and by January 2 for spring enrollments. The fee for student health insurance will remain on your bill and you will be obligated to pay the amount in full unless a completed online waiver form is filled out.

# CODE OF CONDUCT

## STUDENT RIGHTS AND RESPONSIBILITIES

At Bentley, a student is considered to be anyone who is currently enrolled in undergraduate or graduate coursework at Bentley, whether it be full or part time, remote, or in person.

Bentley adheres to the following basic values:

- A respect for the rights of each person
- A commitment to treat each person as an individual
- An acceptance and appreciation of the cultural differences among individuals
- A respect for the worth and dignity of each person
- A belief that education and experience provide the potential for continuous growth
- A commitment to approaching student interaction as an opportunity for education

Bentley students have a responsibility to behave in ways that promote the safety of all individuals within the university community. Questions regarding rights, and responsibilities should be directed to the Dean of Student Affairs.

### Rights

Rights of freedom of speech, freedom of association, freedom of thought and freedom of privacy as a Bentley student are coextensive with the rights of any other citizen except where otherwise indicated. However, there are certain responsibilities that are “assumed” by each student as a member of the Bentley community. It is impossible to list every right and responsibility. Some of the more important ones are as follows:

- Freedom of Association
- Freedom of Petition
- Freedom of Speech
- Freedom of Assembly
- Freedom of Protest
- Rights Regarding Educational Records
- Cultural Diversity

### Freedom of Association

Bentley offers a number of organized associations and activities. Students are free to join the associations of their choice (based upon their status as undergraduate/graduate) on and off campus, excluding those organizations on suspension or expulsion from the university.

### Freedom of Petition

When a student believes that there is some matter of serious concern to the university community that does not promise a solution through administrative review procedures, he or she may present the case to the Student Government Association or the Graduate Student Association.

### Freedom of Speech

Bentley respects students’ rights to explore and discuss questions that interest them and to express opinions publicly and privately, within the limits of the law and policies of the university including the **BENTLEY BELIEFS**.

## **Freedom of Assembly**

It is the policy of Bentley to protect the right of each member of the academic community to assemble. The university makes its facilities available for peaceful assembly, welcomes guest speakers and protects the exercise of these rights from disruption or interference, within reasonable time, place and manner limits. The substitution of noise for speech and force for reason is a rejection and not an exercise of academic freedom; therefore, Bentley cannot allow disruptive or disorderly conduct on its premises to interrupt its proper operation. If students engage in disruptive or disorderly conduct, they are subject to disciplinary action; to possible sanctions, including expulsion; and to charges of violations of law.

## **Freedom of Protest**

Students have the right to protest and the university respects the right of each member of the academic community to be free from coercion and harassment. The university recognizes that academic freedom is no less dependent on ordered liberty than any other freedom and understands that the harassment of others is especially reprehensible in a community of scholars.

# RIGHTS REGARDING EDUCATIONAL RECORDS

## BENTLEY UNIVERSITY POLICY

### FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

This policy is issued in compliance with the regulations established by the Department of Education, 20 C.F.R. Part 99.7, for the university's implementation of the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, also known as FERPA. This policy is also guided by the laws in the Commonwealth of Massachusetts concerning privacy. The university has established strong policy guidelines that support its adherence to the FERPA and protect the rights of students, except under certain circumstances stated in the statute and its regulations and as noted below.

*Please Note: Students and their legal guardians receive notice of FERPA and their rights under FERPA through the electronic publication of the Student Handbook each academic year.*

### ACCESS/AMENDMENT TO EDUCATIONAL RECORDS

Students and eligible parents have the right to access the student's educational records upon written request to the Office of the Dean of Student Affairs. An exception to this policy is made for requests from students or others for transcripts and degree information which may be made directly to the Office of the Registrar. Requests for disclosure of educational records may be made by electronic signature when available. Each department/division of the university will determine if it will assess fees for copies of an educational record or transmission of an educational record to another party. All requests for changes to a student's educational record must be made in writing to the vice president for student affairs.

### LOCATION OF EDUCATIONAL RECORDS

Educational records may be kept by the registrar; each committee, board and department of the university; and by faculty and staff of the university in paper or electronic form.

### DIRECTORY INFORMATION

Unless otherwise requested by the student, Bentley (Information Desk, Registrar's Office, Dean's' office, etc.) may release to the public student data considered "directory information." If a student desires that directory information not be released, it is his or her responsibility to notify the Registrar's Office in writing.

Please note that students do not have the flexibility of choosing to release or not release particular items defined as directory information. Bentley will not sell or give directory information for commercial purposes to external vendors who are not affiliated with the institution. The university may use all directory information for operations of student organizations or university-sponsored functions.

Directory information, as defined by the Family Educational Rights and Privacy Act, includes the following information relating to a student: name, address, e-mail address, photograph, telephone number, date and place of birth, class, enrollment status, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, academic honors, degrees and awards received and the most recent previous educational agency or institution attended.

### DISCLOSURE WITHOUT CONSENT-STATUTORY EXCEPTIONS

The statute provides that under a number of circumstances, the university will disclose educational record information to other persons/entities without seeking prior consent or notice to a student or eligible parent. Such examples include but are not limited to: certain subpoenas and court order; accrediting organizations; requests in connection with a student's application for financial aid; certain requests from federal, state or local authorities; and

disclosure to other “university officials” who “have legitimate educational interests” in the information and records. “University officials” include the officers and directors of the university; all members of the administration, faculty and staff; persons serving on conduct, promotion and academic boards and committees; and any professional providing assistance to the university (such as lawyers, accountants, law enforcement personnel and medical personnel).

The university has determined that there are certain persons who have the right to review a student’s educational records and personally identifiable information in every case: officers of the university, provost and the deans. Other university personnel will have access to educational records and personally identifiable information in circumstances where the Dean of Student Affairs or his or her designee, concludes based upon the information available to him or her at the time of the decision, that the disclosure of the records and/or information will assist the university in making decisions concerning a student’s academic status or standing at the university or the health, safety or well-being of a student or other members of the university community. The Dean of Student Affairs or his or her designee reserves the right to contact parents of a dependent student when it has been determined that the student’s success is at risk.

## **COMPLAINT PROCEDURE**

Students have the right to file a complaint concerning any alleged failure on the part of Bentley to comply with the Family Educational Rights and Privacy Act with the:

### **Family Policy Compliance Office**

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202

Phone: 1.800.U.S.A.LEARN (1.800.872.5327)

## **DRUG AND ALCOHOL VIOLATIONS**

The university may inform parents or legal guardians of the student’s violation of federal, state and local laws and university rules and regulations concerning drug and alcohol use and possession.

## **HEALTH AND SAFETY EMERGENCIES**

The university may disclose educational records and personally identifiable information to members of the university community, professionals assisting with the university, law enforcement personnel and others when it determines, based upon the information available at the time, that there is an articulable and significant threat to the health and safety of a student or others and that the disclosure will aid the university in addressing the health and safety threat or emergency.

## **RESULTS OF DISCIPLINARY PROCEEDINGS**

The university informs victims of any crime of violence or non-consensual sexual misconduct of the final results of a disciplinary proceeding and the action taken against the perpetrator student when the proceeding finds a violation.

## **CULTURAL DIVERSITY**

Bentley is committed to offering a quality education to individuals of all identities. Preparing students to function in an international business environment necessitates providing a culturally diverse educational environment. A diverse student population enriches each student's educational experience, offering the opportunity to interact with students of different races, cultures, religions, sexual orientation, gender identities/expressions, states and countries.

## **RESPONSIBILITIES**

Attendance at Bentley bears with it responsibilities not only to obey the laws of the Commonwealth, including those that may differ from the laws in a student's home state and applicable federal laws, but also to adhere to the rules of the university, to the standards of the community and to respect the rights of others. If a student's actions on or off campus should result in a violation of Massachusetts law or federal law, he or she may incur penalties as prescribed by civil authorities. While university authority will not be used to duplicate the function of the civil and/or criminal courts, its conduct process may be invoked independently of the courts. Students are responsible for their own behavior. Should a student's behavior be found unacceptable by the conduct system on campus, he or she may be warned or sanctioned according to the nature of the violation, up to and including expulsion from the university.

## **JURY DUTY**

Any person who has resided in Massachusetts for more than 50 percent of the year (even if they aren't a permanent resident) is eligible to serve jury duty. Those chosen for jury duty are selected randomly by a computer from population lists of each city and town in Massachusetts obtained through a census. The court provides a detailed information booklet on qualification and permitted exceptions and a number to call if you have any questions.

# GENERAL POLICIES

## ABUSE OF THE STUDENT CONDUCT SYSTEM

Including but not limited to:

- Disruption or interference with the orderly conduct of a student conduct proceeding.
- Falsification, distortion, or misrepresentation of information to a student conduct officer or hearing body.
- Influencing or attempting to influence another person to commit an abuse of the student conduct system.
- Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- Attempting to intimidate or retaliate against a member of the hearing body or any other participant prior to, during, and/or after a student conduct proceeding.
- Institution of a student conduct code proceeding in bad faith.
- Failure to comply with the sanction(s) imposed under **CODE OF CONDUCT**.

## ALCOHOL, MARIJUANA AND OTHER DRUG POLICIES

Bentley supports the observance of all laws and regulations governing the sale, purchase, serving and consumption of alcoholic beverages by all members of the community and expects that these laws are adhered to at all events associated with the university, both on and off campus. The following behaviors are prohibited under Bentley's alcohol and other drug policies:

- Driving under the influence of alcohol
- The purchase of alcohol by and for individuals under the legal drinking age
- The procurement of alcohol through illegal means
- Public intoxication
- Being placed in protective custody due to overconsumption of alcohol, marijuana, or other drugs
- The serving of alcohol to people who are either underage or intoxicated.

The university does not intend through its policies to restrict responsible use of alcohol by members of the university community who are of legal drinking age in Massachusetts. Penalties for violating the alcohol policy of Bentley include but are not limited to warnings and probations, fines, educational seminars, parental notification and educational community service projects. It is hoped that education will help students understand more about the residual effects of alcohol both physically and socially. Alcohol violations may also result in suspension or expulsion from the university. Penalties are levied on a per-person basis. Please refer to the **ALCOHOL AND OTHER DRUGS RESOURCES** section for more information on the legal and health risks associated with drug abuse.

### Massachusetts Law

Massachusetts' Operating Under the Influence statute creates a permissible inference that an individual with a blood alcohol content of .08 or greater has violated the law. For a first offense, violators are subject to a fine of not less than \$500 nor more than \$5,000 and/or imprisonment for up to two and one half years. Individuals under the age of 21 whose blood alcohol content is .02 or greater or who refuse to consent to a blood alcohol analysis, shall lose their license for 180 days. The following list details some of the specifics of the law in Massachusetts regarding alcoholic beverages.

#### The law:

- Prohibits issuance of any license for the sale of alcoholic beverages to persons less than 21 years of age.



- Subjects persons who misrepresent their age or present falsified IDs to purchase alcoholic beverages to fines of \$300 and loss of license.
- Prohibits persons less than 21 years of age from knowingly transporting or carrying on their person any alcoholic beverages, except in the course of formal employment. There is a fine of \$50 for the first violation and \$150 for each subsequent offense. A police officer (including University Police) may arrest, without warrant, any person who violates this section of the law.
- Allows parents to be notified if at any court proceeding, persons are charged with serving or selling alcoholic beverages to a person under 21 years of age.
- Prescribes fines of up to \$2,000 and/or imprisonment not to exceed one year for patrons of licensed premises who deliver or procure to be delivered, any alcoholic beverage to or for the use of a person he or she knows or has reason to believe is less than 21 years of age. Students who are in violation of Massachusetts laws regarding the use of alcohol also may be subject to action through the **BENTLEY STUDENT CONDUCT SYSTEM**.

### Use of Alcohol in the Residence Halls

- Residential students may possess alcohol in their room/suite/apartment provided they are of the legal drinking age in the state of Massachusetts.
- Common sources of alcohol such as kegs and beer balls are prohibited from the residence halls with the exception of registered kegs for registered parties. Please refer to the **PARTY POLICY** below for further information. Any unregistered keg found on campus or being transported through campus grounds is assumed to have been procured for consumption on campus and the owner(s) and/or student(s) in possession is subject to penalties imposed by Bentley. Students are fined, in addition to other sanctions, on a per-person/per-keg basis (additional fines such as those for unregistered parties may be added).
- Containers of alcohol (either empty or full) found on campus or being transported through campus grounds are assumed to have been procured for consumption on campus and the owner(s) and/or student(s) in possession is subject to penalties imposed by Bentley.

### Registered Party Policy

Registered parties are defined as events with up to 45 invited guests. They must be completely contained in the apartment. All parties must be registered. Apartment-style dwellings are the only type of accommodations where parties are allowed. Party-eligible apartments are located only in the following buildings: Collins, Falcone, Boylston A and B Orchard North and South and Rhodes.

### In order to have alcohol at a party, the apartment residents must follow these guidelines:

- Each apartment resident must attend a party registration workshop run by the Residential Center.
- At least half of the residents are 21 years of age (i.e. a five person apartment must have three people 21 years of age).
- The primary host is 21 years of age.
- Each apartment resident must be in good standing (not on a current sanction). Registration of a party may be declined due to current conduct record.
- Each apartment resident must sign the party registration form. The laws of the Commonwealth especially pertain to the serving of minors. Sponsors are responsible for ensuring that alcohol is not served to anyone less than 21 years of age. Knowingly or unknowingly serving alcohol to a minor is a violation of state law and Bentley University policy. Should such a violation be discovered, action within the **CONDUCT SYSTEM** will ensue.

## In Addition:

- Gatherings of more than 45 people are not allowed. Registered parties are not permitted during early move-in periods, interim housing, vacations, and nights before classes or anytime during finals. Only a limited number of parties are allowed on each floor and in each building. This number is determined on a per-building basis and is subject to the approval of the Residential Center. Additionally, each party-eligible apartment may only register for as many as eight parties per semester.
- Registered parties must be registered with the Residential Center by 4:00 p.m. on the Thursday prior to the party. Registered parties must comply with any request made by other residents to lower the noise level. Parties must end by 1:30 a.m., at which time quiet hours begin.
- Nonalcoholic beverages and food must be available for the duration of the party. Any damage done in the vicinity of the apartment is billed back to the apartment residents.
- This may include other floors and stairwells. It is the responsibility of the party hosts to ensure that a party is “responsibly run.” A “responsibly run” party is one that:
  - Complies with all items on the party registration form, including no service of alcohol to minors.
  - Abides by the stipulations put forth in the party registration workshop.
  - Adheres to all alcohol policies and procedures.
  - Stops consumption of alcohol by an individual who is obviously intoxicated. Registered parties with alcohol are limited to one keg or 12 750ml bottles of wine for the duration of the party.
- At the end of the event at 1:30 a.m., that keg may not be used or tapped on campus again. A keg may only be brought on campus the day it is to be used at a registered event. Kegs must be removed from campus the day following the event for which they were registered.

Failure to comply with party registration guidelines may result in immediate revocation of party privileges.

## Unregistered Parties

Unregistered parties are events where there are more people present than the room, suite or apartment occupancy allows (halls 20 or less, suites 20 or less, apartments 30 or less) and one or more alcohol policy violations are present. The Residential Center staff responds to apartments and rooms whose residents are hosting unregistered parties. Residents of the room will be referred to the **CONDUCT SYSTEM** for appropriate action.

## Party Registration Workshops

At the beginning of each semester, a schedule of party registration workshops will be made available. All the residents of an apartment must be of legal drinking age and successfully complete one of these workshops to be eligible to register private parties in the apartment. Workshops will be held several times each semester. Contact the Residential Center for more information.

## Penalties for Violations of Alcohol Regulations

Penalties for violating the alcohol policy of Bentley include but are not limited to warnings and probations, fines, educational seminars and educational community service projects. It is hoped that education will help students understand more about the residual effects of alcohol both physically and socially. Repeated alcohol violations may also result in suspension or expulsion from the university. Penalties are levied on a per-person basis.

## Other Drugs

The sale, possession or distribution of any drug, including the illegal possession, sale and or distribution of prescribed medications, is a criminal offense. In addition to legal ramifications, Bentley regards the illegal use of drugs as unacceptable because of the potential negative effect upon the individual student and other community members. Illegal use, possession or supply of drugs or drug paraphernalia will result in disciplinary action by the

university and/or criminal prosecution. Sanctions may include suspension or expulsion from university-owned housing, suspension or expulsion from Bentley, parental notification and/or fines ranging up to \$1,000. Penalties are levied on a per-person basis.

In November 2012, Massachusetts voters approved a ballot question allowing qualifying patients with certain medical conditions the ability to obtain and use medical marijuana. However, federal laws prohibit marijuana use, possession and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession or cultivation of marijuana for medical purposes is therefore not allowed in any Bentley University housing or any other Bentley University property; nor is it allowed at any university sponsored event or activity off campus. Please refer to the **ALCOHOL, MARIJUANA AND OTHER DRUGS RESOURCES SECTION** for more information on the legal and health risks associated with drug abuse.

## **BALCONY POLICY**

Balconies on the buildings are aesthetic only and were not built to accommodate people. Standing, sitting or storing anything on balconies is prohibited. Offenders of this policy are subject to action up to and including suspension and expulsion from the residence halls.

## **BICYCLES/MOTORCYCLES**

Students should use bicycle racks or their rooms to store bikes. Do not leave bikes in the hallways or stairways as they present a fire safety hazard. It is against the law to obstruct fire exits in any way. Motorcycles are not allowed within any buildings and will be removed and stored at the owner's expense.

## **BOMB THREATS/POSSESSION OF EXPLOSIVES**

Bomb threats are punishable by up to 20 years in prison and/or a \$10,000 fine, according to Massachusetts general law. Possession of bombs and explosives is also prohibited, with a fine of not more than \$1,000 and imprisonment of no more than 2.5 years. It is Bentley's intent to investigate all incidents of this nature and prosecute such cases to the fullest extent of the law. Notification and/or evacuation of buildings will be determined by University Police protocol. Building occupants will be directed to a safe area away from the building. The calling in of a bomb threat or possession of explosive devices are serious offenses and against the law. Anyone found responsible of this violation will be dealt with to the full extent of the law and face university penalties, including expulsion.

## **COMPLICITY**

Any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of prohibited conduct by another person.

## **COURTESY HOURS**

To ensure that students are able to study and sleep in the residence halls, courtesy hours are in effect whenever quiet hours are not. All students are expected to assist in enforcing this policy.

## **DAMAGE/VANDALISM**

We are committed to ensuring that our facilities remain well maintained. Respect for university property is highly esteemed, as reflected in the **BENTLEY BELIEFS**. Malicious destruction and/or vandalism anywhere on campus (including inside student rooms, classrooms, the Student Center and any other area of campus) will not be tolerated. Students found vandalizing the campus in any way are subject to conduct action.

## **DISRUPTIVE BEHAVIOR**

Disruptive behavior, which is defined as participating in or inciting others to participate in the disruption or obstruction of any University activity, including, but not limited to: teaching, research, events, administration, student conduct proceedings, the living/learning environment, or other University activities is prohibited and students engaging in these behaviors are subject conduct action through the student conduct system.

## **EMAIL AND NETWORK POLICY**

All students are responsible for understanding the policies governing computing and network usage. View these policies online at the [IT OFFICE WEBSITE](#).

To learn about Bentley technology and network resources please visit the [CLIENT SERVICES WEBSITE](#).

## **EMAIL COMMUNICATION POLICY**

All administrative offices use email to communicate official information to students. All official communication to students will be sent to your Bentley email account. Students should check their account frequently for important updates, information and specific instructions. A Bentley email account may be forwarded to a personal or work email address. Be advised that Bentley does not officially track or maintain non-Bentley email accounts. Each personal or work email account should be set to receive email from Bentley. Students may update the forwarding email address as frequently as needed by accessing the “Forward Bentley Email” option in [MYBENTLEY](#) > Student Self-Service > Personal Information

## **ENDANGERING HEALTH OR SAFETY/PHYSICAL CONFRONTATIONS**

Consistent with the [BENTLEY BELIEFS](#), violence is not tolerated at Bentley. Taking or threatening action that threatens or endangers the safety, reputation, physical or mental health, or life of any person, whether intentionally or as a result of recklessness or gross negligence, is prohibited. Threats of violence or violence against another, may result in expulsion.

## **FAILURE TO COMPLY**

The [BENTLEY BELIEFS](#) state that we strive at all times to treat one another with respect. This includes interactions with administrative personnel, faculty and student employees. Administrative personnel includes, but is not limited to, RAs, University Police, student event staff, Dana Center and fitness center staff and all other full- and part-time Bentley staff.

All students are required to comply with a request of a faculty member, administrative staff member or student employee. These requests include but are not limited to: ceasing disruptive classroom behavior, leaving a certain area, providing identification and ending conduct (physical or verbal) that may be a violation of a university policy or rule.

The university will not tolerate behavior (whether physical or verbal) that includes, but is not limited to, threats of injury, obscenities, harassment, disruption of the academic environment or conduct that attempts to or prevents administrative personnel or faculty from carrying out their responsibilities or enforcement of university rules.

## **FALSE ID/FORGERY**

Forgery is prohibited and against the law. This includes altering or misusing university documents or records (including all software and computer databases) and personal identification (i.e., possession of an altered driver's license or one that belongs to someone else), as well as deliberate misrepresentation of facts that could adversely affect the mission of the university.

## **FIREARMS/WEAPONS**

The possession of any firearm, weapon, including mace or any object made to look like or used as a firearm or weapon, on campus is prohibited. Massachusetts laws also strictly restrict the possession of firearms and weapons as well, regardless of whether they are licensed and/or loaded in any building or on the grounds of any university, without written authorization from the university. Violation is punishable by a fine, imprisonment or both. Bentley takes immediate action if a student brings or has in his or her possession any type of firearm, weapon or any object made to look like or used as a firearm or weapon on campus, including the possibility of criminal prosecution, confiscation and/or immediate suspension or expulsion from the university.

## **FIRECRACKERS/FIREWORKS**

Possession and/or discharge of fireworks and firecrackers is dangerous and disruptive and is prohibited. Violators are referred to the **CONDUCT SYSTEM**, with penalties ranging up to expulsion. Refer to the **STUDENT ORGANIZATION GUIDEBOOK** for information regarding organization sponsored fireworks.

## **FORCIBLE ENTRY POLICY**

Forcible entry and/or unauthorized presence in University-owned buildings or property is strictly prohibited, and any students engaging in these behaviors will be adjudicated through the student conduct system.

## **FRAUD**

**Fraud and fiscal irregularities** generally involve an intentional or deliberate act, omission or concealment with the intent of obtaining an unauthorized benefit, such as money, property or other personal or business advantage, by deception or other unethical means.

Examples include, but are not limited to:

- Misappropriation, misapplication, removal, or concealment of University property
- Forgery, falsification, or alteration of documents and/or information (e.g., checks, bank drafts, deposit tickets, promissory notes, time cards, travel expense reports, contractor agreements, purchase orders, etc.)
- Theft or misappropriation of funds, securities, supplies, inventory, or any other University assets including furniture, fixtures, equipment, data, and intellectual property
- Billing customers and third party payers for services when it is known that the services were not provided
- Authorizing payment to vendors when it is known that the goods were not received or services were not performed
- Misuse of University facilities, such as vehicles, telephones, mail systems, or computer-related equipment
- Engaging in bribery, accepting kickbacks, or seeking unauthorized rebates
- Actions related to concealing or perpetuating any fraud or fiscal irregularity

## **GAMBLING/BOOKMAKING**

Bentley supports all federal and state laws regarding illegal gambling. Prohibited activity includes but is not limited to: betting or wagering or selling pools on any athletic event; playing card games for money; possessing any card, book or other device for registering bets; knowingly permitting the use of your room, suite, apartment, telephone or other electronic communication device for illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to sporting events.

Students involved in illegal gambling, particularly bookmaking, risk suspension and/or expulsion from the university.

## **GLASS CONTAINER POLICY**

To ensure the safety of the community, glass bottles and glass containers are prohibited from all outdoor recreational areas around the residence halls.

## **GUIDELINES FOR OUTSIDE USE OF GROUNDS**

In general, public grounds are considered open space for people to relax in and travel through. People using such space are asked to maintain the aesthetics of the areas they use. Every effort is made to limit the number of scheduled events in these spaces for maximum use. To ensure the most effective use of outside grounds, as well as to minimize the physical damage to property and reduce the noise levels for the university neighborhood, guidelines have been established for the use of outside grounds. Events geared for more than 30 people or those planned to occur on a regular basis, must be coordinated through the Conference Center, the Office of Student Programs and Engagement and Athletics.

## **GUESTS**

All Bentley-owned, leased or affiliated residential buildings are considered private property wherein trespassing or solicitation is forbidden. Access to and presence in all residence halls and apartment buildings is limited to university employees, residents and their guests. Violators may be subject to immediate removal from campus and/or prosecuted as trespassers.

### **The responsibilities of hosts are as follows:**

- Inform guests of university rules, regulations and policies and inform them that they must abide by these at all times.
- Take responsibility for the actions of the guest(s). Should a guest violate any of the aforementioned, the host will assume responsibility for the violation and may be subject to further action.
- Remain with your guest(s) at all times.

### **The responsibilities of guests are as follows:**

- Become informed of university rules, regulations and policies and abide by the same.
- Carry identification with you at all times and identify yourself and your host to any university official upon request.
- Remain with your host at all times. Guests who violate university policies may be banned from the university for a specified amount of time by the University.

The right of a student to live in reasonable privacy takes precedence over the right of a roommate to entertain a guest in the room. In the practical application of determining when guests should be invited to the room, common sense and mutual respect should prevail. Guests of resident students may remain overnight for no longer than three nights. Guests who occupy university housing for longer than three nights may be removed and trespassed from campus if deemed necessary by the University.

## **HALL SPORTS**

The use of sporting equipment or projectiles inside the residence halls is prohibited. Indoor use of such equipment poses a threat to the physical safety of residents, can result in damage to university or individual property and may create noise problems.

## HARASSMENT

Harassment is defined as repeated use of written, verbal, or electronic or physical act or gesture, or any combination thereof, directed at a person that places that person in reasonable fear for her or his physical safety or prevents the person from conducting her or his customary or usual affairs, or substantially interferes with the academic environment.

## HAZING

In accordance with **SECTIONS 17, 18 AND 19 OF CHAPTER 269 MASSACHUSETTS GENERAL LAWS, CRIMES AGAINST PUBLIC PEACE** and the **BENTLEY CODE OF CONDUCT**:

### Definitions

- Hazing means any action or situation created by a member of the Bentley community against another member of the community for the purpose of affiliation with a group or organization that:
  - Is negligent or reckless in nature;
  - Is humiliating or endangers an individual; or
  - Unreasonably interferes with scholastic or employment activities.
- Hazing may occur regardless of the individual's willingness to participate.
- This regulation applies to behavior that occurs on University property. It may also apply to off-campus behavior if the activity is sponsored, conducted, authorized, or recognized by the University, a registered University organization, or a group as defined below.
- Actions and situations that may constitute hazing include, but are not limited to, the following:
  - Creation of unnecessary fatigue; deprivation of sleep, rest or food
  - Degrading or humiliating games and activities
  - Expectation of participation in activities that are illegal, lewd or in violation of University policy
  - Extended isolation
  - Extreme mental or emotional stress
  - Forced calisthenics
  - Forced consumption of food, alcohol, drugs, or any other substance
  - Forced wearing of specific apparel or that which is conspicuous and not normally in good taste
  - Hierarchical behaviors that can be considered demeaning; personal servitude
  - Kidnapping or abandonment
  - Line-ups and berating
  - Overly time consuming and challenging requirements that can contribute to extreme mental distress
  - Paddling, whipping, beating or branding in any form
  - Performances
  - Undue interference with academic pursuits
  - Unreasonable exposure to the weather
  - Any other treatment or physical activity which is likely to adversely affect the physical health or safety of any such student or other person
- Hazing in any form is prohibited. It is not a defense to a charge of hazing that:
  - The express or implied consent of the individual was obtained;
  - The conduct or activity was not part of an official organizational or group event or was not



- otherwise sanctioned or approved by the organization or group; or
  - The conduct or activity was not a condition of membership or affiliation with the organization or group.
- “Members of the Bentley community” means its faculty, staff, students, volunteers, organizations, groups, vendors, alumni, guests and visitors. “Organization” and “Group” are defined as follows:
  - “Organization” means a number of persons who are associated with each other and have been recognized by the Office of Student Programs and Engagement as a student organization.
  - “Group” means a number of persons who are associated with the University and each other, but who have not been recognized, are not required to be recognized, or who have lost University recognition.
- Any organization or group may be found responsible for any violations of this regulation upon satisfactory proof that the organization or group did not discourage or did not take reasonable steps to prevent hazing by its members or affiliates.
- In addition to this policy, NCAA student athletes shall follow the policies and guidelines set forth by the NCAA and the Athletics Department.

## Communication to Members

Every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization must distribute this policy to each of its members, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually to the institution an attested acknowledgment stating that such group, team or organization and each of its members, pledges, applicants, or new members, has received a copy of this policy and understands and agrees to comply with the provisions of this policy.

## Reporting

It is the expectation of the University that members of the community report any known instances of hazing, as defined by this policy, to the extent that such person can do so without danger or peril to himself or others, as soon as reasonably practicable. Failure to report is also a violation of this policy.

Complaints or reports of activities believed to be hazing should be reported to ***Erin Kelley, Director of Student Conduct and Title IX Coordinator at 781.891.2329 or EKELLEY@BENTLEY.EDU***, or the ***University Police at 781-891-2201***. Any questions concerning the interpretation or application of this policy should be referred to the appropriate University official.

## Rights of Those Who Report:

- Individuals who are victims of hazing and who truthfully report the activities shall not be individually charged with a violation of this regulation.
- Individuals who have knowledge of a hazing incident, but who did not participate, and truthfully report the activities shall not be individually charged with a violation of this regulation in relation to that particular incident.
- An organization or group that seeks assistance in preventing hazing from occurring within the organization or group, even if past behaviors have included hazing, shall not be charged with a past violation of this regulation.
- Any organization or group that self-reports a hazing behavior to an appropriate University Official or the University Police shall be given the opportunity to change those behaviors without immediate threat of being charged with a violation of this regulation. An organization or group that self-reports shall identify

those individuals responsible for the hazing behaviors. If evidence is presented in subsequent semesters that hazing behaviors have continued within the organization, that organization may be held responsible for past behaviors.

## **Retaliation**

Retaliating in any manner against any individual who reports hazing or who participates in an investigation of a hazing report is prohibited. Making an intentionally false accusation of hazing is prohibited. All members of the Bentley community shall cooperate in an investigation of hazing. Responsibility for any violations of this regulation may be attributed to the perpetrators, the organization or group, its members or its officers.

## **INCENDIARY DEVICES AND/OR DANGEROUS CHEMICALS**

Possession of candles or any other incendiary devices is prohibited from all campus buildings.

## **LOCAL ADDRESS POLICY**

It is the policy of Bentley University to collect accurate addresses for all students. Having accurate campus and local addresses for all students enables Bentley to respond appropriately to emergencies and crises (e.g., fires, criminal activity). Additionally, when a concern is reported about an off-campus house or apartment, accurate address information will allow the university to determine if, in fact, the residents are Bentley University students.

Failure to provide the university with a valid local or campus address during the semester check in process is a violation of university policy, and those who fail to do so may be referred to the student conduct system. Similarly, providing a false address is also a violation of university policy and will result in conduct system action.

## **LOUNGE FURNITURE**

The furniture/equipment in each lounge or common area is for the use of all the residents/occupants of the building. To assure continued use of the lounges and common areas, it is important that students do not remove or damage the furniture. Furniture from any common area on campus cannot be brought outside. Any student who removes lounge or common area furniture may be fined and other conduct sanctions may follow.

## **NOISE ORDINANCE**

The city of Waltham has enacted a noise ordinance that prohibits loud radios or stereo equipment, shouting in public streets, loudspeakers, horns or signaling devices and other noisy activities. The university maintains a “good neighbor policy” with all residents near Bentley-owned and operated properties (our campus). Students are not permitted to play amplified sound or place speakers in/out their windows or to create any type of disturbance that might disrupt the peace and quiet of the neighborhood. Student organizations may organize and produce outdoor events with amplified sound only with the permission of the Office of Student Programs and Engagement.

## **OFF-CAMPUS CONDUCT**

Students may be charged by the university for misconduct off campus if the individual or organization is accused of violating local, state or federal laws or Bentley policies, rules or procedures. In such instances, the Office of the Dean of Student Affairs will review the conduct and determine whether they warrant referral to the Bentley **CONDUCT SYSTEM**. Students may be held accountable for violating policy wherever they are located, be it on campus, off campus, while abroad or while home on break.

## **OFF-CAMPUS DISTURBANCES**

Students in off-campus apartments or houses should demonstrate respect and concern for both their neighborhood and the Bentley community. The university may refer any student(s) identified as being involved in

conduct that violates Bentley rules, regulations, policies and procedures to the Bentley **CONDUCT SYSTEM** for disciplinary action.

Events held off campus by Bentley students or student organizations are expected to be in compliance with all campus policies. Students or student organizations hosting the event are responsible for ensuring behavior that reflects well upon that community. Event hosts can be held responsible for their guests' safety and actions both on and off campus. Failure to comply with campus policies may result in disciplinary action against the individuals and/or the sponsoring organization.

## OFF-CAMPUS FUNCTIONS

Bentley organizations and individuals sponsoring off-campus functions are considered representatives of the campus community and are responsible for ensuring behavior that reflects well upon that community. Failure to do so may result in disciplinary action against the individuals and/or the organization.

- The university does not accept legal or financial obligations incurred by campus organizations or individuals choosing to hold functions off campus that are not officially sponsored by the university; the person entering into agreement with the representatives(s) of the organization for the use of their premises by that organization should be informed of this position.
- Organizations or individuals may not use the Bentley name in any promotional material distributed off campus unless approved in advance by the Office of Student Programs and Engagement.
- Organizations or individuals can be held accountable for the behavior of individuals attending their events even if that event is held at an establishment other than Bentley University.

## OFF-CAMPUS — STUDY ABROAD

Students enrolled in a study abroad program, through Bentley or another third party, may be charged with violating Bentley policy during their time abroad. While abroad, students are encouraged to review the policies and guidelines of the school they are visiting.

## PARKING

Vehicles can only be parked in lined parking spaces. Resident students are only allowed to park in residential lots. First-year resident students are not allowed to park their motor vehicles on campus. Violations of this rule will result in the immediate towing of the vehicle at the owner's expense. All students repeatedly violating the parking policies are subject to action that may include loss of parking privileges. Repeat freshman offenders may face loss of parking privileges for their sophomore year.

If no residential parking spots are available, University Police will designate an overflow lot. All motor vehicles must be out of the designated area by 8:00 a.m. Overnight parking is **NOT** allowed except in residential lots. Please refer to a campus map for lot designations. Only motor vehicles displaying a current and proper decal are permitted to park on campus.

Parking is assigned and regulated by University Police. A student bringing an unregistered vehicle onto campus will be subject to action, loss of parking privileges and/or ticketing and towing. In case of an emergency or extraordinary circumstances, freshmen may request permission for a one-day pass from the University Police dispatcher. Short-term parking (one week or less) may be requested from University Police.

For further information please visit the **RULES & REGULATIONS** page.

## QUIET HOURS

During quiet hours, noise emanating from a room, suite or apartment should not be audible in a hallway or abutting room. Quiet hours are in effect from 10:00 p.m. to 8:00 a.m., Sunday through Thursday evenings and from 1:00 a.m. to 9:00 a.m. on Friday and Saturday nights, except as modified by the academic calendar.

## RETALIATION

Retaliation is when a negative action is taken against an individual for raising concerns about conduct which is prohibited by law or policy. All members of the Bentley community have the right to raise concerns, or file a complaint to the student conduct system or Title IX Coordinator without fear of retaliation. Additionally, it is unlawful and a violation of university policy to retaliate against an individual for filing a report of sexual misconduct or gender-based discrimination. Retaliation against anyone who participates in an investigation of sexual misconduct or gender-based discrimination is also prohibited. Examples of retaliation can include hostility, intimidation, threats, exclusion and discrimination. Anyone person who retaliates against an individual reporting general misconduct or sexual misconduct/gender-based discrimination and/or someone who participates in a sexual misconduct/gender-based discrimination investigation is subject to disciplinary action up to and including expulsion from the university.

## SALES AND SOLICITATION

Use by outside concerns of campus services such as photocopying, duplicating, campus mail, electronic mail and the campus directory is prohibited for the purpose of sales or sales promotion without authorization. Individual students and/or student organizations wishing to conduct sales or promotional activities must receive written authorization from the Residential Center (if the activity is taking place in the residence area) or from Student Programs and Engagement (if the activity is taking place on campus in areas other than the residence areas).

## SHUTTLE POLICY

The university provides shuttle service to and from north campus, main campus, lower campus and Gardencrest Apartments. In addition, there is daily service to Harvard Square in Cambridge and Waverly Square in Belmont connecting with MBTA service.

During Thanksgiving and spring breaks, there will be limited or no shuttle service. Major holidays and other breaks will also have limited or no service. Shuttle schedule information is available [ONLINE](#).

If shuttle service has been changed, canceled or suspended, the campus community will be notified via Bentley email and on the [SHUTTLE WEBSITE](#).

All standards of student behavior apply both on the shuttle and at the shuttle stops. Specific rules include, but not limited to:

- All passengers must show a Bentley ID. Transportation will not be provide to anyone without their Bentley ID.
- Alcohol and other controlled substances are not permitted on the shuttle in either open or closed containers.
- Smoking is not permitted on the shuttle.
- Behavior that is disorderly, harassing or disruption will result in disciplinary action that may include immediate removal from the shuttle and/or a ban on using its services.
- Each student may have one guest on the shuttle. For exceptions to this policy (i.e., for permission for more than one guest), please contact the shuttle line 24 hours in advance, at **extension 2685** or email [GA\\_SHUTTLE@BENTLEY.EDU](mailto:GA_SHUTTLE@BENTLEY.EDU). If a guest violates any of the aforementioned, the host will assume responsibility for the violation and may be subject to further action

Individuals who violate the Shuttle Policies may be subject to action through the [BENTLEY STUDENT CONDUCT SYSTEM](#).

## SMOKE FREE POLICY

Smoking (including cigarettes cigars, pipes, e-cigarettes, and any other smoke-producing tobacco products) by

students, faculty, staff, guests, visitors, and contractors is prohibited on all properties owned or leased by campus, including (but not limited to):

- All interior space on campus and property leased by the university.
- All outside property or grounds on the university campus, including areas such as walkways, breezeways, patios, and parking lots; including all vehicles
- All outside property leased by the university.
- All vehicles leased or owned by the university.
- All indoor and outdoor athletic facilities.

For more information, please visit the [BENTLEY UNIVERSITY SMOKE FREE WEBSITE](#).

## **SPEED LIMIT**

The speed limit on campus is 20 miles per hour. All drivers are expected to adhere to the speed limit. Violators may be stopped by University Police and issued a ticket. Please note that there are speed bumps at various locations on campus to reduce speeding.

## **THEFT/UNAUTHORIZED USE OF PROPERTY**

Theft or attempted theft or the unauthorized use or possession of university property or services or the property of others, is prohibited.

## **TRASH DISPOSAL AND RECYCLING**

All members of the Bentley community and their guests are responsible for removing their own rubbish from the buildings. Dumpsters for trash and recycling are conveniently located outdoors for this use. Due to fire and sanitary codes, it is important that trash not be left in hallways or stairwells. Offenders will be fined for each bag of rubbish that is not disposed of properly. Repeat offenses will result in further action.

## **UNAUTHORIZED POSSESSION/USE OF BENTLEY PROPERTY**

Members of the Bentley community are prohibited to have Bentley property in their possession. Bentley property includes, but is not limited to, fire exit signs, lounge furniture, Facilities equipment and/or Sodexo property.

## **USE OF THE BENTLEY NAME, IMAGE OR LOGO**

The use of the Bentley name and/or logo for T-shirts, hats and other imprinted items is reserved exclusively by the university and the Bentley bookstore. The use of the Bentley name, logo, image or design aesthetic is prohibited.

Exceptions to this policy may be granted to athletic teams (through the athletic director) and recognized student organizations (through the Office of Student Programs and Engagement). Bentley University reserves the right to prevent the sale of any Bentley-imprinted items that violate this policy, and student who utilize the Bentley name, image or logo without authorization may be subject to disciplinary action through the student conduct system.

## **OTHER POLICY AND LEGAL RESPONSIBILITIES**

Attendance at Bentley bears with it responsibilities to obey the laws of the Commonwealth and federal laws, as well as the policies of the university on or off campus. Students may be charged with violations of university policy if they are involved in incidents that also violate laws of the Commonwealth or federal laws. Such violations include, but are not limited to, malicious behavior, fight/altercation, assault, harassment, breaking and entering, larceny, disorderly conduct, trespassing, driving under the influence, drug possession and distribution, hate crimes, abuse and illegal copyright infringement.

# CONDUCT SYSTEM

The Bentley University conduct process is designed to address student behavior, provide proactive initiatives, support a safe and stimulating campus climate and educate students via individual meetings, board hearings, board hearings and through the delivery of holistic sanctioning. The philosophy of the Bentley University Conduct System is based on the belief that:

- Students are responsible for their individual actions as well as for the way the community functions as a whole.
- When students can learn from their experiences, receive help from the university, constructively examine their behavior and take positive steps toward changing that behavior, the proper conduct response should be educational in nature.
- When students become involved in behavior that violates the spirit and/or substance of federal, state or local law or Bentley rules, regulations, policies and procedures basic to the welfare of the university community at large or the individual therein, the university is bound to take disciplinary action that modifies, restricts or denies the student's status as a member of the university. The Bentley Conduct System affirms and protects the right of every member of the community to:
  - Be free from physical and psychological harassment based upon gender, sexual orientation, race, color, religion, nationality, ethnicity, disability status, veteran status or age.
  - Study and socialize in a clean, well-kept and safe environment
  - Sleep and study in reasonable quiet and privacy.

Actions that interfere with or threaten these or any other basic student rights constitute a violation of university rules, regulations, policies and procedures. In addition, the university expects students to observe all federal, state and local laws and university rules, regulations, policies and procedures, including those regulating:

- Use and sale of alcohol and drugs
- Sounding of fire alarms, illegal use of extinguishers and fire evacuation
- Possession of firearms, weapons and incendiary devices
- Theft
- Assault
- Gambling

Students who are found to be in violation of federal, state or local law, in these or any other matters, will not be protected by the university from full prosecution by the appropriate law enforcement agents. The university reserves the right to take disciplinary action, after a fair hearing, which may result in suspension or expulsion independent of related decisions being rendered in a court of law. In cases where the dean of student affairs or their designee, has a reasonable belief that an individual has engaged in a serious violation of university rules, regulations, policies and procedures and/or federal, state or local law, the vice president or a designee may impose any sanction on the student, which will remain in effect until the completion of the conduct hearing process and all appeals. In the event that a student violates the imposed sanctions prior to the completion of the conduct hearing process and all appeals, the vice president or a designee may impose a permanent sanction on the student.

## TITLE IX AND GENDER-BASED DISCRIMINATION POLICIES AND CONDUCT PROCESS

Bentley University engages in voluntary compliance with Title IX of the Higher Education Amendments (1972), and actively seeks to eliminate barriers to education resulting from sex- and gender-based discrimination. For Bentley University's full Title IX and Gender-Based Discrimination Policy and conduct procedures, please visit the [TITLEIX WEBSITE](#) or reference [PAGE 60](#) in this handbook. The following types of incidents will be adjudicated through this



process: sexual harassment (including incidents of sexual assault), relationship abuse (including incidents of dating violence and domestic violence), hostile environment, retaliation, and stalking.

## OFFICE OF THE DEAN OF STUDENT AFFAIRS

The Office of the Dean of Student Affairs is located in the Student Center 320. The office coordinates the **BENTLEY UNIVERSITY CONDUCT SYSTEM** and also works with other departments and student organizations across campus to implement proactive programs and activities. The staff in the office serves in an administrative and consultative capacity to the conduct system. Their role is to maintain official and complete files on all formal conduct proceedings. They oversee the conduct process to ensure its faithfulness to the spirit and letter of the **BENTLEY CONDUCT SYSTEM** by consulting frequently with the administrative hearing officers, advisors and chairpersons of the conduct boards. In addition, they have the responsibility of overseeing the appointments of students to serve on conduct boards. They also oversee the training of all students and staff members within the **CONDUCT SYSTEM**.

## REQUIRED EVALUATIONS

The Office of the Dean of Student Affairs may require a student to undergo an evaluation (physical, psychological or both) when the student’s conduct gives rise to significant concerns pertaining to their well-being and/or ability to conduct themselves appropriately in the community. Behaviors which may result in a required evaluation include, but are not limited to, the following:

- Threats of danger to self or others.
- Inflicting mental or bodily harm upon any person (including self-harm).
- Engaging in an intentional or reckless action from which mental or bodily harm could result (including to self).
- Engaging in any other behaviors or physical conditions that in the opinion of university personnel are a serious cause for concern, such as seriously impaired capacities for self-care.

A required evaluation is a mandatory assessment of a student’s psychological or physical well-being. The University CARE team will review this information, and make a recommendation to the Office of the Dean of Student Affairs.

## CONDUCT PROCESS

The **BENTLEY CONDUCT SYSTEM** adheres to the tenets of fair process and consists of administrative hearing officers, conduct boards and the Office of the Dean of Student Affairs staff. When the Office of the Dean of Student Affairs receives a report of an alleged violation, a case is created and referred to one of three conduct levels:

<b>LEVEL I</b>	<b>MINOR VIOLATIONS</b>
<b>LEVEL II</b>	<b>SERIOUS VIOLATIONS</b>
<b>LEVEL III</b>	<b>MOST SERIOUS VIOLATIONS</b>

*\*This is the conduct process for most policy violations. For academic integrity policies, please see the academic catalogue. For the conduct and adjudication process relating to sexual misconduct and gender-based discrimination, please go to the **TITLEIX WEBSITE**. The level at which the case will be heard is determined by the seriousness of the alleged violation and the conduct history of the student. Once the case is assigned to a level, an administrative hearing officer from that level will arrange a meeting with the student and the case may be referred to a Conduct Board. The Office of the Dean of Student Affairs reserves the right to determine whether or not to proceed with a charge due to the length of time that has passed since the event. The office also reserves the right to schedule conduct proceedings for dates that have a minimal impact upon the*



*academic schedules of all involved parties or when extenuating circumstances exist. The Office of the Dean of Student Affairs may provide assistance in mediating some types of complaints. The vice president of student affairs has the ultimate responsibility for the **CONDUCT SYSTEM**. When appropriate, the vice president or a designee from this office may modify the sanctions of an administrative hearing officer or a conduct board.*

## **Administrative Hearing Officers**

In many cases, most students will meet with a single hearing officer to discuss the alleged conduct/alleged policy violation, and impact on the student and community. It is the administrative hearing officer's responsibility to notify the student that an alleged violation has been filed, give a summary of the complaint, explain the conduct process to the student and either resolve the matter administratively or refer the case to the appropriate Conduct Board. For the case to be resolved administratively, a student must freely admit to the alleged violation and request that the administrative hearing officer take appropriate action. Moreover, the administrative hearing officer must be of the opinion that the administrative process is the most effective means of resolving the case. If any of these criteria are not met, the administrative hearing officer will refer the case to the appropriate Conduct Board. In any case, all records of conduct proceedings will be submitted to the Office of the Dean of Student Affairs to be kept on file. Should the student fail to respond to the notification from the hearing officer or if the student fails to attend the scheduled administrative hearing, the case may be resolved in their absence at the administrative hearing. All information regarding the conduct process will be communicated via Bentley email. Appeals of decisions made by administrative hearing officers can be submitted via the Advocate student portal (instructions for this process are provide in the final Conduct Outcome Decision Letter).

## **Members of Conduct Boards**

Student members are appointed after a selection process, usually held in the Spring Semester. Faculty members of the Level Three Board are appointed by the Dean of Student Affairs. Before a scheduled hearing, a student who is appearing before any board may request from the Office of the Dean of Student Affairs the names of the members of the board for their case. Any reasonable concerns about board members should be raised at that time.

## **Level One and Two Conduct Boards**

The Level One Conduct Board hears Level One alleged violations not resolved administratively. The board consists of four to six students, one of whom serves as the board chair. A staff member from the Division of Student Affairs serves as an adviser to the board. The board meets weekly or as needed, to hear all cases referred to it. The board has the authority to impose sanctions consistent with the sanctioning philosophy. The board may also levy fines and place limited restrictions upon a student found to be in violation of Bentley University policy and place students on residential probation. If a student fails to attend the hearing, the case may be resolved in that student's absence. Appeals of decisions made by the Level One Conduct Board can be submitted via the Advocate Student Portal. An appeal must be submitted within five (5) working days of the decision notification date.

The Level Two Conduct Board hears Level Two alleged violations not resolved administratively. The Level Two Conduct Board consists of a staff member from the Division of Student Affairs who serves as an adviser and four to six students, one of whom serves as the board chair. In addition to the authority of the Level One Conduct Board, the Level Two Conduct Board has the authority to limit a student's access to particular buildings and deny participation in certain activities; place a student on probation; and suspend or expel a student from housing. If a student fails to attend the hearing, the case may be resolved in that student's absence. Appeals of decisions made by the Level Two Conduct Board can be submitted via the Advocate Student Portal. An appeal must be submitted within five (5) working days of the decision notification date.

## **Level Three Conduct Board**

The Level Three Conduct Board is the highest-ranking conduct body in the **BENTLEY UNIVERSITY CONDUCT SYSTEM**. It is the disciplinary body that reviews Level Three cases and has the authority to suspend or expel students from Bentley University for disciplinary reasons. The board consists of a faculty chairperson, two faculty

members and two students. While the Level Three Conduct Board is charged with hearing all the facts in each case and reviewing them impartially, its procedures are not bound by formal rules of evidence or necessarily strict presumption of innocence. The Level Three Conduct Board is responsible for determining the validity of the alleged violations brought against a student and taking appropriate action. If a student fails to attend the hearing, the case may be resolved in that student's absence. Appeals of the decisions by the Level Three Conduct Board must be submitted to the Dean of Student Affairs via the Student advocate portal. An appeal must be submitted within five (5) working days of the decision notification date.

## Conduct Hearings

The conduct boards adhere to the following guidelines when hearing a case:

- A case referral is made to the chairperson or adviser of the appropriate conduct board.
- The adviser or chairperson selects a time for the hearing (within a reasonable amount of time) and sends notices to all people directly involved, including the person making the complaint, requesting their attendance.
- At the beginning of the hearing, the adviser or chairperson reviews the incident and summarizes the charges and supporting information.
- The party to the complaint presents his or her case in full and responds to questions from the committee.
- The student is given an opportunity to present his or her case, to answer questions from the committee and to ask questions of the other party and witnesses.
- The conduct board may request persons having information about the charge to attend the hearing.
- After a thorough review of the case and the student's conduct history, the conduct body meets in private and decides an appropriate resolution; results of the hearing are communicated to the student in writing within a reasonable amount of time.
- A conduct hearing will proceed even if the conduct of the student has led to a civil or criminal proceeding, unless the Dean of Student Affairs or their designee decides otherwise.
- All records of conduct proceedings are submitted to the Office of the Dean of Student Affairs to be kept on file.
- Conduct hearings are private meetings and open only to those members of the campus community directly involved and approved by the adviser or the chair of the board; no recordings of hearings are allowed.
- The conduct bodies at Bentley make decisions regarding the responsibility of the accused based on a preponderance of the evidence and a majority vote of the panel.

## Students' Rights

Students referred to any conduct board are entitled to:

- A fair hearing within a reasonable amount of time from the referral.
- Ample notice of the hearing, a summary of the violation to be discussed and an explanation of the conduct process.
- The opportunity to speak on their own behalf.
- The opportunity to hear all evidence presented in the hearing.
- The opportunity to respond to all evidence presented in a hearing.
- Present material witnesses to give relevant and pertinent testimony (witnesses must be reviewed by the adviser, chairperson or director of student conduct and development prior to the hearing).

- The presence of one person to give support (for Level Three Conduct Board cases only or with prior approval of the Office of the Dean of Student Affairs). The support person invited by the student is prohibited from taking part in any dialogue during the hearing. Their communication is limited to private conversations with the student for whom they are providing support. Private conversations must not disrupt the proceedings. Advisers to or chairs of the hearing boards have the right to stop the proceeding or remove the support person if his or her presence interferes with the activities of the hearing body.
- Written notice within a reasonable amount of time notifying the student of the conduct body's findings and, if appropriate, sanctions.
- The opportunity to appeal the decision of the board.

Students who have been victimized by another student and whose case is referred to a conduct board are entitled to:

- Ample notice of the hearing and an explanation of the conduct process.
- An opportunity to attend the proceeding when evidence is presented.
- Present material witnesses to give relevant and pertinent testimony (witnesses must be reviewed by the adviser, chairperson or the Office of the Dean of Student Affairs prior to the hearing).
- The opportunity to submit to the conduct body a written impact statement that will be considered during sanctioning (if sanctioning occurs).
- The presence of one person to give support (for Level Three Conduct Board cases only or with prior approval of the Office of the Dean of Student Affairs). The support person invited by the student is prohibited from taking part in any dialogue during the hearing. Their communication is limited to private conversations with the student for whom they are providing support. Private conversations must not disrupt the proceedings. Advisers to or chairs of the hearing boards have the right to stop the proceeding or remove the support person if his or her presence interferes with the activities of the hearing body.
- For alleged victims of any crime of violence, to know the outcome of any disciplinary proceeding.

## Appeals

Appeals of conduct decisions must be made in writing and must state and explain in detail the reason(s) for the appeal. In order for an appeal to be considered, an appeal must be submitted no later than five (5) working days of the decision notification date. Appeals may be made if:

- There has been a failure of fair process.
- New, relevant information can be introduced.
- The sanctions impose an undue hardship.

The appeals process is the final step a student can take in the student conduct system. The decision rendered as to whether or not an appeal will be granted is final. If an appeal is denied, the student cannot appeal the decision for that case again. The student will be notified within a reasonable amount of time as to whether or not an appeal is granted. Sanctions given by the administrative hearing officer or conduct board will stand until the decision on the appeal is made. If an appeal is granted, the case either will be resolved administratively or forwarded to the appropriate personnel. If the case is to be heard again, the student will be notified within a reasonable amount of time as to the date and time of the hearing. If the appeal is denied, the conduct process ends.

## CONDUCT PROCESS FOR STUDENT ORGANIZATIONS

If the conduct of members of a student organization violates a campus policy or results in an off-campus citation, the student organization is subject to referral to the **STUDENT CONDUCT SYSTEM**. The incident will be referred

to the Office of the Dean of Student Affairs for resolution. The student organization retains the same rights and responsibilities as an individual student in the university conduct process. A student organization will be held accountable for any members or nonmembers who, at a sponsored event, violate university policies rules and regulations, federal and state or local laws on or off campus. A student organization is responsible for supervising all sponsored events on or off campus, even though other security measures may be taken. If a student organization is found to be responsible for violating university policies, rules, regulations and/or federal state or local laws, sanctions such as loss of privileges and/or recognition may be imposed. State and federal privacy laws do not apply to student organizations.

## **INCOMPLETE SANCTIONS AND FINES**

Students are responsible for knowing and understanding their sanctions. They are also responsible for completing their sanction by the assigned due date. Failure to complete a sanction by the assigned due date may result in further conduct action up to and including expulsion from the university.

## **CONDUCT FILES**

Conduct files are considered educational records and are therefore included under the Family Educational Rights and Privacy Act of 1974 (The Buckley Amendment), except as amended. Please refer to the **RIGHTS, RESPONSIBILITIES AND POLICIES** section of this handbook for more information.

## **SPECIAL CIRCUMSTANCES**

The conduct boards, as described previously, hear cases from the beginning of the fall semester to the beginning of spring semester finals. From the beginning of spring semester finals to the end of the summer, the various boards are dissolved and conduct matters are handled by administrative hearing officers. All decisions rendered during this interim period must conform to the spirit of the conduct system as expressed in this document. Appeals of decisions rendered during this time may be made to the administrative hearing officer specified in the sanction letter. It may also be necessary for administrative hearing officers to hear cases during exam periods or other times when conduct bodies are unable to convene. A conduct board can be convened in a special session if deemed necessary by the Office of the Dean of Student Affairs. If a conduct board cannot be convened in a special session, the hearing may be postponed to the next earliest date available.

## **ADMINISTRATIVE ACTIONS**

In cases where the vice president of Student Affairs or his or her designee has a reasonable belief that an individual poses a threat to the safety of the university community or themselves, he/she may temporarily or permanently restrict or remove the student from the campus and the university.

## **PARENTAL OR GUARDIAN NOTIFICATION**

In certain situations, parents or guardians may be notified when students violate university policies. This may include alcohol violations, drug offenses or serious violations that put the student's success at Bentley in jeopardy.

## **CONDUCT REVIEW COMMITTEE**

Students whose conduct does not meet the standards of the academic community as described in the Bentley Beliefs and the student handbook are subject to review by the Conduct Review Committee. Violations as determined by a conduct board, administrative hearing officer or conduct affairs office could also cause a student's conduct to come up for review. Under the authority of the Office of the Dean of Student Affairs, the Conduct Review Committee takes appropriate action depending upon individual records and situations. Such actions include restrictions on activities; requirements to attend educational programs, workshops or events; calls for continued

meetings with a case manager or adviser; and continued status on conduct review. Students subject to such action are contacted individually and must follow the directions of the Conduct Review Committee. Failure to do so may result in further action. Bentley and its administrative and academic staffs are dedicated to helping students achieve their collegiate goals. However, students are responsible for decisions they make and their consequences. They are encouraged to make full use of their advisers and all resources within the Division of Student Affairs to return to good standing.

### **FALCON-CONNECT MENTOR PROGRAM**

Students who are separated from the university due to conduct-related matters are required to meet twice-monthly with a staff member from the university during the first semester of their return. In these meetings, the student and staff member will discuss the student's academic and social progress. The student may be required to attend certain Bentley-sponsored programs and events in order to complete this mentorship program.

### **ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES**

By federal law, a person with a disability is any person who: 1) has a physical or mental impairment; 2) has a record of such impairment; or 3) is regarded as having such an impairment, which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning. A student requesting an accommodation in regard to an administrative or conduct board hearing must follow the appropriate process for requesting an accommodation through the Disability Services Office (located in Jennison Hall). The Disability Services Office will make a determination regarding the request and notify the appropriate parties. Reasonable accommodations depend upon the nature and degree of severity of the documented disability. While the Americans with Disabilities Act of 1990 requires that priority consideration be given to the specific methods requested by the student, it does not imply that a particular accommodation must be granted if it is deemed not reasonable and other suitable techniques are available.

# SANCTIONS

Disciplinary sanctions may be imposed upon students by appropriate Bentley personnel or conduct bodies. The section below defines the sanctions that may be imposed via the student conduct system.

## VERBAL WARNING

This sanction is a verbal caution that informs students that further violation of Bentley University policy may result in additional conduct action.

## EDUCATIONAL SANCTIONS

An educational sanction is designed to help the student become more aware of university rules, policies and regulations and to help students understand that there are consequences to their actions. Examples of educational sanctions include: writing a paper on alcohol abuse, designing and making posters informing students of various university policies, rules and regulations, accompanying resident assistants on duty rounds and monitoring study lounges.

## REFERRAL

A student may be referred to counseling, the Alcohol and Other Drug Resource Center, the Center for Health and Wellness or other offices when deemed appropriate in a conduct proceeding.

## WORK SANCTION

A student may be sanctioned to work for a certain number of hours for Facilities Management or other departments on campus as necessary.

## WRITTEN WARNING

A written warning is a written notice (for a period of time) to a student that if he/she were to violate Bentley University policy further, they may be subject to additional conduct action.

## RESTITUTION

A student may be sanctioned to make restitution for damage to or misappropriation of property.

## FINES

A student may be fined for any violation of Bentley rules, regulations or policies. Fines range from \$25 to \$1,000 and are levied on a per person basis. All fines are to be paid at the cashier's office.

## PROBATION

Probation is a specified period of time in which further violation of university policy may result in the loss of good standing, loss of housing credits, removal from the Bentley University residential community and/or limited access to campus facilities as a commuter student. If a student on probation were to violate University policy further, he or she may be subject to additional action.

## LOSS OF HOUSING CREDITS

Loss of Housing Credits is a specified number of credits deducted from your total housing credit, which may affect your next housing selection. Loss of housing credits when placed on disciplinary probation is a total of either 15 or 30 credits.

## **DISCIPLINARY PROBATION**

Disciplinary probation is a specified period of time that identifies a student's status is no longer in good standing. Disciplinary probation may also include exclusion from Bentley-owned or operated property and/or Bentley sponsored events. During this time, further violation of university policy may result in removal from the Bentley University residential community and/or suspension or expulsion from Bentley University.

## **SUSPENSION FROM HOUSING**

A student may be excluded, for a specified period of time, from living in and/or visiting any or all housing facilities owned or operated by the university. Students suspended from housing are not to be in or around the halls. Additional action will be taken against those who trespass and/or criminal prosecution for trespassing is possible. Students suspended from housing are not eligible for a refund of their housing costs.

## **EXPULSION FROM HOUSING**

A student may be permanently excluded from living in and/or visiting all housing facilities owned and operated by the university. Students expelled from housing are not to be in or around the halls. Additional action will be taken against those that trespass and/or criminal prosecution for trespassing is possible. Students expelled from housing are not eligible for a refund of their housing costs.

## **DEFERRED SUSPENSION FROM THE UNIVERSITY**

A deferred suspension from the university is a specified period of time during which violations by a student may result in immediate suspension from the university with no refund of tuition or fees. Being placed on a suspended suspension from the university may result in a loss of 30 credits towards the housing selection process. Students on a deferred suspension from the university are not considered students in good standing.

## **DEFERRED SUSPENSION FROM HOUSING**

A period of time in which a suspension is deferred based on a student's behavior. If during that time the student is found responsible for breaking any university rules or does not complete any of the imposed sanctions, their suspension from the university housing will immediately take effect.

## **SUSPENSION FROM THE UNIVERSITY**

A student may be excluded from classes and other privileges and activities for a specified period of time. Students suspended from the university are not to be on campus unless they received permission from the Office of the Dean of Student Affairs. Additional action will be taken against those who trespass, and/or criminal prosecution for trespassing is possible. Students suspended from the university are not eligible for a refund of their tuition.

## **EXPULSION FROM THE UNIVERSITY**

University Expulsion is a permanent separation from the University. A student who has been expelled is prohibited from participating in any University activity or program. The individual may not be in or on any University owned or leased property. Additional action will be taken against those who trespass and/or criminal prosecution for trespassing is possible. Students expelled from the university are not eligible for a refund of their tuition.

## **PROHIBITIONS AND RESTRICTIONS**

A student may be prohibited from entering certain buildings or restricted from attending particular events on campus. Other privileges, such as party registration or on-campus parking, may also be revoked.



# AUTOMOBILE RULES AND REGULATIONS

Registering Your Vehicle Registration takes place through **MYBENTLEY** > Personal Information. The decal issued to you is renewable until you graduate and is available through an online process for a fee. Each eligible student and faculty/staff vehicle must display a parking decal. A vehicle may display only one (1) parking decal at a time. If a second decal is issued, the first must be removed. There is a nonrefundable fee for the semester in which the decal was issued. Every semester the decal and fee automatically renew upon registering for your academic classes. This will occur every semester until you have taken the appropriate steps to void the decal. The hours and location of registration will be posted at the beginning of each academic year.

When applying for a decal, you are required to have with you a driver's license, motor vehicle registration and Bentley ID card. All vehicles parking on Bentley property must be validly registered and properly insured. For further details regarding decal registration and associated fees, please visit the **PARKING & DRIVING** page.

## PEDESTRIAN CROSSWALKS

All drivers are reminded that pedestrians have the right of way at a crosswalk. This is a state law.

## PARKING FINES

Parking tickets are attached to a vehicle or handed to the driver. A second copy of the ticket is filed at the University Police Station. Violators have five (5) business days either to pay the ticket or appeal. All parking fines must be paid in full by all members of the Bentley community unless dismissed via the appeal process.

## APPEAL

To appeal a ticket you must first submit a written appeal within 5 business days of the citation issuance date. You can submit a written appeal by visiting the **TICKETS & CITATIONS** page and submitting the online written appeal form. All members of the community who believe their initial written appeal has been denied in error may request a **STUDENT APPEAL BOARD HEARING**. All outcomes of the hearing are final and may not be contested. Requests for a student appeal board hearing will not be accepted unless a written appeal has first been submitted.

## TOWING

Vehicles may be towed for the following reasons:

- Failure to display a current Bentley parking decal or valid pass.
- Parking in a manner that interferes with the movement of emergency vehicles or endangers life or property of others.
- Illegally parking in a fire zone, tow zone or handicapped zone.
- Other violations of the parking policy. The policy is available at the University Police Station. It is the responsibility of the owner and/or operator of the towed vehicle to pay the towing & storing charges. Towing charges are generally in excess of \$100/tow.

## VIOLATIONS

Any student who violates state, local or university policies regarding motor vehicle violations will be subject to action and/or ticketing and towing. These include, but are not limited to, freshman parking, driving an unregistered vehicle, driving under the influence (will also be subject to arrest), transporting alcohol by a minor and speeding. All students who repeatedly violate parking policies will be referred to the **CONDUCT SYSTEM** in addition to ticketing and towing. Penalties may include the loss of parking privileges.

# ATHLETIC POLICIES

## FITNESS CENTER (DANA CENTER)

### IDENTIFICATION

A valid Bentley ID is required enter the Fitness Center. No guest or exceptions to this policy Identification must be carried at all times in the center and must be presented when a staff member asks for it. Allowing another person to use your ID to enter the center is a violation of this policy. No guest or day passes are available.

### CHECK-IN/OUT

Every user of the center must check in at the desk.

### CELL PHONES AND CAMERAS

For the safety, security and privacy of all users, the use of cell phones and any device with a camera are prohibited at all times in the center and all locker rooms.

### GENERAL POLICIES

- Food, chewing gum and drinks are not allowed. Water is permitted only if it is in an unbreakable container.
- Tobacco products are not allowed.
- Injuries, accidents and any equipment problems should be reported immediately to Fitness Center Staff.
- Equipment must be wiped down after each use.
- Dumbbells and weights must be re-stacked in appropriate place after each use.
- Slamming or dropping weights is not allowed.
- Spotters and clips must be used at all times when performing a lift.
- Non-marking, closed toe, athletic shoes are required in all activity areas.
- Athletic tops and pants/shorts (no jeans) are required in all activity areas.
- Propping doors or allowing unauthorized entrances is prohibited.

### PERSONAL BELONGINGS

Any personal belongings should be secured in lockers in either the men's or women's locker rooms. No overnight locks are allowed in the locker rooms and they will be removed. The university is not responsible for lost, stolen or damaged personal property. Failure to follow these policies or staff instructions will result in your immediate removal from the Fitness Center and/or referral to the **BENTLEY CONDUCT SYSTEM**. The use of this facility is a privilege and all policies will be strictly enforced to ensure that every member of the Bentley University community has a safe and comfortable atmosphere in which to exercise.

### RESPECT

The NE10, Atlantic Hockey, and the NCAA promote good sportsmanship by student-athletes, coaches and fans. We request your cooperation in supporting the student-athletes and officials in a positive manner. Profanity, derogatory comments or other intimidating actions directed at athletes, officials, team representatives or other fans will not be tolerated and are grounds for removal.

The NE10 and Atlantic Hockey have many traditions, but bad sportsmanship isn't one of them. We appreciate your cooperation in creating a safe and positive game environment. **RESPECT, it's the name of the game.**

# ALCOHOL, MARIJUANA AND OTHER DRUG INFORMATION

## ALCOHOL, MARIJUANA AND OTHER DRUGS: RISKS OF USE AND RESOURCES

There are academic, social, financial and legal risks with the use of legal and illegal substances. In accordance with the provisions of the Drug Free Schools and Communities Act, the following content provides an overview of these risks and campus and community resources.

## ALCOHOL USE: ACADEMIC, HEALTH AND OTHER RISKS

Bentley supports the observance of all laws and regulations governing the sale, purchase, serving and consumption of alcoholic beverages by all members of the community and expects that these laws are adhered to at all events associated with the university, both on and off campus. Included among these laws are those that govern driving under the influence of alcohol, the purchase of alcohol by and for individuals under the legal drinking age, the procurement of alcohol through illegal means, public intoxication and the serving of alcohol to people who are either underage or intoxicated. The university does not intend through its policies to restrict responsible use of alcohol by members of the university community who are of legal drinking age in Massachusetts. Penalties for violating the alcohol policy of Bentley include but are not limited to warnings and probations, fines, educational seminars, parental notification and educational community service projects. It is hoped that education will help students understand more about the residual effects of alcohol both physically and socially. Alcohol violations may also result in suspension or expulsion from the university. Penalties are levied on a per-person basis.

The abuse of alcohol is a concern for colleges and universities nationally. The risk of health and academic problems is greater in students who consume alcohol in higher frequencies and quantities. Current research indicates that risk is lower when Blood Alcohol Content or B.A.C. is lower than .08. For most men, consuming less than 5 standard drinks in one sitting and for most women consuming less than 4 standard drinks in one sitting will limit risk. A standard drink is equal to 12 ounces of beer, 5 ounces of wine or 1.5 ounces of 80 proof liquor. Since the effects of alcohol vary by individual, this does not mean consuming these or amounts or lower amounts will prevent all negative consequences. In addition to limiting quantity and frequency of alcohol consumption, students who avoid taking shots and pre-gaming, or who alternate with non-alcoholic beverages also report they experience fewer negative consequences from alcohol.

Multiple research studies indicate the following academic impacts from alcohol use:

- Higher risk consumption negatively impacts class attendance
- Higher risk consumption negatively impacts time students spend studying outside of class
- There is an inverse relationship between high risk drinking and GPA

Consuming alcohol can result in a variety of health concerns. In the immediate, over intoxication can lead to negative health consequences like vomiting, blackouts (memory disruptions) and hangovers. As a depressant, alcohol also contributes to impaired cognitive and physical functioning that may result in poor decision making, a decrease in reaction time, slurred speech, impaired vision and loss of balance. For some people, alcohol can also make them more aggressive. Such disruptions can cause unintentional injuries from falling or aggressive behaviors including physical altercations. Impaired thinking may lead to risky sexual behavior including unprotected sex. Excessive consumption may cause cardiac disruptions and alcohol poisoning, a very serious condition that can cause death.

Consistent heavy and higher risk consumption contributes to the development of Alcohol Use Disorder (AUD). About 1 in 5 college students actually meet criteria for AUD. Long term excessive use also contributes to chronic diseases such as cirrhosis of the liver, pancreatitis, a variety of cancers, and high blood pressure. Neurological problems such as dementia or stroke are also possible. Excessive alcohol use can also be correlated with psychiatric problems such as anxiety or depression.

## Legal Risks

Legal and social risks also exist. These include conflicts with family or friends, driving under the influence of alcohol, as well as vandalism, property damage, and involvement with the police or university officials for violation of federal, state, municipal or university policies.

Penalties for Violation of campus alcohol policies may include but are not limited to warnings and probations, fines, harm reduction focused educational programs, parental notification and educational community service projects. Students who are in violation of Massachusetts laws regarding the use of alcohol also may be subject to action through the **BENTLEY STUDENT CONDUCT SYSTEM**.

Outside of the Bentley student conduct system, the following state violations can lead to legal consequences. Depending on the type of violation and prior history of violating these laws, state imposed penalties can include fines ranging from \$50 to \$5000; suspension of license ranging from 3 months to several years, referral to alcohol education or treatment programs, arrest and possible imprisonment. Select the appropriate hyperlink for description of penalties.

- **[UNDERAGE POSSESSION OR TRANSPORTATION OF ALCOHOL](#)**
- **[UNDERAGE ATTEMPT TO PURCHASE ALCOHOL](#)**
- **[PROCUREMENT OF ALCOHOL FOR, OR SALE OF ALCOHOL TO, MINORS](#)**
- **[ALTERATION, FORGERY OR POSSESSION OF FALSE IDENTIFICATION](#)**
- **[DRIVING A VEHICLE WHILE UNDER THE INFLUENCE \(UNDER 21 YEARS OF AGE\)](#)**
- **[DRIVING A VEHICLE WHILE UNDER THE INFLUENCE \(OVER 21 YEARS OF AGE\)](#)**

## Massachusetts Law

Massachusetts' Operating Under the Influence statute creates a permissible inference that an individual with a blood alcohol content of .08 or greater has violated the law. For a first offense, violators are subject to a fine of not less than \$500 nor more than \$5,000 and/or imprisonment for up to two and one half years. Individuals under the age of 21 whose blood alcohol content is .02 or greater or who refuse to consent to a blood alcohol analysis, shall lose their license for 180 days.

The following list details some of the specifics of the law in Massachusetts regarding alcoholic beverages. The law:

- Prohibits issuance of any license for the sale of alcoholic beverages to persons less than 21 years of age.
- Subjects persons who misrepresent their age or present falsified IDs to purchase alcoholic beverages to fines of \$300 and loss of license.
- Prohibits persons less than 21 years of age from knowingly transporting or carrying on their person any alcoholic beverages, except in the course of formal employment. There is a fine of \$50 for the first violation and \$150 for each subsequent offense. A police officer (including University Police) may arrest, without warrant, any person who violates this section of the law.
- Allows parents to be notified if at any court proceeding, persons are charged with serving or selling alcoholic beverages to a person under 21 years of age.
- Prescribes fines of up to \$2,000 and/or imprisonment not to exceed one year for patrons of licensed premises who deliver or procure to be delivered, any alcoholic beverage to or for the use of a person he or she knows or has reason to believe is less than 21 years of age. Students who are in violation of Massachusetts laws regarding the use of alcohol also may be subject to action through the **BENTLEY STUDENT CONDUCT SYSTEM**.

## MARIJUANA USE: ACADEMIC, HEALTH AND LEGAL RISKS

Similar to alcohol use, student marijuana use is also of concern to colleges and universities due to the multitude of negative consequences that may occur when the substance is abused. Many who use marijuana infrequently, 1 to 2 days per month have lower risk for negative consequences. Those who use occasionally (3-9 days per month) or frequently, more than 10 days per month are at greatest risk. People who use marijuana in more concentrated forms such as dabs (eg butane hash oil, shatter, wax) are at greatest risk. The THC content is much greater when consumed in these forms.

Academically, research has found the following connections with marijuana use:

- Marijuana use is highly predictive of skipping classes which over time contributes to a lower GPA
- When students increase their frequency of marijuana use, their GPA's decrease. The reverse happens when students decrease their frequency of use.
- Marijuana use can contribute to cognitive impairment affecting memory and recall of learned information
- Marijuana use can also contribute to problems with focus and attentiveness

Although some people benefit from the medicinal use of marijuana, there is still limited research on its effectiveness and persons who are recommended to use it may still experience risks affiliated with use. In general, Marijuana use can cause distorted perception, difficulty thinking, and impaired coordination. The impact on memory and cognition can last after the drug has worn off. Despite feelings of relaxation, cannabinoids actually increase a person's heart rate between 20 and 100 percent. Adversely, some users experience acute panic reaction and anxiety. Research now supports that marijuana is both physically and psychologically addictive. Heavier users may develop Cannabis Use Disorder. Some research indicates that risk for developing cannabis use disorder is also increased with dab use because tolerance develops quickly from their use.

Methods of ingestion also pose different risks. For example, when smoked, the sharing of smoking materials poses significant risk for contracting illnesses including respiratory infections, influenza, herpes and meningitis. Like cigarette smoke, marijuana smoke contains carcinogens. People commonly believe that marijuana smoke contains fewer carcinogens than cigarette smoke. This is false. Users of marijuana typically inhale more deeply and hold their breath longer, which in fact increases exposure to carcinogens in the smoke. Heavy use can lead to respiratory infections and long-term use can cause a variety of cancers, including testicular cancer in men.

With the emergence of edible marijuana products, reports of over intoxication and resulting hospital visits have increased. Edibles often mimic products that don't contain marijuana like gummy candies, cookies or candy bars. The serving sizes of products containing marijuana differ from their non cannabis counterparts and are often much smaller.

As mentioned above, consuming dabs contributes to greater risk. In addition to the risk of burns from production and consumption, dabs contains much greater concentrations of THC, one of the main cannabinoids in marijuana. Dabbing can cause rapid heartbeat, memory disruptions, injury, increased anxiety and paranoia.

### Legal risks

Although recreational marijuana use and possession is permitted in the state of MA, possession and use, including medically recommended use, are still prohibited on Bentley University's campus. As a university that receives federal funding for grants and financial aid, we must adhere to federal policies regarding controlled substances under the Drug Free Schools and Communities Act. Students documented on campus for marijuana policy violations may be assessed warnings, fines and probations. They may also be referred to harm reduction focused educational programs and be subject to parental notification and educational community service projects.

- **CURRENT INFORMATION ABOUT PERSONAL POSSESSION AND CONSUMPTION IN MASSACHUSETTS**
- **PENALTIES FOR VIOLATION OF MASSACHUSETTS LAW**
- **FEDERAL PENALTIES FOR POSSESSION, DISTRIBUTION AND TRAFFICKING OF MARIJUANA**

## **OTHER LEGAL SUBSTANCES: RISKS OF USE**

### **Cigarettes and Tobacco Products**

Cigarettes, Juuls, cigars, pipes, chewing tobacco e-cigarettes and other vaporized smoking devices all contain nicotine, a highly addictive stimulant that affects dopamine. Nicotine increases blood pressure, respiration and heart rates. Additionally, people who use nicotine typically have elevated blood sugar levels because the drug suppresses the pancreas from releasing insulin. Nicotine use in adolescence does pose additional risks. Research indicates impacts on adolescent brain development, specific to experiences of pleasure. Use can impact impulse control and attentiveness for learning as well as increase chances of developing a mood disorder.

Tobacco smoke contains thousands of chemicals, some of which have carcinogenic properties. One-third of all cancers and nine-tenths of lung cancer cases are attributed to cigarette use. Besides cancer, smoking causes lung disease, chronic bronchitis and emphysema. Users have increased risk for heart disease including heart attack, stroke and vascular disease. People who smoke typically have a shorter life span than non-smokers as well.

Vaporized nicotine, ingested via e-cigarettes and Juuls, exposes the lungs to a variety of chemicals, some of which are carcinogenic.

*Source: National Institute on Drug Abuse Info Fact Nicotine, revised June 2009 and available at [NIDA.NIH.GOV/INFOFACTS](https://nida.nih.gov/infofacts).*

### **Non Medical Use of Prescription Drugs**

Some people think that prescription drugs are safe because health care providers prescribe these substances. When health care providers prescribe a medication, they prescribe it ONLY for one person for a specific reason. Health care providers first assess if the patient has any allergies, prescribe only therapeutic doses for that specific patient for the specific condition and take into consideration any interactions with other medications that patient is taking. However, when someone takes medications meant for someone else, uses larger quantities than prescribed or uses a medication for something other than what it was prescribed—including recreational use, prescription drug abuse occurs. Prescription drug abuse is against the law, risky and unsafe. Abuse of prescribed substances can be highly addictive and can cause serious medical problems and also death. Risks are increased when consumed in conjunction with alcohol or other drugs. Most often, opioids, depressants and stimulants are abused prescription drugs.

It is important to note that non-medical use of stimulants such as ADHD medications do not aid in studying. In fact, research indicates that students who abuse stimulants actually skip more classes, spend less time studying and have lower GPA's. These substances increase heart rate, blood pressure and blood glucose. Stimulants are generally taken orally, however some abusers snort them or crush and inject them into their bodies. This poses risk of blockage to small blood vessels. When taken in larger doses or without a prescription, these stimulants can increase dopamine levels subsequently increasing risk of developing an addiction. In high doses, use can cause rapid, irregular heartbeat, hyperthermia, risk of seizure and heart failure.

*Source: National Institute on Drug Abuse Info Fact Prescription and Over-the-Counter Medications, revised 2014 and available at [NIDA.NIH.GOV/INFOFACTS](https://nida.nih.gov/infofacts).*

## **ILLEGAL SUBSTANCES: HEALTH AND LEGAL RISKS**

### **Risks Associated with Drug Use**

There are several short- and long-term health risks associated with drug use and abuse. Many factors contribute to the extent of these effects, including the type of drug, the quantity and frequency of use, how it is ingested, physical and emotional state of the user and whether it is being combined with other drugs or alcohol. According to the American College Health Association negative health effects of drugs may include high blood pressure, respiratory failure, digestive problems and loss of motor skills coordination, injury, liver damage and deterioration of



the heart muscle. Cognitive impairment resulting in poor judgment, impaired memory and reduced alertness may also occur. Drug use can also cause depression, anxiety or psychosis and can lead to the development of tolerance and physical or psychological dependency. Social and legal consequences also exist. Social problems can include interpersonal conflicts, crime, psychological issues, decreased productivity and financial difficulties.

Further information about the health risks of specific drugs can be accessed by clicking the links below. You can also visit the Health Center located in Rhodes Hall or the Office of Wellness and Health Promotion located on the second floor of the Callahan building to speak to staff confidentially about substance use.

- **ANABOLIC STEROIDS**
- **COCAINE**
- **DXM (COUGH AND COLD MEDICINE) ABUSE**
- **FENTANYL**
- **HALLUCINOGENS (LSD, PEYOTE, SHROOMS)**
- **HEROIN**
- **MDMA (ECSTACY/MOLLY)**
- **METHAMPHETAMINES**
- **SYNTHETIC CANNABINOIDS**
- **SYNTHETIC CATHINONES (BATH SALTS)**

Legal risks vary. Students found responsible for illegal use, possession or supply of drugs or drug paraphernalia will result in disciplinary action by the university and/or criminal prosecution. At Bentley, sanctions may include suspension or expulsion from university-owned housing, suspension or expulsion from Bentley, parental notification and/or fines ranging up to \$1,000. Penalties are levied on a per-person basis. Federally, sanctions vary by type of substance, its DEA (Drug Enforcement Agency) scheduling, and the extent of the crime. Please consult the **FEDERAL TRAFFICKING PENALTIES** for a listing of sanctions.

If you are experiencing problems with drugs and/or alcohol and need help or are concerned about a family member or friend, there are campus and community resources available. For an immediate emergency, especially if alcohol toxicity, drug overdose, or potential to harm oneself or others is suspected, please call **University Police at 781.891.3131**. University Police and Health Center staff can use NARCAN for emergency treatment of opioid overdose.

## **ON-CAMPUS RESOURCES FOR ALCOHOL AND DRUGS**

**Office of Wellness and Health Promotion:** Staff provide private consultations, harm reduction education, educational resources and referrals. **Callahan Building, Second Floor 781.891.2600**

**The Counseling Center:** Staff provides confidential consultations to help assess student need and connection to appropriate services on or off campus. **Callahan Building, Second Floor 781.891.2274**

**The Health Center:** Staff provide confidential care and referrals to appropriate services on and off campus.

## **OFF-CAMPUS RESOURCES FOR ALCOHOL AND DRUGS**

Students looking for information on counseling and or treatment for substance abuse should consult their health insurance provider for guidelines, recommendations and coverage options. **The Counseling Center (781.891.2274)** and **Office of Wellness and Health Promotion (781.891.2600)** can also assist students in identifying options for care.

The following websites can help with finding support and treatment including inpatient and outpatient programs, deferment programs, counseling and more:



- **Massachusetts Substance Abuse Information and Education Helpline** provides education and referral information across the state of Massachusetts [HELPLINEONLINE.COM](http://HELPLINEONLINE.COM)
- **U.S. Department of Health and Human Services Treatment Facility Locator** is an online substance abuse treatment facility locator [FINDTREATMENT.SAMHSA.GOV](http://FINDTREATMENT.SAMHSA.GOV)

These reputable programs are affiliated with local hospitals:

- **ALCOHOL AND DRUG ABUSE TREATMENT CENTER AT MCLEAN HOSPITAL**  
Offers both inpatient and outpatient treatment and support programs *(844.222.6037)*
- **MT. AUBURN HOSPITAL PREVENTION AND RECOVERY CENTER**  
Provides intervention, assessments and outpatient treatment services *(617.499.5051)*
- **MASSACHUSETTS GENERAL HOSPITAL ADDICTION RECOVERY MANAGEMENT SERVICES**  
Comprehensive outpatient treatment program for young adults (14 to 26 years) and their families *(617.643.4699)*

Programs associated with:

- **Alcoholics Anonymous:** Self-help organization providing support services  
*617.426.9444* | [AABOSTON.ORG](http://AABOSTON.ORG)
- **Al-Anon and Alateen:** Self-help support services for anyone affected by someone else's drinking  
*617.843.5300* | [AL-ANON.ALATEEN.ORG](http://AL-ANON.ALATEEN.ORG)
- **Marijuana Anonymous:** Self-help organization providing support services  
[MARIJUANA-ANONYMOUS.ORG](http://MARIJUANA-ANONYMOUS.ORG)
- **Narcotics Anonymous:** Self-help organization providing support services  
*1.866.624.3578* | [NEWENGLANDNA.ORG](http://NEWENGLANDNA.ORG)

# TITLE IX AND GENDER-BASED DISCRIMINATION POLICY

**Mission of Bentley University:** To educate creative, ethical, and socially responsible organizational leaders by creating and disseminating impactful knowledge within and across business and the arts and sciences.

**Mission and Purpose of this Policy:** To eliminate barriers on Bentley University’s campus that are rooted in harassment or discrimination based on an individual’s sex, gender, sexual orientation, gender identity, and/or gender expression. This policy may be edited as needed to comply with federal laws and guidelines. The most up-to-date policy can be found at [WWW.BENTLEY.EDU/TITLEIX](http://WWW.BENTLEY.EDU/TITLEIX).

**Questions Regarding this Policy:** Please forward any questions to those responsible for Bentley’s Title IX compliance:

<b>Erin Kelley</b> Title IX Coordinator Director of Student Conduct and Development Student Center 320 781.891.2329	<b>Alex Hirs</b> Deputy Title IX Coordinator for Student Support Assistant Director of Gender Equity and Development Student Center 320 781.891.2364	<b>Ann Dexter</b> Deputy Title IX Coordinator for Faculty/Staff Support Associate Vice President, Human Resources Rauch 201 781.891.3427
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## 1. POLICY STATEMENT

Bentley University will always respond to complaints, reports, allegations, and information about sex- and gender-based discrimination that it knows or should know about. These responses will serve to stop prohibited conduct, prevent its recurrence, and address any lingering impact that it had on both individuals and the larger campus community.

Congress passed the Higher Education Amendments in 1972, and included within them was Title IX, which states: **“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...”** Since 1972, several other federal and Massachusetts state laws have been adopted to offer further protection to those in higher education (i.e., students, staff, faculty, and third parties) from discrimination and harassment based on a person’s sex or gender. Bentley University is firmly committed to establishing an environment free of such discrimination and prohibits such acts, including: sexual harassment, sexual exploitation, sexual harassment including sexual violence (i.e., sexual assault and non-consensual sexual touching, forcible or not), relationship abuse (including domestic violence and dating violence), voyeurism, and stalking.

Additionally, retaliation against anyone who reports an incident of harassment or discrimination listed above, brings forward a complaint, or participates in an investigation of harassment or discrimination is also prohibited. Retaliation is also prohibited against those who, in good faith and reasonable manner, oppose an act or policy believed to constitute sex- or gender-based discrimination. It is the responsibility of Bentley University’s Title IX Coordinator to ensure that inquiries into reports of misconduct described above are made, as well as formal investigations consistent with applicable grievance procedures that are described in the following policy.

Bentley also reaffirms the rights of reporting parties (see section **9. ADDITIONAL PROVISIONS, DEFINITIONS, AND CLARIFICATIONS** for a full list of definitions) to decide whether they wish to be involved in any of the

University's processes to address sex- and gender-based harassment or discrimination. Bentley is also strongly committed to supporting reporting parties through the numerous support services available. The University encourages those who wish to receive confidential support services regarding sex- and gender-based discrimination to seek assistance from staff in the Counseling Center, the Health Center, the Boston Area Rape Crisis Center, REACH Beyond Domestic Violence, and/or seek medical attention.

Responsible employees of the University are required by law to report allegations of sexual harassment and other forms of sex- and gender-based discrimination that they observe or learn about to the Title IX Coordinator. Employees whose positions legally require confidentiality (i.e., licensed mental health counselors and health professionals) are not responsible employees. To review the full list of employee designations under Title IX at Bentley University, please refer to **APPENDIX C**. If you have a question regarding reporting responsibilities, please contact the Title IX Coordinator.

All employees of Bentley University are strongly encouraged to offer information on how to report such incidents to students and colleagues, as well as report this conduct directly to the Title IX coordinator. Responsible employees who fail to report allegations of sexual harassment and other forms sexual misconduct that they observe or learn about may be subject to disciplinary action. Bentley University is mandated to respond promptly and appropriately to any allegations of sexual harassment or other forms of gender-based discrimination. Under these policies, the university will consider the effects of off-campus conduct for faculty, staff, students, visitors, and community members when evaluating whether a hostile environment was created on campus. Any person responsible for, or involved in, retaliation will be subject to disciplinary action up to and including expulsion or termination.

Additionally, Bentley seeks to ensure that our campus and culture are inclusive for all students, and, as such, has committed to engaging in several preventative and proactive educational programs and initiatives. For a list of some of the programs Bentley offers, please see section **12. PREVENTION AND EDUCATION**.

## **2. RESOURCES FOR INFORMATION AND ASSISTANCE**

Bentley University offers various resources for students, staff, and faculty seeking information or support regarding gender-based discrimination and harassment. Bentley also acknowledges that each person experiences and responds in differing ways, and there are a variety of formal and informal options for support. Please review the information regarding your options for support, assistance, and reporting so that you can make an informed decision based on personal needs. Your needs may change over time, so please also know that you may choose to utilize different forms of response at different times.

Any member of the Bentley community (including visitors) is welcome to contact the Title IX coordinator for information regarding this policy or the procedures outlined within it. The resources highlighted in **APPENDIX A** also provide information, assistance, and support to those who seek it.

## **3. TITLE IX AT BENTLEY**

Bentley University will always respond to reports, allegations, and information about sex- and gender-based discrimination that it knows or should know about. The Title IX Coordinator for Bentley University is responsible for providing leadership regarding the Title IX and Gender-Based Discrimination Policy, ensuring that ongoing trainings and education regarding sex/gender-based harassment and discrimination take place, as well as compliance-related reporting.

Additionally the Title IX coordinator will be responsible for:

- Tracking and monitoring incidents, including sex-based discrimination and sexual misconduct
- Ensuring that the University responds effectively to each report

After a formal report is submitted, the Title IX Coordinator will ensure that the appropriate measures are taken, including obtaining an external investigator and convening a Title IX Panel, however the Title IX coordinator will not participate in the investigation, Title IX Panel, or in the deliberations regarding the report (see **SECTION 11** for more information on investigation procedures and protocols).

Bentley University also has two Deputy Title IX Coordinators, one focused on supporting students and another focused on supporting staff and faculty. These individuals can offer further information to those who may have questions about this policy, and formal reports can be submitted to them. The Deputy Title IX coordinators will also keep individuals involved in formal investigations up-to-date regarding its progress. The Deputy Title IX coordinators will not participate in the investigation, Title IX Panel, or in the deliberations regarding the report (see **SECTION 11** for more information on investigation procedures and protocols).

The Title IX Coordinator and Deputy Title IX Coordinators are knowledgeable about, and will provide information on, all options for report resolution. Both the Title IX Coordinator and the Deputy Title IX Coordinators can assist in providing interim support measures to remedy the impact of an incident.

#### **4. INTERIM SUPPORT MEASURES**

One way in which Bentley will support those who bring forward claims of sex- or gender-based discrimination is to offer interim measures and supports to remedy to the impact of the alleged misconduct. Examples of interim measures include:

- Providing University “No Contact” orders to all parties involved
- Changes in housing assignment or room combination
- Assistance from support staff
- Academic support services
- Help in rescheduling exams
- Limiting access to university facilities and activities pending resolution of the matter
- Change in class schedule
- Change in work schedule or job assignment
- Arrangements for medical services

These are just some examples of the interim support measures that the University may take to support individuals involved in an incident of sexual misconduct. As each individual will have their own needs and requests, the University is committed to tailoring interim measures to the specifics of each incident in a fair and equitable manner. Individuals seeking to access interim support measures can contact the Title IX Coordinator or the Deputy Title IX Coordinators.

#### **5. SCOPE OF THIS POLICY**

The federal mandates established by Title IX and the Campus SaVE Act reaffirm that students, staff, faculty, and visitors have the right to be free from discrimination based on their gender, sex, sexual orientation, and gender appearance/expression. All procedures regarding incidents involving students can be found in **APPENDIX B** of this policy, while all procedures for incidents involving staff and faculty can be attained by contacting the Deputy Title IX Coordinator for Faculty and Staff Support.

This policy applies to any behaviors involving community members both on and off campus. Examples of off campus coverage of this policy include incidents that occur on faculty-led study abroad trips, the Commencement Week trip for graduating seniors, internship sites, service learning sites, and off campus residences of students.

#### **6. CONFIDENTIALITY**

Bentley encourages reporting parties to talk to an employee about incidents of sexual misconduct and seek out appropriate resources and support. Please note that faculty and staff members on campus have different roles and responsibilities for reporting information should a student disclose an act of sexual misconduct:

- Some employees (called confidential employees) may talk to a student in confidence, and generally only

report to the University that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger an investigation into an incident against the student's wishes.

- Certain employees (called responsible employees) are required to report all the details of an incident (including the identities of both the reporting and responding parties) to the Title IX coordinator. A report to responsible employees constitutes a report to Bentley and generally obligates the University to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them. Ideally this information will inform students so they can make deliberate choices about where to turn should they experience gender-based harassment and/or sexual misconduct. Bentley encourages students to talk to someone identified in one or more of these groups. For more information on which employees serve in each of these capacities, please see [APPENDIX C](#).

## 7. OPTIONS FOR ASSISTANCE

By federal law, a person with a disability is any person who: 1) has a physical or mental impairment; 2) has a record of such impairment; or 3) is regarded as having such an impairment, which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning. A student requesting an accommodation in regard to a Title IX investigation/adjudication process must follow the appropriate process for requesting an accommodation through the Office of Disability Services (located in Jennison Hall). Additionally, the Office of Disability Services can provide students with a comprehensive list of off-campus resources.

The Office of Disability Services will make a determination regarding the request and notify the appropriate parties. Reasonable accommodations depend upon the nature and degree of severity of the documented disability. While the Americans with Disabilities Act of 1990 requires that priority consideration be given to the specific methods requested by the student, it does not imply that a particular accommodation must be granted if it is deemed not reasonable and other suitable techniques are available.

For more information regarding options for assistance, regarding both immediate and ongoing concerns, please see [APPENDIX A](#).

## 8. DEFINING AND RECOGNIZING PROHIBITED CONDUCT

Conduct that is prohibited and encompassed by this policy includes sexual harassment, sex and gender discrimination, sexual assault, rape, stalking, and relationship abuse (including domestic and dating violence). It is a violation of this policy to either commit these acts or attempt to commit them. These acts are also a violation of federal and state law (including Title IX, the Campus SaVE Act, and the Violence Against Women Act). These acts are prohibited in any sex or gender configuration (i.e., between the same or differing genders), regardless of sex and gender identity. Individuals found responsible for violating these policies will face sanctions that are commensurate with the severity of the policy violation, ranging from probation through expulsion. Acts of harassment or sex- and gender-based discrimination may vary in severity and include, but are not limited to, the following categories:

- Sexual Assault
- Sexual Exploitation
- Sexual Harassment
- Harassment Based on Sexual Orientation, Gender, or Gender Identity
- Hostile Environment
- Stalking
- Relationship Abuse
- Retaliation
- Complicity

Bentley University's Definition of Consent applies to all of these acts. Bentley University adheres to the following definition of consent:

- Consent is a clear, active, and affirmative permission to act. The person who initiates sexual activity is responsible for obtaining the other person's consent for that activity each and every time. The existence of a dating relationship does not imply consent, and even once consent has been given, it can be withdrawn at any time.
- Consent can never be assumed or implied. The absence of "No" or silence does not mean that consent has been given. Additionally, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent is not present when coercion, manipulation, intimidation, or force is used. Coercion includes continued pressure after an individual has made it clear that they do not want to engage in the behavior. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- Consent is not present when an individual is incapacitated. An incapacitated individual is someone who cannot make rational, reasonable decisions because they lack the capacity to understand the "who, what, when, where, why, or how" of a sexual interaction. This includes a person whose incapacity results from mental disability, sleep, involuntary physical restraint, unconsciousness, or use of alcohol or other drugs. Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking or using drugs. The impact of alcohol and other drugs varies from person to person, and if there is any doubt as to the level or extent of the other person's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

*In evaluating consent in cases of alleged incapacitation, the University asks two questions:*

- 1) Did the person initiating sexual activity know that the other party was incapacitated?, and if not,*
- 2) Should a sober, reasonable person in the same situation have known that the other party was incapacitated? If the answer to either of these questions is "Yes," consent was absent and the conduct is likely a violation of this policy.*

- Consent is never present if an individual is under the legal age of consent (16 in the state of Massachusetts).

## **Sexual Assault**

Sexual assault is a form of sexual misconduct that is a violation of University policy as well as federal and state statutes. The Commonwealth of Massachusetts defines sexual assault as "any sexual activity that is forced, coerced, or unwanted" and refers to the crimes of rape and indecent assault and battery. Bentley University adheres to the following definitions of rape and indecent assault and battery:

- Rape includes penetration (oral, anal, or vaginal) of any orifice with any object without effective consent.
- Indecent Assault and Battery includes non-consensual sexual contact without penetration.

The severity of the crime is the same whether the responding party is a stranger or known to the reporting party.

All students, faculty, and staff should be aware that the University is prepared to respond to any incidents of sexual assault. Individuals who commit sexual assaults will be subject to disciplinary action that can include suspension or expulsion from Bentley as well as civil and criminal penalties.

## **Sexual Exploitation**

Sexual exploitation occurs when a person takes non-consensual, unjust, or abusive sexual advantage of another for their own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. This

behavior may not fall within the definition of non-consensual sexual contact/activity, or sexual harassment, but it is still a violation of policy.

There are many degrees and types of sexual exploitation including, but not limited to:

- **Photographing or Video/Audio Taping Sexual Contact or Activity**  
Photographing or taping someone (via audio or video) involved in sexual activity, or in a state of undress without their consent or knowledge constitutes prohibited sexual exploitation. Even if a person consented to the sexual activity or intercourse, photographing or taping someone without their knowledge goes beyond the boundaries of that consent.
- **Disseminating Photographs or Video/Audio Tapes of Sexual Contact or Activity**  
The dissemination of photographs or video/audio of someone involved in sexual activity, or in a state of undress without their knowledge or consent constitutes a separate and additional act prohibited by this policy.
- **Voyeurism**  
Voyeurism is the act of observing a person involved in sexual contact/activity, or in a state of undress without their knowledge or consent.
- **Inducing Intoxication/Incapacitation for the Purpose of Sexual Activity**  
Offering drugs, alcohol, or other substances to a person with or without their knowledge with the intent to impair their ability to withhold consent or their ability to knowingly consent to sexual activity is a violation of this policy. This type of conduct constitutes sexual exploitation regardless of whether any sexual activity takes place.

## Sexual Harassment

Bentley University adheres to the following definition of sexual harassment:

- Unwanted sexual advances that may take the form of inappropriate sexual or suggestive comments, sounds or jokes; unsolicited touching or fondling; unwanted intercourse or assault;
- Unwelcome requests for sexual favors; and/or
- Other behavior of a sexual nature where:
  - Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or participation in a university-sponsored educational program or activity. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual (often referred to as quid pro quo harassment); or
  - Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, as well as creating an intimidating or offensive educational, social, living, or working environment.

## Harassment Based on Sexual Orientation, Gender, or Gender Identity

Harassment based on sexual orientation, gender, or gender identity is defined as derogatory comments, actions, or conduct that may include acts of verbal, nonverbal, cyber, or physical aggression, intimidation, or hostility, even if those acts do not involve conduct of a sexual nature. Such conduct is directed toward an individual by virtue of their actual or presumed sexual orientation, gender, or gender identity and:

- Humiliates or intimidates an individual;
- Impedes academic or work performance; and/or
- Interferes with university life.



## Hostile Environment

Hostile environment may be created by harassing conduct that is sufficiently severe, persistent, or pervasive, and objectively offensive. Such conduct denies, limits, or interferes with the ability to participate in, or benefit from:

- Educational programs, services, opportunities, or activities; or
- Employment access, benefits, or opportunities.

## Stalking

Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to fear for their safety, fear for the safety of others, or suffer emotional distress.

Stalking can occur between strangers, individuals who know each other, or individuals who are or were previously in a relationship. Stalking behaviors may include unwanted following or watching, unwelcome gifts, or communications in person, in writing, or through the use of technology. It also includes accessing personal information to monitor a person's activity. Individuals found responsible for instances of stalking will be subject to disciplinary action that can range from education to expulsion.

## Relationship Abuse

Relationship abuse can be physical, sexual, verbal, emotional, financial, or digital. It is unwanted and causes physical or emotional harm. At Bentley, relationship abuse encompasses dating violence and domestic violence and can involve current or former intimate partners, spouses, or dating relationships. Relationship violence occurs in both same-sex and opposite-sex relationships. All students, faculty, and staff should be aware that the university is prepared to respond to any incidents of relationship abuse. Individuals found responsible for instances of relationship abuse will be subject to disciplinary action that can range from education to expulsion.

Examples of relationship abuse include, but are not limited to:

- Physical abuse: hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, or throwing objects at a person.
- Sexual abuse: attacks on sexual parts of the body, forcing sex after physical violence, treating one in a sexually demeaning manner, coercing or attempting to coerce any sexual contact or behavior without consent, or marital rape.
- Psychological or emotional abuse: a pattern of behavior undermining a person's sense of self-worth or self-esteem, constant criticism, possessiveness, damaging possessions, threats, intimidation, diminishing a person's abilities, name-calling, public humiliation, and damaging a person's relationship with their friends or family.
- Financial abuse: Taking money from or prohibiting access to bank accounts.
- Digital abuse: Controlling social media accounts, or harassment through social media or other forms of technology.

## Retaliation

Retaliation occurs when an adverse action is taken against an individual for raising concerns about conduct which is prohibited by law or policy. All members of the Bentley community have the right to raise concerns or file a complaint through the **STUDENT CONDUCT SYSTEM** without fear of retaliation. Additionally, it is both unlawful and a violation of University policy to retaliate against an individual for filing a report of sexual misconduct or gender-based discrimination. Retaliation is also prohibited against anyone who participates in an investigation of sexual misconduct or gender-based discrimination. Examples of retaliation can include hostility, intimidation, threats, exclusion, or discrimination. Any person who retaliates against an individual reporting sexual misconduct or gender-based discrimination and/or someone who participates in a sexual misconduct or gender-based discrimination investigation is subject to disciplinary action up to and including expulsion from the University.

## Complicity

Complicity is any act taken with the purpose of aiding, facilitating, promoting, or encouraging the commission of an act of prohibited conduct by another person.

## 9. ADDITIONAL PROVISIONS, DEFINITIONS, AND CLARIFICATIONS

- **Leniency:** Students may be concerned about reporting sexual misconduct believing that their own behavior might subject them to disciplinary action (e.g., a reporting party or witness is underage and was using alcohol or drugs at the time of the incident). Witnesses and reporting parties should be assured that the focus in matters of sexual misconduct is always on the reported behavior, not on whether someone was, for example, using alcohol or drugs at the time. Individuals are encouraged to come forward and report such conduct regardless of the surrounding circumstances.

In situations involving allegations of sexual misconduct, Bentley University will seek to make the sexual misconduct allegation the primary focus of any investigation or disciplinary action. In such circumstances, the University will exercise leniency regarding secondary conduct violations (e.g. underage drinking) and those issues will not be subjected to adjudication. It should be noted that the use of alcohol or drugs does not excuse sexual misconduct and a person who has been incapacitated through the use of alcohol or drugs (or by any other means) cannot give effective consent to sexual activity.

- **Confidentiality:** Because breaches of confidentiality compromise the ability of the University to investigate and resolve claims of prohibited harassment and discrimination, the Title IX Coordinators will attempt to protect the confidentiality of harassment and discrimination proceedings to the extent reasonably possible.

On campus, complete confidentiality can only be guaranteed when a concern is shared with a clinician in the Health Center, any staff within the Counseling Center, and with certain Spiritual Life Staff, and when the concern does not involve a continuing threat of serious harm to self or others.

A list of confidential resources on and off campus is available in **APPENDIX A**. The University is obligated to investigate all allegations that may constitute harassment or discrimination. Any person seeking information or guidance concerning potential harassment or discrimination should be advised that the University may need to take action once informed of an allegation whether or not the person wants to pursue a complaint.

- **Academic Freedom and Harassment:** Bentley University is committed to principles of free speech and upholding the tradition of academic freedom. This policy is not intended to restrict teaching methods or freedom of expression, nor will it be permitted to do so. Harassment or discrimination prohibited by this policy is not a proper exercise of academic freedom.
- **Use of Alcohol or Drugs:** A person who has consumed alcohol and/or drugs still has a responsibility to obtain ongoing consent for any sexual activity with another person. The use of alcohol or other drugs by the person initiating sexual activity will never be accepted as excuse for failing to obtain consent. Please see Bentley's definition of Consent, in section **8. DEFINING AND RECOGNIZING PROHIBITED CONDUCT** of this document, for more information.
- **Reporting Party:** An individual bringing forth a report that they have experienced one or more acts of sexual misconduct described in this policy.
- **Responding Party:** An individual who is alleged to have carried out one or more of the prohibited acts defined in this policy.

## 10. REPORTING AN INCIDENT

Individuals (including third parties) may choose to seek action or assistance both on campus as well as through

the surrounding community. Additional or interim measures may be provided to you to remedy the impact of the alleged misconduct. The following situations are example of reasons why you might choose to report an incident of misconduct:

- To seek formal action against someone, such as removing them from a class or campus
- To educate the person about their behavior through use of the University's Title IX processes and procedures
- To make Bentley aware of the behavior in case it is part of a larger pattern
- To help prevent similar incidents happening again in the future
- To confront the individual and make your voice heard about how you feel about what happened
- To receive assistance in changing classes or other on campus arrangements
- To receive support in coping with an incident

## Reporting Confidentially

If you are seeking support but want to maintain confidentiality, the best on campus resources for you include the clinicians in the Health Center, any staff in the Counseling Center, or any ordained ministers on the Spiritual Life staff. All of these resources are included in the cost of attendance for students, and the clinicians in the Health Center and Counseling Center staff can be seen on an emergency basis. The off campus resources listed on our **WEBSITE** are also confidential resources. You may consider a confidential option if you:

- Would like to know about support and assistance but are not sure if you want to pursue formal action against the individual;
- Have questions or would like to process what happened with someone without involving police or Title IX procedures; and/or
- Do not want the responding party (i.e., alleged violator) to know that you are seeking help or support

*Please Note: Please be aware that confidential resources have some obligations to report, notably when the individual is in imminent danger or posing an imminent danger to others. There are also obligations to report situations involving the abuse of a minor.*

## Informal Resolution

Individuals may seek an informal resolution in place of a formal report and investigation. The University, however, has the discretion to determine whether the nature of the reported conduct is appropriate for an informal resolution, to determine the type of informal resolution that may be appropriate in a specific case, and to refer a report for formal investigation at any time.

Forms of informal resolution that involve face-to-face meetings between the reporting and the responding parties, such as mediation, are not available in cases involving sexual assault. Participation in an informal resolution process is voluntary. The University will not compel a reporting or responding party to engage in an informal resolution, will not compel a reporting party to directly confront the responding party, and will allow a reporting or responding party to withdraw from the informal resolution process at any time. The University may decline the request for informal resolution in any particular case and may terminate an ongoing informal resolution process at any time. Pursuing an informal resolution does not preclude later use of a formal investigation if the informal resolution fails to achieve a resolution acceptable to the parties and the University. When the reporting or the responding parties withdraws from an informal resolution process, or when an informal resolution is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the informal resolution may be considered in a subsequent formal investigation.

With any informal resolution, each party has the right to choose and consult with a support person. The support person may be any person, including an attorney, who is not otherwise a party or witness to the reported incident(s). The parties may be accompanied by their respective support persons at any meeting or proceeding

held as part of the informal resolution. While the support persons may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties or otherwise participate in, or in any manner disrupt, such meetings and/or proceedings.

### **Informal resolutions may include:**

- **Resolution with the Assistance of a Third Party:** A reporting party may seek assistance in informally resolving a report of Prohibited Conduct from the Title IX Coordinator, who can arrange to have a trained representative facilitate a meeting or meetings between the parties. The availability of this informal resolution is subject to the agreement of the Title IX Coordinator, the reporting party, and the responding party. This form of informal resolution may not be used where the allegation involves sexual assault.
- **Interventions and Remedies:** Informal resolution agreements may involve a host of interventions and remedies, such as actions designed to maximize the reporting party's access to educational, extracurricular, and/or University employment activities; increased monitoring, supervision, and/or security at locations or activities where the Prohibited Conduct occurred or is likely to reoccur; targeted or broad-based educational programming or training for relevant individuals or groups; academic and/or University housing modifications for reporting parties; workplace modifications for employee reporting parties; and/or any other remedial or protective measures that can be tailored to the involved individuals to achieve the goals of the Policy.

Any form of informal resolution and any combination of interventions and remedies may be utilized. If an agreement acceptable to the University, the reporting party, and the responding party is reached through an informal resolution process, the terms of the agreement are implemented and the matter is resolved and closed. If an agreement is not reached, and the Title IX Coordinator determines that further action is necessary, or if a responding party fails to comply with the terms of the informal resolution, the matter may be referred for a formal investigation. The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolutions. A reporting party should also know that they have option to bring criminal or civil actions against the responding party.

### **Formal Reporting Options**

Bentley University encourages all students, faculty, and staff to file a formal report of an incident to designated campus officials. A list of all responsible employees (those designated officials who have a duty to report incidents of misconduct to the Title IX Coordinator) can be found in **APPENDIX C** of this policy. Reporting to any of these individuals is considered an official notice to the institution. After you file a report, you should expect the institution to investigate and properly resolve the incident through administrative procedures. Information disclosed in a formal report will be shared only with individuals who need to know of the incident, including the incident investigator, responding party, witness(es), and Title IX coordinators.

*Please Note: Separate protocols exist for criminal reports. If you would like to file a criminal report, please contact **University Police at 781.891.2201**.*

Please be aware that if you file a formal report, your name and the relevant reported information will be disclosed and will appear in the investigation report. This also means that the case may proceed to a Title IX Panel Conference.

You may consider filing a report if you:

- Would like formal action taken. Formal action can include assistance in: obtaining a restraining order or University "No Contact" order, filing criminal charges, or conduct or employment action for the responding party if they are found responsible for violating university policy.
- Would like the University to be aware of the situation in case it happens again.

For more information on the Title IX and Gender-Based Discrimination procedures (including investigations and hearings), please contact the Title IX Coordinator or Deputy Title IX Coordinators. You can also review the full policy and appendices **[HERE](#)**.

## Disclosing to Responders on Campus

You may seek advice from other employees on campus after an incident occurs. These responders, including most faculty and staff, are encouraged to call the Title IX coordinator when an incident of sexual violence or misconduct is reported to them, especially if there is cause for fear of a person's safety. If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk with them.

*Please note that responders may choose to share your personally identifiable information if it will help to best support you. If information about your identity is shared, it will only be as necessary and with as few people as possible. All efforts will be made to protect your privacy.*

You may consider speaking to these responders if you:

- Have more general questions about the policies and procedures
- Are seeking support in accessing confidential resources or reporting options

## 11. INVESTIGATION AND ADJUDICATION PROCEDURES AND PROTOCOLS

For information regarding investigation and adjudication procedures and protocols for reports involving students, please see **APPENDIX B** of this policy. For procedures and protocols for faculty and staff, please contact the Deputy Title IX Coordinator for Faculty and Staff.

## 12. PREVENTION AND EDUCATION

Bentley University prides itself in being a leader in providing ongoing educational programs and initiatives for its community related to sex/gender-based discrimination. Examples of these educational efforts include:

- HAVEN (a mandatory **ONLINE TRAINING** that educates and raises awareness regarding sexual assault for both undergraduate and graduate students)
- AlcoholEdu (a mandatory **ONLINE TRAINING** that inspires students to reflect on and consider changing their drinking behaviors)
- Consent Day
- White Ribbon Campaign
- Walk a Mile in Her Shoes
- Guess the Straight Person
- Bystander trainings
- One Love Foundation's Escalation workshop
- Hook up culture panels
- Ally trainings
- Documentaries and guest speakers

## 13. TRAININGS FOR FACULTY AND STAFF

At a minimum, all responsible and confidential employees will receive annual training facilitated by the Title IX staff. The Title IX Panel for student incidents will receive annual trainings, as well. Trainings will occur throughout the year, and you are encouraged to contact the Title IX Coordinator for a complete list of the trainings that have occurred to date, or to inquire about a training for your office or group.

## APPENDIX A:

### *Campus and Community Resources for Title IX and Gender-Based Discrimination*

Bentley University offers various resources for students, staff, and faculty seeking information or support regarding gender-based discrimination and harassment. Bentley also acknowledges that each person experiences and responds in different ways, and there are a variety of formal and informal options for support. Please review the information regarding your options for support, assistance, and reporting so that can make an informed decision based on personal needs. Your needs may change over time, so please know that you may choose to utilize different forms of response at different times.

- **Accommodations for Students with Disabilities:** By federal law, a person with a disability is any person who: 1) has a physical or mental impairment; 2) has a record of such impairment; or 3) is regarded as having such an impairment, which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning. A student requesting an accommodation in regard to a Title IX investigation/adjudication process must follow the appropriate process for requesting an accommodation through the Office of Disability Services (located in Jennison Hall). Additionally, the Office of Disability Services can provide students with a comprehensive list of off-campus resources.

The Office of Disability Services will make a determination regarding the request and notify the appropriate parties. Reasonable accommodations depend upon the nature and degree of severity of the documented disability. While the Americans with Disabilities Act of 1990 requires that priority consideration be given to the specific methods requested by the student, it does not imply that a particular accommodation must be granted if it is deemed not reasonable and other suitable techniques are available.

If you have experienced an act of sex- or gender-based discrimination or harassment, our first concern is your safety and well-being. Bentley University offers some on campus resources to assist students who have been affected by sexual violence or sexual misconduct. The greater Boston area also offers many additional services and support options. Bentley community members are encouraged to utilize any resource on or off campus available to them.

- **Safety Concerns:** Any individual concerned for their immediate safety on campus can contact University Police at 781.891.3131, and if off campus, should contact the local police via 911.

**CONFIDENTIAL RESOURCES ON CAMPUS:** If you are not sure if you would like to proceed with formal action (i.e. filing a police report or reporting to the University), there are support services available while you consider those options. The Counseling Center, the Health Center, and the Spiritual Life staff can be good places to start if you are not sure whether to report:

- **The Counseling Center:** 781.891.2274 (located on the second floor of the Callahan Police Building)  
*All staff in this office are confidential resources*
- **The Health Center:** 781.891.2222 (located in the basement of Rhodes Hall)  
*All clinical staff are confidential resources*
- **The Office of Wellness and Health Promotion:** 781.891.2274 (located on the second floor of the Callahan Police Building) *The staff in the Office of Wellness and Health Promotion are trained as Resource Advocates and are considered limited reporters, which means they will only share information about the incident reported, not any information that is personally identifiable to you.*
- **The Spiritual Life Center**  
*All ordained ministers are confidential resources. All lay staff are limited reporters, which means they will only share information about the incident reported, and not any information that is personally identifiable to you.*



**FORMAL REPORTING RESOURCES ON CAMPUS:** Please contact any of these offices if you would like to file a formal report of an incident of sex- or gender-based discrimination or harassment:

- **The Office of the Dean of Student Affairs:** 781.891.2161 (located in the Student Center 320)
- **The Residential Center:** 781.891.2148 (located in the Student Center 320)
- **University Police** (located on the first floor of the Callahan Police Building):  
Non-Emergency: 781.891.2201 | Emergency: 781.891.3131

**OFF CAMPUS/COMMUNITY RESOURCES:** The following resources are not managed by Bentley University but may be helpful to you, especially in assisting you with a variety of needs that you may have beyond your campus experience.

- **Newton-Wellesley Hospital**  
2014 Washington Street, Newton, MA 02462 | 617.243.6000  
*Newton-Wellesley Hospital provides free and confidential services for survivors of domestic and sexual violence. Domestic violence and sexual trauma affects people of every race, culture, faith, age, gender identity and sexual orientation.*
- **Fenway Community Health Center**  
(several locations) | 1.888.242.0900  
*The mission of Fenway Health is to enhance the wellbeing of the lesbian, gay, bisexual and transgender community and all people in our neighborhoods and beyond, through access to the highest quality health care, education, research and advocacy.*
- **Boston Area Rape Crisis Center (BARCC)**  
Hotline: 1.800.841.8371 | Business: 617.492.9306  
*BARCC was founded in 1973 to create a hotline to answer calls from rape survivors. Today, it is a national leader in providing a 24-hour hotline, 24-hour medical advocacy, individual and group counseling, and legal advocacy. BARCC also provides community awareness and prevention services*  
*BARCC assists thousands of sexual violence survivors and their families, friends and communities each year, regardless of sex, gender identity, race, physical/developmental disabilities, income, ethnicity, class, religion, or sexual orientation. Services are provided in English, Spanish, Haitian Creole, and French, with other languages available upon request.*
- **Casa Myrna**  
Hotline: 1.877.785.2020  
*Casa Myrna provides safe housing, legal assistance, counseling, and other support services for survivors of domestic abuse and relationship violence. Services are offered in multiple languages.*
- **Rape, Abuse and Incest National Network (RAINN)**  
Hotline: 1.800.656.HOPE  
*The Rape, Abuse and Incest National Network is the nation's largest anti-sexual violence organization. RAINN operates the national sexual assault hotline at 1.800.656.HOPE (4673) and the national sexual assault online hotline at rainn.org. The hotline offers free, confidential services. RAINN educates the public about sexual violence and leads national efforts to prevent sexual violence, improve services to victims, and ensure that rapists are brought to justice.*
- **REACH (Refuge, Education, Advocacy, Change)**  
Hotline: 1.800.899.4000  
*REACH is committed to advancing the safety, healing, and empowerment of those who experience domestic or relationship violence, through direct services and education while promoting social justice for individuals and families of all backgrounds. Based in Waltham, REACH offers free, community-based supportive services, including support groups, legal and community advocacy, and child and adolescent therapy.*



### ■ **SANE (Sexual Assault Nurse Examiners)**

*SANE (sexual assault nurse examiners) are registered nurses and nurse practitioners who have completed specialized training to assist sexual assault victims. They perform the pelvic exams and collect all forensic evidence (think CSI). SANE nurses are available at only specific hospital emergency rooms. The evidence collected is sealed in Massachusetts evidence collection kits (rape kits) and sent to a crime lab for evaluation. The SANE nurse records the victim's account of the assault and can testify at any legal proceedings. Additionally, the kits can remain confidential and are released to the police only at the victim's request.*

*Both the Boston Police Crime Lab and the State Police Crime Lab report that SANE nurses gather better evidence than non-SANE nurses. Also, having one person maintain control of all of the rape kit evidence before it gets to the lab reduces any chance of errors and makes prosecution of the perpetrator easier. The Massachusetts Department of Health reports that when a SANE nurse is utilized, a guilty verdict is returned 95 to 100 percent of the time.*

## **APPENDIX B:**

### *Investigation and Adjudication Procedures and Protocols for Incidents Involving Students*

#### **I. INTRODUCTION:**

Bentley University will always respond to reports, reports, allegations, and information about sex- and gender-based discrimination that it knows or should know about. These responses will serve to stop prohibited conduct, prevent its recurrence, and address any lingering impact that it had on both individuals and the larger campus community.

Congress passed the Higher Education Amendments in 1972, and included within them was Title IX, which states: ***“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...”*** Since 1972, several other federal and Massachusetts state laws have been adopted to offer further protection to those in higher education (i.e., students, staff, faculty, and third parties) from discrimination and harassment based on a person's sex or gender. Bentley University is firmly committed to establishing an environment free of such discrimination and prohibits such acts, including: sexual harassment, sexual exploitation, sexual harassment including sexual violence (i.e., sexual assault and non-consensual sexual touching, forcible or not), relationship abuse (including domestic violence and dating violence), voyeurism, and stalking.

Additionally, retaliation against anyone who reports an incident of harassment or discrimination listed above, brings forward a report, or participates in an investigation of harassment or discrimination is also prohibited. Retaliation is also prohibited against those who, in good faith and reasonable manner, oppose an act or policy believed to constitute sex- or gender-based discrimination. It is the responsibility of Bentley University's Title IX Coordinator to ensure that inquiries into reports of misconduct described above are made, as well as formal investigations consistent with applicable grievance procedures that are described in the following policy.

Bentley also reaffirms the rights of reporting parties to decide whether they wish to be involved in any of the University's processes to address sex- and gender-based harassment or discrimination. Bentley is strongly committed to supporting reporting parties through the numerous support services available. The University encourages those who wish to receive confidential support services regarding sex- and gender-based discrimination to seek assistance from staff in the Counseling Center, the Health Center, the Boston Area Rape Crisis Center, REACH Beyond Domestic Violence, and/or seek medical attention.

Responsible employees of the University are required by law to report allegations of sexual harassment and other forms of sex- and gender-based discrimination that they observe or learn about to the Title IX Coordinator. The University has identified its “responsible employees” to include Deans and Directors in the Division of Student

Affairs, all staff members in the Office of the Dean of Student Affairs, University Police, and all Residential Center Staff (including Resident Assistants). Employees whose positions legally require confidentiality (i.e., licensed mental health counselors and health professionals) are not responsible employees. If you have a question regarding reporting responsibilities, please contact the Title IX Coordinator.

All employees of Bentley University are strongly encouraged to offer information on how to report such incidents to students and colleagues, as well as report this conduct directly to the Title IX coordinator. Responsible employees who fail to report allegations of sexual harassment and other forms sexual misconduct that they observe or learn about may be subject to disciplinary action. Bentley University is mandated to respond promptly and appropriately to any allegations of sexual harassment or other forms of gender-based discrimination. Under these policies, the university will consider the effects of off-campus conduct for faculty, staff, students, visitors, and community members when evaluating whether a hostile environment was created on campus. Any person responsible for, or involved in, retaliation will be subject to disciplinary action up to and including expulsion or termination.

Additionally, Bentley seeks to ensure that our campus and culture are inclusive for all students, and as such has committed to engaging in several preventative and proactive educational programs and initiatives.

## II. PRELIMINARY ISSUES/DEFINITIONS

### A. Jurisdiction:

Any person may file a report of sexual misconduct through this process against a Bentley student who is currently enrolled in the University, regardless of where the alleged Sexual Misconduct occurred. The person filing the report is the Reporting party. The person against whom the report is filed is the Responding party.

The Reporting party need not be a Bentley student, although the majority of disciplinary charges brought against Bentley students are brought by other students. If the person bringing the report is not a current Bentley student and/or the alleged conduct did not occur on campus, at a University affiliated location, or at a University sponsored event, the matter will be referred to the **Title IX Coordinator (Erin Kelley, 781.891.2329)** for a determination regarding whether the University can exercise jurisdiction over the matter. Although there is no geographical limitation to invoking this process, it should be noted that the greater the distance away from campus that the misconduct is alleged to have occurred, the more difficult it may be for the University to investigate and address the conduct.

In cases where Bentley has exercised jurisdiction, the University will investigate the incident of sex/gender-based harassment or discrimination to the best of its ability regardless of location.

### B. Administrative Investigation/Disciplinary Action

The University may independently initiate a disciplinary investigation/action against a person under this adjudication process, called a “Dean’s Report.” In this type of Administrative Investigation or Action, the University will act as the reporting party in the adjudication of a sexual misconduct report against a person. Such reports will proceed under the processes outlined herein and may result in disciplinary action as if the reporting party were a student.

### C. Timing of Reports

There is no time limit for the submission of a report alleging Sexual Misconduct. A report received after the semester has ended or during a University break may result in a delay in the adjudication of the report until the beginning of the subsequent semester in which the Responding party is enrolled.

***Please Note: The University’s ability to provide effective sanctions for violations of this policy is limited once the Responding party is no longer enrolled at Bentley.***

The University reserves the right to initiate adjudication of a report immediately when necessary to protect the interests and safety of the Bentley University community, even when the incident takes place after the end of the semester.

## **D. Intentional Presentation of False Information**

Participants in the Title IX and Gender-Based Discrimination Adjudication Process must present, in good faith, truthful and accurate information to those involved in ensuring a fair process (including Title IX and Deputy Title IX coordinators, Independent Investigators, and the Title IX Panel). Knowingly making false statements or presenting inaccurate information is unacceptable and will result in a separate disciplinary action regarding that conduct.

*Please note that filing a report or providing information which a party or witness genuinely believes is accurate, but which is ultimately dismissed due to insufficient evidence or found to be untrue, does NOT constitute the intentional presentation of false information.*

## **E. Reporting Conduct/Leniency**

Students may be concerned about reporting sexual misconduct believing that their own behavior might subject them to disciplinary action (e.g., a reporting party or witness is underage and was using alcohol or drugs at the time of the incident). Witnesses and reporting parties should be assured that the focus in matters of sexual misconduct is always on the reported behavior, not on whether someone was, for example, using alcohol or drugs at the time. Individuals are encouraged to come forward and report such conduct regardless of the surrounding circumstances.

In situations involving allegations of sexual misconduct, Bentley University will seek to make the Sexual Misconduct allegation the primary focus of any investigation or disciplinary action. In such circumstances, the University will exercise leniency regarding secondary conduct violations (e.g. underage drinking) and those issues will not be subjected to adjudication. It should be noted that the use of alcohol or drugs does not excuse sexual misconduct and a person who has been incapacitated through the use of alcohol and drugs (or by any other means) cannot give effective consent to sexual activity.

## **F. Right to Investigate and Decide Related Matters**

The Independent Investigation and the Title IX Panel's Decision will not be restricted to the violations alleged in the formal report. The Panel reserves the authority to pursue any additional potential violations of University Policy that have been identified through the Title IX and Gender-Based Discrimination Adjudication Process Investigation. The Title IX Coordinator will notify the parties of the new allegations, and will decide whether such allegations will be investigated by the Independent Investigator or will be considered in another disciplinary process. In any case, the adjudication of any other violations of Policy outside of the realm of sexual misconduct will not delay the prompt resolution of the pending Title IX report.

## **G. No Contact Between Participants**

When the Title IX coordinator receives a formal report, a University No Contact Order (sometimes also known as a stay-away order) may be issued barring any communication between the Reporting party and the Responding party. This Order prohibits any attempt to contact or respond to any communication from the other party, either directly or through others (e.g. friends, family members, attorneys, others). The Title IX staff will work with students involved in the Title IX and Gender-Based Discrimination Adjudication Process to help facilitate the No Contact Order between the parties, so that they may attend classes and use University facilities as appropriate. A No Contact Order may be extended after the conclusion of the adjudication process at the request of either party. In cases where a demonstrated violation of this Order has been shown, the responsible student may be separated from the University pending the final resolution of the adjudication process. Bentley Police are able to provide information and assistance to students who wish to seek a protective order from the courts.

## **H. Interim Support Measures**

The University will not automatically restrict a student from attending classes or participating in other University activities on the basis of a formal report. However, the University does reserve the right to impose interim measures at any time upon learning of an allegation of sexual misconduct, if the University has concerns about the safety of the Bentley community. Such measures may include, but are not limited to, restrictions regarding movement on

campus, removal from University housing and/or removal from campus. The decision to impose interim support measures is made at the discretion of the Title IX Coordinator. The University will also enforce any orders that are issued by the Courts of the Commonwealth of Massachusetts.

## **I. Retaliation**

Retaliation against anyone who brings forward a report of sexual misconduct, or who participates in this adjudication process in any manner is strictly prohibited. Retaliation is also prohibited against anyone who opposes, in a reasonable manner, an act or policy believed to constitute a violation of the Title IX and Gender-Based Discrimination Policy. Retaliation includes things like hostility, intimidation, threats, disseminating information about a report or ongoing investigation, exclusion or discriminating against an individual because of the individual's report or participation in this process.

Anyone responsible for retaliation or threats of retaliation, whether against the reporting party or another person, will be subject to disciplinary action by the University. A party may also be responsible for retaliation by someone affiliated with them (i.e., a friend or family member). Retaliation should be reported promptly to the **Title IX Coordinator (Erin Kelley, 781.891.2329)**. Retaliation by a person not affiliated with the University may be addressed by the police.

## **J. Witnesses**

The Reporting and Responding Parties have the right to identify any individuals who may be witnesses to the conduct alleged in a formal report. The parties should be aware that it is possible for both the Reporting and Responding Parties to list the same people to speak as witnesses on their behalf. Witnesses should only be encouraged to cooperate and to speak the truth. Witnesses should not be intimidated, threatened, or improperly influenced in any way by either party or through others (e.g. friends, family members, attorneys, others). Any attempt to threaten, intimidate or the otherwise improperly influence the testimony of a witness will result in a separate disciplinary action by the University. The Investigator will attempt to interview any witnesses identified by the parties that the investigator deems to be relevant to the resolution of the formal report.

## **K. Support Person**

Involved parties in the Title IX and Gender-Based Discrimination Adjudication Process as Reporting or Responding Parties may be more comfortable navigating the process with the help of a support person. A support person is someone whom the party trusts to provide advice and support during the process. A support person can be any person the party feels comfortable confiding in, and need not be affiliated with the University (i.e. a friend, a family member, a person from a support or advocacy agency). A support person may accompany the party to any part of the adjudication process, including any meetings with the Title IX Coordinator (or Deputy Coordinator), the Title IX Panel Conference, and Investigator. The support person does not participate in the process and, as such, cannot be a witness to the allegations in the report. A support person must agree to maintain the confidentiality of the process.

## **L. Confidentiality**

Any information or written material related to a formal report will be treated as confidential. Disclosure of such information by parties or witnesses to anyone other than the Title IX (or Deputy) Coordinator, the Panel, the Investigator, legal counsel, support persons, clergy, and/or confidential counselors is strictly prohibited and may subject the person responsible for the disclosure to disciplinary action. Although discretion will remain important, the parties are not restricted from discussing and sharing information relating to their report with others that may support them or assist them in preparing their report. The Investigator, the Panel, legal counsel, support persons, clergy, confidential counselors and any other authorized person with whom a student has shared disciplinary case materials are prohibited from disclosing that information to others without the express written permission of the Title IX Coordinator.

Participants should be aware that the University maintains the discretion to share confidential information internally, if necessary, to comply with its obligations regarding campus safety and Title IX. If a student participant in this process is also enrolled in another institution, the University may be required to disclose information regarding the pending report to that organization. In either situation, such disclosures will be made in the most limited manner possible and the recipients will be advised that the information must be maintained in a confidential manner.

The University will maintain confidentiality during and after the investigation, with the exception of generic reporting of the case in the University's Annual Security Report. In some instances, the Responding party can be spoken to without the Reporting party being identified and without filing or moving forward with a formal report.

In these instances the privacy and confidentiality of the individual raising a concern will be protected to the extent possible. In other cases, issues of confidentiality must be balanced against the University's need to investigate and to take appropriate action.

## **M. Attorneys**

Although not necessary, the Reporting and Responding Parties have the right to seek the assistance of a private attorney, at their own expense, regarding a formal report. An attorney for a party may inquire with the Title IX Coordinator regarding the pending report.

## **N. Criminal Conduct**

When a formal report involves allegations which may also constitute criminal conduct, participants are advised to seek legal counsel before making any written or oral statements. This Title IX and Gender-Based Discrimination Adjudication Process does not attempt to create a courtroom environment and attorneys for students are not permitted to actively participate in the process. However, participants should seek legal advice about how this disciplinary process could impact any criminal case in which they are or may become involved.

The University will conduct its own investigation and adjudication of a formal report, regardless of whether the alleged misconduct is also being pursued through the criminal justice system. The University will attempt to comply with law enforcement requests for cooperation. At times, that cooperation may require the University to temporarily suspend its independent investigation while law enforcement gathers evidence. The University will promptly resume its independent investigation as soon as it is notified that doing so would not impede any law enforcement activities.

## **O. Admissibility of Evidence**

The Independent Investigation process is intended to arrive at the truth of the matter, without the formalities associated with rules and procedures specifically designed by lawmakers to manage courtroom litigation. Students can address issues and present documents to the investigator without concerns about admissibility. It should be noted that if the Investigator determines that the issues raised and/or documents presented are relevant and probative of whether the alleged conduct occurred, then, in the interest of fairness, that information will be disclosed to the opposing party.

### **1. Sexual History**

In a case of sexual misconduct, the past sexual history of the Reporting and/or the Responding party or either party's sexual history with others will **NOT** be used in determining whether the alleged misconduct occurred. Prior consensual sexual activity between the two parties will not be determinative of the issue of consent in the pending formal report. Consent to one sexual act does not constitute consent for another sexual act.

### **2. Medical and Counseling Records**

The use of medical and/or counseling records in the Adjudication Process is rare. Medical and counseling records are privileged and confidential documents that students will never be required to disclose in this Process. "Privileged" means that these documents cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Students should be aware that there are legal implications to agreeing to produce privileged records. Students are encouraged to seek



advice from a knowledgeable source about the possible consequences of releasing this information. A Reporting/Responding party who, after due consideration, believes that their own medical or counseling records would be helpful in determining whether sexual misconduct occurred, has several options for voluntarily presenting this information:

- a. The Reporting party can voluntarily decide to present their own medical or counseling records to the Independent Investigator as part of the documents which they would like to have the investigator consider in conducting their investigation. Please note that if a party decides to produce such records, they must be produced in their entirety. The production of excerpts or selected documents is inappropriate and will not be considered.
- b. On occasion, the Investigator may ask the Reporting party to voluntarily agree to provide these records if the Investigator believes that such documentation exists and that it would be helpful in conducting their investigation. A party is under no obligation to provide this information and may simply say “no” to this request. A party has a right to refuse to provide these records and that refusal is completely acceptable.  
Prior to responding to such a request, a party is encouraged to consult with their support person about the implications of agreeing or denying the request. Please note that if a party does decide to produce such records, they must be produced in their entirety. The production of excerpts or selected documents is inappropriate and will not be considered.
- c. The Investigator may ask a Reporting or Responding party to voluntarily provide a verification of therapeutic or medical services to confirm simply that such treatment occurred, but not providing any details regarding that treatment. On rare occasions, a person may be in possession of the medical and/or counseling records of another party or witness. Such records can only be presented to the Investigator under the following circumstances: (i) the person can show that the records are relevant to the pending formal report; (ii) the person can document or otherwise prove that the records were legally obtained; and (iii) the records can be authenticated. Failure to meet any of these conditions means that the records will not be considered in the determination regarding the alleged misconduct.

## **P. Parental Notification**

Since the University views students as adults, parents and guardians will not be notified when a formal report is filed under the Title IX and Gender-Based Discrimination Policy. Students are encouraged to inform their parent(s) or guardian(s) if they are involved in a disciplinary action and should refer them to the Title IX Coordinator if they have questions. If, at the conclusion of the adjudication, a student is separated from the University or University Housing, the University generally will attempt to inform that student’s parent(s) or guardian(s) at the time such discipline is imposed.

## **Q. Title IX Inquiries and Investigations**

Under state and federal law, including Title IX, sexual misconduct (which includes sexual harassment, sex/gender discrimination, sexual exploitation, rape, sexual assault, relationship violence or stalking) is prohibited. Definitions of this conduct and options for addressing this conduct are included in the Title IX and Gender-Based Discrimination policy. Pursuant to its obligations under the law, including Title IX, the University will make an inquiry into all allegations of sexual misconduct of which it becomes aware, regardless of whether a formal report has been filed. The independent investigator act as the neutral fact-finding body responsible for making inquiries into allegations of conduct that may violate Title IX. As such, it is possible that the parties may have been interviewed by an independent investigator prior to a formal report having been filed. An independent investigator that has been vetted by the University will be retained for all cases of sex/gender-based harassment and/or discrimination brought under this Adjudication Process. Upon the initiation of an independent investigation by the Title IX Coordinator under this process, the independent investigator will review any information previously obtained through an inquiry (if made), in light of the information provided through the statements of the parties regarding the report. The independent investigator will then conduct any additional investigation that is necessary to address the allegations of the report.

The investigator will include all relevant findings from the investigation in the Investigation Report submitted to the Title IX Panel. Investigations will only be conducted by investigators who have been specially trained to address issues of sexual misconduct and who are otherwise knowledgeable about investigating and analyzing Title IX reports.

## R. Title IX Panel Conference

Under Title IX and Gender-Based Discrimination Adjudication Process, the final decision regarding the report will be made by a Panel of three trained individuals. This Panel will consist of three administrators from within the University. These panelists will be chosen from a pool of administrators, all of whom will be specially trained in the adjudication of sexual misconduct. The panelists from this pool are by the Title IX Coordinator. Either party has the right to raise any concerns they may have regarding a possible conflict of interest with any of the Panel members who have been assigned to the matter. In the event that one of the members has a conflict of interest, they may recuse themselves from the panel. The Title IX Coordinator will then chose another trained panel member to sit in the place of the original panelist. The Title IX Coordinator will select a Title IX panel chair. Decisions regarding the composition of the panel are made at the sole discretion of the Title IX Coordinator. An effort will be made to have the panel be reflective of the demographics/identities of the parties, if known.

## III. THE ADJUDICATION PROCESS

This is the adjudication process under which allegations of sexual misconduct will be resolved. Under ordinary circumstances during the academic year, this adjudication process should be completed within 90 business days from the receipt of the formal report. Formal reporting options can be found in section **10. REPORTING AN INCIDENT** of the Title IX and Gender-Based Discrimination policy. Students also may have legal remedies available outside of Bentley, including filing charges with the police, filing a civil action and/or filing an administrative action.

Bentley University recognizes that the decision about whether to bring a formal report against another student can be complicated and challenging. Nevertheless, students should know that all reports will be taken seriously and will be investigated.

### A. Filing a Formal Report

A person who has experienced an incident of sexual misconduct including sexual harassment, sex/gender discrimination, sexual assault, relationship abuse, stalking, sexual exploitation, and/or any other sexual misconduct committed by a member of the Bentley community may file a report against the individual responsible for that conduct.

The individual bringing the allegation is called the reporting party. The reporting party is welcome to bring a support person with them to any meetings with the Title IX or Deputy Title IX Coordinator.

Reports should be filed with either:

#### **Erin Kelley**

Title IX Coordinator  
Director of Student Conduct  
and Development  
Student Center 320  
781.891.2329

#### **Alex Hirs**

Deputy Title IX Coordinator  
for Student Support  
Assistant Director of Gender Equity and  
Development  
Student Center 320  
781.891.2364



- 1. Reporting Party's Statement:** To file a formal report against a student, the reporting party must submit an initial, written statement detailing the allegations of the misconduct. This statement is the first opportunity for the reporting party to describe the allegations against the responding party.

The Reporting party's Statement should include the name of the accused student, the date and location of the alleged sexual misconduct and the details of the alleged misconduct. This statement should provide details about the facts surrounding the alleged sexual misconduct. The statement must be written by the Reporting party.

- 2. Confidentiality/Non-Retaliation Acknowledgment:** The reporting party will be required to not disclose or discuss anything relating to the formal report with anyone other than those authorized to see/hear such information under this process. The reporting party will still be able to discuss the facts underlying the subject of the formal report with counselors, clergy, other therapeutic professionals and family. The reporting party should refrain from discussing the formal report itself and/or the adjudication process with anyone affiliated with Bentley. This is to preserve the integrity of the investigative process and also to prevent allegations of retaliation. Through this acknowledgment, the reporting party also agrees to refrain from any retaliatory conduct against the responding party or any witnesses in the matter, as discussed under Section II, Paragraph I., and may be responsible for any retaliation by persons affiliated with the reporting party (i.e., a friend or family member).

## B. Responding to a Formal Report

The person against whom the formal report is brought is called the responding party. The responding party shall be given written notification when a formal report has been filed against them.

- 1. Initial Meeting:** Notice that a formal report has been filed against a responding party will be provided to that student in person. The responding party is welcome to bring a support person by either the Title IX Coordinator or Deputy Title IX Coordinator. At this meeting, the Title IX or Deputy Title IX Coordinator will discuss the nature of the report, explain the rights and responsibilities of the responding party, explain the prohibition against retaliation, review the investigation and adjudication Process and give the responding party a copy of the relevant policies.
- 2. Confidentiality/Non-Retaliation Acknowledgment:** The Responding party is required to adhere to the Confidentiality/Non-Retaliation Acknowledgment, agreeing not to disclose or discuss anything relating to the formal report with anyone other than those authorized to see/hear such information under this process. Through this acknowledgment, the responding party also agrees to refrain from any retaliatory conduct against the reporting party or any witnesses in the matter, as discussed under Section II, Paragraph I., and may be responsible for any retaliation by persons affiliated with the responding party (i.e. a friend or family member). Refusal/failure by the responding party to meet and cooperate with the Title IX or Deputy Title IX Coordinator or Independent Investigator regarding this matter or to abide by the Confidentiality/Non-Retaliation Acknowledgment, as determined by the Title IX Coordinator, may result in either (1) a suspension of the responding party from the University and/or (2) the adjudication of the formal report without input from the responding party.
- 3. Responding Party's Statement:** The responding party may choose to provide a written response to the formal report. The responding party's Statement will be submitted to the independent investigator and serves as an opportunity to respond to the allegations made by the reporting party. This statement should provide as much detail as possible about the facts surrounding the alleged sexual misconduct and must be written by the responding party.

## C. Independent Investigation

After both parties have submitted their statements, Title IX Coordinator will initiate an Investigation, utilizing neutral, external investigators retained by Bentley. These investigators have been vetted by the University, are determined to be free from bias, and well-trained in conducting Title IX investigations.

It is the responsibility of the investigator, not the parties, to gather the evidence relevant to the formal report and the facts raised in the parties' statement, to the extent reasonably possible. During the course of the investigation, the investigator may utilize some or all of the following procedures, in whatever order the Investigator deems most appropriate. The scope of the independent investigation will not be limited to information provided by the parties or to the violations outlined in the formal report. In all cases, the investigator will conduct an adequate, reliable, and impartial investigation into the allegations of the report, reviewing all evidence deemed to be relevant. Parties and Witnesses should make themselves reasonably available to the Investigator. The **BENTLEY BELIEFS** compel all students to act with integrity and honesty in their academic, personal, and professional lives. Students who refuse to cooperate with the Investigator in the independent investigation, as determined by the Title IX Coordinator, are in opposition of this core belief and may face disciplinary action for their refusal to cooperate.

- 1. Document Review:** The investigator will review the statements and all of the supporting material referenced. The investigator will then attempt to obtain any documents or other materials deemed relevant to the investigation. Any documents or information deemed to be material to the findings regarding the formal report, or any other violations will be disclosed to both parties for comment or rebuttal.
- 2. Party Interviews:** The investigator will interview the reporting party and the responding party separately. This meeting is an opportunity for the participant to discuss their recollection of the event in question, supplement any written statements already submitted, voice any concerns, and to work with the Investigator to determine what information may helpful in the investigation of the allegations. Parties may also discuss the impact that this experience has had on them. The investigator may interview the parties more than once, as necessary.

The reporting party's or responding party's support person may accompany them to all the meetings with the Investigator but may not participate in the conversation. Prior to sitting in on any interviews, the support person will be required to agree to a confidentiality/non-retaliation Acknowledgment, agreeing not to disclose or discuss anything relating to the formal report with anyone other than those authorized to see or hear such information under this process. At the conclusion of the interview, participants are permitted to make an optional closing statement.

A description of all sources of information (e.g., witnesses, correspondence, records, etc.) should be provided to the investigator. This should include information which the party believes should be considered in deciding disciplinary action, along with a brief explanation of why this information would be relevant and helpful to the process. Please identify the sources and/or location of this supporting information but do not attempt to obtain this information yourself. The independent investigator will solicit any relevant statements or documents referenced through this process.

- 3. Witness Interviews:** The investigator will attempt to interview any witnesses identified by the parties that the investigator deems to be relevant to the resolution of the formal report. The investigator may also interview any other persons which they find to be potentially relevant to this matter. Witnesses may request from the Title IX or Deputy Title IX Coordinator a University Support person to be present with them during their interview. Prior to being interviewed, a witness will be required to agree to a confidentiality/non-retaliation acknowledgment, agreeing not to disclose or discuss anything relating to the formal report and their interview with anyone. Through this acknowledgment, the witness will also agree to refrain from any retaliatory conduct against the parties or any witnesses in the matter, as discussed under **SECTION II, LETTER I**, and may be responsible for any retaliation by persons affiliated with them (i.e., a friend or family member). The investigator will employ best efforts to interview relevant witnesses who are no longer on campus or in the Boston area, attempting to contact them by phone or internet.
- 4. Expert Witnesses:** The investigator reserves the right to consult with any experts which they deem necessary to the determination of the facts of this case. An expert witness could be consulted to review or provide a professional opinion regarding evidence discovered in the independent investigation.

## D. Investigation Report

Once the independent investigation has been completed, the investigator will evaluate the information obtained during this process. The investigator will prepare a report summarizing and analyzing the relevant facts received through the investigation, noting any supporting documentation or statements. The investigator may draw conclusions and make recommendations regarding the credibility of all testimony and the reliability of documentation. The investigator will present the investigation report to the Title IX Panel. Both the reporting and responding parties will be allowed to review the investigation report prior to the Title IX Panel's Conference. Students and their support person will be allowed to view the investigation report in the presence of the Title IX staff or their designee.

## E. Rebuttal Documentation

After reviewing the investigation report, the parties have the opportunity to provide any rebuttal statements, documents, or other new information regarding the sources of potentially relevant information and/or witnesses in writing to the Title IX Coordinator within 72 hours of the Title IX Panel Conference. Any information that is submitted will be made available to the other party for review and will be provided to the Title IX panel.

## F. Final Statements to the Title IX Panel

Reporting and responding parties will be provided the opportunity to provide separate final statements at the Title IX Panel Conference. At this time, each party will have an opportunity to comment on and respond to the information presented in the investigation report.

## F. Supplemental Investigation Procedures

After meeting with the parties and reviewing any additional information submitted for consideration, the panel may determine that additional inquiry is needed in order for a decision to be rendered regarding the formal report. If so, the Title IX panel chair will ask that the investigator conduct a supplemental investigation regarding the areas of concern. The investigator will focus any additional investigation on the specific inquiries made by the Title IX panel. The investigator will then prepare and submit a supplemental investigation report addressing the findings as to the issues raised by the Title IX panel. Under ordinary circumstances, any additional investigation and supplemental investigation report should be completed and submitted to the Panel within 30 days of the request for the supplemental investigation. The Title IX panel chair reserves the right to schedule a subsequent Title IX panel conference to address the findings from the supplemental investigation with the parties separately, at its discretion, should the Panel feel that such a meeting would be helpful to the process.

## G. Withdrawal/Acceptance of Charges

- 1. Reporting Party May Withdraw the Report:** Prior to the Title IX panel's Decision, the reporting party may withdraw the formal report. Withdrawal of the report will, under most circumstances, end the adjudication Process for that report. Once a report has been withdrawn, it cannot be filed again by the reporting party within this Process. The University reserves the right to move forward with the formal report, even after the reporting party decides to withdraw it, in order to protect the interests and safety of the Bentley community.
- 2. Responding Party May Accept Responsibility:** Prior to the Title IX panel's decision, the responding party may accept responsibility for the misconduct alleged in the formal report. This acceptance, under most circumstances, will end the adjudication process and the matter would then be referred to the Title IX panel to decide the issue of the appropriate disciplinary action for the responding party. The Panel may take the responding party's acceptance of responsibility into consideration in determining the appropriate sanction. Once the responding party accepts responsibility, such acceptance cannot be withdrawn. A written finding of the accepted report and the resulting disciplinary action will be issued by the panel, which will become part of the Responding party's student records and will be shared with the reporting party.

- 3. Responding Party May Withdraw:** At any time up until three (3) days after the Title IX Panel Conference, the responding party has the right to withdraw as a student from Bentley University. In such a case, the responding party will leave the University with the notation “Student Withdrew with Disciplinary Charges Pending” on their disciplinary record. After withdrawing, the responding party will not be eligible to return to the University. A responding party’s withdrawal will end the Adjudication Process for that report. On the fourth (4th) day after the Title IX Panel Conference, the responding party will no longer be allowed to withdraw, as the pending decision from the panel and disciplinary action will determine their status with the University. Under certain circumstances, and at the discretion of the panel, the time period for the responding party to withdraw may be extended if a supplemental fact-finding investigation has been requested by the panel. In that case, the responding party’s right to withdraw would expire three (3) days after any subsequent Title IX Panel Conference is held, or after notice that a subsequent Title IX Panel Conference will not be scheduled.

## H. Panel’s Decision

Upon determining that all of the issues regarding the formal report have been fully investigated and adequately addressed, the Title IX panel will issue its decision. The decision will be made on the preponderance of the evidence standard — that is whether the facts presented in the investigation report support a finding that it is more likely than not that University policy has been violated. The decision of the panel will be reached by a majority. The Title IX panel will base its decision on the information presented in the investigation report and any supplemental investigation report. Under ordinary circumstances, the Title IX panel’s decision will be issued in writing within 10-14 business days after the Title IX Panel Conference. The panel chair will draft the panel’s written decision and submit it to the Title IX Coordinator.

The Panel may issue the following decisions to a formal report:

- A finding that a University policy was violated. The panel will then impose the appropriate disciplinary action.
- A finding that a University policy was not violated as there is insufficient information to substantiate the allegations of the formal report.

Once the panel’s decision has been issued, both the reporting party and the responding party will be notified by the Title IX staff. Each party will meet with the Title IX staff separately to receive a copy of the panel’s decision, referencing the supporting information that the panel relied on from the investigation report. The panel’s decision is a confidential document that can only be shared with authorized persons as noted in this process (i.e., support persons, attorneys, counselors, or clergy). Anyone disclosing the panel’s decision to a person not authorized to see it shall be subject to disciplinary action. If the Title IX panel’s decision results in disciplinary action which includes separation from campus, that sanction will be imposed immediately, regardless of whether an appeal has or will be filed. The Title IX Coordinator has the discretion to allow a responding party to complete any pending coursework remotely, if deemed appropriate by the faculty members involved..

## I. Appellate Process

Both the reporting party and responding party are entitled to appeal a Title IX panel’s decision issued through the adjudication process. The person filing the appeal is the appellant. An appeal must be filed, in writing, within seven business days of their meeting with the Title IX staff.

The appeal will be considered by an impartial and well-trained administrator, or administrators, who were not part of the initial decision-making panel. In considering the appeal, the appellate administrator(s) will be given the appeal, the investigative report including the statements of the reporting party and responding party, and the Title IX panel’s decision to review.

To submit an appeal, an appellant should write a letter to the appellate administrator, the Vice President of Student Affairs or their designee, outlining their reason for appeal. The opposing party will be notified if an appeal has been filed. In some situations, both parties may file an appeal. In this situation, the appellate administrator will consider and review both appeals together.

The appeal letter should be submitted via e-mail to:

**J. Andrew Shepardson, Ph.D.**

Vice President of Student Affairs/Dean of Students

Bentley University

ashepardson@bentley.edu

There are only three grounds on which a Panel's Decision can be appealed:

- 1. Procedural Error:** The appellant alleges that there was a deviation or change from the procedures outlined in the University's policy which adversely impacted the outcome of the matter.
- 2. New Evidence:** The appellant alleges that, subsequent to the issuing of the Title IX panel's decision, new evidence became available which would have impacted the outcome of the formal report. The appellant must: (i) present the new evidence; (ii) show why it was unavailable prior to the Title IX Panel's Decision; and (iii) show that the new evidence could have altered the outcome of the report. The opposing party will be given an opportunity to rebut these assertions by the appellant. If the appellate officer(s) determines that there is evidence that meets these requirements, it will remand the matter to the Title IX Panel for investigation and review in light of the new evidence.
- 3. Severity of The Disciplinary Action:** The appellant alleges that the sanctions imposed are too harsh or impose an undue hardship.

The written appeal must specifically state the grounds under which the appeal has been filed and must be submitted within the seven day time limit after their meeting with the Title IX staff. The appeal must set forth the information/evidence to support the appeal. Appeals which do not comply with these requirements may not be considered. The appeal is not an opportunity to argue that the initial decision was wrong. The appeal is not a new fact-finding process. Once the appellate process has been complete, the final decision will be provided to both parties.

## **J. Conclusion of the Case**

- 1. The Title IX Coordinator will maintain investigative files for purposes of Title IX compliance.** Any and all documents retained at the conclusion of a formal or informal resolution of a report will be maintained by the University in a safe and confidential manner.
- 2. Internal Reporting:** Once a final resolution has been reached, whether through a Title IX panel decision or by acceptance of responsibility, that disciplinary decision, if it includes a suspension or expulsion, will become a permanent part of the responding party's student records. As such, the outcome of this disciplinary adjudication may be available to other administrators within the University for their review, if needed.

## **APPENDIX C:**

### *Types of Employees at Bentley University*

Faculty and staff members on campus have different roles and responsibilities in reporting information should a student disclose an act of sexual misconduct. Please pay close attention to both confidential and responsible employees, as they have markedly different duties for reporting information.

For more information regarding resources and support, please contact:

**Erin Kelley**

Title IX Coordinator  
Student Center 320  
781.891.2329  
ekelley@bentley.edu

**Alex Hirs**

Deputy Title IX Coordinator  
for Student Support  
Student Center 320  
781.891.2364  
ahirs@bentley.edu

**CONFIDENTIAL EMPLOYEES**

These staff members are not required to report any information about an incident without a student's permission.

**LIMITED REPORTERS**

These staff members can generally talk to a student without revealing any personally identifiable information about an incident. A student can seek assistance and support from these individuals without triggering a university investigation that would reveal the student's identity or the fact that the student has disclosed the incident.

**RESPONSIBLE EMPLOYEES**

These employees have the duty to report incidents of sexual violence or other student misconduct to the Title IX coordinator. If a student tells a responsible employee about an incident of sexual violence, the student has the right to expect the University to take immediate and appropriate steps to investigate what happened and resolve the matter promptly and equitably.

**RESPONDERS**

These individuals, including most faculty and staff on campus, are encouraged to notify the university when a student reports an incident of sexual violence or misconduct, especially if there is cause for fear of a person's safety. These individuals consist of those without supervisory responsibility or authority to address sexual misconduct.

*If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them.*

**CONFIDENTIAL EMPLOYEES**

- Clinicians, physicians and nurses in the Center for Health and Wellness
- Ordained ministers, clergy members and pastoral counselors in the Office of Spiritual Life
- Staff members in the Counseling Center

**LIMITED REPORTERS**

- Jessica Greher Traue, Center for Health and Wellness
- Non-ordained ministers and lay administrators in the Office of Spiritual Life

**RESPONSIBLE EMPLOYEES**

- Athletics Professional Staff
- Center for International Students and Scholars (CISS)
- Equity Center educators (ECEs)
- Graduate Student and Academic Services
- The Multicultural Center
- The Office of Academic Services
- The Office of the Dean of Student Affairs
- The Residential Center
- Resident Assistants (RAs)
- Student Programs & Engagement
- University Police

**RESPONDERS**

- Most faculty and staff members



# LIVING ON CAMPUS

Living on campus has many benefits. Among these is the opportunity to live in close proximity to other students and engage in the social and academic interactions that such proximity allows. Those interactions should always take place with the understanding that individual and group behaviors should not have a negative impact on the greater Waltham or campus communities; we all need to be good and considerate neighbors.

## ROOM/SUITE/APARTMENT VISITOR CAPACITY

Bentley University recognizes that students may want to have visitors or guests gather in their room, suite or apartment. Due to space and safety concerns, the number of non-residents allowed in each dwelling is limited to 10 visitors per room in the halls, 20 visitors per suite in suite-style buildings and 30 visitors per apartment in apartment buildings. Note that courtesy and quiet hours policies remain in effect and if it is determined that a room, suite or apartment is causing excessive noise or a disruption or other policy violations are occurring, staff may require guests to leave the space.

## APPLIANCES

All cooking appliances, except microwave ovens, are prohibited from residence hall rooms. This includes hotplates, hotpots, toaster ovens, popcorn poppers and any other appliances. Space heaters are not allowed. Offenders may face fines and other disciplinary sanctions.

## POLICY ON THE USE OF DRONES AND UAVS ON CAMPUS

The operation of a drone or UAV (unmanned aerial vehicle) over Bentley property is prohibited in the absence of approval by the Bentley University Chief of Police. In order to obtain approval for the operation of a drone or UAV over Bentley property, the operator must file an application with the Chief of Police at least 48 hours prior to the planned operation. The application forms may be obtained at the Police Department. For more information on this policy, please visit the [CAMPUS SAFETY WEBSITE](#).

## PROPERTY VIOLATIONS

Violations of university property encompass violations of policies that are destructive or detrimental to the physical environment of the campus.

## SCREEN/WINDOW POLICY

There is a fine per screen for unauthorized removal. Residents who are having problems with their screens are responsible for reporting the issue immediately to a residential staff member or the work order system. Using windows as entrances or exits to resident halls or throwing or dropping objects out of the window will result in a conduct violation and subsequent conduct hearing. Using windows as entrances or exits to residence halls is strictly prohibited and will result in action within the [CONDUCT SYSTEM](#). Riser restrictors are installed in windows on ground floor units for student safety. Tampering with riser restrictor's compromises student safety.

## CONDITIONS OF COMMON AREAS

If damages occur to common areas within buildings (hallways, bathrooms, stairwells, lobbies, lounges, laundry rooms, basements, elevators), responsibility cannot be ascertained and thus the damage charge can be assessed equally among the residents in the floor/building. For the purpose of community billing, common area damages are defined as trash, vandalism (broken exit signs, broken glass, broken windows, damaged ceiling tiles, etc.), bodily fluids, fire extinguisher discharge, and furniture removal. Residents or the guest(s) of residents who damage community areas of a residence hall are strongly encouraged to accept responsibility.



Damages may result in fines being assessed directly to the students' account for labor, repair or replacement cost. Students will be informed upon discovery of community damage or vandalism. The residents of the area in question will be informed of the community billing process.

## **PETS**

No pets are allowed in residential buildings, except for fish in tanks no larger than 10 gallons. Those found with unauthorized pets are subject to fines, conduct action, and cleaning costs. Service and Therapy animals living in the residence halls are not considered "pets" and any questions regarding such animals should be referred to the Residential Center and/or Disability Services.

# RESIDENTIAL CENTER POLICIES

## GENERAL INFORMATION ABOUT HOUSING

Only Bentley students who carry a normal course load (12 or more credits) are eligible for housing. The housing contract is for this academic year only. Students whose association with Bentley has been terminated or who are no longer functioning as students are not permitted to return to university housing.

The university reserves the right to enter any room or apartment to inspect and/or perform maintenance of the physical plant and to handle emergencies that threaten the safety of residents (including but not limited to smoke, fire, flooding, life-threatening illness or possible criminal activity). Staff members respect the privacy of student rooms, but will respond and take appropriate action when students create a disturbance or nuisance or when there is a clear and present danger.

## CLOSING DATES AND INFORMATION

The University is not in session during official vacation periods; students must vacate all rooms during winter break. Students may remain in housing over Thanksgiving and spring break, but the dining halls are not open. All students must vacate their rooms or apartments within 24 hours of their last final exam or by the closing date listed in the housing contract for fall and spring, whichever comes first. Students who do not vacate their rooms by the closing time and day may be assessed \$100 and face conduct action. The university is not responsible for personal property left behind after the move-out date and time. Everything left behind is disposed of immediately after the move-out date. Please remember to take all your belongings with you when you move out.

## ROOM CHANGE PROCESS

The staff is available to assist residents with any problems they may be encountering. Requests for room changes may occur throughout the year for many reasons (desire for a new community, unresolved roommate conflicts, etc.). The Residential Center staff is available to assist residents in the room change process after alternative options have been discussed.

### Student-Initiated Room/Building Changes

After the initial room freeze (typically the first two weeks of each semester), students may request to change their room and/or building assignment provided that space is available and the proper procedures have been followed. Students experiencing roommate problems should first speak with their Resident Assistant and Residence Director before filing for a room change. Unauthorized room changes may result in financial adjustment and/or disciplinary action.

### University-Initiated Room/Building Changes

The university reserves the right to change room assignments at its discretion. In order to achieve full utilization of facilities, the Residential Center reserves the right to assign and change student room assignments at its discretion, to assign anyone on a temporary basis to vacancies and to consolidate vacancies. Students who refuse to accommodate the university in its attempts to make best use of vacant space will have disciplinary action through the **CONDUCT SYSTEM**.

## HOUSING REFUNDS

Due to the high fixed costs of operating and maintaining the residence halls, room charges are made for the entire academic year (although payable by semester). Charges are not refunded when a student withdraws from housing, unless there are extraordinary circumstances.

## WITHDRAWAL FROM HOUSING

Students who wish to withdraw from housing must fill out a petition to withdraw from housing with the Residential Center. In order to receive consideration, there must be a significant change in the student's physical, personal, or financial situation beyond the student's control.

***Please Note: The student remains financially responsible for all housing and meal plan charges until the petitioning process is completed and if approved, withdrawal paperwork is processed. If approved, there is a fee for breaking your housing contract.***

## POLICIES ON ROOM OCCUPANCY

The Residential Center has been charged with the responsibility of maintaining 100% occupancy of the residential facilities. The Residential Center will make every effort to notify current residents of a room change.

## UNWELCOMING ENVIRONMENT

If you are found to be creating an unwelcoming environment to someone who is currently living in a space or moving into a space, or if a student is unable to move into a vacant space due to the environment you have created, you will be held responsible through the **CONDUCT SYSTEM**.

## UNAUTHORIZED RESIDENTS

Only people who have a current housing contract are permitted to reside in university housing. If anyone is found living in university housing not permitted by Residential Center staff, they, along with the residents who have permitted them to stay in their room/apartment, will be subject to action up to and including fines, removal from the university and payment of the full cost of the space.

## FURNITURE AND PAINTING

University furniture may not be removed from any student accommodations. The university will not remove or store any Bentley-issued furniture. Lofts are not allowed unless provided by the university. University furniture may not be used outdoors. For fire safety purposes, any furniture brought into the residence hall must comply with California flammability standards. Due to the high potential for damage to university and student property, waterbeds are prohibited. Residents may not paint their room, suite or apartment.

## COMBINATION CHANGES

Most rooms and apartments have combination locks instead of keyed doors. When a student receives the combination to his or her living unit, he or she should keep it confidential. Students are charged for a combination change, unless the change is necessary for administrative reasons (e.g., room changes, withdrawals or security incidents).

## LOCKING OF RESIDENTIAL BUILDINGS

To provide security for residents, all exterior doors of residential buildings are locked 24 hours a day. Access to the buildings is gained by resident student ID cards. Students can assist in increasing the security of their buildings by not propping open the exterior doors, not letting other people in and not pulling a door to try to force it open. Violations of any of these security precautions will be referred to the **CONDUCT SYSTEM**. Students should immediately contact University Police or the Residential Center staff if they see unauthorized people in the halls.

## **MAINTENANCE**

The Residential Center acts as a liaison to the Facilities Management department in all matters related to the maintenance of residence halls. Students should submit an **ONLINE SERVICE REQUEST** through “Infor.” if their living area requires repair or maintenance work. This information is relayed to the Residential Center, which initiates and expedites a work request. If an emergency develops after normal business hours, contact University Police, through an RA if possible. The Residential Center maintains a continuous status check on requests and notifies the student if any problems arise in connection with the work.

# STUDENT PROGRAMS AND ENGAGEMENT

## GENERAL REGULATIONS REGARDING ALCOHOL AT EVENTS

- The Commonwealth of Massachusetts recognizes only a Massachusetts driver's license as positive proof of age for individuals wishing to consume alcoholic beverages at university functions. For Bentley students who are non-Massachusetts residents, the only acceptable form of identification for proof of age is a valid driver's license from the student's place of permanent residence or a valid passport. University management reserves the right to deny service of alcohol or entrance to areas of alcohol service to anybody at any time.
- A Bentley identification card is required for admission to all campus events at which alcohol is served. All Bentley students are subject to verification by official registrar's records. Any exceptions to the ID policy must be approved by the Dean of Student Affairs. Guests are admitted only if they are accompanied by their Bentley host. No more than one guest is admitted per host. Some events receive prior approval from Student Programs & Engagement to be open to non-Bentley students.

***Please Note: Exceptions to this policy can be made by the Dean of Student Affairs in advance of the event***

Out-of-state guests wishing to purchase alcoholic beverages who do not possess a Massachusetts driver's license must produce positive proof of age and picture identification. University IDs will not be accepted as proof of age.

- TIPS trained staff check IDs to ensure that students and guests are 21+ upon entry.
- Obviously intoxicated individuals will not be served alcoholic beverages under any circumstances.
- **Open Bar Policy:** Bentley does not permit "open bars" on the campus at events sponsored by student organizations, on-campus groups, visiting conference groups or other special guests. Each cash-paying customer must be in compliance with university policies on alcohol consumption.
- **Outdoor Event Policy:** The use of alcohol at outdoor events is covered extensively below under **REGULATIONS ON USE OF ALCOHOL IN PUBLIC AREAS** and **REGULATIONS IN USE OF ALCOHOL AT STUDENT-SPONSORED EVENTS**.

## Regulations on Use of Alcohol in Public Areas

Regardless of a person's age, alcoholic beverages may not be consumed in any public area. Public areas are defined as all areas outside of residence hall rooms, suites and apartments and all university grounds except for licensed areas.

## Regulations for Licensed Service of Alcohol at Events

The use of alcohol should not be the primary focus of any event. This attitude must be reflected in all aspects of program planning and implementation and specifically in the promotion of the event and the pricing of alcohol provided at the event (e.g., program promotion should not emphasize alcohol and prices may not be lowered to encourage drinking). The following points should be made regarding events.

- At functions where alcoholic beverages are available, sufficient food and nonalcoholic beverages must also be readily available during the entire event.
- No alcohol can be dispensed at outdoor programs unless (and only for exceptional cases) a liquor license is obtained for the event. Appropriate university personnel must dispense the alcoholic beverages at these events.
- Events where alcoholic beverages are available are required to have Student Programs & Engagement event staff and University Police officers on duty for the duration of the event to assist in monitoring the

event. Waivers of this requirement may be granted by the department controlling the facility in which the event is held and University Police and are issued primarily for small functions.

- The organization(s) or individual(s) sponsoring an event has responsibility for ensuring that the above regulations are followed. Should an organization or student fail to fulfill its obligation, action within the **CONDUCT SYSTEM** will result.

## **Student Responsibility**

- After gaining admission to an event, individuals of legal drinking age (21 years of age and older) who wish to purchase and consume alcoholic beverages will be directed to a station where IDs will be checked and their age verified.
- This station will be staffed by Student Programs & Engagement event staff. At that station, the patrons must present a Bentley ID and one form of government-issued picture ID. IDs will be compared to a print-out of all duly registered Bentley students, which will be supplied by the Office of the Registrar, to verify the student's birth date. This document will be considered to be the preeminent authority in regard to the student's age. Any discrepancies between IDs and the printout will be resolved on the next regular business day during normal operating hours.
- Patrons of verified legal drinking age will have a colored plastic wristband affixed to their wrist by event staff. Only individuals wearing wristbands will be allowed to consume alcohol.
- Any server, staff member, event staff, student manager or University Police officer may request to see proper ID at anytime during an event.
- Alcoholic beverages are limited to one serving per purchase.
- Servers may deny service, at their sole discretion to any individual they consider to be intoxicated.
- Anyone not wearing the appropriate wristband found consuming alcoholic beverages at any event will be removed from the premises immediately and subject to disciplinary action. Sanctions are applicable to both minors and individuals of legal drinking age who have not gone through the proper procedure for procuring a wristband. Additional sanctions will be levied for uncooperative or abusive behavior.
- Whenever a person's behavior is abusive or threatening or when a person fails to produce identification or leave the event when asked to do so, appropriate staff is summoned. If the individual remains uncooperative, university police officers will be called to handle the situation.
- Complete lists of those prohibited from entering events are kept at the door. Violations or attempted violations are referred to the Office of the Dean of Student Affairs.
- Purchasers and consumers of alcoholic beverages will not be physically separated from individuals not of legal drinking age, but both remain responsible for compliance with all policies on the consumption of alcohol.

# RESOURCES

Every member of the Bentley University community has the right to physical safety and freedom from harassment. If you have been physically or sexually assaulted or harassed, please do not feel that you are alone. There are many people at Bentley who can help you.

For support and help, you may call the individuals listed below or anyone else from their offices. For 24-hour emergency help, including weekends, evenings and nights, call **University Police at 781.891.3131**. At your request, they will try to reach the following offices:

- **Academic Services**  
781.891.2803
- **Athletics**  
781.891.2493
- **Center for International Students and Scholars**  
781.891.2829
- **Center for Wellness Promotion**  
781.891.2600
- **Counseling Center**  
781.891.2274
- **Dana Athletic Center**  
781.891.2256
- **Dean of Student Affairs**  
781.891.2161
- **Disability Services**  
781.891.2004
- **Health Center**  
781.891.2222
- **Human Resources**  
781.891.3427
- **Multicultural Center**  
781.891.2132
- **Special Assistant to the President and Ombudsman Earl Avery**  
781.891.2907
- **Residential Center**  
781.891.2148
- **Spiritual Life**  
781.891.241
- **Beth Israel Hospital**  
617.667.7000
- **Beth Israel Rape Crisis Program**  
617.667.8141
- **Brigham and Women's Hospital**  
617.732.5500
- **Newton-Wellesley Hospital**  
617.243.6000
- **Mount Auburn Hospital**  
617.492.3500
- **Waltham Police Department (non-emergency)**  
781.893.3700
- **Boston Area Rape Crisis Center**  
800.841.8371  
*Confidential, 24-hour hotline; rape counseling; and Male Survivor Initiative*
- **Fenway Community Health Center**  
888.242.0900  
*Violence recovery program for gay, bi-sexual and transgender survivors*
- **Samaritans**  
877.870.4673  
*A 24-hour crisis hotline to discuss all issues*

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# IMPORTANT NUMBERS

- Academic Services  
781.891.2803
- Athletics  
781.891.2256
- Bentley Library  
781.891.2168
- Bookstore  
781.891.3107
- Career Services  
781.891.2244
- Health Center  
781.891.2222
- Center for International Students and Scholars  
781.891.2829
- Center for Wellness Promotion  
781.891.2600
- Counseling Center  
781.891.2274
- Disability Services  
781.891.2004
- Education Abroad  
781.891.3474
- Financial Assistance  
781.891.3441
- Multicultural Center  
781.891.2132
- Ombudsman  
781.891.2907
- Residential Center  
781.891.2148
- Service–Learning Center  
781.891.2170
- Spiritual Life Center  
781.891.2418
- Student Employment  
781.891.2968
- Student Financial Services  
781.891.2162
- Student Programs and Engagement  
781.891.2700
- Student Affairs  
781.891.2161
- University Police  
781.891.2201  
781.891.3131 (*emergency*)

**BUILDINGS**

- B11 ..... Harrington House
- B12 ..... Stratton House
- B14 ..... Boylston A and B
- B15 ..... Rhodes Hall
- B16 ..... Collins Hall
- B17 ..... Kresge Hall
- B18 ..... Forest Hall
- B19 ..... Miller Hall
- B20 ..... Falcone North
- B21 ..... Falcone East
- B22 ..... Falcone West
- B23 ..... Student Center
- B24 ..... Slade Hall
- B25 ..... The Trees
- B31 ..... Orchard North
- B32 ..... The Castle
- B33 ..... The Cape
- B34 ..... Orchard South
- B35 ..... Lewis Hall
- B36 ..... Facilities/Receiving
- B37 ..... Dana Athletic Center
- B38 ..... Dovecote
- B39 ..... Copley South
- B41 ..... Copley North
- B42 ..... Fenway Hall
- B45a ..... University Police
- B45b ..... Counseling Center
- B52/B53 ..... LaCava Center
- B54 ..... Bentley Library
- B55 ..... Morison Hall
- B56 ..... Adaman Academic Center
- B57 ..... Smith Academic Technology Center
- B58 ..... Lindsay Hall
- B59 ..... Jennison Hall
- B61 ..... Rauch Administration Center
- B63 ..... North Campus Apartments A
- B64 ..... North Campus Apartments B
- B65 ..... North Campus Apartments C
- B66 ..... North Campus Apartments D
- B121 ..... President's House

**PARKING**

**GENERAL**

- L1 ..... LaCava 1
- L2 ..... LaCava 2
- L3 ..... Rauch
- L6 ..... LaCava 3
- L7 ..... Morison 7
- L8 ..... Morison 8
- L9 ..... Morison 9
- L10 ..... Morison 10
- L20 ..... Athletics 1
- L22 ..... Dana 1
- L30 ..... Athletics 2
- L31 ..... Athletics 3

**RESIDENT**

- L11 ..... Miller 1
- L12 ..... Miller 2
- L16 ..... Trees
- L17 ..... Forest
- L19 ..... Stratton
- L21 ..... Orchard Decks
- L44 ..... North Campus A
- L45 ..... North Campus B
- L46 ..... North Campus C
- L47 ..... North Campus D

**FACULTY AND STAFF**

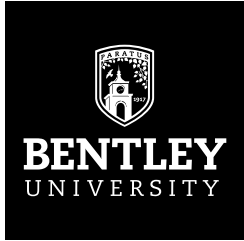
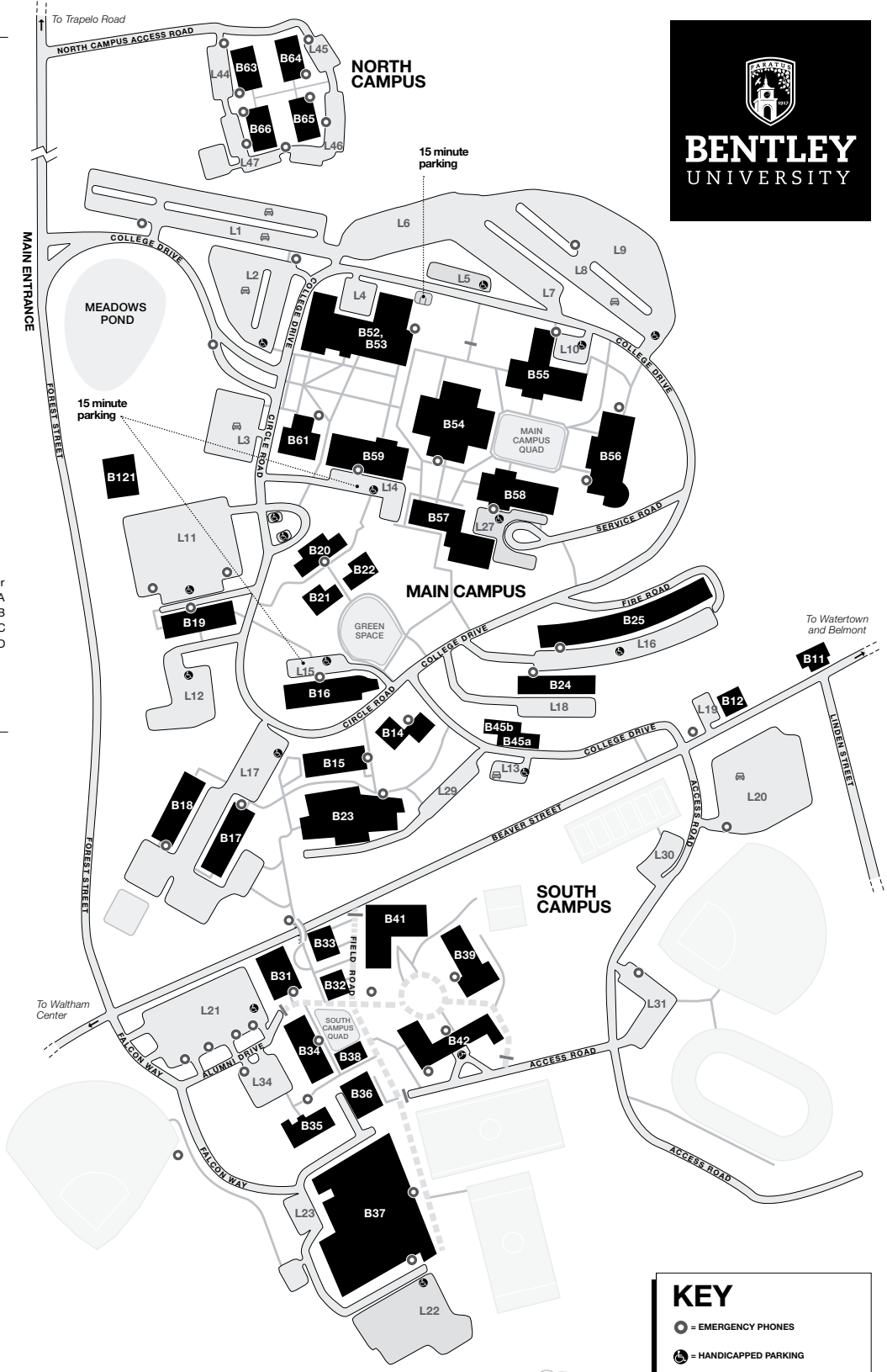
- L13 ..... Police
- L18 ..... Slade
- L23 ..... Dana 2
- L26 ..... Harrington
- L29 ..... Student Center
- L34 ..... Lewis

**FACULTY-ONLY PARKING**

- L5 ..... Main Campus

**SERVICE AND VENDOR**

- L4 ..... LaCava
- L14 ..... Jennison
- L15 ..... Collins (short term)
- L27 ..... Smith



# CAMPUS MAP