

# **Luther Seminary Student Handbook 2019-2020**



Updated March 2020





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## Introduction

Luther Seminary educates leaders for Christian communities

- ❖ called and sent by the Holy Spirit
- ❖ to witness to salvation through Jesus Christ and
- ❖ to serve in God's world.

## Letter to Students

Greetings! We are thankful that you are a part of the community!

Whether you are just entering Luther Seminary, or you are continuing your study, the Student Handbook serves as a helpful resource for the official policies related to student life. This handbook is divided into three sections: official policies, the student code of conduct and the code of conduct violations process. The purpose of the handbook is to provide a framework of resources for your experience as a student.

The handbook is updated annually with the new version available at the start of each academic year. It is your responsibility to stay up to date with the current version that can be found online at: <https://inside.luthersem.edu/students/handbook/>

## About this Handbook

This document contains both useful information about available resources as well as institutional policies that have been created to provide a healthy and vibrant community for all of its members, including students, faculty and staff. Where appropriate, some topics will reference additional web-based information and/or forms by providing the necessary web links. Please note that additional resources and information can also be found on the Luther Seminary website at [www.luthersem.edu](http://www.luthersem.edu) and intranet <https://inside.luthersem.edu/>

It is your responsibility to read this handbook carefully and in its entirety. This ready reference regarding life at Luther Seminary seeks to clarify community behavior expectations through the statement on the Climate of Mutual Respect and Responsibility and to provide policies that ensure a safe and welcoming community.

In addition to the Student Handbook, you need to familiarize yourself with the Academic Catalog. The Luther Seminary [catalog](#) is the official source of detailed information about the curriculum of the seminary, its degree programs, courses, requirements for graduation, and procedures for admission. **The responsibility for understanding and meeting graduation requirements rests entirely with the student.**

If you have any questions about the Student Handbook, please contact the Student Affairs Office, Bockman Hall 249, 651-641-3463, [studentaffairs@luthersem.edu](mailto:studentaffairs@luthersem.edu)

## **About Luther Seminary**

Luther Seminary is a seminary of the Evangelical Lutheran Church in America (ELCA). Through a series of mergers, Luther Seminary represents the consolidation into one seminary of what at one time were six separate institutions.

The oldest of the antecedent institutions was Augsburg Theological Seminary, founded in 1869 at Marshall, Wis., as the seminary of the Lutheran Free Church. It remained a separate seminary until 1963 when the Lutheran Free Church merged with the American Lutheran Church and Augsburg Seminary was united with Luther Theological Seminary in St. Paul. When Luther Theological Seminary was united with Augsburg Seminary in 1963, Luther, through the process of merger, assumed the earlier founding date of 1869.

Luther Theological Seminary was initially formed through the merger of three institutions in 1917 in conjunction with the merger of three Norwegian Lutheran Churches. Each of the three churches operated a seminary: the Norwegian Synod operated Luther Seminary, located near Hamline Ave. in St. Paul; the Hauge Synod operated Red Wing Seminary in Red Wing, MN; and the United Norwegian Lutheran Church operated the United Church Seminary on a portion of the present site of Luther Seminary in St. Paul. The merged seminaries occupied the site of the United Church Seminary on Como Ave. and Luther Place, and retained the name of the oldest of the three schools, namely, Luther Theological Seminary, which had been founded in 1876.

Northwestern Lutheran Theological Seminary traces its origin to the Chicago Lutheran Divinity School, begun in Chicago in 1920 following action taken by the English Evangelical Lutheran Synod of the Northwest, a synod of the United Lutheran Church in America. In 1921, the seminary was moved to Fargo, N.D., and the following year to Minneapolis. From 1921 to 1982, its name was Northwestern Lutheran Theological Seminary. Located in north Minneapolis from 1922 to 1940 and in the former Pillsbury mansion in south Minneapolis for the next 27 years, it moved to the campus of Luther Theological Seminary in 1967.

Desiring to make a witness to their common faith, Luther and Northwestern Seminaries functionally unified in 1976, beginning with a single administration. After a period of six years, during which a common curriculum as well as common admission and graduation requirements were developed and cross-registration was encouraged among the student bodies, the governing agencies of the two seminaries set in motion the planning process which culminated in the establishment of a single seminary on July 1, 1982, known as Luther Northwestern Theological Seminary. The name Luther Northwestern Theological Seminary was changed to Luther Seminary on July 1, 1994.



## **Welcome Statement**

The radical hospitality of Jesus Christ beckons us all in this fresh welcome:

Luther Seminary is a learning community rooted in the unconditional promise of God's love for all people. In Christ, all are neighbors one to another. In a dynamic of mutual welcomes, we seek to learn from one another's particularities, including but not limited to differences of race, ethnicity, nationality, culture, sexual orientation, gender identity, socioeconomic circumstance, dis/ability, political perspective, ecclesial tradition, and theological commitments. Intentional learning happens as we engage in critical discourse that challenges previously held assumptions. Faculty, staff students and board members commit to engaging deeply in Christ-centered relationships across differences through honest, courageous, and respectful dialogue. We acknowledge that this is possible only by the grace of God. We pray that through the power of the Holy Spirit, we will be a community of reconciliation, and one that educates Christian public leaders who can be conduits of God's healing and mercy in the world.

### **A Climate of Mutual Respect and Responsibility**

Luther Seminary is committed and dedicated to providing an environment that is conducive for learning and living in all facets of its communal life. The seminary seeks to establish a healthy climate for the development of relationships among its students, staff, and faculty and is dedicated to the pursuit of truth in its academic life in a manner that exemplifies respect, integrity and a valuing of each person in the community. The climate, which is desirable and maximal for learning, is one that is reflective of the following governing values:

#### **1. Seeks to be collegial rather than competitive**

A basic understanding of the nature of a Christian community is that it recognizes the value and worth of all persons and their contributions to the enterprise of theological education. Modeling a spirit of collegiality rather than competition in communal life is imperative in educating people to become leaders of communities. This climate creates an atmosphere of openness to all people. When, for example, differences in theological positions, denominational affiliations, or understandings of ministry occur, those differences should be expressed and addressed in a manner that respects each person's integrity and value in the eyes of God.

#### **2. Seeks to foster a spirit of freedom rather than fear**

For freedom Christ has set us free so that all members of the body of Christ may live out their lives with freedom for creative expression in the spirit of freedom from sin, death, and the law.

The seminary community seeks to be free from intimidation, threat, coercion, or the abusive use of power in carrying on its discourse in the classroom as well as in the decorum of its life together. Freedom of expression in spoken and written word is not only a constitutional right, but the expected courtesy accorded to every member of the

community. To the extent that the community is reflective of this freedom of expression without recrimination, so it will exhibit an atmosphere of trust and safety rather than fear.

### **3. Seeks to promote a spirit of excellence and inquiry**

Excellence and inquiry are essential to the work of the seminary and to the practice of ministry. Excellence involves the necessity of asking the difficult questions, wrestling with controversial issues and dedicating oneself to the disciplines of prayer, study, research, dialogue and continuing growth. In the spirit of freedom and in dedication to the truth, some issues will be challenging for students, staff and faculty alike. The community values the opportunity to engage in dialogue, debate, and inquiry at its very best without demeaning or devaluing another person in the process.

### **4. Seeks to promote and encourage equality and access**

The Christian community is reminded that in Christ the human divisions predicated on gender, race, or social status are put aside/(Gal. 3:28). The community is to reflect the reality that the dividing walls of hostility have been broken down in the cross/(Eph. 2:13-16). Living in the truth and promise of these assertions, every effort will be made by the members of the community to encourage and ensure that the spirit of equality issues in the practice of access for every member of the community.

### **5. Seeks to engender a spirit of forgiveness and love**

As a community, we are cognizant of the reality of sin as alienation, brokenness and estrangement in relationship to God, others, nature and ourselves. We recognize in particular the issues of power and abuse that are connected to our relationships as women and men and those specific actions of sexual harassment or abuse that have marred even the community of the Church (See Sexual Misconduct Policy). The reality of sin requires repentance and reconciliation in order that restoration may occur. The community will attempt to distinguish itself as one that is ready to forgive at the command and in the spirit of Christ and that welcomes the restoration of the penitent.

## **Academic Honesty**

Members of the Luther Seminary community are expected to conduct themselves responsibly and honestly in academic matters. Cheating and plagiarism are serious offenses against this expectation and are subject to disciplinary action.

We define plagiarism as follows:

"Plagiarism is the dishonest act of presenting the words or thoughts of another writer as if they were your own. . . If you quote from anything at all . . . you must put quotation marks around it, or set it off from your text. If you summarize or paraphrase an author's words, you must clearly indicate where the summary or paraphrase begins and ends. . . In every instance you must formally acknowledge the written source from which you took the material." [Quoted from James A. W. Heffernan and John E. Lincoln, *Writing: A College Handbook* (New York: W. W. Norton, 1982), 457.]

If instances of cheating or plagiarism are detected, one of these disciplinary actions shall follow: either (1) the instructor records a failure for the assignment or examination, or (2) the instructor records a failure for the course. In either case, the instructor shall bring the matter to Office of the Academic Dean, an indication that plagiarism has occurred will be placed in the student's permanent record and the question whether further disciplinary action should be considered will be determined in consultation with the instructor, and Office of the Academic Dean, and the Dean of Students.

### **Background Check and Boundary Maintenance**

In October 2005, the Board of Directors for Luther Seminary adopted a policy concerning background checks and participation in boundary workshops for all enrolled students. In February 2015, the Board approved an updated policy that went into effect for all students entering Fall 2015 and beyond. Detailed steps to comply with this policy are outlined below. In addition, frequently asked questions are posted on the website at: <https://inside.luthersem.edu/students/advising/nondegree-requirements/>

Materials may be emailed to [studentaffairs@luthersem.edu](mailto:studentaffairs@luthersem.edu) or sent in paper form to:

Student Affairs  
Luther Seminary  
2481 Como Avenue  
St. Paul, MN 55108

All paperwork will be kept in a locked file cabinet.

### **Introduction**

The mission of Luther Seminary is to educate leaders called and sent by the Holy Spirit to witness to salvation through Jesus Christ and to serve in God's world. The leaders who are prepared need to be healthy and mature. The communities in which they learn and to which they are called need to be safe places for all persons. Luther Seminary is committed to strengthening congregations in becoming such safe places. Furthermore, Luther Seminary is committed to being a safe place itself by ensuring that all of its members—students, staff, faculty, and associated individuals—are aware of the expectations regarding ethical behavior in the management of appropriate relational boundaries and practice such standards of behavior in all interactions.

In order to fulfill its mission Luther Seminary is fully committed to the goal of educating leaders for the church who are trustworthy as well as competent, faithful as well as focused on mission, and who are authentic and healthy persons of integrity. Luther Seminary values its partnership with other segments of the church in the education of such leaders and is committed to fulfilling its ethical responsibilities in preparing such leaders.

## Background Checks

In order to embody such values and commitments, Luther Seminary is prepared to partner with all students in assessing their level of awareness and health around such matters of professional and ethical behavior and will provide educational opportunities with respect to such concerns on a regular basis. The initial step in that process will be submission and review of a background check for students who are either enrolled in a degree program, attending as an ELCA affiliate student or who plan to participate in a course requiring contextual work.

In order to ensure the participation of all students in such a process, Luther Seminary will have on file the results of such a background check for each student by the end of the first semester. For students placed in church or agency settings as part of their degree requirements, the background check must be completed and reviewed prior to the beginning of active leadership within that assigned setting. A hold will be placed on the student record that will prohibit registration if the background check is not received.

The background check will include a social security trace, a seven-year period covering a criminal history database search, a county and federal record criminal check, and a national sex offender database search. Payment of the fee for the background check will be the responsibility of the student.

The results of such a background check will be received by the Dean of Students, who will maintain the records in secure files to insure confidentiality with regard to information received through such background checks. When the results of the background check show an alert, the file will be reviewed by a committee that consists of the Dean of Students, the Director of Contextual Learning and the Director of Student Affairs. Written documentation that a student's file has been reviewed will remain on file in the office of the Dean of Students for the duration of the student's enrollment. At the time of graduation or withdrawal from studies a student's file will be kept in a secure location.

A student will be notified of any information of concern to the review committee, which has been discovered in the review process, and will be given an opportunity to present a written response to the review committee which may include a clarification of the report and/or an explanation of the circumstances surrounding the noted incident. In such circumstances, a student may request a face-to-face meeting with the review committee. Such requests are to be submitted to the Dean of Students in writing. If the review process reveals information of concern that is not sufficiently explained to the committee, Luther Seminary reserves the right to take appropriate action, including but not limited to, requiring the student to withdraw from enrollment.

Doctor of Ministry students may satisfy this requirement by providing a written certification by a judicatory, congregation, or employer currently providing oversight attesting that the student has undergone a similar background check as a precondition for their present service or employment. Other students may request that information from a similar background check, pursued through a church oversight process or denominational

candidacy committee, be released to Luther Seminary in lieu of undergoing a parallel process upon admission. The Dean of Students will decide whether such materials adequately address this requirement.

Enrolled students are required to update the information in their background check file to reflect any criminal charges and convictions, non-routine motor vehicle citations (e.g. D.W.I., reckless driving, etc.), and/or any allegations of inappropriate conduct in the workplace, which occur subsequent to the date of completion of the background check. Failure to do so will be cause for disciplinary action.

### **Boundaries Workshop**

The second requirement of this effort to prepare healthy church and community leaders includes participation in a boundaries workshop by every student in a degree program at Luther. Boundaries workshops will be offered at least once a year with leadership provided by a team of trained faculty and/or staff members and/or external trainers. As with the background check, documentation of a student's successful participation in a boundaries workshop will be required and kept on file.

For Master of Divinity students, no internship placement will be possible without documentation of successful participation in such a workshop. Master of Arts students will need to have completed the workshop prior to the semester in which they intend to complete their academic program. Master of Theology, Doctor of Ministry, and Doctor of Philosophy students need to complete such a workshop prior to graduation.

A request to substitute an alternate experience as fulfillment of the workshop requirement may be submitted in writing to the Dean of Students in a timely manner respecting the above noted deadlines.

More information on the policy can be found at:

<https://inside.luthersem.edu/students/advising/nondegree-requirements/>

### **Community Life**

The following information is provided to give students an overview of services and resources available to enhance and support the community life of Luther Seminary. Additional information can be found online at:

<https://inside.luthersem.edu/students/safety-support/>

### **Care Team**

The Care Team at Luther Seminary provides support, advocacy, and prayer for the entire Luther community. The Care Team tends holistically to the community with primary emphasis on student support, cultivating spiritual, emotional, physical, social, financial,

vocational, and intellectual well-being. Meeting regularly throughout the year, the team collaborates in our shared goal to walk faithfully with the community – amid challenges and joys – for the sake of empowering student success and a healthy learning environment.

The Care Team includes:

- Dean of Students
- Director of Student Affairs
- Director of International Student and Scholar Affairs
- Director of Contextual Learning
- Director of Diversity, Equity and Inclusion
- Seminary Pastor

Anyone in the Luther Seminary community can reach out to the Care Team members with concerns for self and/or others.

### Counseling Resources

A variety of counseling resources are available to you as a student. The Seminary Pastor, your faculty mentor, and the Student Affairs staff are also available for conversations and consultations.

Additional counseling resources are also available to you through the professional services of counselors in the Twin Cities. Students are encouraged to make use of such professionals when ready to address more complicated issues in life as a seminarian. Tending to health and wholeness as real human beings is a necessary asset for ministry. A Counseling and Spiritual Direction Resource Guide is linked from:  
<https://inside.luthersem.edu/students/safety-support/>

Interns and students at a distance may see a counselor where they live. Receipts for reimbursement of the out-of-pocket expense on a dollar-for-dollar basis (up to \$300 per academic year: July 1-June 30) may be submitted to Student Affairs via email or mail.

### Dining Services

Students, faculty, staff, and the neighboring community are always welcome to enjoy an array of menu options in our cafeteria. Free coffee is offered upstairs in the Olson Campus Center daily. We boast a quality catering service, which supplies the food and beverages for seminary functions as well as private events.

Luther Seminary strives to make on-campus dining a viable and healthy option for students. We accept recommendations for specials or menu items, and always request your constructive feedback. Students are encouraged to contact Dining Services at [lutherseminary@aladdinfood.com](mailto:lutherseminary@aladdinfood.com).

## Faith Development

Faith development is an integral component of a student's time at Luther Seminary. Through opportunities such as weekday chapel, discipleship groups and music, we aim to foster a strong faith community on campus. In addition, spiritual formation is also a supported activity. Contact the Seminary Pastor for further information.

## Daily Chapel

Chapel is a time set aside for our community to gather as people of God in prayer, praise, and the proclamation of the gospel through word, sacrament, prayer, music, and silence. As we come together, our individual faith is nurtured by God, our communal life is enhanced by the Spirit, and we are formed as the body of Christ for the sake of serving in God's world. All students, staff, and faculty are encouraged to participate and, at times, lead our corporate worship as we are strengthened in faith and life.

In our chapel worship, we seek patterns that offer flexibility and fluidity in terms of musical style, prayer and spiritual expression, and preaching practice with a strong emphasis on congregational participation and song. Chapel is coordinated through the Office of the Seminary Pastor.

## Weekly Schedule

- During weeks when traditional fall and spring residential courses are in session, chapel services will be held Tuesday-Friday at 11:00 a.m.
- During full weekdays of residential focus courses, chapel services will be held on Monday-Friday at 11:30 a.m.
- During the weeks of traditional intensive courses, chapel services will be held Monday-Friday at 11:00 a.m.
- Holy Communion will continue to be celebrated on Wednesdays.

Chapel events are always available on the community calendar found on Inside Luther Seminary.

## Spiritual Formation

Spiritual formation describes a whole host of practices or disciplines that enable us to grow in our relationship with God. Some of the traditional practices include prayer, spiritual reading, Sabbath-keeping, and spiritual direction.

The first three disciplines are generally the most familiar. The fourth, spiritual direction, may be new to many students.

Spiritual direction is a growing spiritual discipline which pairs an individual who has been trained in the art of Christian listening with a small group of persons interested in enhancing their spiritual lives. There is also a program available for students who have an

interest in trying group spiritual direction. All you need to do is find 4 or 5 others who are interested and available at a common time, then contact the Seminary Pastor's office.

## Health and Wellness

Health and wellness is an important aspect of community life at Luther Seminary. Developing healthful habits during our lives as students will help us establish and maintain a balanced, healthy life as Christian Public Leaders. Well-being is not a constant state, but an active changing state. Each day we have the opportunity to choose wellness and balance. As Martin Luther said, it is about becoming and it is never finished.

Being aware and tending to our whole being puts us on the right road. Luther Seminary provides an opportunity for students to take part in activities focused on the Wholeness Wheel, which describes the seven essential elements of well-being: Spiritual Well-Being, Social/Interpersonal Well-Being, Emotional Well-Being, Physical Well-Being, Financial Well-Being, Vocational Well-Being, and Intellectual Well-Being.

# THE WHOLENESS WHEEL



**Note:** Portico Benefit Services' wholeness wheel emblems are trademarks of Portico Benefit Services (U.S. Patent and Trademark). Certificate of registration numbers: 4,637,260; 4,637,258; 4,637,259; 4,636,828; 4,677,811; 4,769,984.



## Residential Life

Limited housing is available for Luther Seminary students and their family members. Students can choose from a variety of housing options. Housing is available in LDR (1 BR and Efficiency units), Stub Hall (dorm-style housing), and seminary-owned houses. Houses are available to individual students to share with other students and to families.

Housing is available year-round and lease terms run from August or September to May 31 each year. Monthly rental costs vary depending on the housing option.

Students who choose to live on campus can find additional information on policies and resources at <https://inside.luthersem.edu/students/housing/>.

## Student Groups

Recognizing that students have a desire to participate in activities outside of the classroom, Luther Seminary provides a number of opportunities to be involved on campus. These activities contribute to the student learning experience and offer opportunities for leadership development and growth. Luther Seminary has two standing, annually funded recognized student organizations and a variety of groups that form based on student or community interest. The two standing student groups are Student Council and The Concord.

Officially recognized student groups have rights to reserve rooms for meetings, arrange for display tables on campus, obtain some clerical support from the Student Affairs office and have their group listed in the Student Group Directory which can be found at <https://inside.luthersem.edu/students/student-organizations/>.

Any questions about student groups should be directed to Student Affairs.

## Student Council

Student Council is the student organization that advocates through a number of programs to build community and support academic and student life at the seminary. Student Council meets monthly from September to May as a full council and typically one other time a month in smaller action teams.

Student Council is a student-elected body of representatives who meet monthly to work on behalf of the students. Meetings are open to all who care to join, and each officially recognized student group is allowed to have one member as a representative to the council to join in voting on important decisions. Main council duties include empowering students by giving them a voice and offering support to student groups.

The student council is made up of elected members and representatives from the recognized student organizations. The student council advisor is the Director of Student Affairs. More information on Student Council, including a link to meeting minutes, can be found at <https://inside.luthersem.edu/students/student-organizations/student-council/>.

### Student Paper

*Concord* is a journalistic ministry of students at Luther Seminary. Published periodically throughout the academic year, *Concord* provides opportunities for students who are interested sharing their voice in print with the Luther community.

## **Luther Seminary Copyright Guidelines and Policy**

### **Section 1: Respect for Copyright Law**

Luther Seminary and its faculty, staff, and students are expected to respect copyright law (Title 17 of the United States Code, <http://www.copyright.gov/title17/>) for both print and electronic content that is created, copied, distributed, performed, or used in our community.

Respect for copyright includes but is not limited to:

- All formats of text, pictures, sound, and video, including music and dramatic works;
- Materials produced by the seminary's faculty, staff, and students;
- Materials available electronically or distributed in print;
- Materials restricted to students in a particular class; and
- Materials duplicated or scanned for personal research use.

### **Section 2: Luther Seminary's Copyright Policy**

Luther Seminary's facilities, equipment, staff, and student workers shall only be used to copy, scan, stream, record, and/or distribute materials for which:

- Copyright analysis or permission is not needed (see Section 3);
- Fair Use Analysis is applicable (see Section 4); or
- Permission has been granted by the copyright holder (see Section 5).

### **Section 3: Copyright Fair Use Analysis or Permission Is Not Needed for the Following:**

- For linking to materials that are freely available through the Web or available through a licensed database;
- Materials in the public domain, which are typically published prior to 1923 (see <http://librarycopyright.net/resources/digitalslider/> for additional nuance.);
- Materials offered freely under a Creative Commons license (being sure to observe the terms of the specific license);
- Performance and display of videos and other works within the limitations of Section 110 of the Copyright Act; or
- Materials needed for the print-disabled when accessible copies are not readily available (as described in Section 121 of the Copyright Act).

### **Section 4: Copyright Fair Use Analysis**

When copyright is active and permission has not been obtained, the only way to use copyrighted materials is through fair use. Within the parameters of copyright law, provisions have been made for use of materials by non-copyright holders including "fair use" as codified in section 107 of the copyright law:

“ . . . the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.”

The Association of Research Libraries describes further applications and examples of fair use in the academic community within its Code of Best Practices in Fair Use for Academic and Research Libraries (January 2012).

### **Ordinary Fair Use Analysis**

Fair use will generally be assumed when involving a small, appropriate quantity (single chapter, journal article, or less than 15% of the whole work), with restricted access for personal research or distributed to students in a class, and with a non-profit, educational purpose.

### **Extraordinary Fair Use Analysis**

When not within the parameters of the simple analysis, fair use **must** be demonstrated by use of the Copyright Fair Use Analysis Checklist in consultation with a librarian or the Academic Dean’s Office. Any duplication or electronic posting request relying upon fair use beyond the ordinary analysis above must include a completed checklist, which will be retained as added pages to the copyrighted materials.

### **Section 5: Obtaining Permission**

When the Copyright Fair Use Analysis does not favor use, permission is required from the copyright holder. In some cases, the author, publisher, or distributor can be contacted directly or the Copyright Clearance Center ([copyright.com](http://copyright.com)) can usually assist in obtaining and collecting fees for the necessary authorization. Modest fees for instructional purposes may be paid for by the library.

### **Section 6: Questions and Concerns**

Questions regarding these guidelines, the checklist, or other copyright issues should be directed to a librarian or sent to [reference@luthersem.edu](mailto:reference@luthersem.edu). Concerns about or violations of this policy should be referred to the Academic Dean’s Office.

## **Student Disability Accommodation Policy**

It is Luther Seminary's policy to ensure that no qualified student with a disability is denied the benefits of, excluded from participation in, or subjected to discrimination in any seminary program, service, or activity. The seminary provides reasonable accommodations to students with disabilities.

A disability is defined as a physical, intellectual, or mental impairment that substantially limits one or more major life activities. The seminary will provide a reasonable accommodation to the known disabilities of an otherwise-qualified disabled student.

Any student who has a disability and wishes to request reasonable accommodation should contact the Peter Susag, Writing Support and Library Acquisitions Coordinator who serves as Disabilities Services Liaison, at least two weeks prior to the start of classes or as soon as possible when the need for accommodation becomes known to the student. Depending on the facts of the situation, the seminary may require documentation regarding the disability or requested accommodation so that the seminary may fully evaluate the request.

Documentation provided by a student should be from a qualified professional who is not related to the student and who practices in the area in which the disability is diagnosed. The documentation should be dated within the past three years and should include the following information:

- The diagnosed disability;
- A list of the criteria used to make the diagnosis (including scores achieved on assessments, if applicable);
- A description of how the condition limits the student's ability to participate in any seminary program, service or activity; and
- A list of the recommended accommodations.

It may also be helpful for the student to provide a history of prior accommodations he or she has received.

The Disabilities Services Liaison, in consultation with the student and other involved faculty, departments, programs or medical professionals as necessary, will determine the appropriate reasonable accommodation, if any. The Disabilities Services Liaison will prepare individual letters to the involved faculty, departments or programs identifying the appropriate accommodations. The letters will direct the recipients to contact Peter Susag with questions, but will not disclose the student's disability.

Students with a disability requiring reasonable accommodation are encouraged to meet with the Disabilities Services Liaison during the term to discuss the effectiveness of the accommodation.

The Disabilities Services Liaison will ensure that all disability-related documents are shared with seminary and medical personnel on a need-to-know basis only.

Students are responsible for contacting the Disabilities Services Liaison promptly. Students may also file a grievance in accordance with the Grievances section of this Student Handbook if reasonable accommodations are not implemented in a timely or effective way. Students must reapply at the beginning of each semester for accommodations related to the seminary's academic program.

### **Disability Grievance Policy and Procedures**

Luther Seminary is committed to providing equal opportunity for disabled students and prohibits discrimination against any individual on the basis of a physical or mental disability. This policy extends to all rights, privileges, programs and activities, including housing, employment, admissions, financial assistance, and educational programs. The seminary also provides reasonable accommodations to students with disabilities.

A student may file an informal complaint if the student believes that equal access to an academic program or service has been denied because of a disability, that a request for reasonable accommodation has been wrongly denied, or that the student has been discriminated against on the basis of a disability in a seminary program, service, or activity. Students are encouraged to seek the assistance of the Disabilities Services Liaison in order to attempt to resolve any complaint or concern informally. Upon a student's request, the Disabilities Services Liaison will work with the student and the other involved person or department to attempt to resolve the complaint.

If informal resolution through the Disabilities Services Liaison is unsuccessful, a student may file a written grievance with the Dean of Students. A grievance should include the following information:

- The student's name, address, telephone number, email address and student identification number;
- A description of the basis for the grievance, including a description of any related incident, the date and place of any such incident, and the names of any individuals involved;
- A description of the efforts the student has taken to resolve the matter informally;
- A description of the remedy sought; and
- Any documentation that supports the grievance.

The Dean of Students or a designee will convene a Disability Grievance Committee and complete a thorough investigation of the complaint. The investigation will be conducted promptly, subject to any limitations caused by difficulties in gathering information, access to personnel, or breaks in the academic calendar. The investigation will include an opportunity for the student who raised the concern and other involved persons to provide information in person. After the investigation, the Disability Grievance Committee will provide a written determination to the student and the other persons involved in the grievance.

The seminary prohibits retaliation against any person who files a complaint of discrimination, participates in an investigation, or opposes a discriminatory education practice or policy.

## **Electronic Communications Policy**

### Introduction

Luther Seminary is committed to providing an environment that encourages the use of computers and electronic communications as essential tools in teaching and learning. The purpose of this policy is to outline the acceptable, appropriate and legal use of Information Technology equipment, communication equipment and computer systems at Luther Seminary. It is the responsibility of each student to ensure that this technology is used for proper and lawful purposes and in a manner that (1) is responsible, appropriate, and legal; (2) does not compromise the confidentiality of proprietary or other sensitive information; (3) does not compromise the security of the seminary's computer resources or the reputation, policies or mission of the seminary; and (4) is consistent with good stewardship and the mission of Luther Seminary.

Luther Seminary student computer labs and network access are intended for student use. Guest and visitor use is only allowed within limits and certain reasons. The policy is applicable to all Luther Seminary students, guests, and other visitors to campus who access seminary information technology resources. Luther Seminary may amend this policy periodically. Luther Seminary may give additional and more detailed regulations on the various subjects described in this policy. Such additional regulations may not be in conflict with this policy, unless the deviations are based on local laws.

### General Use

It is the responsibility of each student to use seminary computer resources in a manner consistent with the mission and good stewardship of the organization. Without limiting the foregoing, students shall not use seminary computer resources in any way that:

- Violates any local, state, federal or international law, statute, regulation, or ordinance;
- Violates any policy or procedure of Luther Seminary;
- Jeopardizes the security of any seminary computer resource;
- Jeopardizes Luther Seminary's tax exempt status;
- Violates the legal rights of any person or entity;
- Creates unauthorized contractual liability for Luther Seminary;
- Gives the impression an individual is representing, giving opinions, making statements or commitments on behalf of Luther Seminary, unless authorized to do so by the seminary;
- Results in the transmission or receipt of obscene, pornographic, discriminatory, harassing, or defamatory materials;

- Interferes with the use of Luther Seminary's computer resources or the computer resources of another person or entity;
- Involves personal financial gain or gambling; or
- Is inconsistent with norms of professional and organizational conduct;
- Or reflects adversely on Luther Seminary.

All computer resources provided to students by Luther Seminary are assets of and owned by Luther Seminary, unless the seminary expressly relinquishes ownership claims. All computer resources used by Luther Seminary shall be purchased by, or with the approval of, the Office of Technology.

Students are responsible for exercising good judgment regarding use of seminary computer and network systems. Luther Seminary reserves the right to audit networks and systems and to monitor usage of Luther Seminary Internet access, phone, and collaborative applications on a periodic basis to ensure policy compliance. In doing so, Luther Seminary will comply with applicable laws and regulations.

If any student has a question or concern about the use or restriction on use of a computer resource, the student should discuss the matter with Student Affairs or the Office of Technology.

#### Authorized Use and Security

Luther Seminary's electronic assets are to be protected from unauthorized access, modification, destruction or disclosure. Authorized use of the Luther Seminary network varies according to the role of the user but is limited to those functions required for the completion of duties. Any use that does not fall within this guideline is unauthorized. Access to all Luther Seminary systems and system resources is protected by means of a user ID and password or user ID and token/pin combination, or biometric authentication. All accounts require a user ID and account password. A user ID is uniquely linked to a single Luther Seminary student and each student is responsible for activity performed using their unique user ID. Only authorized people are allowed to access the Luther Seminary information systems. It is prohibited for users to reveal their user ID and/or account password to others or allowing use of their account, or otherwise disclose the user ID and account password combination.

It is prohibited for users to install software products on their Luther Seminary devices without approval from the Office of Technology. Damaging or intentionally destroying assets owned by Luther Seminary is forbidden.

Luther Seminary may terminate or restrict an individual's access to seminary computer resources at any time and for any reason. The decision to restrict or terminate an individual's access may be made by the individual's manager, the Office of Technology, and Student Affairs.



## Privacy

Student users of Luther Seminary's networking systems should not have an expectation of privacy in the materials that are created, sent, or received by them on Luther Seminary systems, whether or not the matter is designated as private or confidential. The seminary maintains full access to all computer systems for the purpose of assuring compliance with statutory requirements and seminary policy, supporting the performance of internal investigations, and assisting with the management of the seminary's information systems. Authorized personnel and automated collection or monitoring tools installed and operated by authorized personnel may, without prior notice, and to the extent permitted by local laws and regulations, monitor and examine all material stored on Luther Seminary systems, or monitor any aspects of its computerized resources, including, but not limited to, monitoring sites visited by users on the Internet; monitoring chat groups and newsgroups; reviewing material downloaded from or uploaded to the Internet by users; reviewing e-mail sent and received by users; and any material created, stored, sent or received on the Luther Seminary network and printed from the network.

## Intellectual Property, Copyright, and Software Licenses

Most proprietary software licenses have legal restrictions prohibiting unauthorized use and copying. It is the responsibility of each student to ensure compliance with all copyright laws and license restrictions before downloading or receiving software from any source. In addition, software may not be downloaded or received on a seminary computer, including software available on the Internet, unless it is approved in advance by the Office of Technology. Only authorized personnel may load software onto any seminary computer, connect any hardware or other equipment to any seminary computer, or move or change any seminary computer equipment.

In addition, content posted, viewed or downloaded from any free or fee-based source, including, but not limited to, the Internet, over-the-air television, and cable television, may be protected by copyright or piracy laws. Reproduction of protected information is permitted only if such reproduction is (1) a fair use and permissible under applicable trademark, copyright and piracy laws; (2) based on express written permission given by the copyright owner that is producible on demand; or (3) in compliance with use or permission guidelines posted by the owner or authorized agent of the information. It is each student's responsibility to comply with applicable copyright and piracy restrictions.

## External and Extended Network Connections and Services Prohibited

Because unauthorized connections may cause unauthorized access to the seminary's systems and information, they are strictly prohibited. Only authorized personnel may establish Internet or other external network connections. Only authorized personnel may establish extended physical or virtual network connections, including, but not limited to, wired and wireless access points and repeaters.

Only authorized personnel may establish servers on the Luther Seminary network. Any servers found to be interrupting normal network activities will be prevented from accessing Luther Seminary's network.

### Antivirus

Users should immediately contact the Office of Technology upon discovery of a virus on seminary-owned computers, or when inadvertently introducing a virus into the Luther Seminary environment.

All files originating from a source outside of the seminary, including files obtained over the Internet or from external parties on portable data carriers (i.e., memory sticks), must be checked for possible computer viruses before being downloaded onto a seminary computer. The antivirus software on each seminary computer will ordinarily perform this check automatically. All users should contact the Office of Technology before downloading a file that may pose a particular risk for any reason.

It is prohibited for users to disable the antivirus software, or other security tools (personal firewall, the anti-virus software, anti-spyware), prevent its automated updates or scans, or reconfigure it in such a way that the functionality is decreased. Installation of software should always be done after approval of the Office of Technology.

### Telephone and Voicemail Use

The telephone and voicemail systems are assets of Luther Seminary and are intended to be used to conduct seminary business. Personal calls and personal faxes to or from the seminary should generally be avoided, except under special and necessary circumstances. Personal long-distance telephone calls from the seminary's phones and the sending of long-distance personal faxes from the seminary's fax machines are prohibited without prior approval and reimbursement is expected for any personal long distance charges. 800-telephone service is for the convenience of our constituents only and personal use is prohibited. Luther Seminary has the right to monitor and record telephone calls for any reason and to listen to seminary voice mail at any time, with or without notice.

### Internet Use

Any unauthorized use of the seminary's Internet service is prohibited. Individuals may not use the Internet in a manner that would reflect badly upon the reputation of Luther Seminary and cannot be in violation with the guidelines given in this policy nor in violation with applicable local policies that may exist. **It is strictly prohibited to conduct any activity which is or could be illegal** (e.g., gambling, surfing/downloading child pornography, violating copyright) **or inappropriate** (e.g., sexually oriented, pornographic, harassing, discriminatory, obscene, libelous, defamatory).

Additionally, students may not use Luther Seminary Internet access to:

- Disclose seminary information via the Internet or other form of electronic communication in such a way as to incur lawsuits or other liability against Luther Seminary (i.e., by violating copyright/licensing laws, creating and distributing false financial information);
- Use sites that are related to gambling;
- Get access to non-public sources on the Internet for which the individual has no permission;
- Send or forward threatening, insulting, pornographic, or discriminatory messages; or
- Illegally download or share music, video files or software.

Luther Seminary monitors Internet usage at its discretion in the ordinary course of operations.

### E-mail Use

The principal purpose of electronic communication is to facilitate instructional, research, administrative, and other work or mission-related communications by and among seminary employees and students. E-mail which contains confidential or proprietary information must be treated as confidential. In many countries, e-mail is considered to be a legal document. This means that messages have to be carefully formulated in order not to create unintended confirmation of statements or other forms of unintended binding agreements. Students should also be aware that e-mail tracks can be valid data in audits and legal proceedings.

All e-mail correspondence is the property of the seminary, whether or not related to personal or confidential matters. The seminary monitors its e-mail system, including mailboxes, at its discretion in the ordinary course of business. The existence of passwords and “message delete” functions do not restrict or eliminate the seminary’s ability or right to access electronic communications. Please note that in certain situations, the seminary may be compelled to access and disclose messages that were sent over its e-mail system. Students must use extreme caution when using seminary computers to open e-mail attachments received from unknown senders. It is the user’s responsibility to prevent malicious programs (like viruses, worms, Trojan horses, e-mail bombs) from accessing the Luther Seminary network. Be cautious with e-mails from trusted sources that appear out of character for the sender. Contact the sender to ask about the validity of the e-mail before opening any attachment. Immediately delete any untrustworthy e-mail.

Institutional mailing groups, such as “faculty,” “staff,” and “students,” in the e-mail address list are not to be used without the express permission of the Office of Technology and approval is based on operational need.

Students are strictly prohibited from the following activities when using seminary technology resources:

- Sending messages that are inconsistent with the seminary’s policies;

- Sending "junk mail" or other advertising material to individuals who did not specifically request such material (e-mail spam);
- Sending or forwarding threatening, insulting, pornographic, racist or discriminating messages;
- Using e-mail originating from within Luther Seminary's networks, to advertise or promote any business that is not related to Luther Seminary;
- Sending emails on behalf of someone else, unless indicated in the e-mail;
- Sending anonymous or pseudonymous electronic communications;
- Using any techniques to modify the "From" line or other sender/origin information in e-mails to change, hide, or disguise one's identity; or
- Creating or forwarding "chain letters" or other "pyramid" schemes of any type.

When receiving e-mail sent to seminary technology resources from outside sources, students have the responsibility of immediately deleting all e-mail that falls below the seminary's standards as articulated above.

### Personal Equipment Use

Luther Seminary is not responsible for the purchase, configuration, maintenance, replacement, or support of personal devices even if the devices are used for seminary teaching and learning activities. In no way and under no circumstances does Luther Seminary assume legal or contractual responsibility for the student's use of a personal device.

### Social Media Use

Social media are powerful communication tools that can have a significant impact on organizational reputations. Social media primarily are internet- and mobile-based tools for sharing and discussing information. The most common social networking sites are Facebook, WhatsApp, Instagram, Twitter, Pinterest, LinkedIn, Nextdoor, YouTube, Flickr, TikTok, blogs and more, as they are rapidly changing. Social media users can post photos, videos, comments and links to create content on any topic. The lines between personal and institutional voice are often blurred.

Students who engage in the use of social media for professional and institutional reasons need to follow the same behavioral standards online as they would in person. The same laws, confidentiality expectations, professional expectations and guidelines for interacting with other students, alumni, donors, media and other constituents apply online as in everyday interactions. Students may be held personally responsible for anything they post to social media sites. Students who participate in social media are expected to adhere to Luther Seminary's policies at all times—regardless of whether they are at work or not. Violation of seminary policies while using social media, even outside of work, may result in disciplinary action, up to and including dismissal.

Consistent with the seminary's Electronic Communications policy, Luther Seminary has the right to monitor and access its computer systems and to read and copy all files or data contained on any of its computers at any time, with or without prior notice. In addition,

the seminary may monitor what students openly publish or post on the Internet or what students otherwise make accessible to the seminary, directly or indirectly, to the fullest extent permitted by law.

The keys to success in social media are being **honest** about who you are, being **thoughtful** before posting and **respecting** the purpose of the community where posting. The following points apply to all social media use, whether personal or professional:

1. **Protect confidential and proprietary information:** Do not post confidential or proprietary information about Luther Seminary, students, employees, alumni or donors. Students need to use good ethical judgment and follow applicable federal requirements such as FERPA and HIPAA. Students should respect the privacy of all people who are associated with or do business with Luther Seminary. Students should not make any public reference to others or their work without their prior approval.
2. **Respect copyright and fair use:** When posting, students need to be mindful to provide links to materials when possible and demonstrate proper respect for copyright and fair use laws. Students may not use or reproduce trademarks, branding or logos of Luther Seminary without authorization. Students should not use seminary-provided e-mail addresses for personal use of social media.
3. **Respect seminary time and property:** Seminary computers and student work time are to be used for seminary-related business. It is appropriate to post at work if the comments are directly related to accomplishing work goals, such as seeking sources for information or working with others to resolve a problem. Students should maintain their personal sites on their own time using non-seminary computers.
4. **Speak for yourself:** Only authorized students may post on behalf of the seminary. If a student is not authorized to speak on behalf of the seminary and they are commenting about the seminary on social media platforms, students must make it clear they are attending the seminary and are expressing their own personal views. Students must disclose their relationship with the seminary if they post anything that promotes or endorses the seminary.
5. **Be professional and respectful:** Student may not publish or post any statement (including a photograph or other visual image) about the seminary that damages the reputation of the seminary if they know the statement is false or reasonably should have known the statement was false or they are acting maliciously and without any legitimate purpose protected by law. In addition, students may not publish or post anything that constituents or other students would reasonably consider to be hostile, threatening or intimidating. Students may not publish or post any offensive or unprofessional material that serves no legitimate purpose protected by law and reflects poorly on employees or the seminary. Students may be held personally liable for commentary that is defamatory, obscene or libelous.
6. **Check before responding to media:** If a member of the news media contacts you about an internet posting that concerns the seminary, or they request seminary information of any kind, promptly notify a member of the Marketing and Communications group.

Luther Seminary recognizes that social media can help to facilitate efficient communication. This policy is not intended to restrict the flow of useful and appropriate information or legally protected communications.

If you are uncertain about whether your use of social media complies with this policy, contact a member of the Marketing and Communications group.

### Compliance

Any student found to have violated this policy may be subject to disciplinary actions, which may include dismissal. Luther Seminary, however, will not take adverse action against students solely because they use social media for personal interests and affiliations or other lawful purposes on non-seminary computers.

### Emergency Campus Closings

Emergencies such as severe weather, fires, or power failures can disrupt seminary operations. In extreme cases, these and other circumstances may require the closing of the seminary. In the event that such an emergency occurs, a text alert and/or email will be sent. In cases of inclement weather, the seminary's closing will also be announced on WCCO radio/TV, KARE TV, and KSTP radio/TV. Students are encouraged to sign up for emergency text messages broadcast to a personal cell phone.

For more information and a sign-up form go to:  
<https://www.luthersem.edu/campus/campus-safety/>

### Family Education Rights and Privacy Act

The Family Educational Rights and Privacy Act of 1974 ("FERPA"), otherwise known as the Buckley Amendment, is a federal law that states an educational institution must maintain the confidentiality of education records.

Luther Seminary complies with FERPA by ensuring the security and privacy of the student records and data maintained. This includes requiring the written student signature for the release of data, including transcripts and verifications of enrollment.

The Office of the Registrar is responsible for administering FERPA at Luther Seminary. Annually, Luther Seminary informs students of their rights under FERPA and the regulations relating to FERPA.

FERPA affords students certain rights with respect to their education records. These rights include:

- The right to inspect and review the students' education records within 45 days of receipt of a request for access. Students should submit a written request to the Office of the Registrar;
- The right to request amendment of the student's education records that the student believes is inaccurate or misleading. Students should submit a written request to the Office of the Registrar, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading. The student will be notified of the decision;
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Luther Seminary to comply with the requirements of FERPA. For more information, please visit the FERPA website at [www2.ed.gov/policy/gen/guid/fpco/index.html](http://www2.ed.gov/policy/gen/guid/fpco/index.html)

Upon request, Luther Seminary will disclose education records without consent to a school official who has a legitimate educational interest to review records in order to fulfill his or her professional responsibility. A school official is a person employed by Luther Seminary in an administrative, supervisory, academic, research, or support staff position; a person or company with whom the seminary has contracted (such as an attorney or auditor); or a student serving on an official committee or assisting another school official in performing his or her tasks.

Upon request, Luther Seminary discloses education records without consent to officials of another school at which a student seeks or intends to enroll.

For more information, please visit the FERPA website at:  
[www2.ed.gov/policy/gen/guid/fpco/index.html](http://www2.ed.gov/policy/gen/guid/fpco/index.html)

### **Notice Designating Directory Information—FERPA**

This official notice regarding Directory Information refers to detailed information held by and released by the Office of the Registrar when there is valid need. Most of the time, when you hear the word “directory” on campus, it refers to the on-line directory on MyLutherNet. It contains photos, mailing addresses, phone numbers, and email addresses and degree programs for students and office locations, office telephone numbers and email addresses for faculty and staff.

Directory information contained in seminary records is released upon request at the discretion of Luther Seminary and is only intended for official business related to the educational process.

Luther Seminary hereby designates the following categories of student information as directory information to be released upon request without student consent, unless the institution is notified otherwise from the individual student.

- Academic Standing
- Degree Program/Area of Study
- Dates of Enrollment
- Enrollment Status
- Prior Schools Attended and Degrees Conferred
- Citizenship
- Photographs
- Name
- Address
- Advisor
- Student Status
- Phone
- Email Address
- Birthdate

Students may refuse disclosure of directory information by informing the Office of the Registrar in writing. A hold on releasing specific information will remain in effect until the student files a specific request to remove it. If a student does not specifically request the withholding of directory information, Luther Seminary approves of the disclosure of such information.

Luther Seminary cooperates with students and judicatories of all denominations in providing appropriate information for their candidacy process. For students participating in the ELCA candidacy process, information and recommendations pertaining to academic standing and progress through the degree program and candidacy process are shared with the student's authorization with synodical staff and candidacy committees as called for by candidacy partnerships.

## **Financial Policies**

### **Student Accounts**

Charges for tuition, fees and any other costs associated with seminary enrollment will be invoiced to a student's account the day following the add/drop date for that semester or term. Fall semester payment is due by October 15<sup>th</sup>; Winter term and Spring semester payments are due by April 15<sup>th</sup>. If a student is on a payment plan, payments are due on the 15<sup>th</sup> of each month. Payment plans should be arranged in the Business Office prior to the due date.

All financial aid received from Luther Seminary (grants, scholarships, and loans) will be applied to a student's account the day after charges have been assessed. For those students receiving federal loans, an email will be sent to each student advising when the funds have been posted and providing instructions on the next step to take.



Students may request the Business Office to withhold funds for future charges to be made against a student account. This can be accomplished by completing an Authorization form to be obtained from the Business Office. Students must contact the Business Office within 10 days of the date of the email if they want the Business Office to withhold funds for future charges. Failure to contact the Business Office within 10 days will result in a check for all overage funds being issued to the student on the 11<sup>th</sup> day and mailed to the address on record.

To register for classes for the next term, a student account must have a zero balance. As soon as charges and payments are applied to accounts as noted above, holds will be placed on accounts with an outstanding balance and students will be notified via email. A student is responsible for ensuring that there is no outstanding balance on their account before registration occurs. To view your student account and learn how to pay your account online, login to **MyLutherNet**, click on **Finances**, click on **Course and Fee Statement**, and then click on **My Account Balances**, then click **Make a Payment**.

Instructions are outlined in this Google document:

<https://drive.google.com/file/d/148UTX5GL3xT45YZsPkJF08p-epsfeONO/view>

A student's registration is not complete until satisfactory arrangements have been made with the Business Office for payment of tuition, housing, and all other charges. Satisfactory arrangements include any combination of the following:

1. Payment of all charges in full;
2. Student aid awarded by Luther Seminary applied to your account;
3. Completed application for a Direct Loan; and
4. Documentation of future payments to be made directly to Luther Seminary by an outside source, such as a letter from the student's home congregation stating the date and amount of tuition or other charges to be paid by that congregation.

Registration for succeeding academic semesters or units of study is not permitted, and current registrations are cancelled until all amounts previously owed have been satisfied as explained above.

A financial hold will be placed on a student's record when their account is not paid. This hold will restrict a student's registration until the account is paid in full (allow 24 hours for the hold to clear off the record once payment is made) or sufficient arrangements have been made for payment (the hold remains on the student record; the Registrar's Office will manually process the student's registration). A hold will prohibit a student from registering online on **MyLutherNet**. Transcripts are not released when the student has a financial hold. Payment of all accounts in the Business Office and Library is required before a diploma is issued. When a student leaves Luther Seminary for any reason, failure to pay their account in full may result in the account being turned over to a collections agency.

### Special Circumstances

Luther Seminary recognizes that students may experience situations in which additional financial assistance is required. In these cases, students are encouraged to contact the Financial Aid Office.

In addition, Luther Seminary recognizes that there may come a time when a student may need to withdraw from classes for personal or medical reasons. In these circumstances, students may wish to file a financial petition. Financial petition forms may be requested from the Office of Student Affairs or the Registrar's Office.

Please note that petitions for tuition refunds must be submitted within 90 days of the student dropping the course or withdrawing from class(es).

If your petition involves dropping a course or withdrawal from the seminary, you must also complete the required paperwork with the Registrar's Office. The form can be found at: <https://www.luthersem.edu/academics/registrar-info/registrar-forms/>

If the request is due to medical circumstances, we require verification documentation of the medical problem, including pertinent dates on your doctor's licensed health-care provider's letterhead with his or her signature. If you were disabled, hospitalized, in an accident or similar situation, this document should include those pertinent dates and documentation.

### Financial Planning Tools

One of Luther Seminary's goals is to encourage an understanding of your personal relationship with money as you prepare for leadership across the church. Luther Seminary is committed to financial wellness by faithfully addressing money issues and student debt through a lens of financial stewardship. This process begins when a prospective student visits the financial aid office and continues with on-campus opportunities and online tools, financial stewardship coaching, and post-graduation support in partnership with synod and church-wide partners by:

- Embracing the role of financial stewardship while making informed money choices;
- Preparing students to faithfully lead "money talk" in family, vocation, and congregation; and
- Providing opportunities and resources to students and graduates.

Additional helpful resources can be found online at:

<https://inside.luthersem.edu/students-resources/student-finances/>

### Medical Insurance—Required

Insurance coverage is required for all Luther Seminary students. Because the Affordable Care Act has increased the health insurance options for students, Luther Seminary no

longer offers its own student policy. Instead, students have multiple options for obtaining coverage:

- As a covered dependent under a group health policy of a spouse or of parents (if under age 26);
- An individual policy purchased directly from a private health insurer;
- An individual policy purchased through the Marketplace at [www.healthcare.gov](http://www.healthcare.gov); or
- Medicaid or other government programs if you qualify, based on your state of residence.

International students should heed the guidance from the International Student and Scholar Affairs office on medical insurance coverage requirements. An international student is defined as an individual living and studying in the U.S. on an F-1, J-1, or another non-immigrant status (including R-1) visa.

### **Gambling, Raffles, Games of Chance Policy**

The Minnesota Gambling Control Board has issued the following policy/procedures concerning gambling, raffles and games of chance sponsored by clubs, organizations, or individuals at Luther Seminary:

#### **Institution Non-Profit Status**

The entity known as Luther Seminary does have tax-exempt, nonprofit status. However, student clubs, organizations or individuals are not seen as subsidiaries or subordinates of this entity. Hence, student clubs, organizations or individuals are not eligible to engage in gambling, raffles or games of chance, regardless if the revenue is for-profit or is designated for a charitable cause.

#### **National Non-Profit Organization Affiliation**

If a student organization falls under a national organization, then that student organization must (1) obtain a copy of the IRS letter showing the national organization as a nonprofit organization and carries a group ruling and (2) obtain a copy of the organization's charter recognizing the student group as a subordinate. Contact the Dean of Students for more information.

#### **Fund-Raising or Charitable Cause Options**

In an effort to raise revenue for profit or for a charitable cause, clubs/organizations or individuals may engage in the following practices:

**Games of Skill**—A "game of skill" is an activity where the participant may pay for a ticket or a chance to logically estimate so as to win (e.g., guessing the number of marbles

in a jar). There must be the ability to arithmetically and logically arrive at an answer during a game of skill. The item used (e.g., jar with marbles) must be sealed and in plain view.

**Silent Auction**—Individuals have the ability to silently suggest a price for an item that is on auction. There is to be no selling of tickets or chances for the bidding process and bids can either be posted on paper or concealed on a slip of paper and submitted. The item goes to the highest bidder on auction.

These two options outlined above are not presently regulated by the Gambling Control Board and no applications or permits are needed to engage in these practices.

### **Green Initiatives (Recycling)**

Luther Seminary supports environmental awareness by encouraging recycling and waste management in its operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best sustain natural resources and minimize any negative impact on the earth's environment.

The simple act of placing a piece of paper or can in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Students are encouraged to make a commitment to recycle and be a part of this solution.

By recycling, Luther Seminary is helping to solve trash disposal and control problems facing all of us today. There are special receptacles on campus for materials which can be recycled, including plastic containers, aluminum cans, and specific paper products. Look for marked containers in the dining room, classrooms, hallways, and offices. All campus recycling is by co-mingling. Students can direct questions about recycling or new ideas and suggestions for the recycling program to the Senior Director of Facilities and Auxiliary Services or the seminary Green Team group.

### **Grievances**

Luther Seminary is accredited through the Association of Theological Schools (ATS) and the Higher Learning Commission (HLC) of the North Central Association. Additionally, Luther Seminary has ecclesiastical commitments:

#### ***Evangelical Lutheran Church in America (ELCA)***

As the sole member of the corporation, the ELCA and its policies govern Luther Seminary. Luther Seminary trains and prepares students for ministry in the ELCA and coordinates with ELCA bodies in the endorsement, candidacy, and assignment processes.

#### ***United Methodist Church (UMC)***

The University Senate of the UMC reviews and approves theological schools for the education of persons preparing for United Methodist ordination. Luther was last approved in 2015.

And, Luther Seminary conducts its operations in compliance with all applicable state and federal laws and regulations:

Luther Seminary is incorporated as a 501c3 organization as a part of the ELCA. The Board of Trustees is a separate 501c3 organization (see standard 7 for complete description of governance and structure).

As a non-profit educational organization, Luther Seminary follows federal, state and local laws in several broad categories including, but not limited to, the following:

- In relationship to students: Financial Aid, FERPA, ADA, MN state health laws;
- Academics: textbook, copyright, Title IV;
- Facilities: Inspections and licenses from local authorities (State of MN, City of St. Paul, Ramsey County) in relation to fire, health, safety and food handling;
- Development and fundraising;
- Tax-exempt status (federal and state of MN); and
- Observation and compliance with federal and state laws related to the operation of a 501c3 organization are of critical importance. Other significant federal laws which apply to Luther Seminary are the Department of Education Title IV; employment and anti-discrimination legislation such as the American with Disabilities Act and the US Department of State authorization to sponsor international students and scholars.

Enrolled and prospective students can request a copy of the accreditation reports which includes documentation of the above mentioned commitments by the Director of Institutional Effectiveness. Enrolled and prospective students can file a complaint related to the accrediting standards, ecclesiastical commitments and/or applicable state or federal laws and regulations with the Dean of Students:

Dean of Students  
Luther Seminary  
2481 Como Avenue  
St. Paul, MN 55108  
[deanofstudents@luthersem.edu](mailto:deanofstudents@luthersem.edu)

Once the complaint is filed, the Dean of Students will follow the grievance policy as outlined in the Code of Conduct Violations Process. The complaint will be shared with the Director of Institutional Effectiveness for submission to the appropriate agency (ATS, HLC, ELCA, UMC, state of MN or the federal government). Both the Dean of Students and the Director of Institutional Effectiveness will maintain a record of the formal complaints. The Director of Institutional Effectiveness will maintain the outcomes of any review completed by an outside agency.

## **Immunizations**

Students in all degree programs are required to have proof of immunizations on file with Student Affairs Office by the end of their first semester.

Minnesota Law (M.S. 135A.14) requires that all students born after 1956 and enrolled in a public or private post-secondary school in Minnesota be immunized against diphtheria, tetanus, measles, mumps, and rubella, allowing for certain specified exemptions. This form is designed to provide the school with the information required by the law and will be available for review by the Minnesota Department of Health and the local community health board.

Students can find the Immunization form at:

<https://inside.luthersem.edu/students/advising/nondegree-requirements/#section1>.

Students can send their completed form to:

Student Affairs  
Luther Seminary  
2481 Como Avenue  
St. Paul, MN 55108  
[studentaffairs@luthersem.edu](mailto:studentaffairs@luthersem.edu)

## **Policy against Harassment, Unlawful Discrimination, and Hostility**

Federal and state laws prohibit harassment and discrimination on the basis of factors such as race, color, creed, sex, national or ethnic origin, age, disability, sexual orientation, gender identity and expression, genetic information, citizenship, status with respect to public assistance, veteran status and marital status (“protected characteristics”). Unlawful harassment and discrimination are inimical to the work and learning environment the seminary seeks to provide. Luther Seminary is committed to establishing a work and learning environment free of all forms of harassment, regardless of whether the harassment is based on a protected characteristic.

Consequently, Luther Seminary prohibits all forms of harassment of and unlawful discrimination against its faculty, staff, and students. Any form of harassment or unlawful discrimination is unacceptable behavior and is subject to appropriate disciplinary action, up to and including immediate dismissal from the seminary.

Luther Seminary is a teaching and learning environment in all of its life, including the way people conduct themselves with one another and deal with conflicts. When possible, the seminary is committed to dealing with disagreements, grievances, and appeals personally and communally (see, for example, Matt 18:15-20). For individuals who are comfortable doing so, telling the person who is engaging in inappropriate behavior to stop is often the most effective way to stop objectionable behavior. However, this should

not be construed to imply or require that the complainant must confront any individual prior to seeking help from the seminary. The rights of all members of the community are also to be respected in cases when a dispute cannot be resolved within the community.

### Examples of Prohibited Harassment and Discrimination

1. *Hostile environment.* One form of harassment prohibited by law and Luther Seminary policy is harassment based on a protected characteristic that creates a hostile work or learning environment. This form of harassment occurs when a person is subjected to unwelcome harassment because of a protected characteristic, and the harassment unreasonably interferes with the individual's work or learning environment or creates an intimidating, hostile, or offensive work or learning environment. Examples of prohibited conduct that may create a hostile environment include, among other things, telling racist or sexist jokes or making offensive or derogatory remarks about another person's race, ancestry, national origin, genetic information or disability.
2. *Sexual harassment.* A second form of prohibited harassment is sexual harassment. Luther Seminary has a responsibility to protect students, faculty, and staff from sexual harassment. For more details on sexual harassment, visit the Sexual Misconduct Policy. Sexually harassing conduct may include conduct between persons of the same gender, regardless of the sexual preference of those persons.

### Other Forms of Prohibited Harassment

Harassment does not have to be based upon a protected characteristic or so severe or frequent as to create a hostile environment to violate seminary policy. Luther Seminary prohibits all harassment, regardless of the motive or reason for the harassment. All incidents or acts of harassment are prohibited, including actions such as demeaning, humiliating, or belittling another person, engaging in a tantrum that intimidates another person, malicious spreading of rumors, or attempting to provoke a confrontation.

Prohibited conduct may occur not only through personal contact, comments, visual displays, or observation, but also through exposure to media such as e-mail, social media, display of Internet sites or other material or information on computer monitors.

### Complaint Procedures for Harassment, Unlawful Discrimination, and Hostility

Luther Seminary strongly encourages all faculty, staff and students to report any incident of possible discrimination or harassment. Any person who believes that he or she has been subjected to harassment, unlawful discrimination, or hostility should report that violation immediately to any of the following persons: the Associate Director of Human Resources, Dean of Students, Associate Director of the Center for Writing and Research a male or female faculty member as designated by the Faculty Concerns Committee

(FCC), or any department supervisor. Such individuals listed above have received training on how to receive reports of harassment, unlawful discrimination or hostility in the work environment. Complaints will be referred for investigation to the Associate Director of Human Resources. If the complaint alleges that a student is responsible for harassment, the complaint will be resolved in accordance with the student handbook.

Division chairpersons, department supervisors, faculty and staff members who receive reports of harassment, unlawful discrimination, or hostility in the work environment or who have reason to believe that any of these may have occurred are required to immediately inform the Associate Director of Human Resources.

Reports of harassment, unlawful discrimination, or hostility in the work environment and information that the seminary receives in the course of investigating a report or complaint of such will be treated in a confidential manner, although information regarding the allegations may be disclosed to the extent necessary to conduct a thorough investigation.

Information and the link to the online incident report form is here:

<https://inside.luthersem.edu/students/safety-support/>

## Investigating Reports of Harassment, Unlawful Discrimination, and Hostility in the Work

### Environment

The Associate Director of Human Resources and/or his or her designee will thoroughly and promptly investigate all complaints or reports of violations of this policy. The seminary will take steps to the extent possible to protect the confidentiality of all parties concerned, including the person who makes the complaint, the subject of the complaint, and any witnesses. The Director of Human Resources and/or his or her designee will conduct an investigation and will disclose information about the complaint and the identity of the complainant, the accused and witnesses only to the extent that such disclosure is necessary to conduct a thorough and complete investigation.

If the officer(s) of the seminary conclude that any member of the seminary community has engaged in conduct that violates this policy, he and/or she shall render a decision and take appropriate disciplinary action, up to and including immediate dismissal from the seminary. The complainant and/or accused may appeal any decision regarding discipline within five (5) business days following notification of the decision to the President of the seminary, whose decision will be final.

### Retaliation Prohibited

The seminary will take no adverse employment, professional, or academic action against any person who makes a good faith report or complaint of harassment, unlawful discrimination, or hostility in the work environment. No student, faculty member, administrative officer, or staff member of the seminary is permitted to retaliate against any person because that person made a good faith report or complaint or because a person



cooperated in good faith in the investigation of such a complaint. Any person who believes that he or she has been subject to retaliation should immediately report the retaliation pursuant to the reporting section of the policy.

### **Lactation Room**

Luther Seminary accommodates mothers who choose to breastfeed. Luther Seminary protects a mother's right to breastfeed by providing a private place (other than a bathroom) that is shielded from view and free from intrusion from the public for students to use when expressing breast milk.

This private space is in Bockman Hall, room 26.

### **Misrepresentation Policy**

Any Luther Seminary representative can create liability and threaten Luther Seminary federal funding by making oral or written statements that are likely to deceive others regarding (1) the nature of the seminary's education program, (2) its financial charges, or (3) the employability of our graduates. Substantial misrepresentations are prohibited in all forms, including those made in advertising, recruiting or promotional materials, or in the marketing or sale of courses or programs of instruction.

Several offices of Luther Seminary are responsible for knowing and complying with the misrepresentation law of the United States Department of Education. These offices include Seminary Relations, Admissions, Academic Dean, Business Office, Financial Aid, Office of Student Affairs, International Student and Scholar Affairs, and Marketing and Communications. Details regarding the law and examples of forms of misrepresentation are available at <http://www.gpo.gov/fdsys/pkg/FR-2010-10-29/pdf/2010-26531.pdf>

It is the expectation of the administration that all Luther Seminary employees must be as clear and accurate as possible in all written and oral communication about the nature of Luther Seminary's educational program, financial costs and employability of Luther Seminary graduates. No guarantees will be made in terms of potential employment or placement upon completion of a Luther Seminary program. All information provided in written materials and online will be screened for validity and transparency prior to publication. Training regarding oral communication will be provided each year in order to ensure that employees have updated and accurate information to share with constituents.

### **Non-Discrimination Policy**

Luther Seminary admits students of any race, color, national and ethnic origin to all rights, privileges and programs generally accorded or made available to students. The

seminary does not discriminate on the basis of race, color, sex, national and ethnic origin or disability or other status protected by state and federal law in administration of educational policies and financial aid programs. Luther Seminary is an equal opportunity employer. However, a background in the church or Lutheran theological training may be a bona fide occupational qualification for certain positions.

Policy statements concerning sexual harassment appear in the Faculty Handbook, this handbook and the Staff Handbook. Inquiries regarding Luther Seminary's policies against sex discrimination and sexual misconduct may be referred to the seminary's Associate Director of Human Resources.

### **Release of Information Forms**

Students that are seeking ordination in their ecclesiastical body will need to sign and submit a release of information form. The form can be obtained through the Office of Admissions and should be returned to the Candidacy Coordinator in Contextual Learning.

Under the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974, as Amended, Luther Seminary must have your signed permission before releasing information to your denominational judicatory.

As a student at Luther Seminary, information will be accumulated that relates to your financial aid, academic progress, contextual ministry experiences and the student code of conduct. Such information includes, but is not limited to, application materials, registration data, transcripts, contextual education expectations, placement, and outcomes, conduct decisions, disciplinary actions, academic status, and financial data regarding scholarship eligibility. Each denomination has its own requirements for ordinations, certification, licensing or other ways of ordering ministry, and may need access to the above information.

By signing the release form, which will be kept in your student file, you authorize Luther Seminary to provide any such information to judicatory authorities and persons or institutions. Unless revoked by you in writing, this authorization remains in effect until you graduate or withdraw from your studies at Luther Seminary.

### **Safety and Security on Campus**

The campus of Luther Seminary is generally a safe place to live, work and visit. However, the campus is in the center of a major metropolitan area and is vulnerable to vandalism and crime. The seminary requests that all students be aware of the risks and take appropriate precautions. This would include the following precautions:

- Secure valuables when not on your person;
- Keep windows secured;
- Do not prop outside doors open;

- Be alert to strange or suspicious people;
- Take precautions to protect vehicles; and
- If possible, do not walk alone on campus, especially after dark.

The seminary has a student campus watch that is available for escort service 24 hours a day to escort people to their cars, bus, or on-campus living quarters. To request an escort call 651-324-9911; please be aware that it may take personnel up to 15 minutes to arrive. If you encounter any suspicious or potentially dangerous situations, call the police by dialing 9-911 from a campus phone. Other questions regarding security should be directed to the Facilities' office at extension #236.

The seminary does not tolerate violence or threats of violence. Students should report all suspicious or violent activity to Facilities at extension #236. The seminary also does not allow anyone to bring firearms onto campus or to possess weapons anywhere on campus. Any incidents of violence or threats of violence will result in disciplinary action up to and including dismissal. The seminary reserves the right to search any person, vehicles, or belongings brought onto seminary property. Although it is the seminary's intention to bar guns from its property to the full extent permitted by law, guns are permitted in the seminary's parking facilities to the extent that the law does not permit their prohibition.

Luther Seminary has a student-operated Campus Watch active from 5:00 p.m. to 12:00 a.m. every night and on-call all other hours. Campus Watch personnel are not trained as first responders. Their main responsibility is to lock buildings and respond to calls. Personnel carry cell phones and can be reached at #651-324-9911. All personnel have ID cards and wear them when on duty. Please notify Campus Watch when you have called the police and/or have seen something suspicious.

The following building addresses will be helpful when reporting an emergency:

- Bockman Hall, 2375 Como Avenue
- Gullixson Hall, 2375 Como Avenue
- LDR, 1559 Fulham Street
- Northwestern Hall, 1501 Fulham Street
- Old Muskego Church, 2375 Como Avenue
- Olson Campus Center, 1490 Fulham Street
- Stub Hall, 2329 West Hendon Avenue

For fire or medical emergencies, dial #9-911 from a campus phone.

Students who live on campus are advised to lock their rooms or apartments when absent and to report lost keys to Facilities at #236 and [housing@luthersem.edu](mailto:housing@luthersem.edu). It is recommended that personal property insurance be obtained.

In case of a threat to life or a crime in progress, call #9-911 from a campus phone first and then call Facilities at #236. If there is a power outage, call Facilities at #236.

If you have been loaned seminary property such as a building access card or keys, a laptop computer, cellular phone, etc., be sure to take appropriate precautions to protect

these items from damage and theft while on or off seminary premises. The seminary will not be held responsible for lost or stolen personal belongings.

### **Satisfactory Academic Progress**

It is the policy of Luther Seminary to measure the satisfactory academic progress of its students in order to ensure appropriate utilization of financial aid resources. It is in the best interest of the student and the institution to monitor academic progress to prevent undue financial circumstances when a student is not progressing in a particular academic program. Financial aid for this policy will include both Luther Seminary-originated and federal aid.

Federal regulations require the Office of Financial Aid to measure the satisfactory academic progress (SAP) of federal student loan recipients on a per-term basis. The federal SAP policy is more defined than the seminary's policy related to Student Academic Progress. In order for students to receive financial aid, they must remain in good academic standing. Academic standing for financial aid purposes is measured in two ways- qualitative (academic probation) and quantitative.

#### **Qualitative**

One grade of Fail and one grade of D (or marginal), or more than one grade of Fail, or more than two grades of D or marginal, in any three successive terms (or less), places a student on academic probation. The January term (J-term) and summer term count as academic terms in this respect.

The student remains on academic probation until all academic work taken in a semester has received a letter grade of C (or better) or Pass. This assumes at least three full courses or the equivalent in a semester. A maximum load of four full courses per semester is allowed while on academic probation. For part-time students placed on academic probation, a total of three successive courses must receive a letter grade of C (or better) or Pass in order to be removed from academic probation.

A student may not graduate while on academic probation. A student who remains on academic probation after two successive terms is subject to dismissal. The January term (J-term) and summer term count as academic terms in this respect.

#### **Quantitative**

As with good academic standing, financial aid recipients must complete 2/3 (66.7%) of their attempted courses each semester to be eligible for financial aid. Satisfactory Academic Progress is measured after each semester (J-term will be paired with spring semester and all summer terms will count as one semester). Only grades of A, A-, B+, B, B-, C+, C or P (pass) count as completed credits. Courses with grades of M (Marginal), I (Incomplete), H (Hold), C-, D, F (Fail), NR (None Reported), NS (Not Satisfactory), NC (No Credit), WF (Withdrawal Fail), and W (Withdrawal) are not completed credits.

Further, students are also subject to a maximum timeframe for the receipt of aid. Students must complete their programs within 150% of the expected length of the program. Maximum timeframes are as follows:

**M.A.**—16 courses

**M.Div.**—30 courses

**Th.M.**—This is monitored by the Graduate Theological Education Office (GTE). Students who exceed the departmental time frames may petition for additional time from the GTE. These time frames are found in the Academic Catalog. Approval of additional terms of study by the GTE supersedes the above policy with respect to maximum timeframe.

**D.Min.**—This is monitored by the Graduate Theological Education Office (GTE). Students who exceed the departmental time frames may petition for additional time from the GTE. These time frames are found in the Academic Catalog. Approval of additional terms of study by the GTE supersedes the above policy with respect to maximum timeframe.

**Ph.D.**—This is monitored by the Graduate Theological Education Office (GTE). Students who exceed the departmental time frames may petition for additional time from the GTE. These time frames are found in the Academic Catalog. Approval of additional terms of study by the GTE supersedes the above policy with respect to maximum timeframe.

Students who fail to meet any of the above standards will be placed on Financial Aid Warning. Students may continue to receive aid while on Financial Aid Warning for a period of one term. Following the completion of a term under Financial Aid Warning, students will be reevaluated. If they have failed to meet the above standards, their financial aid will be suspended. At this point, students would have the option of continued attendance, but would be ineligible for both Luther Seminary financial aid and federal student loans.

Students on academic probation will be allowed to continue attending classes but WITHOUT receiving financial aid assistance. If a student is successful in regaining good academic standing, they may request re-evaluation of their eligibility for future financial aid. No aid will be provided retroactively for periods while on academic probation.

### Appeal Process

Students may request exceptions to this policy, as noted above, by presenting a written description of their extenuating circumstances and their plan for establishment of good academic standing to the Financial Aid Appeals Committee. The student will be advised of a decision in writing after review by the Director of Financial Aid.

You may submit a satisfactory academic progress petition for one or more of the following reasons:

- A death in the family;
- Accident;
- Illness; or
- Other performance factors that were outside of your control

If you meet one or more of the reasons listed above and wish to petition, you must submit ALL of the following written documentation to the Office of Financial Aid within 30 days of the date on your suspension letter. In order for your petition to be considered, it must include each of the items:

- A detailed letter explaining the mitigating circumstance that affected your ability to make Satisfactory Academic Progress;
- An academic plan that has been created and approved with your academic advisor or Student Affairs. This form must be signed either by Student Affairs or your faculty advisor; and
- Documentation of illness or medical condition. You must provide a letter from your attending physician stating the condition will hinder or has hindered your ability to make satisfactory academic progress. The letter must also include the dates the condition occurred. The dates must coincide with the period you failed to make satisfactory academic progress.

The Financial Aid Appeals Committee will review the petition and notify you of a decision within 30 days of submission. After review, the student will be advised in writing of the decision by the Director of Financial Aid. Decisions of the Committee will be final.

### Sexual Misconduct Policy

Luther Seminary believes that all members of the campus community are entitled to an environment that enables them to develop and contribute in their full capacity. When sexual misconduct occurs, the standards of the institution are violated, and the environment is disrupted. Sexual misconduct is prohibited by law, as well as by institutional policy at Luther Seminary. It will not be tolerated.

Sexual misconduct committed on property owned or controlled by Luther Seminary, by a student, faculty member or staff member against any student, faculty member, staff member or visitor is prohibited and shall be considered a violation of this policy, whether or not prohibited by law. In addition, sexual misconduct committed by a student, faculty member or staff member against a member of these groups anywhere other than property owned or controlled by the Seminary will violate this policy if, in the sole discretion of the Seminary, the conduct adversely and significantly affects the perpetrator's suitability as a member of the Seminary community. Any person violating this policy is subject to disciplinary action up to and including discharge of an employee or expulsion of a student.

Romantic relationships between faculty members and students or staff members and students create issues of actual or perceived exploitation and favoritism. Holding to the highest standards of professionalism, faculty and staff members are prohibited from seeking out, encouraging, or entering into a sexual or romantic relationship with any student during the time in which the student is enrolled at Luther Seminary.

Matters of sexual misconduct within the Seminary will be addressed with seriousness and regard for the persons involved. Under no circumstances will Luther Seminary tolerate reprisals against an individual who in good faith reports harassment.

### Definitions

For purposes of this policy, sexual misconduct includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature when

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining education or employment,
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment,
3. That conduct has the purpose or effect of substantially interfering with an individual's education or employment, or creating an intimidating, hostile or offensive educational or employment environment.

Sexual misconduct may include any unwelcome sexual behavior and is not limited by the gender of either the alleged victim or perpetrator. Sexual misconduct may include physical, verbal or written conduct.

For purposes of this policy, consent means the mutual understanding of words or actions freely and actively given by informed people, which a reasonable person would interpret as a willingness to participate in mutually agreed upon sexual activity. Consent is not effective when force, threat, or coercion is used. Consent is also not effective if the party from whom consent is required is incapacitated, asleep, or unconscious. Silence or non-communication should never be interpreted as effective consent. Consent to one type of sexual activity does not imply consent to other types of sexual activity.

The following acts constitute sexual misconduct:

### **Dating Violence**

Violence committed by a person,

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. length of the relationship
  - b. the type of the relationship
  - c. the frequency of interaction between the persons involved in the relationship.

### **Stalking**

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. fear for his or her safety or the safety of others; or
2. suffer substantial emotional distress

### **Domestic Violence**

The term ‘domestic violence’ includes felony and misdemeanor crimes of violence committed by a current or former spouse of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or any other person meeting criteria specified under the domestic or family violence laws of the jurisdiction.

### **Sexual Assault**

Sexual assault is any offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Sexual assault and sexual violence may include a range of sexual conduct including, but not limited to stranger rape, acquaintance rape, marital rape, same-sex assault and unwelcome touching or contact. Sexual assault may include sexual penetration (however slight) or sexual contact carried out under coercion, with the threat of force or violence (including use of a weapon), through a position of authority, or when the victim is incapacitated. Sexual assault may also include physical contact with a person’s genital area, other bodily orifices or with a person’s buttocks or breasts if the contact or touching is done without consent. The use of alcohol or drugs by either party is not considered to decrease the responsibility for sexual assault under this policy.

Conduct may be considered sexual assault even if

- The attacker is someone known to the victim/survivor,
- The assault happens on a date,
- The individuals have engaged in sexual touching or kissing prior to the assault,
- The individuals have had consensual intercourse in the past,
- The individuals are married,
- The individuals are under the influence of alcohol or other drugs,
- There was no weapon involved,
- There was no evidence of a struggle or resistance,
- There are no other witnesses.

### **Sexual Harassment**

Sexual harassment includes, but is not necessarily limited to, unwelcome conduct or statements that involve sexual advances, requests for sexual favors, or joking based on sex.



Sexually harassing conduct may include, among other things, use of suggestive sexual comments or jokes; sexual remarks about a person's body, clothing, or sexual activities; patting, pinching, or other offensive touching; or displays of sexually suggestive pictures or objects.

Sexual harassment also includes any other unwelcome verbal, visual, or physical conduct of a sexual nature, particularly if:

- a. submission to such conduct is an explicit or implicit term or condition of employment, professional evaluation, or academic evaluation; or
- b. submission to or rejection of such conduct is used as the basis for making employment, professional, or academic decisions; or
- c. such conduct has the purpose or the effect of unreasonably interfering with the person's work or academic performance; or
- d. such conduct has the purpose or the effect of creating an intimidating, hostile, or offensive working, professional, or academic environment.

### **Sexual Misconduct Prohibited**

Sexual misconduct committed on property owned or controlled by Luther Seminary by a student, faculty member or staff member against any student, faculty member or staff member is prohibited and is a violation of this policy. In addition, sexual misconduct committed by a student, faculty member or staff member against a student, faculty member or staff member anywhere other than on property owned or controlled by the Seminary violates this policy if the confirmed conduct adversely and significantly affects the perpetrator's suitability as a member of the Seminary community, in the sole discretion of the Seminary.

### **Complaint Process**

Students, faculty or staff may make a complaint of sexual misconduct to the Title IX Coordinator or to the Title IX Investigators listed on page 49 of this handbook. Complaints will be referred for investigation to the Title IX Coordinator. Individuals who are the victim of sexual misconduct have the option to seek assistance from Luther Seminary, law enforcement, both or neither if they so choose.

Here is a link to the online incident report form:

<https://inside.luthersem.edu/students/safety-support/>

All Seminary personnel (including faculty, staff and administrators) are obligated to report all suspected or alleged incidents of sexual misconduct to the persons listed above. The only exception to this standard is the position of the Seminary Pastor. This person is not obligated to report incidents of sexual harassment, where in their reasonable judgment they are acting in a counseling capacity and are bound by formal, written ethical constraints to preserve confidentiality.

Complaints need not be in writing initially, and every complaint of sexual misconduct will be investigated. Even if the complainant does not wish to pursue the complaint, requests that no action be taken, or requests to remain confidential or to not participate in the process, the Seminary has an obligation to respond to reports of sexual misconduct. The Seminary's ability to respond may be limited if a complainant wishes to remain anonymous. No guarantees can be made to a complainant regarding absolute confidentiality, but the Title IX officials will consider and honor a request for confidentiality to the extent reasonably possible consistent with the Seminary's obligation to investigate and take appropriate action in response to a report of sexual misconduct or other information that the Seminary may otherwise have regarding alleged sexual misconduct.

If, during the course of the investigation, it is determined that no sexual misconduct occurred, the complaint will be filed with the Title IX Coordinator. Records related to sexual misconduct allegations and investigations, regardless of outcome, will be retained by the Seminary for seven years.

The complainant may be requested to submit in writing a detailed description of the alleged violation of this policy, as well as any additional information considered relevant to an investigation. If it appears that the safety or security of a complainant is in jeopardy, appropriate action will be taken to protect the complainant.

The Title IX coordinator will direct an investigation utilizing appropriate investigators. All investigators and decision makers pursuant to this policy will be trained on methods for conducting investigation and hearings, if applicable, in a manner that protects the safety of victims and promotes accountability. The investigation will be conducted in an impartial manner that aims to allow both the complainant and the person accused equal rights and equal opportunity to present their experiences, relevant witnesses, and other evidence.

Interim actions may be taken throughout the process to ensure the safety and well-being of the complainant. These actions may include prohibiting the accused from entering or being on Seminary property or contacting the complainant, or requiring a change in the accused's residency (if the accused lives in Seminary housing), student status, or class schedule.

The Seminary will notify the complainant of the time frame for the investigation. The investigation will afford the accused an opportunity to respond to the allegations. In addition, the complainant and any other persons believed to have information relevant to the investigation will be interviewed. The complainant will have the opportunity to present witnesses and evidence. Resolution of a complaint may occur prior to, during or as a result of an investigation, if appropriate, if recommended by the investigator and if acceptable to the complainant and the person accused. The determination shall be made on the basis of whether it is more likely than not that the accused violated the Sexual Misconduct policy and the Luther Seminary Student Code of Conduct (a preponderance of evidence). Both the complainant and the accused will be notified simultaneously of the determination in writing and have the opportunity to appeal. Both will also be notified

simultaneously in writing of any change in the result upon appeal and when the result becomes final. Rules of evidence as in a court of law, however, shall not apply.

If the results of the investigation indicate sexual misconduct has occurred, the Seminary will take appropriate action. For students, such action may include, but is not limited to, education, counseling, and loss of privileges, housing restrictions, probation, suspension or expulsion. For faculty and staff, such action may include, but is not limited to, education, counseling, oral and/or written warnings, probation, suspension or termination of employment. Both the complainant and the accused will have the opportunity to be present during any disciplinary proceeding and will have the opportunity to be accompanied by a support person from the Luther Seminary Community of his or her choice.

Retaliation or intimidation against an individual who brings a complaint or participates in an investigation of sexual misconduct or pursues legal action is prohibited and will not be tolerated. Reports of suspected retaliation or intimidation should be made using the same reporting procedure described in this policy.

#### Immediate Action

Luther Seminary encourages individuals who believe they have been victims of sexual misconduct to pursue criminal legal action against the alleged perpetrator. An individual who believes that she or he has been the victim of sexual misconduct may pursue criminal action and an internal Seminary complaint concurrently. Even though the Seminary encourages individuals to pursue criminal legal action, an internal Seminary complaint may be pursued regardless of her/his decision about making a criminal complaint.

Retaliation against an individual who brings a complaint or participates in an investigation of sexual misconduct, or who pursues legal action on such grounds, is prohibited and will not be tolerated. Anyone who believes she or he is being intimidated or retaliated against in violation of this policy should report the matter to one of the authorities of the Seminary designated under this policy to receive reports.

Concerns regarding future security, academic issues or housing arrangements affecting the complainant should be addressed to the Title IX Coordinator and the complainant will be notified of the options for, and available assistance in, changing academic and living situations, if so requested by the complainant and if such changes are reasonably available.

Interim actions may be taken throughout the process to ensure the safety and well-being of the complainant. These actions may include prohibiting the accused from entering or being on Seminary property or contacting the complainant, or requiring a change in the accused's residency (if the accused lives in Seminary housing), student status, or class schedule.

Luther Seminary will comply with any judicial no-contact, restraining or protective order if in place for a student of the Seminary in accordance with the terms of the order and applicable law.

## Education and Training

Educational materials, programs and training sessions will be designed and offered regularly to assist all members of the Seminary community in recognizing and preventing sexual misconduct.

New students and new employees will be offered the opportunity to receive training on primary prevention and awareness to promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking. Such training will include information on:

- Luther Seminary's prohibition against sexual misconduct
- Definitions of acts that constitute sexual misconduct
- Definition of consent
- Empowering bystander intervention, including safe and positive options for bystanders to attempt to prevent harm or intervene to prevent sexual misconduct in a safe and positive manner
- Recognition of the signs of abusive behavior and how to avoid potential attacks
- Ongoing prevention and awareness efforts at Luther regarding the same

## Resources

Any victim of sexual misconduct should consider seeking immediate medical and emotional assistance. Assistance is available by utilizing the following services:

**911** (dial **9-911** from an on-campus telephone)

St. Paul Police.....**651-291-1111**

Minneapolis Police.....**612-348-2345**

Regions Hospital Crisis Line .....**651-254-9200**

SOS Sexual Violence Services (Ramsey County) .....**651-266-1000**

Minneapolis Sexual Violence Center.....**612-871-5111**

Rape & Sexual Abuse Center.....**612-825-4357**

Seminary Pastor .....**651-641-3216**

Seminary Title IX Coordinator .....**651-641-3465**

The Seminary recognizes that any decision to report sexual misconduct to the police is the right of the victim. However, Seminary personnel responding to an incident of sexual misconduct will inform the victim of the options of criminal prosecution, medical assistance and the Seminary's complaint process. Campus personnel will assist the victim with these contacts if requested. In addition, confidential counseling, support resources, academic assistance and alternative housing assignments will be discussed as appropriate. Seminary personnel will also inform victims of their rights under the Crime Victims Bill of Rights, including assistance from the Minnesota State Crime Victims Reparations Board and the Minnesota State Office of the Crime Victim Ombudsman.

**Speak to someone.** If you are able and willing, speak directly to the person involved. It may be that the person does not understand his or her behavior to be offensive. If you prefer not to address the person directly, or wish to gain a broader perspective, consider talking to a designated leader in this policy. You may engage in this initial conversation without revealing the name of the person or persons involved.

**Seek information and support.** Each of the designated leaders can provide more background on the nature of sexual harassment, the avenues for maintaining confidentiality, and formal and informal steps a student can take to resolve an offensive situation. Such informal steps may include a spoken or written response to the person causing the offense, a mediated conversation, or a decision not to seek further resolution.

**Do not blame yourself.** Your inquiry or complaint will be taken seriously. Your confidentiality will be respected to the degree possible, and your complaint will not be revealed to others without your consent whenever possible. If Luther Seminary becomes aware of sexual misconduct, however, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. Your willingness to speak out and seek help contributes to the good of the whole community.

### **List of Victim Rights**

(published by the Office of Crime Victims Ombudsman)

The following list informs Seminary community members of their rights under Minnesota law and is printed here for your information:

#### **RIGHT TO BE NOTIFIED OF**

- \* Plea bargain agreements,
- \* Changes in court schedules, date, time, and place of sentencing,
- \* Release of offender from prison or institution,
- \* Victim's rights.

#### **RIGHT TO PARTICIPATE IN PROSECUTION**

- \* Right to inform court of impact of crime at pre-trial and sentencing,
- \* Right to have input in pre-trial diversion hearing program,
- \* Right to object to plea bargain,
- \* Right to request speedy trial,

- \* Right to bring supportive person to pre-trial,
- \* Right to attend sentencing,
- \* Right to give written objections to sentence.

#### **RIGHT TO PROTECTION FROM HARM**

- \* Tampering with a witness is against Minnesota law,
- \* Witnesses do not have to give their addresses in court,
- \* Victims have the right to a secure waiting area during court,
- \* Employers may not discipline or dismiss victims or witnesses who are called to testify in court.

#### **FINANCIAL ASSISTANCE**

- \* Victims may be eligible for financial assistance from the state if they have suffered economic loss,
- \* Victims may request of the court that restitution be paid.

If you are a crime victim or witness and you believe your rights have been violated, call: Office of Crime Victims Ombudsman, Toll-Free: 1-800-247-0390 or your local victim assistance program.

For financial assistance, crime victims may contact the Minnesota Crime Victims Reparations Board, 445 Minnesota Street, Suite 2300, St. Paul, MN, 55101, 651-201-7300.

In order to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and Title IX, Seminary personnel (including faculty, administrators and staff but not necessarily the Seminary Pastor) who are not themselves the victim of the act are obligated to report immediately all suspected or alleged incidents of sexual assault or sexual violence to the Title IX coordinator or to the Title IX Coordinator that include the Dean of Students, and the Associate Director of Student Affairs, the Director of International Student and Scholar Affairs.

It is important for victims to preserve any evidence resulting from sexual misconduct needed for criminal prosecution.

#### **TITLE IX COORDINATOR**

Title IX refers to Title IX of the Educational Amendments of 1972, and it prohibits discrimination on the basis of gender by institutions receiving federal money. Generally, the Title IX Coordinator is responsible for the development, implementation, and monitoring of meaningful efforts to comply with Title IX law. This includes overseeing the Title IX complaint process as well as identifying and addressing any patterns or systemic problems that arise.

### **Luther Seminary's Title IX Coordinator:**

Peter Susag  
 Writing Support and Library Acquisitions Coordinator  
 Gullixson Hall Library  
 651-641-3465  
[psusag001@luthersem.edu](mailto:psusag001@luthersem.edu)

Additionally, Luther Seminary has six Title IX Investigators:

<b>Title IX Investigator</b>	<b>Title IX Investigator</b>
Dr. David Fenrick Dean of Students Bockman Hall 248 651-641-3517 <a href="mailto:dfenrick001@luthersem.edu">dfenrick001@luthersem.edu</a>	Dr. Leon Rodrigues Director, Diversity, Equity and Inclusion Gullixson Hall 108, President's Office 651-641-3209 <a href="mailto:lrodrigues001@luthersem.edu">lrodrigues001@luthersem.edu</a>
<b>Title IX Investigator</b>	<b>Title IX Investigator</b>
Marie Hayes Director, International Student and Scholar Affairs Bockman Hall 203 651-641-3469 <a href="mailto:mhayes@luthersem.edu">mhayes@luthersem.edu</a>	Sarah Luedtke-Jones Director of Student Affairs Bockman Hall 201 651-641-3434 <a href="mailto:sluedtkejones001@luthersem.edu">sluedtkejones001@luthersem.edu</a>
<b>Title IX Investigator</b>	<b>Title IX Investigator</b>
Ashley Wheeler Candidacy Coordinator Bockman Hall 239 651-641-3492 <a href="mailto:awheeler002@luthersem.edu">awheeler002@luthersem.edu</a>	Chenar Howard Associate Director, Student Affairs Bockman Hall 202 651-641-3497 <a href="mailto:choward001@luthersem.edu">choward001@luthersem.edu</a>

The Title IX Coordinator works to identify any patterns or systemic problems that arise; Title IX Investigators will be engaged to follow up on specific complaints.

### **GOVERNMENTAL CONTACTS**

#### **Minnesota Office of Higher Education**

1450 Energy Park Drive, Suite 350  
 St. Paul, MN 55108-5227

Phone: (651) 642-0567  
 Toll Free: (800) 657-3866  
 Fax: (651) 642-0675



### **Office for Civil Rights – Midwest Region**

Contact: Celeste Davis  
U.S. Department of Health and Human Services  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601

Customer Response Center: (800) 368-1019

Fax: (202) 619-3818

TDD: (800) 537-7697

Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)

### **Smoke-Free Policy**

The scope of this policy applies to all employees, regardless of position or employment classification, students, contractors and other visitors on seminary property.

Because Luther Seminary wants to provide employees, students and guests with a healthy work environment, the seminary is committed to providing a tobacco-free campus. The use of tobacco products, which includes, but is not limited to, cigarettes, cigars, chewing tobacco, snuff, pipes, e-cigarettes, vapor-related products (heat activated or otherwise) and all other forms of smoked and smokeless tobacco, will not be allowed within any of its public buildings. This includes, but is not limited to, its public buildings on the upper campus (Stub Hall, Northwestern Hall, Chapel of the Incarnation and Olson Campus Center, Old Muskego, Bockman Hall, and Gullixson Hall), and all offices and living spaces in each of these buildings. This policy also applies to the campus residences, including the LDR apartment building.

Prohibited tobacco use includes smoking (inhaling, exhaling, burning, vaping or carrying any lighted cigar, cigarette, e-cigarette or pipe) and the use of smokeless, chewable tobacco. The littering of tobacco-related products on the grounds, parking lots or neighboring properties is also prohibited.

### **Substance Abuse Policy**

Luther Seminary does not allow the use of alcoholic beverages at any *student-organization sponsored activity on campus* and prohibits the unlawful possession, use, or distribution of alcohol or drugs at any seminary-sponsored activity or event on or off campus.

It is expected that any consumption of alcohol will be done with respect for one's own health and consideration for others in the community. In addition, it is expected that any use of alcohol will be done legally and responsibly. In accordance with Minnesota State law, the legal drinking age is 21 years. Providing alcohol to a minor is unlawful and

prohibited. Any student who violates this policy may be subject to disciplinary action up to and including expulsion.

Luther Seminary strives to provide an environment that is friendly to persons in recovery. Information on nearby AA meetings is available by calling 651-227-5502 (24-hour answering service) or by contacting the Dean of Students.

Production of drugs is prohibited.

## MINNESOTA STATE STATUTES ON LIQUOR

<https://www.revisor.mn.gov/statutes/?id=340A.503>

340A.503 Persons under 21; illegal acts.

Subdivision 1. Consumption. (a) It is unlawful for any: (1) retail intoxicating liquor or 3.2 percent malt liquor licensee, municipal liquor store, or bottle club permit holder under section 340A.414, to permit any person under the age of 21 years to drink alcoholic beverages on the licensed premises or within the municipal liquor store; or (2) person under the age of 21 years to consume any alcoholic beverages. If proven by a preponderance of the evidence, it is an affirmative defense to a violation of this clause that the defendant consumed the alcoholic beverage in the household of the defendant's parent or guardian and with the consent of the parent or guardian. (b) An offense under paragraph (a), clause (2), may be prosecuted either in the jurisdiction where consumption occurs or the jurisdiction where evidence of consumption is observed. (c) As used in this subdivision, "consume" includes the ingestion of an alcoholic beverage and the physical condition of having ingested an alcoholic beverage.

Subd. 2. Purchasing. It is unlawful for any person: (1) to sell, barter, furnish, or give alcoholic beverages to a person under 21 years of age; (2) under the age of 21 years to purchase or attempt to purchase any alcoholic beverage unless under the supervision of a responsible person over the age of 21 for training, education, or research purposes. Prior notification of the licensing authority is required unless the supervised alcohol purchase attempt is for professional research conducted by post-secondary educational institutions or state, county, or local health departments; or (3) to induce a person under the age of 21 years to purchase or procure any alcoholic beverage, or to lend or knowingly permit the use of the person's driver's license, permit, Minnesota identification card, or other form of identification by a person under the age of 21 years for the purpose of purchasing or attempting to purchase an alcoholic beverage. If proven by a preponderance of the evidence, it shall be an affirmative defense to a violation of clause (1) that the defendant is the parent or guardian of the person under 21 years of age and that the defendant gave or furnished the alcoholic beverage to that person solely for consumption in the defendant's household.

Subd. 3. Possession. It is unlawful for a person under the age of 21 years to possess any alcoholic beverage with the intent to consume it at a place other than the household of the

person's parent or guardian. Possession at a place other than the household of the parent or guardian creates a rebuttable presumption of intent to consume it at a place other than the household of the parent or guardian. This presumption may be rebutted by a preponderance of the evidence.

Subd. 4. Entering licensed premises. (a) It is unlawful for a person under the age of 21 years to enter an establishment licensed for the sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing or having served or delivered any alcoholic beverage. (b) Notwithstanding section 340A.509, no ordinance enacted by a statutory or home rule charter city may prohibit a person 18, 19, or 20 years old from entering an establishment licensed under this chapter to: (1) perform work for the establishment, including the serving of alcoholic beverages, unless otherwise prohibited by section 340A.412, subdivision 10; (2) consume meals; and (3) attend social functions that are held in a portion of the establishment where liquor is not sold.

Subd. 5. Misrepresentation of age. It is unlawful for a person under the age of 21 years to claim to be 21 years old or older for the purpose of purchasing alcoholic beverages.

#### FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE

21 U.S.C. 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days of prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

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After 1 prior drug conviction: At least 15 days of prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment.

(See special sentencing provisions re: crack)

## 21 U.S.C. 881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

## 21 U.S.C. 844a

Civil fine of up to \$10,000 (pending adoption of final regulations).

## 21 U.S.C. 853a

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

## 18 U.S.C. 922(g)

Ineligible to receive or purchase a firearm.

\*Does not include marijuana, hashish or hash oil.

### Use of Official Luther Seminary Logo

Distinctive, consistent visual representation is essential to conveying the seminary in print, online and on signage. Consistent and appropriate use of the logo and presidential seal identifies the seminary and its mission, thereby promoting both.

The standards listed below are designed to help continue that consistency in the way we present the seminary to our various publics—the larger church, congregations, synods, the community, etc. Any questions about the standards should be addressed to the Office of Marketing and Communications at *communic@luthersem.edu*.

#### Luther Seminary Logo

The seminary logo serves as an external, visual representation of the organization. It differentiates this particular seminary from other seminaries as well as from other organizations. Consistent use of a single, strong logo creates a visual identity that builds recognition for the organization and contributes to brand development. A strong brand is essential to successful recruiting, fundraising, and marketing.

The Luther Seminary logo is comprised of LS alone or with the words Luther Seminar



#### Who May Use the Logo?

The logo is designed for official seminary communication, programs and events. All logo use must be approved by the Office of Marketing and Communications **prior** to printing, production or posting (e.g., on the web).

## Logo Use

It is vitally important that the logo remain intact in order to maintain a consistent visual identity. Therefore:

- The logo must be printed in an approved logo color.
- The logo may not be altered in any way except to be enlarged or reduced proportionally.
- The logo must always be printed as-is (i.e., not commingled with other graphic symbols, rules, bars or boxes).

Again, logo use must be approved by the Office of Marketing and Communications **prior** to printing, production or posting (e.g., on the web).

## Presidential Seal

The presidential seal is for the **sole** use of the office of the seminary president. The *Christus Lux Mundi* in the seal means “Christ is the light of the world” in Latin.

Questions about this policy should be directed to the Office of Marketing and Communications at [communic@luthersem.edu](mailto:communic@luthersem.edu).



## Seminary Letterhead and Envelopes

Seminary letterhead and envelopes (i.e., paper and envelopes printed with the seminary logo or presidential seal) are designed **solely** for faculty and staff conducting official seminary business. Although students may use the logo, with approval from the Office of Marketing and Communications, students and student organizations may not use official seminary letterhead and envelopes—or any letterhead or envelopes containing the seminary logo.

## **Weapons Policy**

Luther Seminary does not tolerate violence or the threats of violence.

Carrying and/or possessing handguns or other weapons at the seminary, by any student, will not be tolerated; it does not matter whether the student is licensed to do so or not. For purposes of our policy, students are not allowed to carry and/or possess handguns or other weapons anywhere on campus. The seminary reserves the right to search any person, vehicles, or belongings brought onto seminary property. Although it is the seminary's intention to ban guns from its property to the full extent permitted by law, guns are permitted in the seminary's parking facilities to the extent that the law does not permit their prohibition.

Students are also prohibited from carrying and/or possessing handguns or other weapons at any time during participation in any seminary-sponsored activity, whether on-campus or not.

Luther Seminary prohibits persons other than students and employees from carrying and/or possessing handguns or other weapons. These persons include potential students, vendors, visitors, donors, and potential donors, excluding law enforcement officers.

Anyone who has a good faith reason to suspect imminent violence at the seminary or in conjunction with a seminary activity should immediately contact St. Paul Police or dial 911. Anyone who in good faith believes or suspects a non-imminent or non-threatening violation of this policy should promptly report the suspected violation to the Dean of Students. All reports of violations will be investigated, and if the investigation indicates that a violation of this policy may have occurred, timely and appropriate action will be taken. Luther Seminary will not tolerate retaliation against any student because he or she reports a suspected violation of this policy.

Any student who violates this policy will be subject to immediate disciplinary action, up to and including expulsion.

## **Luther Seminary Code of Conduct**

### **Proscribed Conduct**

The Luther Seminary Code of Conduct applies to all students and student conduct regardless of location. Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in the Student Code of Conduct Violations

Process:

1. Violation of federal, state or local law on or off seminary premises.
2. Violation of published seminary policies, rules or regulations as outlined in the seminary's Academic Catalog, Student Handbook and the Housing Guide.
3. Violation of the Code of Student Conduct while on probation or a leave of absence, or a violation of the terms and conditions of probation.

4. Academic dishonesty, defined as any deliberate attempt to falsify, fabricate or otherwise tamper with data, information, records, or any other material that is relevant to a student's participation in any course or other academic exercise or function. Examples include:
  - Violation of the Luther Seminary policy on Academic Honesty;
  - Turning in another student's work with or without that student's knowledge;
  - Turning in a paper copied from a website; or
  - Recycling your own work from a previous assignment, without permission of the instructor or proper citation.
5. Failure to comply with the reasonable directions of or verbally abusing or threatening seminary officials or law enforcement officers acting in performance of their duties.
6. Acts of dishonesty, including but not limited to:
  - Furnishing false information to any seminary official, faculty member or office;
  - Forgery alteration or misuse of any seminary document, record or instrument of identification; or
  - Tampering with the election of any seminary-recognized student organization.
7. Violations of fire/life safety provisions including, but not limited to:
  - Arson or attempted arson;
  - Intentionally or recklessly misusing or damaging fire/life safety equipment;
  - Initiating or causing to be initiated any false warning of emergency or life-threatening circumstances; or
  - Behavior which endangers one's self or others.
8. Possession and/or use of firearms, explosives, fireworks, ammunition, or other weapons or dangerous materials, regardless of their legality, on seminary premises or at seminary-sponsored or -supervised activities.
9. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other seminary activities (including its public service functions on or off campus) or other authorized non-seminary activities when the act occurs on the seminary premises.
10. Participation in a campus demonstration which disrupts the normal operations of the seminary and infringes on the rights of other members of the seminary community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
11. Discrimination, defined as intentionally treating a person unequally on the basis of race, age, sex, creed, religion, national origin, disability, gender identity or sexual orientation.
12. Attempted or actual theft of and/or damage to property or services of the seminary or property of a member of the seminary community or other personal or public property or knowingly possessing stolen property.
13. Unauthorized possession, duplication or misuse of keys to any seminary premises.
14. Other actions or behaviors which by their nature disrupt the life of the academic community or intentionally cause harm of any kind to individuals and/or property.

15. Conduct prohibited by the Policy Against Harassment, Unlawful Discrimination and Hostility contained in this handbook which threatens or endangers the health or safety of any person including, but not limited to, the following forms:
  - Direct oral expression or physical gesture or action;
  - Notes, letters, U.S. mail, campus mail or other forms of written communication;
  - Phone calls or phone messages; or
  - E-mail, text, or other computer-based methods of communication, including social media.
16. Luther Seminary also prohibits sexual misconduct, including sexual assault and other non-consensual sexual contact or activity, as addressed in the Sexual Misconduct Policy in this handbook.
17. Sexual harassment, as prohibited by the Policy Against Harassment, Unlawful Discrimination and Hostility contained in this handbook, including, but not limited to:
  - Unwelcome verbal or physical conduct of a sexual nature on seminary premises or at functions sponsored by or participated in by the seminary; or
  - Harassment on the basis of another's sexual orientation.
18. The manufacture, distribution, sale, offer of sale, purchase or possession of any illegal drug or narcotic, including but not limited to barbiturates, hallucinogens, amphetamines, cocaine, opium, heroin, or marijuana.
19. Theft or other abuse of computer time, including, but not limited to:
  - Unauthorized entry into a file to use, read or change the contents or for any other purpose;
  - Unauthorized transfer or copy of any file or software;
  - Unauthorized use of another individual's identification and password;
  - Use of seminary technological resources to send obscene, abusive or harassing messages;
  - Use of seminary-owned or supported equipment to access, download, store or distribute pornographic materials; or
  - Intentional interference with normal operations of the seminary computing system.
20. Unauthorized or inappropriate use of the seminary name or logo, or the names or likenesses of identifiable organizations or features of Luther Seminary. These include, but are not limited to, the names or logos of recognized student organizations, apartments and other campus buildings; and images and descriptions from seminary publications. Inappropriate use includes, but is not limited to:
  - Use of seminary names and images for commercial purposes without permission;
  - Use of seminary names and images by groups not recognized by Luther Seminary; or
  - Use of seminary names and images in conjunction with activities not in accordance with Luther Seminary policies.
21. Incurring financial obligations on behalf of a person, organization or the seminary improperly or without consent or authority.



22. Incurring obligations of faculty and/or staff time, campus facilities, equipment or services without consent or authority.
23. Abuse of the campus student rights and responsibilities system may result in further disciplinary action. Such abuse includes, but is not limited to:
  - Failure to obey the directives of a seminary body or official;
  - Falsification, distortion or misrepresentation of information before a seminary body;
  - Attempting to discourage an individual's proper participation in or use of the system;
  - Attempting to influence the impartiality of a member of a seminary body prior to and/or during the course of the proceeding; and
  - Failure to comply with the sanction(s) imposed under the Code of Conduct.

### Code of Conduct Violations Process

The following process outlines the general steps a student can expect when involved in the Student Code of Conduct Violations Process. For cases involving alleged violations of the Sexual Misconduct policy, please refer to the Sexual Misconduct policy.

### Code of Conduct Violations and Hearing Authority Procedures

1. Incident Report (IR) submitted to the Office of Student Affairs
2. The Dean of Students reviews the IR, investigates if needed, and determines type of review.
3. Types of Review Meetings or Hearings with Hearing Authority (as determined by the Dean of Students based on the nature and magnitude of the allegation):
  - Conduct Review Meeting (low-level violations; includes a meeting with the Dean of Students);
  - Administrative Hearing (1-2 administrative Hearing Officers);
  - Community Review Board (student panel); or
  - Seminary Review Board (panel of students, administrators and faculty).
4. Written Notification of Review provided to student with documents pertaining to the incident (Incident Report and any witness statements).
5. Written Decision provided to student (includes decision, rationale for decision, sanctions if applicable, and opportunity to request appeal).
6. Sanctions completed by student (If sanction is not completed by due date, a “hold” will be placed on your student account preventing you from registration).

### Incident Report

1. Incident reports may be filed by any member of the seminary community. Incidents shall be prepared in writing and directed to the Dean of Students, who is responsible for assessing alleged violations of the Code of Conduct. Any incident report should be submitted as soon as possible after the event takes place.

Here is a link to the online incident report form:

<https://inside.luthersem.edu/students/safety-support/>

2. The Dean of Students will determine the disposition of the incidents and may decide among the following options:
  - The charges claimed in the incident report have no merit based on seminary policy;
  - The charges claimed in the incident report have merit and may be administratively settled by mutual consent of the involved parties on a basis acceptable to the Dean of Students. Such disposition shall be final, and there shall be no subsequent proceedings;
  - The charges claimed in the incident report have merit and are appropriate for hearing by the appropriate hearing authority; or
  - The charges claimed in the incident report have merit but are not appropriate for hearing and will be handled administratively by other means.

#### Process for Disciplinary Hearings

The following process generally shall apply to a student in any seminary disciplinary proceeding.

1. Written notice of the incident(s) shall be provided to the affected student whenever formal action upon such incident(s) is initiated. If possible, notice is to be given within 60 class days of the alleged violation and at least five class days in advance of the date set for the hearing, with sufficient particularity as to the facts that the student may reasonably investigate the incident and prepare his/her defense. Generally, hearings shall be held not more than 15 class days after the affected student has received notice. Deadlines and time limits may be extended at the discretion of the Dean of Students.
2. The complainant (and/or his/her support person) and the accused shall be permitted to appear in person and provide witnesses, statements or other evidence. The complainant (and/or his/her designee) and the accused shall be permitted to suggest to the hearing authority persons who he/she believe should be questioned by the hearing authority and questions which he/she believes should be asked of those persons. The hearing authority shall have authority to determine which witnesses it shall call, which questions shall be asked, and which documents or other tangible evidence shall be considered. Generally, all questioning of witnesses shall be done by members of the hearing authority. The hearing authority shall, in making its determinations as to which evidence to admit and consider, give consideration to factors such as justice, fairness, efficiency, avoidance of unnecessary duplication of evidence, and other goals it deems appropriate.
3. The complainant and the accused must notify the person or the chair of the hearing authority hearing the case of the names of his/her suggested witnesses at least 24 hours prior to the hearing date.

4. Written notification of the results of any disciplinary hearing shall be sent within five class days of that hearing, unless that period is extended by the Dean of Students.
5. Appeal requests shall be based on the criteria outlined in the Appeals section.
6. Hearings shall be conducted in private and shall not be open to members of the seminary community or members of the community at large, unless permission to attend is granted both by the hearing authority and the Dean of Students. At all times, the hearing authority and the Dean of Students shall have authority to determine whose presence at a hearing shall be permitted or not permitted.
7. In hearings involving more than one student, the chairperson of the hearing authority, at his/her discretion may require the hearings concerning each student to be conducted separately.
8. The complainant and the accused have the right to be assisted by a support person of their choice. Guidelines for support people are:
  - Support people must be a current member of Luther Seminary community or an immediate family member.
  - The purpose of the support person is to support a student in the judicial process. The support person should be chosen for their ability to understand the circumstances, assist a student with the process of preparing for a hearing, and guide the student through the actual hearing.
  - The support person may confer with the student involved, but they do not actively participate in the hearing. The complainant and/or the accused is responsible for presenting his/her own case and, therefore, the support person is not permitted to speak or participate directly in any hearing before a hearing authority.
  - The support person does not represent the student. That is, information will be directly communicated to, released to, or accepted from involved students, not support persons. All information concerning any case may be made available to the support person with the written permission of the involved student.
9. All procedural questions are subject to the final decision of the chairperson of the hearing authority.
10. After the hearing, the hearing authority shall determine (by majority vote if the hearing authority consists of more than one person) whether the student has violated the Code of Student Conduct. In determining the outcome, each alleged violation shall be considered separately.
  - The hearing authority's determination shall be made on the basis of whether it is more likely than not that the student violated the Code of Conduct (a preponderance of the evidence). Rules of evidence as in a court of law, however, shall not apply.
  - Any expense incurred in the hearing process is the responsibility of the individual student who incurred the expense.
11. A verbatim (audio-recorded) transcript shall be kept in all student disciplinary hearings. This record shall be the property of the seminary and generally will be maintained in the possession of the Dean of Students office for a period of four years following the hearing.

12. An accused student may voluntarily waive his/her right to appear before the hearing authority for a hearing. However, if properly noticed of the date, time and location of the hearing (per Article VII, B, 1), failure of the accused to appear shall not result in the cancellation or postponement of the hearing. The hearing will be held in the absence of the accused student, unless such absence is excused by the Dean of Students.
13. An accused student may also waive his/her rights concerning the timing of hearings in agreement with the Dean of Students.
14. No student may be found to have violated the Code of Student Conduct solely because the student failed to appear before a hearing authority. In all cases, the evidence in support of the incidents shall be presented and considered, even if the student fails to appear.

### Sanctions

Students who violate the Code of Conduct can expect consequences to follow. The following are examples and definitions of specific sanctions that may be imposed upon any student found to have violated the Code of Conduct. Other sanctions may be imposed or deemed appropriate in certain circumstances.

#### **Level I (First-time, less severe violations)**

- Warning—A notice in writing to the student that the conduct is violating or has violated the Code of Conduct or Official Luther Seminary policies.
- Attend an educational program related to the incident.
- Restitution and/or apology to affected persons. Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- Behavioral contract is an agreement between the student and hearing authority with specific statement of expectations.
- Discretionary Sanctions are work assignments, service to the seminary, or other related discretionary assignments (such assignments must have the prior approval of the Dean of Students).
- Loss of Privileges is a denial of specified privileges for a designated period of time.
- Other sanctions as appropriate.
- Please note that students may receive a lesser sanction if it is determined they were present and aware of an activity where a violation took place, but were not directly responsible for the action.

#### **Level II (Repeated or more severe first-time violations)**

- Referral to appropriate seminary staff.
- Confidential notification to the student's faculty cohort leader, supervisor (for on-campus employment), Contextual Learning official or others as appropriate.
- Seminary Housing probation (Further violation can result in loss of housing).

- Probation is a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
- Other sanctions appropriate to violation.

**Level III (Most severe violations, including, but not limited to, flagrant violations of policy; abuse of or non-cooperation with seminary staff; incidents involving threats or violence; or repeated violations of policy)**

- If substance abuse was involved, referral for alcohol/drug screening or assessment;
- Probation;
- Housing suspension or expulsion. Housing Suspension—separation of the student from housing for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Housing Expulsion is the permanent separation of the student from the seminary housing;
- Seminary Suspension is the separation of the student from the seminary for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified;
- Seminary Expulsion is the permanent separation of the student from the seminary; or
- Other sanctions appropriate to violation.

Depending on the circumstances, Level I, II or III sanctions may be implemented at any time and in any order.

More than one of the sanctions listed above may be imposed for any single violation. Sanctions are cumulative and can carry over from year to year. Students who have specific sanctions which have carried over from the previous year will be notified in their letter of sanction from the seminary.

Other than seminary expulsion, disciplinary sanctions shall not be made a part of the student's permanent academic record, but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions other than housing expulsion, seminary suspension or seminary expulsion at the discretion of the Dean of Students. Cases involving the imposition of sanctions other than housing expulsion, seminary suspension or seminary expulsion shall be expunged from the student's confidential record ten years after the final disposition of the case or three years after graduation from Luther seminary, whichever comes first.

The following sanctions may be imposed on student groups or organizations:

- Those sanctions listed above; or
- Deactivation: loss of all privileges, including seminary recognition, for a specified period of time.

In each case in which the hearing authority determines that a student has violated the Code of Conduct, the sanction(s) shall be determined and imposed by the Dean of Students. In cases in which persons other than (or in addition to) the Dean of Students have been authorized to serve as the hearing authority, the recommendation of all members of the hearing authority shall be considered by the Dean of Students in determining and imposing sanctions. The Dean of Students is not limited to sanctions recommended by members of the hearing authority.

Following the hearing, the hearing authority and the Dean of Students shall simultaneously advise the complainant and the accused in writing of its determination and the sanction(s) imposed, if any, to the degree possible.

The Dean of Students shall have final authority to determine the appropriateness of sanctions.

### Appeals

Any party may appeal decisions of the authorized decision maker to an appellate authority. Procedures for appeals are in this handbook and are also available in the office of the Dean of Students.

#### **General Appeal Process**

1. An accused student or a complainant may request an appeal by so notifying the Dean of Students within five school days of the notification of the decision. Such a request for an appeal shall be in writing and shall be delivered to the office of the Dean of Students.
2. The Dean of Students or a designee shall review the decision on appeal. Upon review, he or she shall determine whether the matter is appropriate for modification or reversal based on grounds such as the following that the appealing party may attempt to substantiate in his or her appeal request:
  - The original hearing was not conducted in conformity with seminary guidelines (that give the complaining party a reasonable opportunity to prepare and present evidence that the Code of Conduct was violated, and that gives the student a reasonable opportunity to prepare and to present a rebuttal of those allegations);
  - The decision reached regarding the accused student was not based on substantial evidence, that is, the facts in the case may not have been sufficient to establish that a violation of the Code of Conduct occurred;
  - The sanction(s) imposed were not appropriate for the violation of the Code of Conduct which the student was found to have committed; or
  - New evidence exists which is sufficient to alter the decision, and such evidence was not brought out in the original hearing because such evidence was not known to the person appealing at the time of the original hearing.

All appellate decisions made by the Dean of Students (or his/her designee) are final.

### Academic Honesty Evaluation

The following process outlines the general steps a student can expect when involved in an Academic Honesty case. The Academic Honesty policy can be found in the Luther Seminary Student Rights and Responsibilities document.

If instances of cheating or plagiarism are detected, one of these disciplinary actions shall follow: either (1) the instructor records a failure for the assignment or examination, or (2) the instructor records a failure for the course. In either case, the instructor shall bring the matter to the Academic Dean and the Dean of Students, and the question whether further disciplinary action should be considered will be determined in consultation with the instructor, the Academic Dean, and the Dean of Students.

### Grievance Procedures

Luther Seminary provides a grievance procedure process as a part of its effort to ensure fair treatment of students in regard to their personal and educational concerns. Any student who believes that an employee of the seminary has subjected him or her to treatment that violates seminary policy or practices may seek to have his/her grievance heard.

Most student complaints against faculty, administrators or other staff are resolved by discussions with the person or group involved. When this approach proves unfruitful or seems undesirable or inappropriate, the grievance procedures are available. Except for complaints of discrimination or harassment, the complaint must be registered within six months of the occurrence of the event cited in the grievance.

Students are encouraged to make complaints of discrimination or harassment immediately after the event complained of, but such complaints will be received at any time (even more than six months after the occurrence of the event). Students making complaints of harassment or discrimination are not required to go through the grievance procedure, but may bring their complaints directly to the Dean of Students or the Associate Director of Human Resources, for appropriate action by the seminary.

Complaints regarding student employment issues are not heard through the grievance process but are handled as with other seminary employee matters. Student employees are encouraged to talk with their supervisors or with Human Resources about issues of concern. Ultimately, the appropriate Vice President has responsibility for final resolution of student employment-related complaints. Complaints of sexual harassment should be made pursuant to the terms of the seminary's sexual harassment policy.

## Grievance Procedure Process

### First Level

In a matter where there is a disagreement or divergence of opinion between students, between a student and a member of the faculty, or between a student and a member of the staff, the various parties involved shall first speak with one another, clarifying the nature of the problem, the issues involved, and possible responses or solutions to the conflict, with the goal of coming to a mutually agreed upon resolution of the matter among themselves without additional participation from other members of the community.

### Second Level

If the conflict is of a nature or intensity that the procedure outlined in the First Level is not adequate or appropriate **and is between students**, any of the parties involved in the dispute may request the Dean of Students to join them in a conversation where the following alternative process will be followed:

- The persons involved in the conflict will attempt to state the nature of the conflict and describe their understanding of what is at stake in the disagreement. Each party will also describe his or her involvement thus far in this situation. The persons involved will then have the opportunity to suggest ways in which they believe this conflict might be resolved;
- The persons involved will then have the opportunity to suggest ways in which they believe this conflict might be resolved;
- With the leadership of the Dean of Students, the persons involved will work in a collaborative effort to explore and then choose a satisfactory response and resolution to the conflict; or
- The persons involved in the conflict, with continuing leadership of the Dean of Students, will seek reconciliation among themselves.

If the conflict is of a nature or intensity that the procedure outlined in the First Level is not adequate or appropriate **and is between a student and faculty or a student and staff**, any of the parties involved in the dispute may, within ten (10) business days following notification of the outcome of the First-Level procedure, request the Dean of Students (and the Academic Dean, when the dispute involves both a faculty member and a student and the Associate Director of Human Resources, when the dispute involves both a student and a staff member) to join them in a conversation where the following alternative process will be followed:

- The persons involved in the conflict will attempt to state the nature of the conflict and describe their understanding of what is at stake in the disagreement. Each party will also describe his or her involvement thus far in this situation;
- The persons involved will then have the opportunity to suggest ways in which they believe this conflict might be resolved;
- With the leadership of the Dean of Students (and the Academic Dean, when a faculty is involved; and the Associate Director of Human Resources when a staff member is involved) the persons involved will work in a collaborative effort to explore and then choose a satisfactory response and resolution to the conflict; and



- The persons involved in the conflict, with continuing leadership of the Dean of Students (and the Academic Dean, when a student is involved; and the Associate Director of Human Resources when a staff member is involved), will seek reconciliation among themselves.

### **Third Level**

In a dispute where a resolution satisfactory to both parties is not achieved at the first and/or second levels, upon request within ten (10) business days following notification of the outcome of the Second-Level procedure, the Dean of Students (and the Academic Dean, when a faculty is involved; and the Associate Director of Human Resources when a staff member is involved), will meet with the parties involved in the dispute individually and then together, with each party involved in the conflict having the opportunity to describe:

1. The nature of the problem as he or she perceives it;
2. The intellectual, theological, communal, personal, or emotional issues involved; and
3. The significance of the issues and what is at stake for each person involved.

Following these meetings, the Dean of Student Students will convene the standing committee on discipline (Director of Student Resources and Candidacy, the Dean of Students and three student representatives selected by the Dean of Students). (When a faculty is involved, the standing committee on discipline will be added; when a staff person is involved, three staff members will be selected by the Director of Human Resources to serve with this committee.) In addition, each member of the faculty involved in the conflict may choose one member from the faculty to be included as part of this committee. Under the leadership of the Dean of Students, this group will meet with the parties involved in the conflict, and may meet with the witnesses, and will focus the discussion on the concerns listed above. This group will follow the following additional steps:

- The Dean of Students, together with the standing committee on discipline, will privately hold counsel and arrive at an evaluation or judgment in regard to the dispute; and
- At a meeting at which all parties involved are present, the Dean of Students will report the evaluation or judgment reached by the Dean of Students and the standing committee on discipline. At such time, in a spirit of collaboration, each person in this group (the parties involved in the dispute, the members of the faculty committee, and the Dean of Students), will suggest various responses and resolutions to this conflict. Where such collaboration is not possible because of the dimensions or intensity of the conflict, the Dean of Students and the standing committee on discipline will determine what measures will be taken in an effort to resolve the dispute, including the possibility of formal mediation.

At a final meeting, the standing committee on discipline and the parties involved in the conflict, led by the Dean of Students (and the Academic Dean, when a faculty is

involved; and the Associate Director of Human Resources when a staff member is involved), will seek reconciliation among those involved.

The right to confidentiality of all members of the seminary community will be respected in both informal and formal procedures, insofar as possible. The seminary will limit disclosure of confidential information to a need-to-know basis. Legal or other obligations of the seminary may, in some circumstances, require investigations or other actions wherein confidentiality requests may not be honored.