



Bellevue University

Drug-Free Schools and Campuses Regulations [Edgar Part 86]

Biennial Review: Academic Years 2022-2024

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December 30, 2024


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CERTIFICATION STATEMENT

From: Mary B. Hawkins, President


I have reviewed the University Biennial Review for Alcohol and Other Drug (AOD) Abuse Prevention Program Biennial Review Report. I find the review to be comprehensive and complete. I've authorized the Dean of Students and Senior Director, Resident Student Initiative, Residence and Student Life to pursue implementation of this report's recommendations.



Dr. Mary B. Hawkins

President

Bellevue University



Date

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Overview

Please find the federally mandated Biennial Review of Bellevue University's substance abuse prevention education efforts for Academic Years 2022-2024. The Drug-Free Schools and Communities Act of 1989 and subsequent legislation require an Institution of Higher Education (IHE) to abide by the regulations to be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any federally funded or guaranteed student loan program.

In accordance with these laws, included are the following source documents to demonstrate the University's compliance with the Act:

- The Drug Free Schools and Communities Act Amendment of 1989 (Appendix A)
- H.R.3614-12 (Appendix B)
- The Anti-Drug Abuse Act of 1988 per the FSA Handbook (Appendix C)
- The Jeanne Clery Act of 1990 (Appendix D)
- EDGAR Part 86.100

The Alcohol and Drug Abuse Prevention Program Compliance review consisted of input from the following University employees which formed a Biennial Review Task Force:

Sherrye Hutcherson, EVP Human Resources/Guild Partnership Programs

Sarah Jarecki, Director of Compliance

James Smith, Assistant Vice President, Dean of Students

Kevin Cleary, Associate Dean of Students/Title IX Coordinator

Kelli Robinson, Title IX Coordinator/Student Conduct Director

Amber Arthur, Data Analytics & Student Conduct Manager

James Nekuda, Vice President of Strategic Partnerships

Alaina Smith, Sr. Director of Residential Student Initiatives

Ed Lehotak, Athletic Director

Scott Altic, Assistant Vice President, Maintenance, Grounds, & Security

The Biennial Review process is an ongoing effort to document prevention program components from the departments listed above. Biennial Review documentation is kept by the Dean of Students office and is available upon request.

The materials prepared and distributed by Dean of Students and Human Resources are comprehensive and distributed to all University students and employees (Faculty and Staff). The Biennial Report is available for the public on Bellevue University's webpage on the Consumer Information page. The University policies meet the requirements of the Drug-Free Workplace and Drug-Free Schools legislation.

There are opportunities for improvement which are addressed in the recommendations section.

In our review of the current campus enforcement of procedures, we have found Bellevue University continues to improve and streamline the education process of students and employees. We find the existing policies are adequate and effective as the AOD instances have remained stable.

University Policy Inventory (Appendix E)

Bellevue University policies and procedures with reference to alcohol and other drugs were reviewed to ensure consistency with DFSCA Regulations occurred.

PS11 - Prohibition of Drugs and Alcohol

Index: President's Office

PS80 -Tobacco Free

Index: President's Office

PS 525 – Safe Driver Policy

Index: Vice President of Administration

PS 431 – Crime Awareness and Campus Security

Index: Vice President of Administration

PS509 – Drug Free Workplace Program

Index: Human Resources

PS1901 – Student Code of Conduct

Index: Dean of Students

PS1977 – University Complaint Process

Index: Dean of Students

PS98 – Distribution Policy

Index: Dean of Students

NAIA Student-Athlete Code of Conduct (Appendix F)

Prevention Program Distribution Process and Annual Notifications (Appendix G)

The University issues a notice in writing to every student and every employee annually and to every new student and employee at the start of their enrollment or employment. That notice includes the following:

- + Standards of conduct prohibiting unlawful possession, use or distribution of illicit drugs and alcohol on the institution's property or as part of its activities
- + A description of the health and safety risks associated with the use of illicit drugs and abuse of alcohol
- + A description of applicable legal sanctions under local, state and federal law
- + A description of counseling or treatment programs
- + A clear statement and description of the disciplinary sanctions the institution will impose on students and employees.

All students and staff are emailed on March 30th, June 30th, September 30th, and December 30th with email that provides information and links for the Consumer Information page, Annual Security Report, and Alcohol and Drug Prevention Program. Access to the Employee handbook is provided to new employees at their new hire orientation through the ADP system and updates are distributed to employees electronically.

Copies of the notices issued are attached at Appendix G.

The Department of Education requires that each Institution of Higher Education distribute its AOD abuse prevention policy annually in writing. Below is a comprehensive list of the communication methods and availability of resources through which the University distributes this information in compliance with The Department of Education and Bellevue University's Distribution Policy (PS 98) found in Appendix G. The following information is provided:

Students:

- Inquiry and Application receipts for Prospective Students
- Annual Security Report
- Bellevue University Academic Catalog and Student Handbook (online, upon admission, orientation, advising sessions, or by request)
- Bellevue University Policies (Virtual Student Handbook, Student Portal, Bellevue University website, or with Vice President for Academic Affairs, Registrar, Financial Aid, or Deans' Offices)
- Bellevue University Website – Center for Health and Safety and Drug and Alcohol Abuse Prevention Program pages
- Nebraska Collegiate Prevention Alliance communications and resources on drinking specific to Bellevue University (Appendix G).

Employees: (Faculty and Staff)

- All Campus Email
- New Faculty Hiring Process
- New Employee Orientation Hiring Process
- Annual Security Report
- Employee Handbook (updated as needed)
- Faculty Handbook (updated as needed)
- Bellevue University Policies (accessible via website, Human Resources, University President, Vice

President for Academic Affairs, Registrar, Financial Aid and Deans' Offices)

- Bellevue University Website– Center for Health and Safety and Drug and Alcohol Abuse Prevention Program pages

Prevention Program Inventory

The dissemination of existing University policies and resources are complimented by the following program initiatives and activities.

- Utilizes a 3rd party behavioral software package to record student conduct, complaints, and feedback. Provides data for analytics to address gaps in AOD abuse prevention policy and student behavior.
- Maintaining a comprehensive “Center for Health and Safety” website consisting of all AOD policies, sanctions, abuse prevention information, and resources for all University students and employees. The DAAPP page is: <http://www.bellevue.edu/student-support/center-for-health-and-safety/alcohol-and-other-drugs> (see Appendix G).
- Continued membership with the Nebraska Collegiate Prevention Alliance (NECPA) to reduce high risk behaviors and build capacity for implementing further prevention program activities.
- Renewed participation in the NECPA Strategic Plan to address misperceptions of alcohol use by college students and promote alcohol free alternatives.
- Annual execution of a substance use Media Campaign with the NECPA which targets college age populations in the community, as well as distributing the campaign on campus.
- Hosting a “Power of Parenting” website developed through NECPA with resources for how parents can speak to their students about alcohol.
- Conducting a ‘Year-One College Behavior Profile” (Y1CBP) through NECPA to gather student alcohol and marijuana usage data which enables assessment for programming and prevention efforts. The Y1CBP provides students with peer usage data to correct the misperceptions about substance use among students entering college.

- Enforcing NAIA Drug Use regulations through Athletic Drug Testing when applicable (see Appendix F).
- Communicating with the Bellevue Police Department through Campus Safety to discuss and address issues regarding any drug and alcohol problems that Bellevue University students may be a part of off campus.
- Providing information on available Employee Assistance Program resources.
- Amnesty for Drug or Alcohol Possession and Consumption Violations - The University strongly encourages students to report instances of sex- based discrimination, sexual harassment, and sexual misconduct involving students. Therefore, students who report information about sex-based discrimination, sexual harassment, or sexual misconduct involving students will not be disciplined by the University for any violation of the University's drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident. However, the University cannot guarantee that, if the misconduct is reported to local law enforcement, the police will not take action against the individual. This is found in PS 04 Title IX Policy.
- Continued utilizing Biennial Review Task Force with Human Resources, Athletics, Student Life, Campus Security, and Compliance departments.
- Promoting the Nebraska Good Samaritan Law with the "You Make the Call" campaign in conjunction with the NECPA.
- Hosted awareness and prevention events for students annually with resources surrounding substance abuse and co-occurring topics such as mental health, relationship violence, and sexual assault.
- Signage on Bellevue University statistics on Climate Survey (Nebraska Assessment of College Health Behaviors survey).
- Provided Myths and Facts information to students.

Prevalence Rates

Per the Campus Safety Report, the following table summarizes the alcohol and drug disciplinary charges heard by the Dean of Students for the Academic Years 2015-2021, along with the findings:

Violation		2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Alcohol 1 st	Heard	6	5	19	2	11	5
	Responsible	6	5	19	2	11	5
Alcohol 2 nd	Heard	0	0	0	0	0	0
	Responsible	0	0	0	0	0	0
Illegal Drugs	Heard	9	9	18	2	8	0
	Responsible	9	9	18	2	8	0

* Bellevue University believes in rehabilitation on first offenses and works with students to create a plan to address drug and/or alcohol violations.

** Bellevue University opened on-campus housing in 2015.

Enforcement Analysis

The Task Force has assessed the consistency of imposed sanctions for violations of disciplinary standards and codes of conduct and finds that the sanctions imposed at the University during the relevant timeframe were identical and, thus, consistent. The incidents were similar, involved individuals from similar groups/demographics, and received the same University response.

Program Objectives and Findings

The University, through policies, procedures, sanctions, outside partnerships, and programming is committed to ensuring full AOD compliance. Student Life continues to develop both on campus and online student programs to address AOD prevention needs. The membership with the Nebraska Collegiate Prevention Alliance has enabled the University greater resources for all University students and employees. The participation of the Student Life team has allowed for better focus and dedication of resources to AOD compliance.

Bellevue University instituted a 'Year-One College Behavior Profile" (Y1CBP) through the NECPA group to gather baseline student alcohol usage data which will enable assessment for programming and prevention efforts. The Y1CBP provides students with peer usage data to correct the misperceptions about alcohol use among students entering college. As data is available a 5-year running total will be included, as Bellevue University feels that addressing the behavior at the beginning of student's enrollment will best address behaviors going forward.

Y1CBP Program

OVERVIEW

This report is an analysis of data from the 2018-2023 administrations of the Year 1 College Behavior Profile (Y1CBP) to entering first-year students at Bellevue University. The Y1CBP is a web-based program designed as an alcohol prevention tool for delivery to the general student population. At Bellevue, it is administered to entering first-year students, and reflects their use and perceptions prior to their time on campus. As a result, Y1CBP data are not valid as a measure of campus-wide drinking. These data are not a substitute for a valid campus-level survey of students for obtaining general alcohol/marijuana use indicators such as the Nebraska Assessment of College Health Behaviors (NACHB), the American College Health Association (ACHA) Survey or Core Institute Survey.

The Y1CBP provides personalized feedback to students based on the input of their own use of alcohol/marijuana and self-reports of harms, as well as their campus norms. At Bellevue, these campus norms are based on the previous administrations of the Y1CBP and include both behavioral and attitudinal information. As a population-level prevention tool, the Y1CBP contains a feedback track for those students who do not use alcohol/marijuana. Instead of personalized feedback of using alcohol/marijuana, it provides reinforcement for the abstinence choice. Other aspects of educational information and social norms messages are the same.

The results in this report are valid for examining the characteristics related to alcohol/marijuana use of the entering first-year class. This includes the extent to which entering students have misperceptions about student alcohol/marijuana-related behaviors and attitudes at your school. This can be used to help design social norm messages and prevention programming for new students. You can use these data to assess whether the entering first-year students reflect the general alcohol/marijuana use patterns of high school students in your service area or deviate from these in meaningful ways. You can also use Y1CBP data over time to detect changes in the alcohol/marijuana use patterns of your entering students that might suggest need for further prevention and intervention. 4

Methods

The Y1CBP is completed on a web-based platform hosted by the University of Nebraska – Lincoln. Student response data were analyzed using SPSS V.29. In 2023, the Y1CBP was completed by 43 entering first-year students, with an average age of 18.07 (30 women and 13 men; 35 NE residents, 8 nonresidents).

All drinking behaviors are computed from the daily drinking diary in the Y1CBP. The diary asks students to report their typical drinking for the past month on a one-week calendar by recording the number of drinks and the number of hours drinking each day of the week. The standard definition for binge drinking is having five or more drinks for men and four or more drinks for women in a single setting. A student is classified as a frequent binger if they report having five (men) or four (women) drinks on more than one day. Abstainers are determined within the Y1CBP

as students who report never drinking or not drinking within the past year. These students receive abstainer feedback.

Drinks per week are calculated from the total number of drinks reported for the week in the one-week diary. The number of days drinking per month is computed by taking the number of days on which drinking is reported in the one-week diary and multiplying by 4.2. Average drinks per occasion are computed by dividing the total number of drinks reported for the week by the number of days on which drinking is indicated.

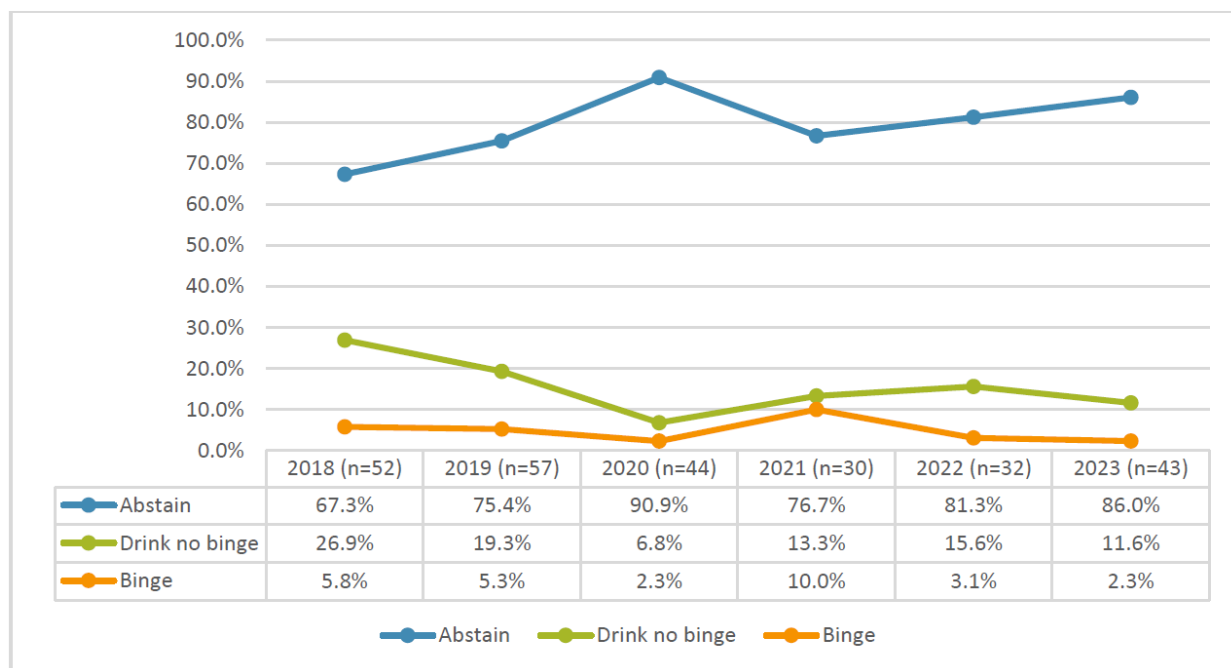
Group differences by student sex and Nebraska residency are shown when those differences are statistically significant. This means that the likelihood that the differences between groups is due to chance is low. Available data by those groups can be found in Appendix B. Where possible, Y1CBP data is also compared to the Nebraska Youth Risk Behavior Survey (YRBS), a national public health surveillance survey of high school students. The YRBS is collected every other year and focuses on students in grades 9-12. The most recent YRBS data available is from 2021. 5

Student Self-Reported Drinking

Drinking Patterns

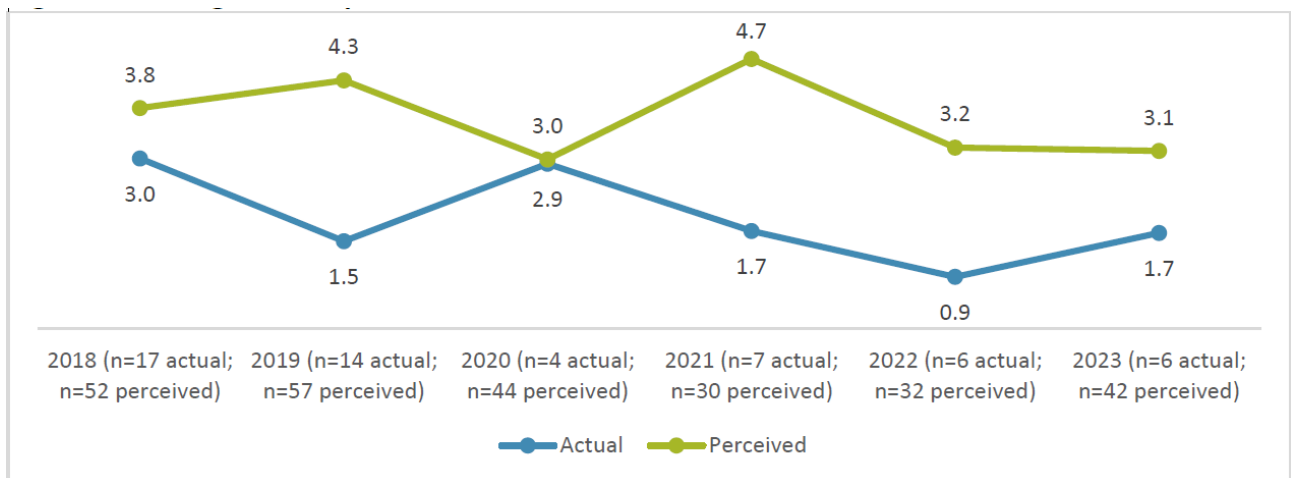
Drinking patterns among entering Bellevue students (n=43) are shown in Figure 1. In 2023, more than six out of seven students (86.0%) abstained from alcohol, an increase from the previous year (81.3%) and the highest rate since 2020 (90.9%). In contrast, 2.3% of students binge drank, tied with the lowest rate in 2020. The reported 2.3% binge rate of incoming Bellevue students was well below the reported 17.5% of high school seniors according to the 2021 Youth Risk Behavior Survey (YRBS).

Figure 1. Student Drinking Categories



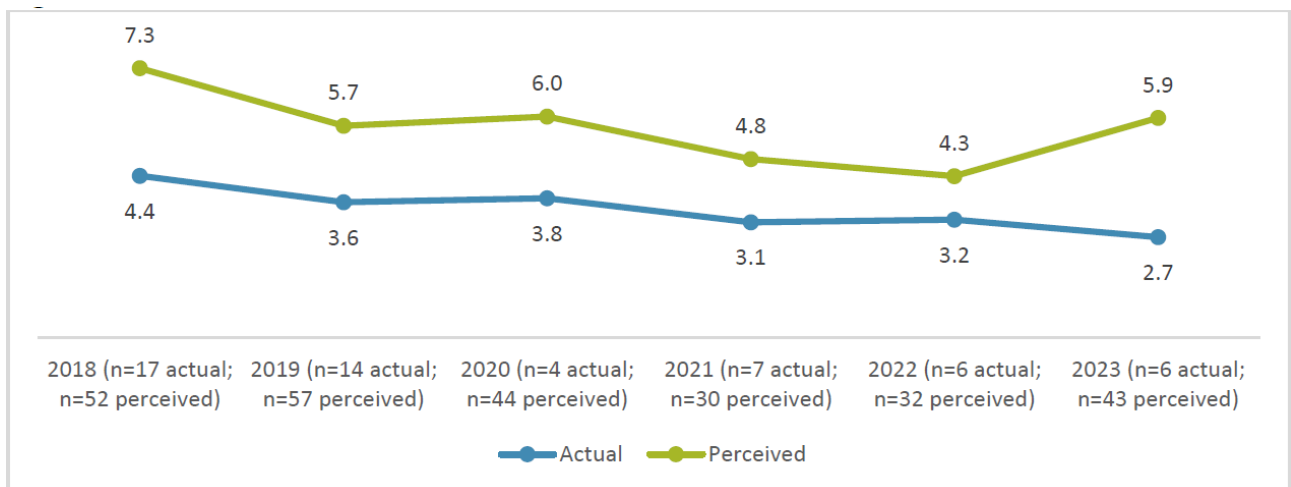
Students' average drinks per occasion over the past six years are shown in Figure 2. Incoming Bellevue students (n=6 drinkers) on average drank more than one and a half (1.7) drinks per occasion in 2023, as seen in Figure 2. The average of 1.7 drinks consumed is larger than 2022 (0.9) but consistent with 2021 (1.7). In 2023, entering students (n=42) thought that their peers had more than three (3.1) drinks per occasion, the second lowest average in the last six years. Bellevue students believed their peers drink almost double the amount they actually do (3.1 vs 1.7).

Figure 2. Average Drinks per Occasion



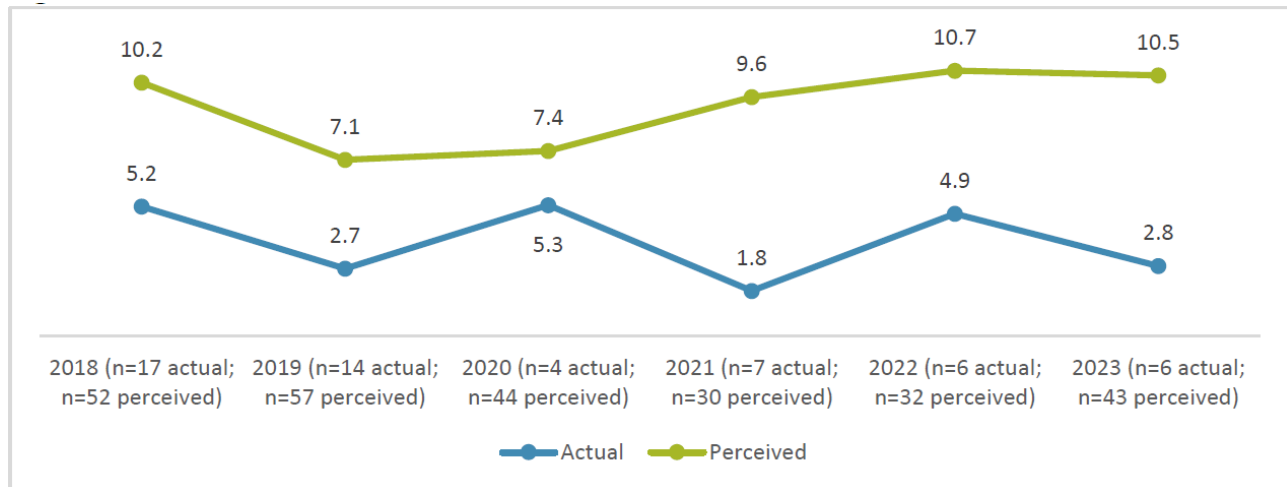
As seen in Figure 3, students entering Bellevue in 2023 (n=6 drinkers) reported drinking more than two and a half (2.7) drinks per week, half a drink less than that of Bellevue students in 2022. Bellevue students (n=43) perceived their peers to consume nearly six (5.9) drinks per week. This number was more than full drink and a half greater than the perceived 4.3 drinks consumed per week in 2022.

Figure 3. Drinks per Week



Finally, entering Bellevue students (n=6 drinkers) reported drinking an average of less than three (2.8) times per month in 2023. This was a large decrease from the 4.9 times per month from students in 2022, as shown in Figure 2. In 2023, future Bellevue students (n=43) believed their peers to drink ten and a half times per month, more than four times greater than the actual amount. Male students' estimates of peer drinking was slightly higher than female students' (10.8 vs. 10.3 times a month), while in-state students' estimates were much higher than out-of-state students (14.0 vs. 3.2 times a month).

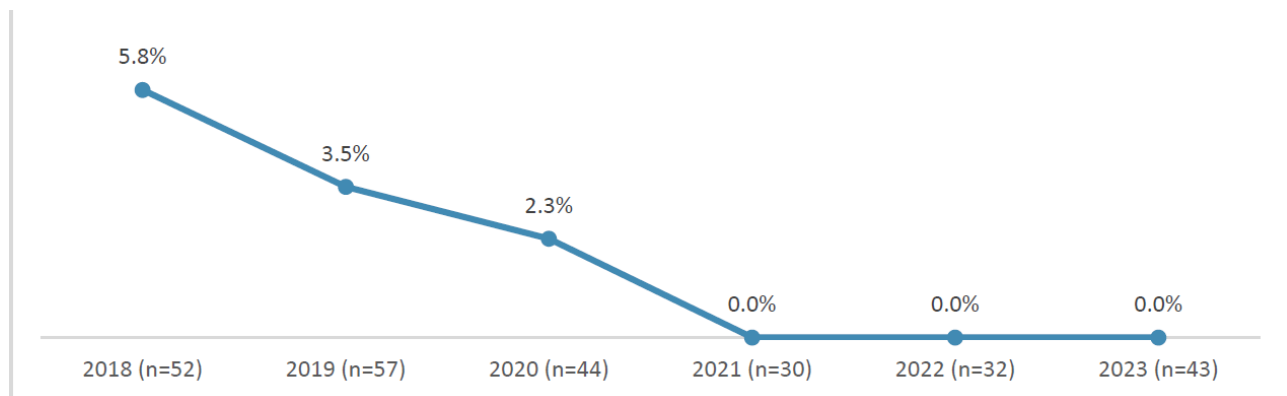
Figure 4. Times Drink per Month



Drinking Related Harms

In 2023, no Bellevue students reported drinking and driving in the past 30 days. This rate among students in 2023 was much lower than the 7.7% reported by Nebraska high school seniors on the 2021 YRBS. Furthermore, no Bellevue students (n=104) reported riding with a drunk driver in 2023. According to Figure 6, this follows a consistent trend of no students being a passenger with a drunk driver during the previous two years.

Figure 5. Ride with Drunk Driver Past 30 Days

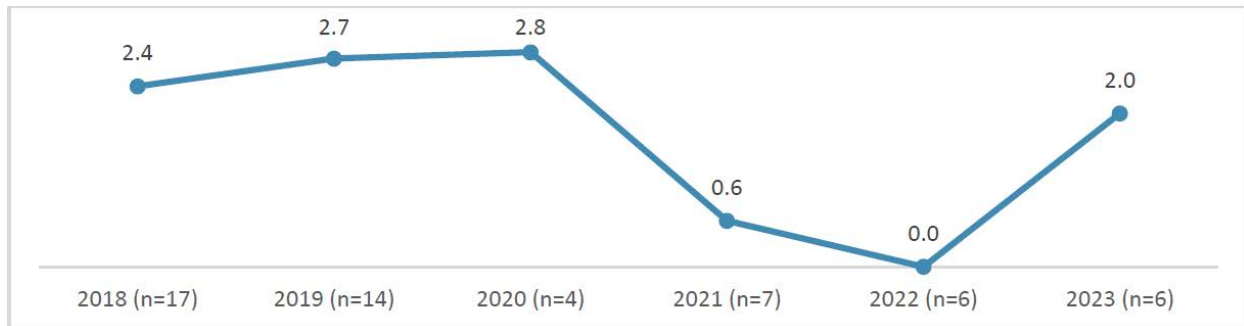


Total Experienced Harms

The Rutgers Alcohol Problem Index (RAPI) was a 23-item self-administered screening tool for assessing drinking-related harms/problems in students. The Y1CBP includes 16 items from the RAPI for an adapted index. In 2023, incoming Bellevue students who drank alcohol (n=6 drinkers) reported 2.0 problems on the RAPI. This is an increase from 2022 (0.0) and 2021 (0.6) but lower

than prior years as seen in Figure 6. No entering Bellevue students reported five or more problems on the RAPI. Five or more problems on the RAPI is considered an important cut-off for negative drinking outcomes.

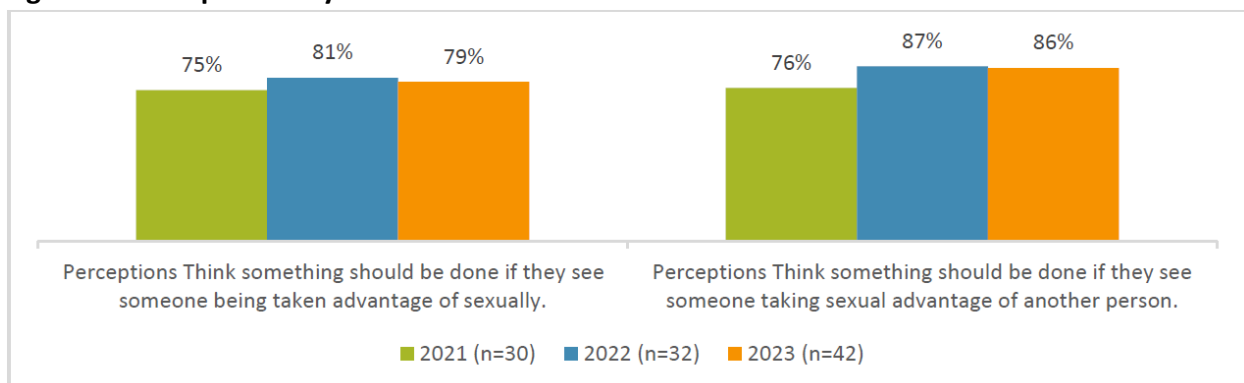
Figure 6. Rutgers Alcohol Problem Index (RAPI)



Student Perceptions

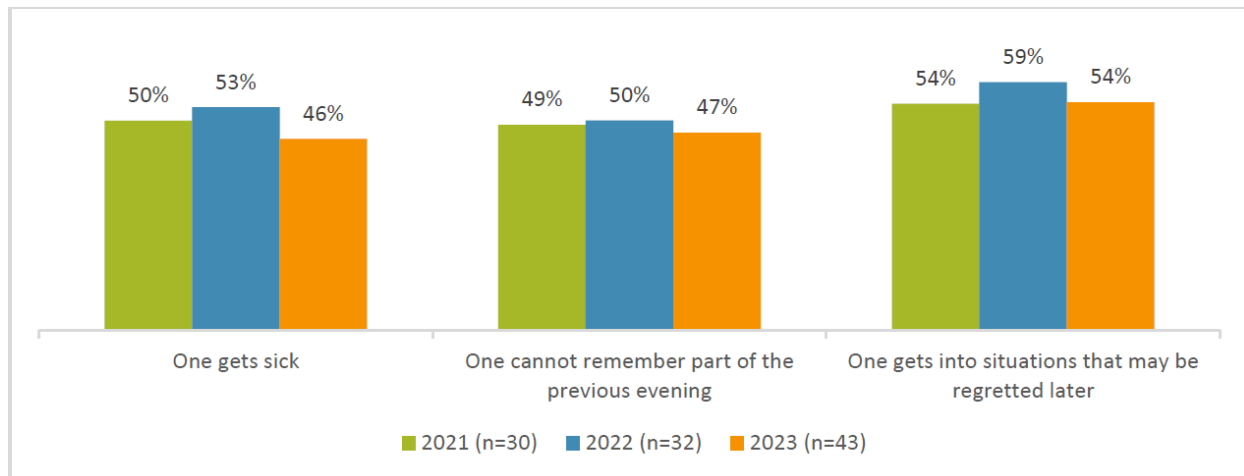
Student perceptions are shown in Figure 7 through Figure 9. Almost eight out of ten (79%) entering Bellevue students in 2023 (n=42) believed that something should be done if they saw someone being taken advantage of sexually and 86% of students thought something should be done if they saw someone taking sexual advantage of another person. According to Figure 7, these rates have been relatively consistent over the past three years.

Figure 7. Perceptions - Bystander Intervention



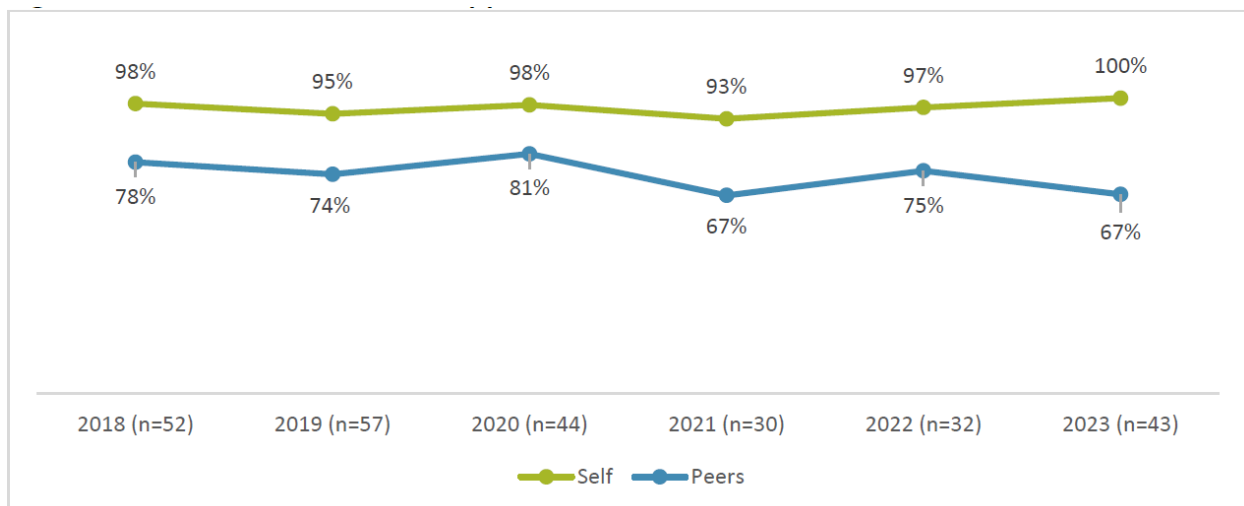
In 2023, less than half (46%) of entering Bellevue students (n=43) disapproved of drinking so much that one gets sick, 47% disapproved of drinking so much one cannot remember the part of the previous evening, and 54% disapproved of drinking so much one gets into situations that may be regretted later. These percentages are slightly less than students in 2022 but are more consistent with students from 2021.

Figure 8. Perceptions – Reason for Peers’ Disapproval of Drinking So Much



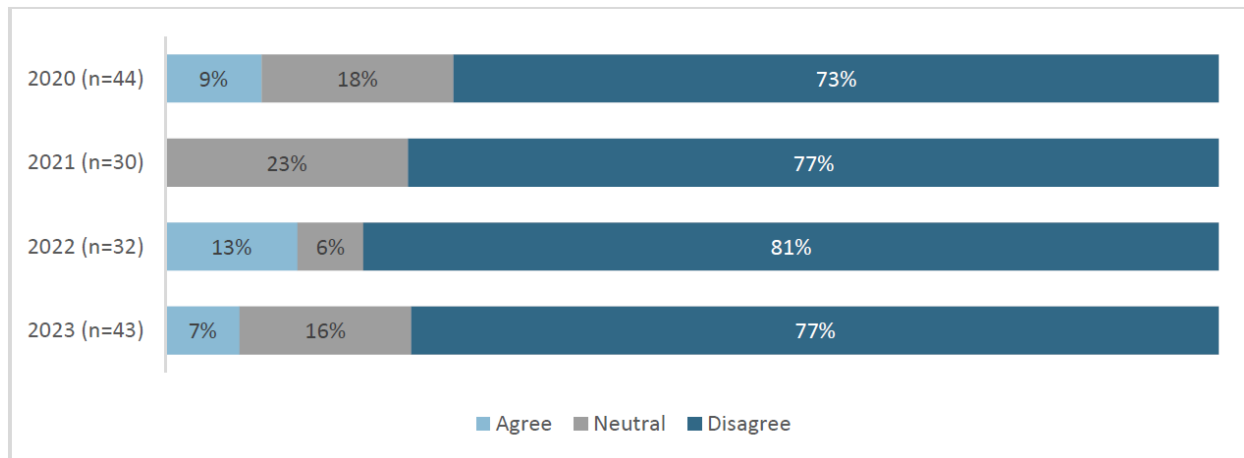
All entering Bellevue students disapproved of drinking and driving in 2023 as compared to the perceived 67% disapproval rate among their peers as seen in Figure 9. This is tied with 2021 for the lowest perceived disapproval rate of drinking and driving in the last six years.

Figure 9. Actual and Perceived Disapproval of Drink and Drive



When entering Bellevue students (n=43) were asked to rate their level of agreement with the following statement, “If both people are drunk, it can’t be rape,” 77% disagreed, 16% remained neutral, and 7% agreed. These rates have been relatively consistent since 2020.

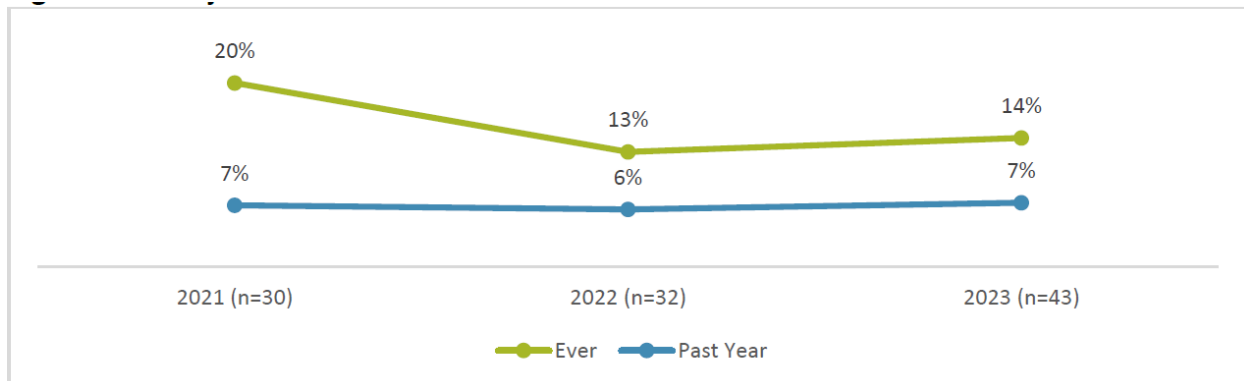
Figure 10. Agreement on the statement "If both people are drunk, it can't be rape."



Student Self-Reported Use of Marijuana

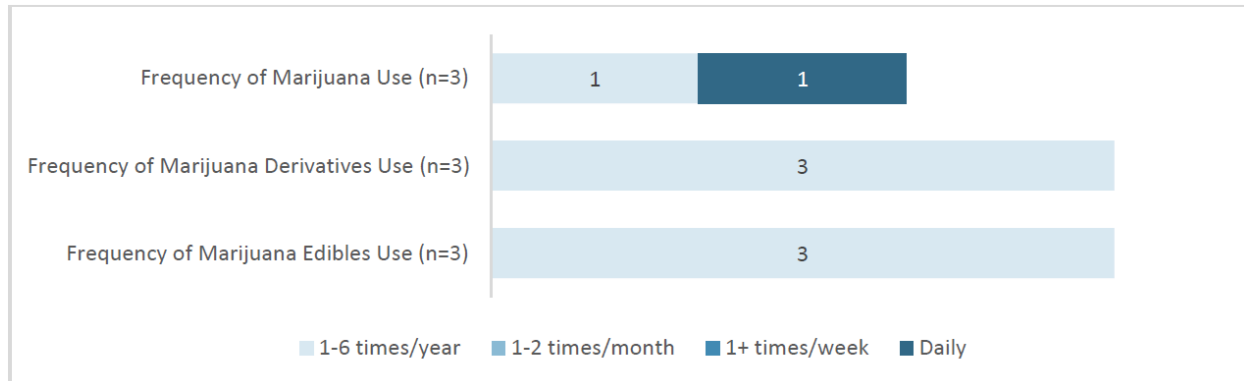
In 2023, 7% of incoming Bellevue students (n=43) used marijuana in the past year and roughly one in seven students (14%) ever used it (Figure 11). These rates are consistent with 2022, while the rate for ever having used marijuana was lower compared to 2021 (20%).

Figure 11. Marijuana Use – Past Year vs. Ever



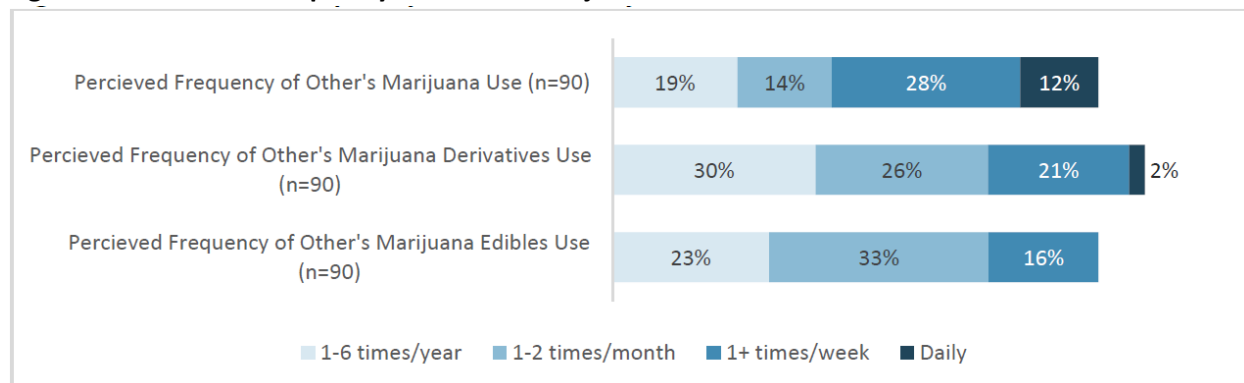
Frequency of marijuana use among incoming CSM students is shown in Figure 12. Two of three Bellevue students use marijuana (unspecified) at least one to six times a year. All three marijuana using Bellevue students use marijuana derivatives one to six times a year. Additionally, all three marijuana using Bellevue students consume marijuana edibles at least one to six times a year.

Figure 12. Frequency of Marijuana Use



The perceived frequency of marijuana use among entering Bellevue students is shown in Figure 13. Among the students in 2023, they believed that 73% used marijuana at least one to six times a year. Additionally, students thought that about four out of five (79%) peers used marijuana derivatives at least one to six times a year. Furthermore, Bellevue students were of the opinion that 72% of peers used marijuana edibles at least one to six times a year. Overall, students believed their peers use marijuana more than they actually do.

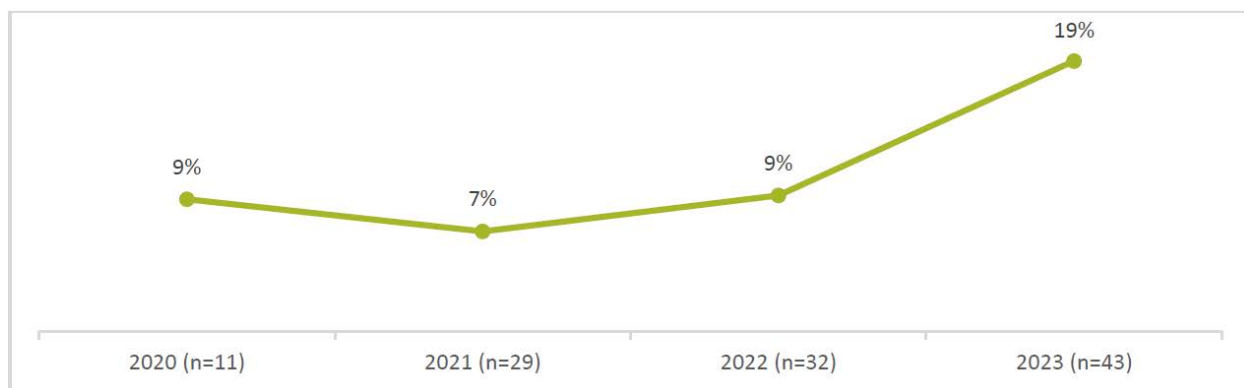
Figure 13. Perceived Frequency of Other's Marijuana Use



Marijuana Related Harms

One of three marijuana using Bellevue students drove after using marijuana in the past year. Meanwhile, approximately one out of five (19%) students rode with a driver after the driver used marijuana (n=43), a 10% increase from 2022 (Figure 14).

Figure 14. Ride with a Driver After the Driver Used Marijuana



SUMMARY

With only 43 students (6 drinkers, 3 marijuana users) responding, it would not be safe to draw any strong conclusions from the Y1CBP responses for Bellevue in 2023. However, entering first-year students at Bellevue had lower rates of alcohol use than in prior years. More than six out of seven (86.0%) students abstained from alcohol, an increase from 81.3% in 2022 and 76.7% in 2021. Binge drinking slightly decreased among Bellevue students from 3.1% in 2022 to 2.3% in 2023. The binge rate was much lower than reported by Nebraska high-school seniors in the 2021 YRBS (17.5%). Incoming students at Bellevue averaged more than one and half (1.7) drinks per occasion, more than two and a half (2.7) drinks per week and drinking almost three (2.8) times per month.

Among 2023 incoming students at Bellevue, none rode with a driver who drank and drove which was identical to no students reporting this behavior in 2022 and 2021. In contrast, it is much more common for students to ride with a driver after they used marijuana (19%).

Despite the lack of drinking and driving among incoming Bellevue students, they reported problems on the Rutgers Alcohol Problem Index (RAPI) because of their drinking behaviors. In 2023, the average number of problems on the RAPI scale was 2.0, the highest average among Bellevue students since 2020 (2.8). However, 2023 saw none of Bellevue's students reporting five or more problems this year.

Overall, 2023 entering students' misperceptions regarding the frequency of alcohol and marijuana consumption, as well as peer disapproval of alcohol-related behavior, were in line with previous years. Across the board, students perceived higher rates of drinking per occasion, consumption of drinks per week, and times drinking per month than actual values. The misperceptions regarding the frequency of marijuana consumption were much greater. These differences imply a need for continuing efforts to address normative perceptions in prevention materials and the importance of Y1CBP as a norms intervention for helping to correct these misperceptions. Social norms marketing/messages in the Y1CBP need to continue to be an important feedback tool to address these.

Bellevue University AOD Program Recommendations

- Continue to implement a survey(s) to gather data on student AOD usage to assess for increased effectiveness of the prevention program (Appendix G – Letter to first year students).
- Identify gaps in AOD prevention program to meet University and student needs.
- Improve the University's educational efforts for students and employees on AOD policies and resources.
- Incorporate into the Student Code of Conduct AOD prevention and sanctions.
- Utilize the Advocate Complaint System to track and provide data on instances, sanctions, and gaps in student behavior with AOD policies.

Bellevue University AOD Conclusion

The University has experienced positive results in its prevention program efforts for students and employees. The implementation of the above recommendations could improve overall effectiveness of the program for students and employees. Bellevue University continues its commitment to exceed regulatory requirements. Through the assessment of data both internal and external, participation in community prevention activities, and development of resources, we will further enhance our AOD efforts and programs. First year student data from the Y1CBP shows that while alcohol perception is below the norm, there are still students that would benefit from alcohol and drug education programs. It also showed the necessity, especially among incoming females, for behavioral programs to address other issues.

Public Law 101-226: The Drug Free Schools and Communities Act Amendment of 1989

Section 22. DRUG FREE SCHOOLS AND CAMPUSES

(a) IN GENERAL. –

(1) CERTIFICATION OF DRUG AND ALCOHOL ABUSE PREVENTION

PROGRAM. – Title XII of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended by adding at the end a new section 1213 to read as follows:

“DRUG AND ALCOHOL ABUSE PREVENTION”

“SEC. 1213. (a) Notwithstanding any other provision of law, no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any federally funded or guaranteed student loan program, unless it certifies to the Secretary that it has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees that, at a minimum, includes –

“(1) the annual distribution to each student and employee of –

“(A) standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;

“(B) a description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;

“(C) a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;

“(D) a description of any drug or alcohol counseling, treatment, or rehabilitation or reentry programs that are available to employees or students; and

“(E) a clear statement that the institution will impose sanction on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (1)(A); and

“(2) a biennial review by the institution of its program to –

“(A) determine its effectiveness and implement changes to the program if they are needed; and

“(B) ensure that the sanctions required by paragraph (1) (E) are consistently enforced.

H.R. 3614 – 12

(b) Each institution of higher education that provides the certification required by subsection (a) shall, upon request, make available to the Secretary and to the public a copy of each item required by subsection (a)(1) as well as the results of the biennial review required by subsection (a)(2).

“(c) (1) The Secretary shall publish regulations to implement and enforce the provisions of this section, including regulations that provide for –

“(A) the periodic review of a representative sample of programs required by subsection (a); and

“(B) a range of responses and sanctions for institutions of higher education that fail to implement their programs or to consistently enforce their sanctions, including information and technical assistance, the development of a compliance agreement, and the termination of any form of Federal financial assistance.

“(2) The sanctions required by subsection (a) (1) (E) may include the completion of an appropriate rehabilitation program.

“(d) Upon determination by the Secretary to terminate financial assistance to any institution of higher education under this section, the institution may file an appeal with an administrative law judge before the expiration of the 30-day period beginning on the date such institution is notified of the decision to terminate financial assistance under this section. Such judge shall hold a hearing with respect to such termination of assistance before the expiration of the 45-day period beginning on the date that such appeal is filed. Such judge may extend such 45-day period upon a motion by the institution concerned. The decision of the judge with respect to such termination shall be considered to be a final agency action.”

(2) EFFECTIVE DATE. – (A) Except as provided in subparagraph (B), the amendment made by paragraph (1) shall take effect on October 1, 1990.

(B) The Secretary of Education may allow any institution of higher education until not later than April 1, 1991 to comply with section 1213 of the Higher Education Act of 1965

(as added by paragraph (1)) if such institution demonstrates –

- (i) that is in the process of developing and implementing its plan under such section; and
- (ii) it has a legitimate need for more time to develop and implement such plan.

STUDENTS CONVICTED OF POSSESSION OR SALE OF DRUGS

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for FSA funds. The student self-certifies in applying for aid that he is eligible; you're not required to confirm this unless you have conflicting information.

Convictions only count against a student for aid eligibility purposes (FAFSA question 23c) if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge (see drug abuse hold sidebar). Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when she was a juvenile, unless she was tried as an adult.

The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

	Possession of illegal drugs	Sale of illegal drugs
1st offense	1 year from date of conviction	2 years from date of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period. Schools must provide each student who becomes ineligible for FSA funds due to a drug conviction a clear and conspicuous written notice of his loss of eligibility and the methods whereby he can become eligible again.

A student regains eligibility the day after the period of ineligibility ends or when he successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program. Further drug convictions will make him ineligible again.

Students denied eligibility for an indefinite period can regain it, either after successfully completing a rehabilitation program (as described below, which includes passing two unannounced drug tests from such a program), or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to you that she has successfully completed the rehabilitation program; as with the conviction question on the FAFSA, you are not required to confirm the reported information unless you have conflicting information.

FSA HB APR 2013

Half-time enrollment

HEA Sec. 428(b)(1)(A),
34 CFR 668.2(b)

A school may choose to define half time as half of the minimum full-time standard established in the regulations even if this is less than half the full-time standard established by the school. For example, if a school sets 14 semester hours as full time, it could use 6 semester hours (one-half of the regulatory full-time minimum of 12) as half time instead of 7.

Drug convictions

HEA Section 484(r)

34 CFR 668.40

A student who self-certifies that he or she has a qualifying drug conviction will receive a "C" code and comment code 053, 054, 056, 058, or 052 on his or her SAR and ISIR. See the SAR Comment Code and Text Guide on IFAP.

Drug abuse hold

The Anti-Drug Abuse Act of 1988 includes provisions that authorize federal and state judges to deny certain federal benefits, including student aid, to persons convicted of drug trafficking or possession. The Central Processing System maintains a hold file of individuals who have received such a judgment. All applicants are checked against this file to determine if they should be denied aid. This is separate from the check for a drug conviction via question 23; records matching the drug abuse hold file receive a rejected application (reject 19 and comments 009 or 055 on the SAR and ISIR). See the *ISIR Guide* on the IFAP publications page for more information.

The Jeanne Clery Act- Summary

Publish an Annual Security Report (ASR) by October 1, documenting three calendar years of select campus crime statistics including security policies and procedures and information on the basic rights guaranteed victims of sexual assault. The law requires schools make the report available to all current students and employees, and prospective students and employees must be notified of its existence and given a copy upon request. Schools may comply with this requirement via the internet if required recipients are notified and provided exact information regarding the on-line location of the report. Paper copies of the ASR should be available upon request. All crime statistics must be provided to the U.S. Department of Education.

To have a public crime log. Institutions with a police or security department are required to maintain a public crime log documenting the "nature, date, time, and general location of each crime" and its disposition, if known. Incidents must be entered into the log within two business days. The log should be accessible to the public during normal business hours; remain open for 60 days and, subsequently, made available within two business days upon request.

Disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other school officials who have "significant responsibility for student and campus activities." The Clery Act requires reporting of crimes in seven major categories, some with significant subcategories and conditions:

1. Criminal Homicide
 1. Murder & Nonnegligent manslaughter
 2. Negligent manslaughter
2. Sex Offenses
 1. Forcible
 2. Non-Forcible
3. Robbery
4. Aggravated Assault
5. Burglary, where:
 1. There is evidence of unlawful entry (trespass), which may be either forcible or not involve force.
 2. Unlawful entry must be of a structure - having four walls, a roof, and a door.
 3. There is evidence that the entry was made in order to commit a felony or theft.
6. Motor Vehicle Theft

7. Arson

Schools are also required to report statistics for the following categories of arrests or referrals for campus disciplinary action (if an arrest was not made):

1. Liquor Law Violations
2. Drug Law Violations
3. Illegal Weapons Possession

Hate crimes must be reported by category of prejudice, including race, gender, religion, sexual orientation, ethnicity, and disability. Statistics are also required for four additional crime categories if the crime committed is classified as a hate crime:

1. Larceny/Theft
2. Simple Assault
3. Intimidation
4. Destruction/Damage/Vandalism of Property

Issue timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees. Institutions must provide timely warnings in a manner likely to reach all members of the campus community. This mandate has been part of the Clery Act since its inception in 1990. Timely warnings are limited to those crimes an institution is required to report and include in its ASR. There are differences between what constitutes a timely warning and an emergency notification; however, both systems are in place to safeguard students and campus employees.

Devise an emergency response, notification and testing policy. Institutions are required to inform the campus community about a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." An emergency response expands the definition of timely warning as it includes both Clery Act crimes and other types of emergencies (i.e., a fire or infectious disease outbreak). Colleges and universities with and without on campus residential facilities must have emergency response and evacuation procedures in place.

Institutions are mandated to disclose a summary of these procedures in their ASR. Additionally, compliance requires one test of the emergency response procedures annually and policies for publicizing those procedures in conjunction with the annual test.

Compile and report fire data to the federal government and publish an annual fire safety report. Similar to the ASR and the current crime log, institutions with on-campus housing must report fires that occur in on-campus housing, generate both an annual fire report and maintain a fire log that is accessible to the public.

Enact policies and procedures to handle reports of missing students. This requirement is intended to minimize delays and confusion during the initial stages of a missing student investigation. Institutions

must designate one or more positions or organizations to which reports of a student living in on-campus housing can be filed if it's believed that student has been missing for 24 hours.

Policy Inventory

Policy Title:	Alcohol and Drugs Policy
Policy Number:	PS 11
Purpose of Policy:	To establish a policy to prohibit the illegal use, possession, or distribution, of drugs or alcohol on all University property, at University activities, or while on University business
Applies to:	All Students, Faculty, Staff, 3 rd Party Vendors and Campus Guests
Policy Statement:	<p>1. The illegal possession, use, or distribution of drugs or alcohol by students, employees, and all other persons is prohibited on all University property, at University activities, or while on University business. In accordance with this mandate and the requirements of the Safe and Drug-Free Schools and Communities Act of 1994, the following acts are prohibited:</p> <ul style="list-style-type: none"> a. use, possession, manufacture, distribution, or sale of illegal drugs or drug paraphernalia on University property, at University activities, or while on University business; b. unauthorized use or possession or manufacture, distribution, or sale of a controlled substance as defined by federal or state law on University property, at University activities, or while on University business; c. unauthorized use or possession or manufacture, distribution, or sale of a controlled substance as defined by federal or state law on University property, at University activities, or while on University business; d. unauthorized use, manufacture, distribution, possession, or sale of alcohol on University property, at University activities, or while on University business; e. storing in a locker, desk, vehicle, or other place on University property any unauthorized controlled substances, drug paraphernalia, or alcohol; f. use of alcohol or illegal drugs off University premises that adversely affects an employee's or student's work or academic performance, or an employee's or student's safety or the safety of others; g. possession, use, manufacture, distribution, or sale of illegal drugs off University premises that adversely affects the employee's work performance or the student's academic performance, or an employee's or student's safety or the safety of others;

- h. violation of Local, State or Federal laws relating to the unauthorized use, possession, manufacture, distribution, or sale of alcohol, controlled substances, or drug paraphernalia;
- 2. Any reference in this policy to the University includes its employees, contractors, campus organizations, and any other agent of the University.
- 3. University activity refers to any University sponsored function regardless of location, whether it is held on campus, at any location under the supervision or control of the University, or at any other location whether private or public.
- 4. This policy does not prohibit University students from legally using alcohol privately or from gathering with social acquaintances for that purpose, as long as the conditions above are not violated and such use complies with other University policies. Refer to the Bellevue University Student Housing Handbook for policies specific to student housing.
- 5. This policy does not prohibit any private individual, including employees and students, from renting facilities on University property for private functions, where alcoholic beverages might be served, consistent with all pertinent federal, state, and local laws and regulations.
- 7. Any violation of this policy will result in immediate disciplinary action, up to and including termination for University employees that facilitate or permit violations, and expulsion for students guilty of violations, consistent with the provisions of the Employee Handbook and/or Student Code of Conduct.

Supporting Documentation: Employee Handbook, Student Code of Conduct, Student Housing Handbook

Keywords: alcohol, drugs

Responsible Office: Office of the President

Contact Information: Office of the President
402-557-7002

Approved by: Dr. Mary Hawkins

Effective Date: January 22, 2018

Review Cycle and Dates: This policy statement supersedes previous versions of PS 11, dated October 2, 1995.

APPROVED:

/signed/
Dr. Mary Hawkins, Bellevue University President

1/16/2018
Date

Policy Title: **Tobacco-Free Policy**

Policy Number: PS 80

Purpose of Policy: To establish a policy to prohibit the use of tobacco products on University property.

Applies to: All Students, Faculty, Staff, 3rd Party Vendors and Campus Guests

Policy Statement:

Bellevue University is committed to providing its students, staff, faculty, and visitors with a respectful environment. Bellevue University also recognizes that the use of tobacco products on campus grounds is detrimental to the health and safety of students, staff, faculty and visitors. This policy covers all tobacco products (including but not limited to cigarettes, pipes, bidis, hookahs, cigars, e-cigarettes, vaporizers, chew, snuff, snus and other tobacco products or devices) and applies to all faculty, staff, students and visitors of Bellevue University.

Therefore, Bellevue University has set the following 100% tobacco free campus policy to be implemented beginning November 21, 2013.

1. Use of tobacco or any tobacco products is prohibited by students, staff, faculty and visitors:
 - a. in all campus buildings, facilities, or property owned or leased by Bellevue University;
 - b. on campus grounds, facilities, or vehicles that are owned or leased by Bellevue University;
 - c. at lectures, conferences, meetings, social, and cultural events held on school property or grounds;
 - d. "Property" for purposes of this policy include: buildings and structures, grounds, bridges, walkways, sidewalks, parking lots, and university vehicles.
2. Legal tobacco products will be permitted in personal vehicles, but discretion must be practiced at all times.
3. The sale or free distribution of tobacco products (including merchandise) on campus grounds or at school events is prohibited.

Appendix E cont.

4. Student organizations are prohibited from accepting money or gifts from tobacco companies including:
 - a. Parties sponsored by tobacco companies that may include the distribution of free, reduced-price, or fully-priced tobacco products (t-shirts, hats, etc.) on campus.
 - b. All tobacco advertising, such as billboards and signs, in sports stadiums owned and operated by Bellevue University.
 5. Any violation of this policy will result in immediate disciplinary action, up to and including termination for University employees that facilitate or permit violations, and expulsion for students guilty of violations, consistent with the provisions of the Employee Handbook and/or Student Code of Conduct.
-

Supporting Documentation: Employee Handbook, Student Code of Conduct, Student Housing Handbook

Keywords: tobacco, smoking, cigarettes,

Responsible Office: Office of the President

Contact Information: Office of the President
402-557-7002

Approved by: Dr. Mary Hawkins

Effective Date: January 22, 2018

Review Cycle and Dates: This policy statement supersedes previous versions of PS 80, dated November 21, 2013 and November 17, 2011.

APPROVED:

/signed/
Dr. Mary Hawkins, Bellevue University President

1/16/2018
Date

Policy Title: **Safe Driver Policy**

Policy Number: PS 525

Purpose of Policy: The safety and well-being of our employees, volunteers, and students is of critical importance to Bellevue University. Employees, volunteers, and students who operate vehicles for University purposes will be expected to consistently apply and follow all the guidelines contained within this policy. For individuals not required to operate vehicles on university business, it is strongly encouraged that all individuals follow these guidelines as safety is our primary concern. For this program to be successful, we need each of you to champion safe driving habits.

Applies to: All Students, Faculty, Staff, and Volunteers



1. Employees, students, or volunteers who operate a vehicle (university owned, rental, or employee owned) for business purposes are expected to comply with this policy along with Policy Statement 416 (Travel) at all times. To acknowledge that you understand the contents of this policy, you are expected to sign and date the Safe Driver Policy Acknowledgement Form and return it to Human Resources for filing in your personnel file. In addition, employees who elect to drive their own vehicle on university business are required to have a valid driver's license for their primary state of residence and adequate insurance coverage (\$500,000 or more). Driver Motion Vehicle (DMV) records will be periodically checked on all individuals or others driving a vehicle on University business. Excess vehicle insurance coverage is provided by the University.
2. Use of handheld devices whether personal or business-owned, while behind the wheel of a university vehicle is strictly prohibited. Use of handheld devices includes but is not limited to cell phones, Blackberries, PDA's and GPS units. Although use of cell phones under any circumstances is prohibited while driving a BU vehicle, the use of hands-free technology may be warranted in unusual or emergency circumstances.
 - a. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, individuals operating a vehicle on university business are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call, texting, refraining from discussing complicated or emotion matters, and keeping their eyes on the road. All individuals should utilize caution in situations where

there is traffic, inclement weather, or driving in an unfamiliar area.

- b. Individuals operating a vehicle on university business who are charged with traffic violations will be solely responsible for all liabilities that result from such actions.
3. All individuals in a vehicle on university business are expected to wear seat belts at all times while in any moving vehicle used for university business, whether they are the driver or a passenger.
4. Engaging in other distracting activities including, but not limited to, eating, putting on makeup, reading, or changing radio stations or music is strongly discouraged while driving, even when in slow-moving traffic.
5. Use of alcohol, drugs or other substances, including certain over-the-counter cold or allergy medications that in any way impair driving ability, is prohibited.
6. All individuals operating a vehicle on university business are expected to follow all driving laws and safety rules such as adherence to posted speed limits and directional signs, use of turn signals, and avoidance of confrontational or offensive behavior while driving.
7. Individuals operating a vehicle on university business should never allow anyone to ride in any part of the vehicle not specifically intended for passenger use and/or any seat that does not include a working seat belt.
8. Individuals operating a vehicle on university business must promptly report any accidents to local law enforcement as well as to the Business Office.
9. Failure to adhere to these procedures may result in disciplinary action.
10. Special Responsibilities for Managerial Staff: As with any policy, management is expected to serve as role models for proper compliance with the provisions above and is encouraged to regularly remind individuals operating a vehicle on university business of their responsibilities in complying with this policy.
11. This policy is intended to provide general information and where in conflict with an applicable local, state, or federal law, that law will take precedence.

Supporting Documentation: Employee Handbook

Keywords: safety, drive, driver, driving, vehicle, insurance, driver's license

Responsible Office: Human Resources

Appendix E cont.

Contact Information: Human Resources
402-557-7351

Approved by: Dr. Mary Hawkins

Effective Date: January 31, 2018

Review Cycle and Dates: This policy statement repeals and replaces previous versions of PS 425, dated November 7, 2007.

APPROVED:

/signed/
Dr. Mary Hawkins, Bellevue University President

1/31/2018
Date

Policy Title: **Drug-Free Workplace Program**

Policy Number: PS 509

Purpose of Policy: To create a drug-free workplace in conformance with the Drug-Free Workplace Act of 1988 and other applicable federal and state laws.

Applies to: All Employees

Policy Statement:

1. General: It is the policy of Bellevue University to create a drug-free workplace in conformance with the Drug-Free Workplace Act of 1988 and other applicable federal and state laws. Being under the influence of a drug or alcohol on the job may pose serious safety and health risks, not only to the user, but to all those who work with or otherwise come into contact with the user. The possession, use, or sale of illegal drugs or alcohol on the job may pose unacceptable risks for safe, healthful, and efficient educational operations.

Bellevue University recognizes that its own health and future are dependent upon the physical and psychological wellbeing of its employees. The University's stance against alcohol and drug use in the workplace is not a "moral" issue; but rather, it is an issue that affects the University's health and safety, employees and their families, and monetary resources.

Studies show that drug and alcohol use in the workplace may be the single greatest factor responsible for accidents and injuries, declining productivity, employee theft, and low employee morale.

The Drug-Free Workplace Act of 1988 requires federal contracts and recipients of federal grants to publish and implement a drug-free workplace program. Accordingly, it is the University's right, obligation, and intent to provide and maintain a safe, healthful, and efficient working environment for all of its employees and to protect University property, equipment, and operations from risks associated with drug and alcohol use in the workplace.

2. Alcohol and Drugs Policy: The University has established a campus-wide Alcohol and Drugs Policy, PS 11. PS 11 applies to all employees.

3. Employee Compliance: Compliance with this policy and PS 11 is a condition of employment with Bellevue University. Any violation of PS 11 or of this policy will result in immediate disciplinary action, up to and including termination for University employees that facilitate or permit violations, and expulsion for students guilty of violations, consistent with the provisions of the Employee Handbook.
4. Employee Drug Or Alcohol Testing: Employees may be required to submit to drug or alcohol testing at a laboratory selected by the University under the following circumstances:
 - a. "For Cause" testing occurs when the University has a reasonable suspicion, based upon specific objective and articulated facts and reasonable inferences drawn from those facts in light of experience that the employee is under the influence of alcohol, a legal or illegal drug. This includes, but is not limited to, the following:
 - i. observable phenomena while at work, such as direct observation of drug or alcohol use or abuse or the physical symptoms or manifestations of being impaired due to alcohol or other drug use;
 - ii. abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - iii. report of alcohol or other drug use provided by a reliable and credible source;
 - iv. evidence that an individual has tampered with a Drug or Alcohol Test during the individual's employment with the University or;
 - v. evidence that an employee has manufactured, used, possessed, sold, solicited, distributed, and/of transferred drugs while working or while on University property.
 - b. "Post-Accident" testing may occur when an employee has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident. Following a work place accident, an employee should remain readily available for drug and/or alcohol testing if requested by management.
5. Other Prohibited Conduct:
 - a. Switching, adulterating, or committing any other misconduct pertaining to any specimen collected for drug and/or alcohol testing.
 - b. Refusing to consent to testing or refusing to submit a specimen for testing. The following conduct will be treated as a refusal to submit to testing:

- i. Failure to provide an adequate sample for testing without a valid medical explanation; or
 - ii. Engaging in conduct that clearly obstructs the testing process including, but not limited to:
 - 1. not reporting to the collection site in the time allocated; or
 - 2. failure to cooperate with transportation assistance to and from the collection site; or
 - 3. failing to remain readily available for a post-accident/incident test.
 - c. Conviction under any criminal drug or alcohol statute for a violation occurring in the workplace or occurring while conducting University business or on or about the University property.
 - d. Refusing, when required under this policy, to sign the:
 - i. Drug and Alcohol Control Policy Acknowledgment Form;
 - ii. Drug and Alcohol Testing Consent Form; or
 - iii. Rehabilitation Agreement.
4. Testing Procedures:
- a. In order to determine if a test is necessary for "reasonable suspicion testing," the employee's supervisor or other University representative should have a witness present stating that the employee's behavior warrants reasonable suspicion testing. If the employee's supervisor or other University representative, together with the witness, both feel that there is reasonable suspicion to believe that the employee may be under the influence of alcohol and/or drugs, the employee's supervisor or other University representative should ask the employee to submit to a Drug and/or Alcohol Test. ***The supervisor initiating the test must immediately notify the Human Resource Department of the testing activity and facility used (contact person/phone number at the testing facility) so that a "chain-of-custody" can be established.***
 - b. Employees requested to undergo a test for alcohol or drugs will be transported to a clinic or hospital by a University vehicle or specifically ordered transportation. The employee will be required to sign a consent form authorizing the testing. Refusal to sign the form or refusal to submit to the Drug or Alcohol Test, as well as, any attempt to invalidate or tamper with the test, will subject the employee to disciplinary action, up to

- and including termination. The University will pay for all costs associated with the testing.
- c. The third party medical provider will require a specimen from the employee for the purposes of valid testing. Typically, breath and/or urine are used. The specimen will be tested for an initial test result.
 - d. All initial positive test results for drugs will be confirmed by gas chromatography-mass spectrometry or other medically accepted testing procedures. All confirmed positive test results will be verified by a licensed physician or Medical Review Officer who has contracted with the University through a third party provided (clinic or hospital). An employee may immediately request further confirmation of any breath-testing results by a blood sample if the employee voluntarily submits to give a blood sample taken by qualified medical personnel in accordance with the rules and regulations adopted and promulgated by the Nebraska Department of Health.
5. Confidentiality: The University will maintain the confidentiality of drug and alcohol testing results through an established chain-of-custody through the Human Resource Department, as well as other information obtained during the administration of the drug and alcohol testing policy. An employee's test results will be disclosed under the following circumstances:
- a. to the employee, upon request;
 - b. if and as required by law;
 - c. to those officers, agents, or employees of the University who "need to know" the information for reasons connected with employment.
6. Reporting Requirements/Convictions:
- a. Employees are required to notify the University within five (5) calendar days of any and all criminal drug statute convictions for violations occurring in the workplace. Appropriate personnel action will be taken against any employee convicted of a criminal drug offense occurring in the workplace. This will take place immediately after the University receives notice of the employee's conviction.
 - b. An employee who is arrested or charged with a drug-related offense, but whose guilt or innocence has not yet been established by a court of law, may be subject to immediate suspension or termination, with or without pay, at the discretion of the University.
7. Available Treatment and Counseling:

- a. In an effort to assist employees in overcoming drugs or alcohol dependency, Bellevue University will provide information to interested employees pertinent to obtaining counseling and treatment for chemical dependency. These informal requests will be confidential, except when disclosure is required by law or upon a “need to know” basis for employment-related reasons.
- b. A voluntary referral for drug and/or alcohol counseling and treatment and/or voluntary requests for assistance will not prevent disciplinary action for violations of the University’s Drug-Free Workplace Program. The University may condition continued employment on such terms and conditions it deems appropriate, including participation in a counseling or treatment program, follow-up reports regarding participation in such counseling or treatment program, and submission to future periodic Drug or Alcohol Tests. However, if an employee voluntarily requests drug counseling or treatment prior to any conduct that would typically result in disciplinary action or positive result on a Drug or Alcohol Test, the employee will not be disciplined for requesting drug and/or alcohol counseling or treatment.

Supporting Documentation: PS 11 (Alcohol and Drugs Policy), Employee Handbook

Keywords: employees, alcohol, drugs, testing, drug-free workplace

Responsible Office: Human Resources

Contact Information: Human Resources
402-557-7351

Approved by: Dr. Mary Hawkins

Effective Date: January 31, 2018

Review Cycle and Dates: This policy statement supersedes previous versions of PS 509, dated November 15, 2004.

APPROVED:

/signed/
Dr. Mary Hawkins, Bellevue University President

1/31/2018
Date

Policy Title:	Student Code of Conduct Policy
Policy Number:	PS 1901
Purpose of Policy:	To establish guidelines regarding student conduct both inside and outside the classroom.
Applies to:	All Bellevue University students, staff, and faculty.

Policy Statement:

1. General Principles:

- a. Bellevue University is committed to the philosophy that people should be given an opportunity to develop their skills and knowledge, as well as an awareness of their roles and responsibilities in society.
- b. Enrollment at the University means a commitment to seriousness of purpose, academic integrity and high standards of personal and social behavior. Students are expected to be cooperative and responsible members of the University community, to comply willingly with University regulations and to abide by local, state and federal laws. Students are expected to know their responsibilities as defined by the Academic Catalog, Student Handbook, Student Code of Conduct, and any additional Bellevue University policies. It is to the above philosophy that these student conduct and discipline procedures have been developed.
- c. Proof of policy violations obtained via electronic media, including, but not limited to, video, photographs, emails, social networking sites, or other electronic means can be used as evidence and give rise to a finding that a policy has been violated.
- d. Students have the right to be free from retaliation. Threats or other forms of intimidation or retribution against a student who files a complaint, participates in an investigation, appears as a witness at an administrative hearing, or opposes an unlawful act, discriminatory practice or policy, are prohibited and subject to conduct violations and sanctions under this policy.

2. Definitions

- a. University: The University means Bellevue University.

- b. Student: Refers to all persons taking courses from the University: full-time and part-time; residential or online; enrolled in undergraduate, graduate, professional, special topic, and certificate of completion programs or courses.
- c. Staff: Refers to any non-faculty employee of Bellevue University.
- d. Faculty: Refers to any full-time or part-time faculty or instructors hired by the University to conduct classroom, online, or other academic activities.
- e. University Premises: Refers to all land, buildings, facilities, online academic and support systems, and other property in the possession of or owned, used, or controlled by the University including applicable adjacent streets and sidewalks.
- f. University Community: Refers to all students, staff, faculty, and guests at the University.
- g. Dean of Students' Office (DSO): office that will investigate allegations of misconduct or assign members of the University to investigate depending upon the nature of the allegation. The DSO may refer investigation to appropriate departments if academic or Title IX complaints.
- h. Respondent: Refers to student(s), student groups, or student organizations against whom a conduct charge(s) has been brought.
- i. Complainant: Member of the University Community who has alleged a violation of code by any student(s), student group(s), or student organization(s) in violation of this code of conduct.

3. Academic Misconduct Violations

- a. Bellevue University is committed to academic excellence. The University expects academic honesty from all members of the University community and believes that it is essential for academic excellence and integrity. Academic integrity includes adherence to guidelines established by the instructor in a particular course for both individual and group work. Students are expected to read instructions and syllabi carefully to understand instructor expectations regarding academic integrity. Failing to act with academic integrity is a violation of this academic misconduct policy. This includes, but is not limited to, the following prohibited conduct:
 - i. *Academic dishonesty*, which includes but is not limited to: representing the work of others to be one's own, including the unacknowledged word-for-word use and/or paraphrasing of another's work, the unacknowledged use of works generated by technological means (artificial intelligence or similar technologies), and/or the inappropriate unacknowledged use of another's ideas (plagiarism); reusing one's own work that has already been submitted for another class or that has already been published (self-plagiarism); making false statements for personal academic benefit; making up or purposefully misstating information or sources; acts of sabotage on another's academic work; assisting another student in engaging in academic dishonesty.

- ii. *Cheating*, which includes but is not limited to: copying the work of another student or former student; receiving unauthorized aid on an assignment; using unauthorized materials, devices or resources on academic work (e.g., using reference materials, calculators, artificial intelligence, etc., when not permitted by the instructor); submitting another's work as one's own; reproducing or retaining exam materials; submitting substantially the same work product for a course that has already been used to fulfill the obligations of different classes without the instructor's permission; violating explicit instructions or syllabi guidelines in use of unauthorized materials in completing academic work; assisting other students to cheat.
 - b. When a faculty member believes that a student's conduct constitutes academic misconduct, the faculty member will have a (verbal or written) discussion with the student to give the student an opportunity to provide an explanation. If the student provides an adequate explanation to the satisfaction of the faculty member, the matter will be deemed resolved. If, in the opinion of the faculty member, an adequate explanation is not provided by the student, the faculty member may sanction the student in accordance with the Academic Misconduct Penalties section below. The faculty member is responsible for documenting the student discussion and decision and for notifying the Dean of Students' Office. The Dean of Students' Office is responsible for notifying the student of the decision, the sanction being imposed, and the right to appeal.
4. Academic Misconduct Penalties
- a. Penalties for academic misconduct may include a warning, a reduction in grade, a grade of "F" on the work in question or, with Dean approval, for the course. These are the only penalties that a faculty member may impose for an incident of academic misconduct.
 - b. In addition, any student engaged in academic misconduct may be subject to further disciplinary action up to and including formal reprimand, short-term suspension, long-term suspension, and/or expulsion according to the policies and procedures of the University (PS 1035). These penalties can only be imposed by the appropriate administrator at the University.
5. Academic Misconduct Grade Appeals
- a. If the student disagrees with the determination or the sanctions imposed by the instructor described in item 4.a., above, he or she may appeal the decision within thirty calendar (30) days of the grade posting in BRUIN per the Grade Appeal process in the Academic Catalog.
6. Violations of the Code of Conduct
- As a general matter, all members of the University community are expected to conduct themselves in a way that is conducive to an academic environment. With that in mind, Bellevue prohibits the following:
- a. Knowingly furnishing false information to the University; forgery or alteration of University documents or records or instruments of identification; use of University documents or instruments of identification with intent to mislead or defraud.

Appendix E cont.

- b. Theft of property or services; or knowingly having possession of stolen property.
- c. Failure to comply with the directives of University officials or Campus Safety officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- d. Disrupting or obstructing any University-related business or activities, including disorderly or disruptive classroom conduct.
- e. Unauthorized entry into any University office or area or unauthorized accessing of University records.
- f. Threatening, harassing, or discriminating against any person based on race, color, religion, sex, national origin, age, disability, genetic information, military obligations, or status in any other group protected by local, state, or federal law. (Alleged violations falling within the scope of University discrimination and harassment policies will be addressed pursuant to those applicable policies and procedures).
- g. Stalking which is defined as: engaging in a knowing and willful course of conduct directed at a specific person which seriously terrifies, threatens, or intimidates the person and which serves no legitimate purpose.
- h. Participation in hazing. Hazing includes any activity intended to test another person's willingness or readiness to join a group (or to maintain full status in a group) by subjecting that person to humiliation, degradation, or other risks of emotional or physical harm. Willing participation in a hazing exercise by the person being hazed does not excuse hazing.
- i. Participating in or inciting a riot or disturbance, or a disorderly assembly which disrupts or obstructs any University activity or function.
- j. Seizing, holding, taking, commandeering or damaging any property or facilities of the University, or threatening to do so.
- k. Gambling or holding a raffle or lottery on campus or at any University or University-affiliated function or premises without the written approval of the University is prohibited.
- l. Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency.
- m. Any action or conduct which improperly or unlawfully interferes with any person's lawful and permitted personal, academic or employment pursuits.
- n. Unauthorized possession, use or duplication of keys, key cards or passwords to University vehicles, buildings, computer system(s), or other property.
- o. Bellevue University subscribes to the Drug-Free Work Place Act of 1988 (34 CFR, Part 85, Subpart F), the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and section 5301 of the Anti-Drug Abuse Act of 1988. Possessing, using, or being under the influence of alcoholic beverages on University property, other than at an event

where consumption of alcoholic beverages has been approved by the University in advance. Bellevue University strictly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. The University will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law), up to and including dismissal from the University or termination of employment and referral for prosecution, for violation of these standards of conduct. Disciplinary sanctions may also include the completion of an appropriate rehabilitation program.

- p. Possessing on University property, or at any University or University-affiliated function or activity, any dangerous chemical or explosive element or any weapon, not required for lawful University studies, without the authorization of the President of the University. (Pocket knives are permitted as long as the blade is no longer than three inches in length)
- q. Physically detaining or restraining, however briefly, any other person against his or her will; removing any person against such person's will from any place where the person is authorized to remain; or in any way purposely obstructing the free movement of persons or vehicles on University premises or at University or University-affiliated functions or activities.
- r. Obscene or indecent behavior, which includes but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others, as well as the viewing of pornography on University computers, University networks, personal devices, or personal networks while on University property or University sanctioned events.
- s. Littering, or willfully or recklessly defacing, destroying or damaging property of the University (or property under its jurisdiction or control), or property of another person or entity, or removing or using such property without proper authorization.
- t. Violating any local, state or federal law, ordinance or regulation (a) while on University property, or (b) while in the course of any University or University-affiliated function or activity, or (c) which violation adversely affects or adversely reflects upon the University's pursuit of its educational activities or the pursuit of educational, employment or other lawful activities of any student, visitor, or employee of the University.
- u. Violating any rule or regulation not contained or referred to within the official University catalog, after notice of such rule or regulation, or after publication on University bulletin boards and online (or otherwise) of such rule or regulation.
- v. Violating campus or University parking regulations.
- w. Physical violence towards another person or group. Causing or attempting to cause or threatening to cause physical injury to a University employee, official, student, visitor, or guest.
- x. Making derogatory, offensive, inappropriate, or intimidating comments toward other campus community members. This includes comments made on social media.
- y. Bellevue University has the responsibility for securing its computing and networking systems (both academic and administrative) to a reasonable and economically feasible

degree against unauthorized access, while making the systems accessible for legitimate and innovative uses. The Bellevue University data network is a private network and may only be used for authorized purposes by authorized individuals. Unauthorized use, access or modification of any information on this system may result in prosecution. All data transmitted or stored on any location within this network is the sole property of Bellevue University that will be monitored and audited at the discretion of the University. All individuals gaining access to this system are hereby notified that use of this system constitutes consent to such monitoring and auditing. It is important for the user to practice ethical behavior in computing activities. The sharing of passwords or logins is forbidden. Bellevue University authorizes user accounts solely for use in conducting course-related research and University business.

- z. Knowingly encouraging, aiding, assisting or abetting any other person(s) to commit any act of misconduct prohibited above.
- aa. Bellevue University is a tobacco-free institution. Therefore, tobacco products (including but not limited to cigarettes, pipes, hookahs, cigars, e-cigarettes, chew, snuff, snus, and other non-combustible tobacco products or devices) are prohibited in any campus building or on any campus grounds, except for inside personal vehicles (PS 80).
- bb. Any violation of the Student Code of Conduct by a student's non-University guest. "Guest" is defined as any non-student present on University premises at the invitation and/or hosting of the student. The hosting student shall be held responsible for the actions of their invited guest.
- cc. Violations related to fire safety, including but not limited to:
 - i. Failure to properly evacuate during a fire alarm.
 - ii. Intentional sounding of a fire alarm without cause.
 - iii. Illegal possession of, or removal of, damage to, or tampering with fire safety or other emergency warning equipment.
 - iv. Arson or unauthorized setting of fires on University property.
- dd. Conduct on or off campus which reflects poorly on the University, or other conduct prejudicial to the best interests of the University or other students.
- ee. Violating any policy or rule governing the conduct of students which has been adopted by the University.
- ff. Failure to cooperate in the investigation and resolution of an alleged violation of the Student Code of Conduct.

The University reserves the right to right to address other inappropriate behavior that does not clearly fall within the identified standards of conduct outlined above.

7. Determining Violations and Sanctions

- a. The Dean of Students Office is responsible for determining violations of the Student Code of Conduct.
- b. The following sanctions may be imposed for violations of the Student Code of Conduct by the Dean of Students' Office. In each case, the sanction(s) to be imposed will be determined by examining the nature and severity of the violation. The cumulative effect of a student's prior violations of the Student Code of Conduct and the student's prior disciplinary records may also be considered in determining the appropriate sanction.
 - i. Warning
 1. A verbal or written statement that the student has violated University rules, and may be subject to more severe disciplinary action if such behavior continues or is repeated.
 - ii. Restitution
 1. Required reimbursement for damage to or misappropriation of University or any other public or private property. Where this sanction is imposed, the decision shall direct that restitution be made by a certain date. The consequences of failure to make such restitution shall be stated in writing. Restitution may take the form of appropriate services or other compensation.
 - iii. Non-Academic Reflective Activity
 1. Work assignments, essays, service to the University, or other related discretionary assignments.
 - iv. Academic Sanctions
 1. Penalties may include a reduction in coursework grade(s), including, but not limited to participation, assignments, or presentations based on inappropriate classroom conduct.
 - v. Disciplinary Probation
 1. Exclusion from the privilege of using specified facilities of the University or from participating in extracurricular activities of the University, including the holding of any student or student organization office, for a specified period of time, or other terms of disciplinary probation deemed appropriate under the circumstances. The terms of any such disciplinary probation imposed will be specified in writing, and may include the withdrawal of any privileges or services otherwise provided by the University.
 - vi. Interim Suspension

1. Immediate exclusion from all University property, University-sponsored events, or designated courses, curriculum offerings or class sections pending a hearing.
- vii. Suspension
 1. Exclusion from all University property, University-sponsored events, or designated courses or curriculum offerings or class sections as a student for a definite period of time, not to exceed one year.
- viii. Expulsion
 1. Termination of student status and resulting exclusion from attending all University property, functions, or from attending or enrolling in designated courses, curriculum offerings, class sections, programs, or University-sponsored events for an indefinite period of time. If any conditions of readmission are established, they may be stated in the order of dismissal. The President or Board of Directors of Bellevue University may also establish, at any time, conditions upon which a dismissed student may be readmitted to the University.
- ix. Ban and Bar
 1. Campus Safety may issue written notices to any person who has been contacted or observed on University property while engaged in any unlawful or unauthorized activity banning and barring such person from University property. Violation of any such notice will be deemed to be trespassing on University property, and the offending party may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat. § 28-520 or § 28-521. The term "unlawful or unauthorized activity" shall mean any conduct, act or omission by any person that is in violation of (i) any law, rule, regulation or order of the State of Nebraska or of the United States, or (ii) any policy, rule or regulation of Bellevue University.

8. Appeals

- a. The student may appeal the Dean of Students' Office's conduct decision based on the basis of one or more of the grounds listed below. The appeal must be in writing, and must be filed with the Dean of Students' Office not later than ten (10) calendar days after the date of the decision. The appeal will be considered only if based upon one of the following grounds:
 - i. Procedural irregularity that affected the outcome of the matter;
 - ii. New evidence that was not reasonably available at the time the conduct decision was made, that could affect the outcome of the matter; and/or
 - iii. The Dean of Students' Office had a conflict of interest or bias for or against the student that affected the outcome of the matter.

Appendix E cont.

- b. The Appeal Officer will be designated by the President. Postponement of any sanctions pending review by the Appeal Officer is at the discretion of the Appeal Officer.
- c. Review by the Appeal Officer will be limited to a review of the documents submitted as evidence at the meeting and a review of all relevant material. Opportunity for the student to personally discuss the matter with the Appeal Officer shall be at the discretion of the Appeal Officer.
- d. The Appeal Officer shall send the decision on the appeal in writing to the student by University email. The appeal decision is typically issued within fifteen (15) business days, but may be subject to reasonable extensions by the Appeal Officer, with or without notice, based upon the complexity of the case. The Appeal Officer is also responsible for placing a copy of his or her appeal decision in the student's file.
- e. The decision of the Appeal Officer shall be final and not subject to further appeal.

Supporting Documentation:	Academic Handbook & Student Catalog
Corresponding Publications:	Academic Handbook & Student Catalog
Keywords:	Conduct, Academic Misconduct,
Responsible Office:	Dean of Students Office
Contact Information:	Dean of Students Office 402-557-7744
Approved by:	Dr. Mary Hawkins, President
Effective Date:	March 15, 2024
Review Cycle and Dates:	This policy statement supersedes the previous version of PS 1901, dated August 1, 2020, March 1, 2017, and December 1, 2014.

APPROVED:

This policy statement was signed by Dr. Mary Hawkins, Bellevue University President, on March 25, 2024.

Policy Title:	UNIVERSITY COMPLAINT POLICY
Policy Number:	PS 1977
Purpose of Policy:	To establish guidelines regarding student complaints. This policy complies with federal regulations and state laws, federal and state regulating bodies, and internal University policies and procedures.
Applies to:	All students, faculty, staff, and third-parties.
Policy Statement:	

1. DEFINITIONS

- a. **Complaint** - is defined as a written/e-mailed claim concerning a college or university issue brought by a student alleging improper, unfair, or arbitrary treatment. Complaints may be academic or nonacademic.
- b. **DoD** – Department of Defense
- c. **Grievance** - is defined as any complaint that is not resolved at the departmental or academic college level and is appealed to the executive level or a third-party.
- d. **HLC** – Higher Learning Commission
- e. **SARA** – State Authorization Reciprocity Agreements

2. GENERAL PRINCIPLES

- a. Bellevue University is committed to continuous improvement of its delivery of academic, administrative, and support services for its students. The University also provides adequate, easily activated procedures to deal with student complaints. Effective complaint resolution processes provide BU with valuable opportunities to analyze recurring or persistent problems and ensure continuous development and improvement of student services and student satisfaction.
- b. Bellevue University has a commitment to ensuring that all student complaints are resolved in a timely manner, using a clear, fair, and reliable complaint management process. The University treats all complaints seriously and ensures all processes are clear, prompt, confidential and fair to all parties and will use its best endeavors to ensure an acceptable resolution is achieved.

- c. Bellevue University is also committed, wherever possible, to dealing with complaints at the departmental or academic college level (within the confines of the University). All University employees are required to address and report all student complaints. All student complaints must be submitted thru the complaint filing system (Student Experience). Guidelines for individual processes at the departmental and academic college level must be provided to students, including the right to appeal.
- d. Bellevue University complaint procedures will comply with University, SARA, DOD, HLC, and the Department of Education requirements, regulations, and policies.

3. GUIDELINES

- a. The process used to handle and resolve complaints is fair and is perceived as fair; it is impartial and capable of offering appropriate outcomes;
- b. complaints are treated confidentially and information is only used for the purposes for which it was collected. All access to the complaint filing system information will be limited to: Deans of Academic Colleges, Assistant Deans of Academic Colleges, executive level staff, and Dean of Students Office. Disclosure of confidential information or misuse of information will be in direct violation of the policy and can result in disciplinary action up to and including termination;
- c. the complaints procedures are easily understood and that students and staff have access to information about the operation and outcomes of the process;
- d. any barriers which deter or prevent students from accessing the complaint filing system are identified and steps taken to remove them;
- e. preferential treatment or bias is avoided and that reasons for decisions are provided to all parties concerned, as appropriate;
- f. the complaint system is supported at all levels of the University;
- g. all students have the right to appeal local decisions per departmental and/or academic college procedures;
- h. a mechanism is in place to monitor the nature and outcome of complaints across the University and identify issues of widespread concern to students; and
- i. the effectiveness of the complaints system is regularly evaluated and reporting is used to evaluate areas of improvement.

4. APPLICATION

- a. This policy covers the following:
 - i. The delivery of academic and administrative services;
 - ii. The delivery of other support services;
- b. This policy does not cover:
 - i. Sexual harassment/Discrimination (Please refer to the Sexual Harassment and Discrimination Policy)
 - ii. Complaints that are outside the scope of University operations;
 - iii. Student misconduct (any violation of University Policy, Procedures or Standards, please refer to the Student Code of Conduct Policy);

5. WITHDRAWING A COMPLAINT

- a. Students have the right to withdraw a complaint at any time during the process, in which case the complaint shall be registered as concluded and noted as withdrawn. Students who choose to withdraw complaints must include their reasons for withdrawal in writing.

Supporting Documentation:	Faculty Handbook, Student Handbook, Academic Catalog, SARA, DoD, HLC, and the Department of Education.	
Corresponding Publications:	Faculty Handbook, Student Handbook, Student Catalog	
Definitions:	See Section 1	
Keywords:	Complaints; SARA; DoD; HLC; Department of Education	
Responsible Office:	Dean of Students Office Office of the Vice President of Community and Student Affairs	
Contact Information:	Dean of Students 402-557-7744	Office of the V.P. of Community and Student Affairs 402-557-7006
Approved by:	Dr. Mary Hawkins	
Effective Date:	December 1, 2014	
Review Cycle and Dates:	This policy is new and will be reviewed annually.	

APPROVED:

/signed/
Dr. Mary Hawkins, Bellevue University President

12/1/2014
Date

NAIA Student-Athlete Code of Conduct

Student-athletes have an obligation to conduct themselves as good citizens both in and out of school and the community. Students are expected to refrain from exhibiting any behavior(s), which violates the principles of good citizenship. In other words, a student athlete shall never do anything which might bring embarrassment or an unfavorable view to him/herself, his/her teammates, coaches, the Athletics Department or university, family, school, or community. All coaches are responsible for reporting any legal, NAIA, NSAA, Bellevue University, or team violations to the Athletics Director.

All offenses for violating the Code of Conduct will be handled on a case-by-case basis by the student athlete's Head Coach and/or the Athletics Director.

Violations of the Student-Athlete Code of Conduct:

Below are examples of unacceptable behavior which violate the Code of Conduct, and are not all inclusive. There are other types of unacceptable behavior which may require discipline that are not contained as examples herein. In addition to the rules of conduct below, all student-athletes are expected to adhere to all NAIA rules, all conference rules, and all University rules of conduct including the Student Code of Conduct.

1. Possession and/or Use of Drugs: The possession and/or use of illegal drugs and/or paraphernalia or the possession and/or use of drugs or medications without a prescription is strictly prohibited.
2. Gambling: Gambling or gambling on NAIA or NCAA competition is strictly prohibited.
3. Possession and/or Use of Alcohol and Tobacco Products: The possession and/or illegal use of alcohol and use of tobacco products during the academic school year and season of competition is prohibited.
4. Hosting of Drinking/Drug Parties: Student-athletes that are under the age of 21 are prohibited from hosting and/or attending a party that involves alcohol. Student-athletes that are age 21 or older are prohibited from hosting and/or attending a party that involves alcohol with minors present. Student athletes are prohibited from hosting and/or attending a party that involves non-prescribed and/or illegal drugs, marijuana, or other illegal substances.
5. Bellevue University Student Code of Conduct Violations: Any violation of the Bellevue University Student Code of Conduct, resulting in an out-of-school suspension, may result in additional discipline under this Code.
6. Hazing/Initiation Ceremony: Bellevue University will not permit nor allow any coach or student-athlete to engage in any type of demoralizing, demeaning, or harmful "initiation ceremony" or hazing for athletes at any time and on any level. This prohibition includes any athlete giving other athletes haircuts, shaving other athletes, locker/shower pranks, etc.

7. Sexual Harassment: Whether verbal or physical, sexual harassment violates another person's rights and can create an intimidating, hostile, or offensive working or learning environment. Any form of sexual harassment is strictly prohibited.

8. Showing Disrespect for Officials, Coaching Staff, or Bellevue University Employees: Student athletes, whether participants or spectators, will observe courteous behavior during all sporting events. Booing, whistling, name calling, obscene gestures, fighting, or arguing with the referee, etc. will not be tolerated.

9. Theft: Stealing of any kind, including athletic clothing or equipment belonging to Bellevue University or opponents will not be tolerated. The following are guidelines to be followed by all coaches, administrators, and other Athletics Department personnel upon receiving reports from student-athletes of thefts or stolen property while on Bellevue University property or while attending Bellevue University-sponsored road games and related trips. Upon the receipt of such complaints, coaches, administrators, and other Athletics Department personnel shall:

- Immediately record the names of all students present or on the trip at the time of the alleged incident;
- Immediately talk with the involved student(s) and document the exact item(s) of property allegedly taken;
- Specifically, document when and where the alleged incident took place;
- Inform the affected student-athlete of his/her right to contact the local law enforcement authorities; and
- Notify the Athletics Director as soon as possible who shall immediately consult with Bellevue University's VPCCI regarding other appropriate actions.

Coaches, administrators, and other Athletics Department personnel shall not unilaterally search the personal property of student-athletes in response to allegations of theft or stolen property. Due to the rights of privacy enjoyed by student-athletes and the potential for exposure to additional claims, searches shall not be conducted by Athletics staff even with the student-athlete's consent.

10. Vandalism or Property Destruction: Vandalism or property destruction offenses may result in internal or external suspension and appropriate penalties for violation of the Code of Conduct.

11. Verbal or Physical Abuse: Verbal and/or physical abuse, threats, or profanity directed at teachers, coaches, athletics or university staff or employees, students, opponents, officials, spectators, etc. will not be tolerated at any time.

12. Criminal Activity: A student-athlete who participates in activities resulting in his/her arrest or formal charges being filed in a court of law may face additional penalties under this Code. If the University has adequate and competent evidence that the student participated in the offense for which he or she is charged, a penalty may be imposed pursuant to this Code prior to completion of the criminal proceeding. If the University does not have such evidence and the student is convicted of a crime (misdemeanor or felony), the penalty pursuant to this code will

be imposed upon conviction. In the latter case, the student-athlete may continue to participate in his/her sport until resolution of the matter by the judicial system.

13. Physical Harm Response: The following are guidelines to be followed by all coaches, administrators, and other Athletics Department personnel upon becoming aware of actual physical altercations, harassment, or threats related thereto involving any Bellevue University student-athlete. Upon becoming aware of such incidents, coaches, administrators, and other Athletics Department personnel shall:

- Immediately record the names of all students present or allegedly involved in the incident;
- Immediately talk with the involved student(s) and document the exact conduct complained of;
- Specifically document when and where the alleged incident took place; • Inform the affected student-athlete of his/her right to contact the local law enforcement authorities; and
- Notify the Athletics Director as soon as possible who shall immediately consult with Bellevue University's VPCCI regarding other appropriate actions.

14. NAIA or Conference Violations. Any conduct that violates any NAIA rule or conference rule.

Sanctions for Violating the Student-Athlete Code of Conduct:

The following are examples of sanctions that may be imposed for violations of the Student-Athlete Code of Conduct as determined by the Athletics Director and respective Head Coach, and are not all inclusive. In each case, the sanction(s) to be imposed will be determined by examining the nature and severity of the violation. The cumulative effect of a student's prior violations of the Student-Athlete Code of Conduct and the student's prior disciplinary records may also be considered in determining the appropriate sanction(s).

- A. Loss of athletic scholarship(s): The student's athletic scholarship may be cancelled on a prospective basis.
- B. Suspension from team(s): The student-athlete may be suspended from a specific number of games or for a specific time period.
- C. Termination from team(s): The student-athlete may be terminated from the team and have any athletic scholarships cancelled accordingly.
- D. Other: Other appropriate sanctions may be imposed on a case-by-case basis in the discretion of the Athletics Director.

E. Additional Student Code of Conduct sanctions: Any student-athlete found to violate this Student-Athlete Code of Conduct or the Student Code of Conduct may be subject to additional discipline as outlined in the Student Code of Conduct.

These conduct rules shall be administered in a non-discriminatory manner and in full compliance with Bellevue University's policies regarding Harassment, Personal Conduct, and Physical Harassment and Community Safety. Coaches, administrators, and other Athletics Department personnel are required to address all allegations related to physical violence, harassment, and related threats in accordance with these guidelines and policies.

The above rules and regulations are designed to provide disciplinary guidelines. The Athletics Director and a student-athlete's respective Head Coach will handle all discipline on a case-by-case basis, and expressly reserve the discretion to administer any other appropriate form of discipline.

DRUG POLICY STATEMENT

1. All coaches and players must attend seminars set up by the Athletic Trainer, and view tapes on drug related problems.
2. Each coach must have each athlete attending these programs sign an attendance form, which is then to be submitted to the Athletic Trainer.
3. Each athlete must sign the drug & alcohol, tobacco, substance abuse form before participating in the athletic program.
4. Drug testing may be administered.

Athletic Scholarship Policy

Athletic scholarships are awarded by the Director of Athletics upon the recommendation of the student athlete's head coach. An athletic scholarship is a privilege not a right and is not guaranteed to any student-athlete, even if the student meets all eligibility requirements. A scholarship may be revoked, discontinued, or non-renewed, at any time, by the student-athlete's head coach or the Director of Athletics for a failure to adhere to the eligibility requirements set forth below. A student-athletes prior receipt of an athletic scholarship does not guarantee a future scholarship, as a scholarship may be discontinued or non-renewed for any lawful reason in the head coach or Director of Athletics discretion.

Any student-athlete who makes false representations or submits false or incomplete documentation in an application for a scholarship or in any eligibility document may be required to pay back any scholarship money previously accepted or received. In order to be eligible for an athletic scholarship, a student-athlete shall:

1. observe the rules of good conduct consistent with the ideals and standards of Bellevue University as described in the University's Student Handbook;
2. refrain from performing any act which would constitute a violation of the Student-Athlete Code of Conduct;
3. be eligible to participate in intercollegiate contests within NAIA eligibility requirements in any semester in which a scholarship is sought;
4. ensure that all transcripts substantiating the student-athlete's eligibility hereunder are received by the Registrar's Office;
5. be enrolled as a full-time student in any semester in which a scholarship is sought and complete a minimum of 9 credit hours per semester (27 minimum per year) with a cumulative grade point average of no less than 2.0;
6. attend any study or learning skill programs which may be scheduled for recipient if placed on academic warning or probation; and
7. attend and participate in all practices and games that may be scheduled by the Coach or Director of Athletics.

A student-athlete can appeal a grant, denial, or revocation of an athletic scholarship only if the student athlete believes, and has proof to show, there was an abuse of discretion by the Coach and/or Director of Athletics, which was discriminatory in nature. A student-athlete appealing any revocation, grant, or denial of a scholarship shall follow the appeal procedures provided in Section 3 of the Student-Athlete Suspension/Appeal Process.



Annual Security and Fire Safety Report and Consumer Information Disclosure

Dear Staff Member,

The following is disclosure notification information per The Clery Act as governed by 34 C.F.R. §§ 668.14, 668.41, and 668.49 and The Drug-Free Schools and Communities Act (DFSCA) and EDGAR Part 86.

Consumer Information

Information regarding Bellevue University's Consumer Information can be found at <http://www.bellevue.edu/about/consumer-information.aspx>. The Consumer Information contains General Institutional Information, Student Financial Assistance Information, Health and Safety Information, Crime Statistics, Student Outcomes, and Athletic Financial Aid Information.

Annual Security and Fire Safety Report (ASR)

A copy of the current Bellevue University Annual Security and Fire Safety Report (ASR) can be viewed at <http://www.bellevue.edu/student-support/consumer-information/pdfs/annual-safety-report.pdf>. The ASR document provides campus crime statistics including security policies and procedures and information on the basic rights guaranteed to victims of sexual assault.

Drug and Alcohol Abuse Prevention Program

Information on the Drug and Alcohol Abuse Prevention Program (DAAPP) can be viewed at <http://www.bellevue.edu/student-support/center-for-health-and-safety/alcohol-and-other-drugs>. The DAAPP provides information, policies, and resources for the prevention of drug and alcohol abuse for students and employees.

Paper copies can also be obtained on request from the Dean of Students' Office on Bellevue University's Main Campus or by calling 402-557-7028.

Thank you,

A handwritten signature in cursive script that reads 'James A. Smith'.

James A. Smith, Ed.D.

Dean of Students

Bellevue University

Student Orientation: Consumer Information

- | | | | | | | | | |
|--|--------------------------------------|--|--|---|--|---------------------------------------|-------------------------------------|------------------------------------|
| Home | Academic Advising | Athletics | Campus Events | Campus Tour | Career Services Center | Consumer Information | Disability Services | Financial Services |
| International Programs | Library | Military Veteran Services Center | OneStop Service Center | Scholarships & Grants | Student Affairs | Student Organizations | | |
| Study Abroad | Technology Resources | Test Center | Tutor Center | Writing Center | | | | |

Quick Links

- [Alcohol & Drug Prevention Program](#)
- [Center for Health and Safety](#)
- [Discrimination & Harassment](#)
- [Security & Crime \(Clery Act\)](#)
- [Sexual Violence & Misconduct](#)
- [Tobacco-Free Institution](#)
- [Voter Registration](#)



Consumer Information



Contact Information

The Office of Student Affairs

Contact Info

Bellevue University

The Office of Student Affairs

John B. Muller Administrative Services
Building

1000 Galvin Road South

Bellevue

NE 68005

402-557-7028

studentaffairs@bellevue.edu

[Send Email](#)

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Center for Health and Safety

Bellevue University strives to support the well-being of all students, employees, and the surrounding community. Use the below policy, procedure, and resource pages to become familiar with the information and resources available.

Counseling Services	+
Drug and Alcohol Abuse Prevention Program	+
Guides and Procedures for Emergencies	+
Sexual Harassment and Title IX	+
Wellbeing Resources	+
Power of Parenting	+

Bellevue University subscribes to the Drug-Free Work Place Act of 1988 (34CFR, Part 85, Subpart F), the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and section 5301 of the Anti-Drug Abuse Act of 1988. Bellevue University strictly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities per Policy Statements (PS): [PS 11 Prohibition of Drugs and Alcohol](#); [PS80 Tobacco Free Policy](#); and [PS509 Drug Free Workplace Program](#); The University will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law), up to and including dismissal from the University or termination of employment and referral for prosecution, for violation of these standards of conduct per [PS80 Tobacco Free](#); [PS509 Drug Free Workplace Program](#); and [PS1901 Student Code of Conduct](#). Disciplinary sanctions may also include the completion of an appropriate rehabilitation program.

Nebraska Collegiate Prevention Alliance (NECPA)

Bellevue University has partnered with the [Nebraska Collegiate Prevention Alliance \(NECPA\)](#) since 2013. Our partnership aims to raise awareness about common misconceptions surrounding alcohol and marijuana use while also promoting prevention efforts on campus. Our work has earned us Gold level recognition in their Exemplary Member Recognition Program.



Health Risks



Preventing Abuse



Drug and Alcohol Counseling or Rehabilitation Services



Legal Sanctions

In addition to disciplinary action under University policies, individuals who engage in the unlawful manufacture, dispensing, distribution, possession, display, use, or consumption of controlled substances or alcohol are subject to legal sanctions.

Federal Law



State and Local Law



Drug Convictions and Student Financial Aid Eligibility





FACT

8 out of 10 surveyed BU students
say they only drink in moderation.***

GET THE FACTS,
NOT THE HYPE.

NEPreventionAlliance.org/learn-the-facts

*2022 Bellevue University NACHB Survey

**Consuming 2 drinks or less in a day for men or 1 drink or less in a day for women.





FACT

8 out of 10 surveyed BU students
do NOT use marijuana regularly.*

GET THE FACTS,
NOT THE HYPE.

NEPreventionAlliance.org/learn-the-facts

*2022 Bellevue University NACHB Survey



FACT

*Free in-person counseling services are available to
all BU students. Contact counseling@bellevue.edu
to make an appointment.*

MENTAL HEALTH MATTERS.
REDUCE THE STIGMA.

HELP IS HERE.



Make your list and check it twice
because it's YOUR future

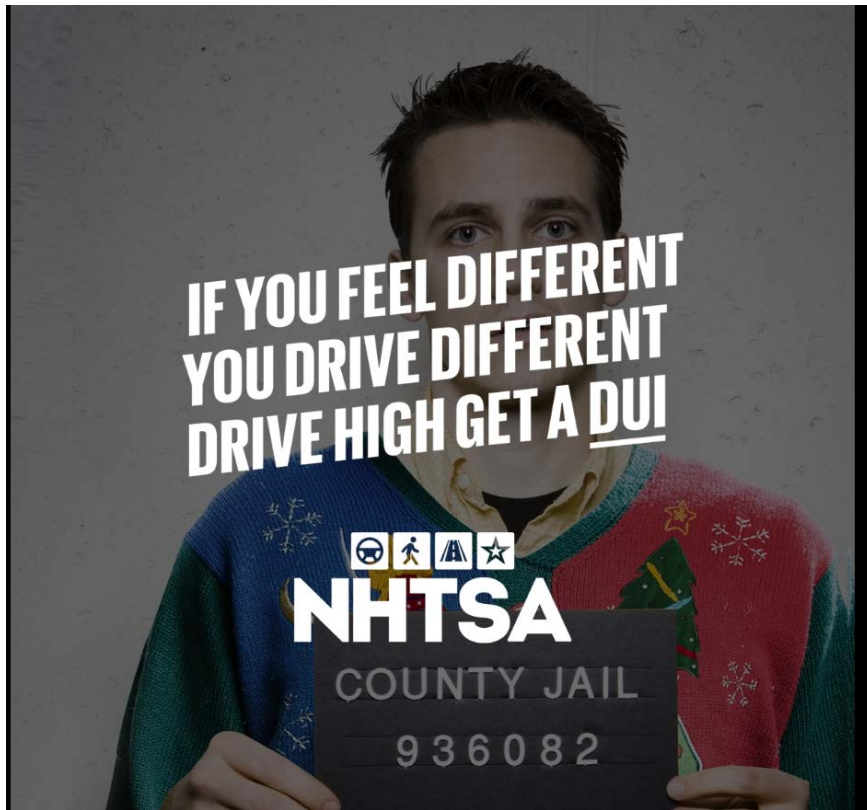
NEW YEAR'S To Do List

- ✓ PLAN FOR A SAFE RIDE HOME, DESIGNATE A SOBER DRIVER, AND/OR USE A RIDE SHARE SERVICE
- ✓ KNOW YOUR LIMITS WITH ALCOHOL AND STICK TO THEM
- ✓ EAT BEFORE YOU START DRINKING, AND STAY HYDRATED THROUGHOUT THE FESTIVITIES
- ✓ DON'T MIX ALCOHOL AND OTHER SUBSTANCES
- ✓ IF YOU ARE HOSTING, PROVIDE FOOD AND NON-ALCOHOLIC DRINKS
- ✓ DEVOTE 2024 TO LOVING YOURSELF BETTER THAN EVER!

Own it in 2024!!



Nebraska Collegiate
Prevention Alliance



As an incoming student, you are expected to complete the Year-One College Behavior Profile (Y1CBP) prior to the start of Fall 2023 classes.

**Complete your
profile at
y1cbp.bellevue.edu**



Bellevue University Student Life
1000 Galvin Road South
Bellevue, NE 68005

This project is supported in whole or in part by the Nebraska Collegiate Prevention Alliance and by the Grant #93.243 under the Strategic Prevention Framework-Partnership for Success Grant from the Substance Abuse and Mental Health Services Administration Center for Substance Abuse Prevention through the Nebraska Department of Health and Human Services and Region 6 Behavioral Healthcare.

START THE SCHOOL YEAR STRONG.

We care about your well-being and safety, which is why we require all students to complete the Year-One College Behavior Profile (Y1CBP) program. This confidential program will allow you to see how your health choices compare to other students.

Your Y1CBP profile will...

- Provide information about the effects of drugs and alcohol on the mind and body.
- Correct misperceptions about substance use.
- Identify intervention techniques.
- Make sure you're familiar with local laws and campus policies.
- Help prevent negative outcomes like legal consequences, hindered academic performance, career impact, and unwanted social interactions.





Welcome to Bellevue University!

We are excited for you to join your fellow students, faculty, and staff as a valued member of the University community. Your experience as a college student will be shaped by interactions occurring inside and outside the classroom, including the faculty you meet, the people you live with, the organizations you join, and the peers with whom you socialize.

Your ability to learn and positively interact with others is enhanced when you are a member of a safe and healthy community. **As your safety is a concern of ours, we request all incoming students under the age of 21 complete the Year One College Behavior Profile (Y1CBP).** The Y1CBP is an online substance education program designed to help students learn about the effects of alcohol and marijuana on the mind and the body, correct misperceptions about student substance use, increase awareness of protective factors, and identify strategies for intervening. This tool also addresses the co-occurrence of alcohol use and sexual violence, as well as substance use and mental health.

As an incoming student you are expected to complete the Year One College Behavior Profile **prior to New Bruin Academy on August 21st.** You will also receive a postcard home about this program.

To complete the profile, go to <https://y1cbp.bellevue.edu> and use your Bellevue University Student ID to log in. **Please make sure to go through all the questions until the end and submit to receive your personalized feedback results.** All survey responses are strictly confidential and will be seen only by authorized Bellevue University personnel. You can be confident you will not suffer negative consequences for providing truthful answers about your behavior, attitudes, and/or perceptions about alcohol or marijuana use, sexual violence, and mental health.

Again, welcome to Bellevue University and your life as a Bruin! Together we can maintain a safe and healthy campus for the entire community. If you have questions or concerns, please contact us!

Thank you for your cooperation.

Sincerely,



James A. Smith, Ed.D. | Assistant Vice President and Dean of Students |
Bellevue University, 1000 Galvin Road South, Bellevue, Nebraska 68005-3098 | bellevue.edu
Phone: [402.557.7744](tel:402.557.7744) | james.smith@bellevue.edu



Power of Parenting

<http://www.bellevue.edu/student-support/center-for-health-and-safety/alcohol-and-other-drugs>

This project is supported in whole or in part by Grant #93-243 under the Strategic Prevention Framework-Partnership for Success Grant from the Substance Abuse and Mental Health Services Administration Center for Substance Abuse Prevention through the Nebraska Department of Health and Human Services and Region 6 Behavioral Healthcare.

Power of Parenting



BELLEVUE
UNIVERSITY

1000 Galvin Road South
Bellevue, NE 68005

Your input matters!

As your son or daughter transitions to college life, you can communicate your expectations and encourage him or her to think through outcomes of the choices he or she makes. Parents can also impact misperceptions about college life, including alcohol use, while providing information about resources available on campus.

Visit the Power of Parenting Website at <http://www.bellevue.edu/student-support/center-for-health-and-safety/alcohol-and-other-drugs> to learn more about the drinking culture in college and how to talk with your son or daughter about alcohol use.