

6. Report
A written Report of the appeal and its resolution shall be submitted by the chairperson of the academic appeals resolution committee to the student, the involved faculty member, the Faculty Senate Agenda Committee, the vice president, the vice provost for undergraduate education, the registrar, and the dean.
7. Action
The dean(s) or his/her designee in the involved college(s) shall take whatever action is necessary to implement fully the resolution of the academic appeals resolution committee. This includes reporting the change of grade to the registrar.
8. Appeal
No further appeal can be instituted by the student or the involved faculty member with respect to the issue(s) raised at any level of the formal appeals resolution procedure once adjudicated.

Code of Student Conduct

www.osccr.neu.edu

(Northeastern University reserves the right to amend or change the Code of Student Conduct as needed. Adopted November 12, 1971; last revised in March 2008.)

The purpose of the Code of Conduct is to set expectations of behavior that promote the safety and welfare of the Northeastern University community. The University seeks to provide a supportive environment that is conducive to learning, the pursuit of truth, the exchange of knowledge, the intellectual development of students, and the general good of society. In those instances where violations of the behavioral expectations occur, Northeastern University has developed policies and procedures to protect the rights of members of the University community, individually and collectively.

Applicability of Code

The Code of Conduct applies to all registered undergraduate and graduate, full- and part-time students as well as continuing education and online students enrolled at Northeastern University, as well as all student groups and organizations. Student behavior occurring off campus that is in violation of the Code or local, state, or federal laws and could adversely affect the educational mission of the University or its relationship with the surrounding community may subject students to discipline pursuant to the Code of Student Conduct. It applies to students acting on their own volition as well as in recognized student groups and organizations.

Violations of the Code of Conduct are handled through the Office of Student Conduct and Conflict Resolution.

When a student withdraws or takes a leave of absence from the University after engaging in conduct that may violate any of the University's policies, rules, regulations, or standards of conduct, but before the alleged violation has been adjudicated through the conduct process, a block will be placed on the student's record. The block will prevent a student from re-enrolling at the University until the violations have been resolved.

General Expectations

As citizens and as members of an academic community, students enjoy the same basic rights and are bound by the same responsibilities as all citizens. The campus cannot be considered a sanctuary from the general law. Therefore, the University reserves the right to inform police or other appropriate authorities when student behavior appears to violate criminal laws.

It is recognized that all members of an academic community, individually and collectively, have a right to express their views publicly on any issue; however, the University insists that all such expressions be peaceful and orderly and be conducted in a manner consistent with the Code and University policies and in such a way that University business shall not be unduly disrupted. Moreover, students must clearly indicate that they are speaking as individuals and not for the University community.

Students are expected to display proper respect for the rights and privileges of other members of the University community and their guests. The atmosphere in classes and laboratories must be free from any sort of disruption. Furthermore, students must follow the reasonable directions of University personnel.

Students are expected to be honest and forthright in their course of dealings with the University. Falsification, distortion, or misrepresentation of information to the University or University officials will result in being charged with the appropriate violation of the Northeastern University Code of Student Conduct.

The University sets appropriate and clear guidelines for the behavior of its students. The guidelines are established to ensure that student conduct does not adversely affect the educational mission of the University or its relationship with the surrounding community, sister institutions, or members of the University community. Therefore, behavior occurring off campus may be subject to the Code of Student Conduct. The Code of Student Conduct has been developed with the assistance of the Student Government Association, the Resident Student Association, other students, and members of the faculty and staff of the University. Northeastern University assumes that all students will abide by the policies, rules, and regulations of the University and by state, local, and federal laws. In those instances where violations occur, Northeastern University has developed policies and procedures to protect the rights of all members of the University community, individually and collectively.

Standards of Conduct

What follows is a listing of the University policies, rules, and regulations that prescribe the standards of conduct the University requires of students. Students are required to become familiar with these policies and must comply with them. Violations of any of these policies will be handled in accordance with the appropriate University procedure.

The use and/or abuse of alcohol and/or drugs will not be considered a mitigating circumstance for any violation of the Code of Student Conduct. Rather, individuals will be additionally charged with the appropriate alcohol or drug violation.

Violations for each level are listed in alphabetical order. Therefore, the order of violations is not indicative of the seriousness of each violation. The seriousness of the violation is noted by a level I, II, III, or IV at the end of the description (with level I being the most serious). Information regarding sanctioning can be found on pages 19–20.

Experience demonstrates that inappropriate behavior will often involve violations of more than one standard of conduct listed below and so may yield sanctions beyond the minimum sanctions discussed in this Code.

We reserve the right to notify parents when a student has been referred to the Office of Student Conduct and Conflict Resolution (OSCCR).

Abuse of Others

Verbal, written, graphic, or electronic abuse; harassment, coercion, or intimidation of an individual or groups, either directly and/or indirectly. *(level III)*

Academic Dishonesty

Academic dishonesty, as defined in the Academic Integrity Policy (pages 34–35). *(level III)*

Aiding and Abetting

Aiding, abetting, or cooperating in an act or action that violates the Code of Student Conduct (for example, a student present when the Code of Student Conduct is violated may be held responsible even if he or she is not directly involved in the perpetration of the violation).

(level IV)

Breaking and Entering or Theft

Forcible access to property. Theft of property or identity. Possession of stolen property. Theft of services. The unauthorized use of ATM, phone, or credit cards; checks; Northeastern University ID cards; or computer systems (this may include any violation of the University's Appropriate Use of Computer and Network Resources Policy on page 36). *(level I)*

Contempt

Contempt (defined as any act calculated to embarrass, hinder, or obstruct the administration of justice) or deliberate falsification, distortion, or misrepresentation of information to the University or its officials that could adversely affect the mission of the University. *(level III)*

Dangerous Weapons

Possession or use of firearms (including BB guns), fireworks, ammunition, or explosive devices with or without a license on University property or without a license off University property, except under official supervision as part of a recognized student activity (weapons are never permitted on University property). *(level I)*

Disorderly Conduct

Inappropriate, disorderly, or disruptive conduct. Examples include, but are not limited to, impersonating a University official, disruptive behavior in the classroom, public urination, yelling, or use of profanity toward a University official. *(level III)*

Disruptive Parties

Hosting a disruptive party, whether on or off campus. Examples include, but are not limited to: excessive attendance beyond what is safe and/or reasonable; disruptive to neighbors; distributing alcohol without proper permits; minors in attendance where alcohol is being served or being served alcohol; disruptive to the point of preventing other individuals to continue in their activities. *(level III)*

Endangering Behavior

Conduct demonstrating that the student constitutes a threat to others, himself or herself, or to the proper functioning of the University, including threats, possession of mace or other chemical sprays, possession or use of knives, tazers, weapons, paintball guns, discharged ammunition, bypassing security, propping safety doors open. This shall also include the use of any item in such a way as to cause fear and intimidation in another or to cause injury. This can include but is not limited to nunchaku (karate sticks), pepper spray or mace, switchblades, knives, fake guns, stud belts, etc. *(level II)*

Excessive Consumption

Excessive consumption of alcohol is prohibited regardless of age. Being under the influence of and/or the abuse of drugs is prohibited. Behavioral symptoms frequently associated with excessive consumption or intoxication may include, but are not limited to: impaired motor-skill coordination, difficulty communicating, vomiting, glazed/red eyes, the smell of alcohol on one's breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior which may endanger oneself or others. *(level III alcohol and/or drug)*

Failure to Comply

Failure to comply with or violation of the terms of an imposed disciplinary sanction. Failure to follow the reasonable directions of University officials (including law enforcement agents, public safety officials, and faculty and staff at Northeastern or other colleges and universities) that are necessary for the proper conduct of the University and University community.

(level III)

Fire Safety

Breaching campus fire safety or security through:

- a. Misusing or damaging fire safety equipment (including alarm systems, alarmed fire safety doors, smoke detectors, or fire extinguishers). *(level I)*
- b. Setting a fire (including charring, burning, lighting of papers, or any other act that could cause a fire), making a bomb threat, causing or creating a false alarm, tampering with fire safety equipment, or other such intentional or reckless conduct that causes harm or reasonable apprehension of harm to persons or property. *(level I)*
- c. Failure to vacate University buildings after a fire alarm. *(level III)*
- d. Entering or re-entering a building during a fire alarm. *(level III)*

Forgery

Forgery, alteration, or misuse of University documents or records (including, but not limited to, parking permits, software and computer databases and/or systems and/or e-mail). *(level I)*

Gambling

On-campus gambling (the unlawful engaging in, playing, operating, or assisting in operating a game of chance for money or some other stake) or the sale of lottery or raffle tickets is prohibited. *(level IV)*

Hazing

Hazing, as defined by Chapter 269 of the Massachusetts General Laws, or defined as follows: any action taken or situation created, whether voluntary or involuntary, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization, which endangers the mental or physical health or safety of a student, creates risk of injury, or causes mental or physical fatigue or distress, discomfort, embarrassment, harassment, ridicule, intimidation, or which causes damage to or destruction of property. Such activities include, but are not limited to, the following: striking another student by hand or with any instrument; requiring or advocating alcohol or other drug use; late sessions/meetings that interfere with academic activities; tattooing, branding, or piercing; physical or psychological shocks; wearing of apparel in public that is embarrassing, humiliating, or degrading; or games/activities causing or resulting in fatigue, sleep deprivation, mental distress, panic, embarrassment, or humiliation. Activities that would not be considered hazing and therefore acceptable would include agreeing to: maintain a specific GPA, comply with a dress code for a team/organizational function, participate in volunteer community service, participate in a team/organizational trip, take an oath, or sign a contract of standards. *(level II)*

Inappropriate Sexual Behavior

- a. **Rape** is defined as the oral, anal, or vaginal penetration by an inanimate object, penis, or other bodily part without consent. "Consent" means a voluntary agreement to engage in sexual activity proposed by another. Recognizing that each matter that comes before the Conduct Board presents a unique set of circumstances, the following are guidelines. "Consent" requires mutually understandable and communicated words and/or actions demonstrating agreement to participate in proposed sexual activity. "Without consent" may be communicated by words and/or actions demonstrating unwillingness to engage in proposed sexual activity. For instance, the act of penetration will be considered without consent if the victim was unable to give consent because of a condition of which the offending student was or should have been aware, such as drug and/or alcohol intoxication, coercion, and/or verbal or physical threats, including being threatened with future harm. *(level I)*
- b. **Sexual Assault** is the unwanted touching of the intimate body parts of another (for example, breasts, buttocks, groin, genitals, or the clothing covering them) or the unwanted touching of a body part not usually considered intimate (such as massage). These acts will be considered unwanted and without consent if the victim was unable to give consent due to a condition of which the offending student was or should have been aware (for example, the victim is intoxicated due to the use of alcohol or other drugs, coerced, or threatened

verbally, including being threatened with future physical harm). For further guidelines on the meaning and interpretation of consent, please refer to the description of the violation: rape. *(level I)*

- c. Sexual Misconduct** is any unwanted act that is intended in a sexual manner. Examples include, but are not limited to, exposing one's genitals or other intimate body parts to a particular person or to the general public, repeated obscene verbal abuse related to one's gender, repeated obscene phone calls or mail, or the viewing of a sexual act without the explicit consent of all parties involved. *(level II)*

Inappropriate Use of Identification

Inappropriate identification through:

- a.** The manufacturing, alteration, production, and/or distribution of any fake identification that is used with the intention of falsely portraying any piece of an individual's actual identity is prohibited. *(level I)*
- b.** Possession of identification other than your own. *(level III)*
- c.** Representing yourself as someone other than who you are. *(level III)*

Intimidation

Intimidation, coercion, third-party pressure, or unfair treatment on the basis of race, color, religion, national origin, age, gender, sexual orientation, disability, or veteran status. *(level III)*

Misuse of Electronic Resources

Students who misuse electronic systems or methods (for example, e-mail, "hacking," and so on) to steal, misrepresent, threaten, or harass, or students who violate the Appropriate Use of Computer and Network Resources Policy (page 36) and/or any other computer or system use policy will be charged with the appropriate violation of the Code of Student Conduct. *(level III)*

Noise

Noise disturbances in residence halls, campus, or neighborhood. *(level IV)*

Physical Abuse

Physical abuse of others, including, but not limited to, fights and injury caused by endangering behavior. *(level I)*

Rioting

Rioting, defined as inciting, participating in, or encouraging any disturbance for purposes of committing any action that presents a clear and present danger to self or others, causes physical harm to persons, or vandalism to or destruction of property. *(level I)*

Unauthorized Access

Unauthorized access or entry to, into, or onto any University premises, building, room, structure, or facility, or property owned or operated by the University or private individuals. *(level II)*

Unauthorized Use of Other's Property

Unauthorized use of another's property. *(level IV)*

Unauthorized Use of University Identification Marks

Unauthorized use of the University's name or other identifying mark in printed publications, including but not limited to: postings, letterhead, Web sites, pamphlets, or other formal methods of communication. *(level II)*

University Guest Policy

Misuse or violation of residence hall access control, visitation policies, or guest privileges, including failure to obtain roommate's authorization for overnight guests or failure to control guests on campus. Please see the *Residence Hall and Dining License Agreement* or *A Guide to Residence Hall Living* for specific regulations regarding guests in residence halls. *(level IV)*

Vandalism

Vandalism to or destruction of property. (*level III*)

Violation of University Policies

Violation of published University policies, rules, or regulations, including but not limited to, the *Undergraduate Student Handbook/Planner*, *Student Organization Handbook*, University Appropriate Use of Computer and Network Resources Policy, Equal Opportunity Policy, *Residence Hall and Dining License Agreement*, *A Guide to Residence Hall Living*, fire safety regulations, parking policies, and University alcohol and drug policies. (*level IV*)

Violations of Alcohol and Drug Policy

Federal, Massachusetts, and city laws consider possession, use, manufacture, distribution, and sale of illegal drugs and drug paraphernalia to be serious crimes. Depending upon the offense, conviction can lead to imprisonment, fines, and assigned community service. Sanctions increase on subsequent convictions or if death or serious injury results from the use of the drug. In addition, a variety of other consequences may occur, including ineligibility for federal student grants and loans and prevention of future entry into many fields of employment or professions.

Under federal law, distribution of illegal drugs to persons under twenty-one years of age is punishable by twice the normal penalty, with a mandatory one-year prison term. A third conviction is punishable by mandatory life imprisonment. These penalties apply to the distribution of drugs in or within 1,000 feet of an elementary, secondary, or vocational school.

In Massachusetts an individual must be twenty-one years of age to possess and consume alcohol. The University expects that all of its students, whether on or off campus, abide by the law and abide by University regulations concerning alcohol and drug use. Where a student engages in conduct off campus that violates University's regulations concerning alcohol and drug use and such violation results in behavior which, in the University's sole judgment, is destructive, abusive, or detrimental to the University's interests, the University's conduct process shall apply and such matters will be processed accordingly.

1. A person under the age of twenty-one is prohibited from being in the presence of alcoholic beverages in the residence halls, with the following exception: an individual under the age of twenty-one who has a roommate of legal drinking age may be in the presence of an open container of alcohol in his or her room only if his or her roommate of legal drinking age is also present. Non-roommates who are under the age of twenty-one may not be in the room when alcohol is being consumed by the of-age roommate. (*level IV*)
2. A person under the age of twenty-one is prohibited from possessing empty alcohol containers. (*level IV*)
3. No postings, announcements, promotions, or ticket sales may be made, placed, or distributed on Northeastern University-owned or -leased property for non-University sponsored events at which alcohol will be served or consumed. (*level IV*)
4. On-campus possession of a keg, beerball, alcohol by the case, trash-can punches, other central source of alcoholic beverage, or other unauthorized quantities of alcohol is prohibited. Personal possession of alcoholic beverages is limited to one twelve-pack of beer (144 ounces/4.26 liters) or one-half gallon (64 ounces/1.89 liters) of wine or one pint (16 ounces/470 milliliters) of hard liquor. (*level III*)
5. Possession or consumption of alcoholic beverages in locations or under conditions prohibited by University policy or by law (including allowing minors to consume alcohol in on- or off-campus residences). (*level III*)
 - a. A person must be twenty-one years of age or older to possess or consume alcoholic beverages.
 - b. An individual twenty-one years of age or older may possess and/or consume alcohol only in his or her residence hall room or in the residence hall room of another resident who is twenty-one years of age or older, provided alcohol is permitted in that residence hall for students of legal age.

- c. Any person under twenty-one years of age may not transport or carry alcohol on his or her person.
- d. Prohibited locations include, but are not limited to: University hallways, lobbies, lounges, stairwells, classrooms, studios, technical facilities, auditoriums, bathrooms, outdoor areas, vehicles, or any other public areas without authorization.
- 6. The possession or use of items that encourage heavy alcohol consumption is prohibited (examples could include alcohol funnel, AWOL (Alcohol Without Liquid) generators or vaporizers, etc.), regardless of age. *(level III)*
- 7. Providing alcohol to minors. *(level II)*
- 8. Sale or distribution of alcohol, included but not limited to the sale of cups and/or any other form of container for the distribution of alcohol, even to one person, is prohibited. *(level I)*
 - a. Manufacturing alcohol is prohibited on Northeastern University-owned or -leased property.
 - b. The sale of alcohol without a liquor license is prohibited.

Furthermore, Northeastern University alcohol regulations about activities and events sponsored by student organizations can be found in the *Student Organization Handbook*, available at the Campus Activities Office.

Minimum Sanction Guidelines for Violating the Alcohol Policy

- 1st violation: Disciplinary probation
Mandatory completion of an alcohol education program
Fine of \$100
- 2nd violation: Deferred suspension from the University
Mandatory attendance at alcohol/other drug education program
Fine of \$200
- 3rd violation: Suspension from the University
Mandatory alcohol counseling to be completed off campus
Permanent notation to student transcript

The illegal sale of alcohol will result in a sanction of at least suspension from the University. A letter may be sent home to a parent/legal guardian in all cases where there has been a violation of the Alcohol Policy.

The prescribed sanctions set forth above may be enhanced if the circumstances involved in the incident are deemed serious in nature (i.e., resulting in a threat to the health or safety of self or others in the University community). Please be advised that students found responsible for violating these regulations risk the cancellation of their *Residence Hall License and Dining Agreement*.

Violation of Drug Policy

- 1. Knowingly being in the company of anyone who is using illegal drugs is prohibited. *(level IV)*
- 2. Possession or consumption of illegal drugs or prescription medications belonging to another individual. *(level III)*
- 3. Possession, use, manufacture, distribution, or sale of drug paraphernalia (e.g., pipes, including shisha or hookah pipes, bongos, blow tubes, whippets, and other items used in preparing or consuming illegal drugs) is prohibited. *(level III)*
- 4. Promotion of illegal drugs is prohibited. *(level IV)*
- 5. The manufacture, sale, or distribution of drugs (marijuana, mushrooms, prescription drugs, and so on) is prohibited. This includes the sharing of drugs, cultivation of drugs, and any other form of distribution or intention of distribution, even to one person. *(level I)*

Minimum Sanction Guidelines for Violating the Drug Policy

- 1st violation: Deferred suspension from the University
Mandatory attendance at drug education program
Fine of \$200
- 2nd violation: Suspension from the University
Mandatory drug counseling to be completed off campus
Permanent notation to student transcript

The illegal manufacture, sale, or distribution of drugs could result in a sanction of expulsion from the University.

The prescribed sanctions set forth above may be enhanced if the circumstances involved in the incident are deemed serious in nature (i.e., resulting in a threat to the health or safety of self or others in the University community). Please be advised that students found responsible for violating these regulations risk the cancellation of their *Residence Hall License and Dining Agreement*.

Medical Amnesty Policy

In cases of a drug or alcohol emergency, the primary concern is the health and safety of the individual(s) involved. Students/organizations are strongly encouraged to call for medical assistance (617.373.3333) for themselves or for another student who they observe to be or feel is dangerously intoxicated/under the influence of drugs. If a student/organization calls on behalf of another student, that student/organization is required to remain with the student experiencing the emergency until medical assistance arrives.

No student seeking medical assistance for an alcohol or other drug-related emergency will be subject to University disciplinary action for the violation of possession or consumption of alcohol or drugs. This policy shall extend to the referring student/organization who called for medical assistance.

The student requiring medical assistance (and possibly the referring student(s)/organization) will be required to contact the Alcohol and Other Drug Education Coordinator within two weeks of written notification to schedule a meeting and follow-up plans. As long as the student(s)/organization complies with all directives, there will be no disciplinary action taken related to the violation of possession or consumption of alcohol or drugs and no disciplinary record of the incident kept in the Office of Student Conduct and Conflict Resolution.

This policy applies only to those students or organizations who seek emergency medical assistance in connection with an alcohol or drug-related medical emergency and does not apply to individuals experiencing an alcohol or drug-related medical emergency who are found by University employees (e.g., Northeastern University police, faculty, administrative staff, or residence hall staff), or where the reporting student(s)/organization did not stay with them.

The Medical Amnesty Policy is not intended to shield or protect those students or organizations that repeatedly violate the Code of Student Conduct. In cases where repeated violations of the Code of Student Conduct occur, the University reserves the right to take disciplinary action on a case-by-case basis regardless of the manner in which the incident was reported.

Medical amnesty applies only to alcohol or other drug-related emergencies but does not apply to other conduct violations such as assault, property damage, or distribution of illicit substances. If other violations occur, then a student will face disciplinary charges for those violations. The use/or abuse of alcohol or drugs is never considered a mitigating circumstance for any other violations of the Code of Student Conduct.

Medical amnesty applies only to the University response to a medical emergency. Criminal/police action may still occur separately from the Office of Student Conduct and Conflict Resolution.

Sanctions

Sanctions imposed for misconduct will be based on a consideration of the following factors:

- a. Nature of the violation
- b. Severity of the damage, injury, or harm resulting therefrom
- c. Student's past disciplinary record

The following list of sanctions is meant to be illustrative rather than exhaustive. The University reserves the right to create other sanctions based on the nature of the misconduct. In decreasing order of severity, the University's sanctions will include:

1. expulsion, which is the permanent separation of the student from the University. The student is permanently banned from entering all University property and prohibited from participating in any University-sponsored activities. A permanent notation will appear on the student's transcript.
2. suspension, which is the separation of the student from the University for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified. During the period of suspension, the student is banned from entering all University property, may not live in University housing, and is prohibited from participating in any University-sponsored activities. The student will not be granted credit for any academic work during the period of suspension (including a cooperative work assignment) and will receive a "W" grade for courses when the suspension occurs at any time during the period of a semester. A permanent notation will appear on the student's transcript.
3. deferred suspension, whereby the sanction of suspension is placed on deferred status. If the student is found in violation of any University rule/regulation during the period of deferred suspension, the student is subject to immediate suspension. Restrictions and/or conditions regarding participation in University-sponsored activities may be imposed. Students on deferred suspension may be members of organizations but may not hold any office, either by election, petition, or appointment, in any recognized student organization or group. A student will continue on probationary status for a specified period of time following the completion of deferred suspension.
4. the loss of eligibility for University-funded scholarships or funds, including part-time work.
5. cancellation of the *Residence Hall and Dining License Agreement*, which results in the separation of the student from University residence facilities either permanently or for a definite period of time. Upon the cancellation of the agreement, the student is banned from entering all University residence facilities during the specified period of separation.
6. probation, which is a formal warning for violation of University rules/regulations that places limitations on the student's good standing with the University. Probation is for a designated period of time and includes the probability of more severe sanctions to be imposed if the student is found in violation of any University rules/regulations during the period of probation. Students on probation may be members of organizations but may not hold any office, either by election, petition, or appointment, in any recognized student organization or group.
7. loss of ability to hold any office or position, either by election, petition, or appointment, in any recognized student organization or group for a specified amount of time.
8. loss of membership in teams, clubs, and/or officially recognized organizations.
9. community service.
10. restitution, which requires the student to make payment to the University or to specified individuals, groups, or organizations for costs incurred as a result of violation of University rules/regulations.
11. loss of guest privileges on campus or in residence halls.
12. letter of warning, which is a written reprimand for violation of University rules/regulations, including a warning that continuation or repetition of prohibited conduct may result in further disciplinary action.
13. submittal of letter of apology to complainant/victim.

14. educational sanction, which may include attending a program, counseling, developing a program, writing a paper, or other educational sanction. Students may be charged a fee to attend an educational program.
15. fines as outlined in the Code of Student Conduct.

The University reserves the right to consider mitigating and aggravating circumstances in determining sanctions.

The University also reserves the right to sanction any student found guilty of or responsible for a violation of state or federal law. In these instances, disciplinary action will be administered through the Office of Student Conduct and Conflict Resolution and will not be processed by the Student Conduct Board.

Students who are suspended or expelled are subject to "Refund Policies" found on pages 28–29 of this handbook and the *Residence Hall and Dining License Agreement* refund policy found in *A Guide to Residence Hall Living*.

All violations are assigned a level representing the degree of seriousness of the violation. That level is listed next to each violation. The definition of levels is:

Level I:

Considered grievous violations, all violations that are listed as level I may be heard by the Student Conduct Board, unless the student admits responsibility. In this case, an administrator in the Office of Student Conduct and Conflict Resolution would present the facts of the case to the appropriate board for sanctioning. Sanctions for a level I violation are up to and including expulsion.

Level II:

Considered serious violations, violations that are listed as level II are often heard by the Student Conduct Board, but may also be heard by an administrator. Minimum sanction for any violations listed as level II would be probation. Repeated violations, multiple violations, or the severity of the misconduct may heighten the University's response to the point of suspension or expulsion from the University and/or cancellation of the *Residence Hall and Dining License Agreement*. In addition, students may be fined up to \$200.

Level III:

Violations listed as level III are typically heard by an administrator. If the student lives in the residence halls and the violation occurred in on-campus housing, then the incident is typically reviewed by a staff member from the Office of Residential Life. Violations occurring outside of on-campus housing are typically heard by an administrator in the Office of Student Conduct and Conflict Resolution. Sanctions for level III are up to and including deferred suspension. Repeated violations, multiple violations, or the severity of the misconduct may heighten the University's response to the point of suspension or expulsion from the University and/or cancellation of the *Residence Hall and Dining License Agreement*. In addition, students may be fined up to \$200.

Level IV:

Violations listed as level IV are typically heard by an administrator. If the student lives in the residence halls and the violation occurred in on-campus housing, then the incident is typically reviewed by a staff member from the Office of Residential Life. Violations occurring outside of on-campus housing are typically heard by an administrator in the Office of Student Conduct and Conflict Resolution. Sanctions for level IV violations are up to and including probation. Repeated violations, multiple violations, or the severity of the misconduct may heighten the University's response to the point of suspension or expulsion from the University and/or cancellation of the *Residence Hall and Dining License Agreement*. In addition, students may be fined up to \$200.

Structure and Procedure of the Conduct Process

Any academic or administrative official, University staff member, faculty member, police officer, aggrieved member of the neighborhood community, or student may file charges against any student or student organization for misconduct. The role of the Office of Student Conduct and Conflict Resolution is to provide resolution to incidents where a violation of the University Code of Conduct may have occurred; it does not represent either party. The office does not investigate incidents. Therefore, some incidents may not be referred to the Office of Student Conduct and Conflict Resolution to act on until they are fully investigated.

Initiating a Complaint

Any person wishing to initiate a complaint regarding any Northeastern student may do so by submitting to the Office of Student Conduct and Conflict Resolution, in writing, the following information, if available:

1. Name(s) of the accused
2. Description of the incident
3. Names, addresses, and telephone numbers of witnesses
4. Names, addresses, and telephone numbers of those filing the complaint

Incidents involving resident students and occurring in the residence halls will typically be processed by the Residential Life staff should the following apply: It is one of the violations listed in *A Guide to Residence Hall Living* or the *Residence Hall and Dining License Agreement*, and the sanctions would typically result in less than suspension.

Incidents occurring off campus, or involving off-campus students, are referred directly to the Office of Student Conduct and Conflict Resolution. Cases where the result could be suspension or expulsion from the University may be heard by a Student Conduct Board.

All complaints or incidents referred to the Office of Student Conduct and Conflict Resolution will be reviewed to determine if it is possible that a violation of the Code of Conduct could have occurred. If so, the case is assigned to a staff member for review. Once a case is assigned and necessary documentation is in the office, the student will be notified of the incident, charges, and a meeting time to discuss the resolution of the case.

The University reserves the right to adjudicate cases involving illegal use and/or distribution of drugs, or cases where the safety of the University community is judged to be at risk, administratively rather than through the University Student Conduct Board if necessary to expediently respond to such violations.

Examples of Violations Typically Heard by the Office of Student Conduct and Conflict Resolution

- Violations while on probation (that may lead to separation from the University)
- Alcohol distribution, off-campus arrests
- Second and third alcohol violations
- Second on-campus drug violations (and sometimes first when involving numerous violations)
- Violence and sexual assault
- Harassment and intimidation based on race, gender, religion, or orientation
- Theft
- Academic dishonesty
- All off-campus student violations

When a determination has been made that there may be a possible violation of the Code of Student Conduct, the following will occur in the case of an administrative hearing:

Administrative Hearings by Office of Student Conduct and Conflict Resolution Staff and Residence Life Staff

The procedures for administrative hearings are similar to those for the Student Conduct Board except the decision is made by an administrator.

1. The charged student is sent an **Administrative Hearing Notice**, which notifies the student of the alleged violations, when they occurred, where they occurred, and who the complainant is. It also notifies the student of when and where the hearing will take place. The letter will be mailed to the student's local and/or permanent address as maintained through registrar's records.
2. **Hearing:** The administrator reviews the documentation concerning the incident with the student. The student tells his or her version of the incident. The student is also allowed to present written statements from witnesses. Based on a review of the information available (which may be delayed if continued review of the incident is required for a decision), the administrator decides if the student is responsible for the alleged violations. If the student is found responsible, the administrator renders a sanction(s).
3. If a student fails to appear for the scheduled meeting or fails to contact the administrator no later than twenty-four hours prior to the scheduled meeting, then the administrator has the option to dismiss the action with or without prejudice to either party, set a new hearing date, or make a decision based on the information available to the administrator.
4. **The Decision Letter:** The administrator will forward a letter to the student's local address notifying him/her of the decision of the hearing. The letter will include the rationale for the finding, sanctions (if applicable), and information on the appeal process (if applicable). Notification of hearing decisions may also be sent to the permanent address of the student as listed with the registrar unless University official records indicate "no parental notification."

Third parties, including but not limited to lawyers, advisors, parents, and guardians, are not permitted during an administrative hearing.

When a determination has been made that there may be a possible serious violation of the Code of Student Conduct that could result in suspension or expulsion, the following will occur when a student is referred for a conduct board hearing:

Pre-hearing Meeting

1. Charged students will meet with a Hearing Administrator prior to their hearing.
2. The Hearing Administrator reviews the incident and the charges against the student and shares the written documentation that forms the basis of the complaint.
3. The student can either elect to accept responsibility for the charges or choose to appear before the Student Conduct Board, which will then determine responsibility for the charges.
4. Students who accept responsibility for the charges do not appear before the Student Conduct Board. Rather, a Hearing Administrator presents the student's acceptance of responsibility, along with the written evidence, to at least two members of the Student Conduct Board. The student may provide additional written information for the board. The Student Conduct Board then determines the sanctions.
5. Students electing to appear before the Student Conduct Board will spend the rest of the pre-hearing meeting reviewing the hearing proceedings.

Composition of the Student Conduct Board Hearing

1. The Student Conduct Board shall hear cases involving undergraduate, graduate, online, and continuing education students and shall consist of student board members (resident and nonresident students).
2. The chairperson will be a student. His/Her responsibilities during the hearing will be to act as presiding officer at hearings and in all voting procedures.
3. A Hearing Administrator from the Office of Student Conduct and Conflict Resolution will be present during the hearing and all deliberations. Their role is to ensure the procedures are followed during the hearing of all cases. They do not vote or represent either party.
4. The board will consist of no fewer than three members (including the chairperson).

Decision-making Authority

1. The Student Conduct Board and designated administrators are authorized to take official disciplinary actions in accordance with the policies, regulations, and sanctions contained in the Code of Student Conduct and elsewhere in the *Student Handbook*.
2. The policies and procedures outlined in the Northeastern University Code of Student Conduct will at all times govern the adjudication of student conduct.
3. Requests and Injunctions (orders of restraint)
 - a. A written request requiring the appearance of an individual before the Student Conduct Board may be issued by a staff member of the Office of Student Conduct and Conflict Resolution if it is determined that the person's appearance is necessary in providing information for the board to make a decision regarding a student's case.
 - b. Temporary injunctions/orders of restraint (see below) must be determined by a designated University staff member and will be enforced by the Office of Student Conduct and Conflict Resolution.

Temporary Injunction (Temporary Orders of Restraint)

If a student or student organization is acting in such a way that may prove to be a violation of the Student Code of Conduct, a designated University administrator may issue a temporary injunction/order of restraint in order to prevent the continuation of such behavior. It is not necessary for there to be currently ongoing proceedings or even charges against the student or student organization when a temporary injunction/order of restraint is issued. A designated University administrator may issue a temporary injunction/order of restraint, according to the guidelines listed, when harm is deemed to be occurring and immediate action is deemed necessary.

1. A designated University administrator may issue a temporary injunction/order of restraint to prevent a student from acting in specified ways that may prove to be violations of the Student Code of Conduct. The designated University administrator may also prevent a student or student organization from committing an act that would negatively impact or interfere with OSCCR proceedings.
2. The designated administrator may restrain a student or student organization from assuming or exercising privileges granted to them by the University, pending action, and may issue a temporary injunction/order of restraint until a final judgment can be rendered.
3. In order to receive a temporary injunction/order of restraint, the prohibited action must be within the jurisdiction of the designated administrator issuing such an order.
4. The designated administrator sets the date that the temporary injunction/order of restraint expires, a period which initially will not exceed ten days. The ten-day period may be extended for cause or if the restrained party consents to an extension.
5. All temporary injunctions/orders of restraint will specify the reasons for the restraint, the act or acts that are restrained, and the parties bound by such restraint.

Interim Suspension

1. The vice president for Student Affairs or his or her designee may remove or intermily suspend a student from the residence halls and/or classes, pending a hearing, if sufficient facts indicate the student presents a threat to himself or herself or to others.

Voting

1. All references to decisions made by a vote of the Student Conduct Board shall be construed to refer to those board members present and eligible to vote.
2. The presiding chairperson shall vote in all cases.
3. There will be no abstentions in voting.
4. Self-disqualification on the part of any Student Conduct Board members will be required whenever a conflict of interest exists. Such proposed withdrawal will be brought to the Student Conduct Board prior to its hearing of the case and will be decided in accordance with procedures established by the Office of Student Conduct and Conflict Resolution.

Hearing Procedures

1. A student charged with a violation will be assigned the next available hearing date by an administrator in the Office of Student Conduct and Conflict Resolution. A student's request for a continuance must be supplemented by written documentation. A continuance will be granted only under extreme circumstances and at the discretion of the Office of Student Conduct and Conflict Resolution.
2. The appropriate Student Conduct Board or hearing administrator may request, but not demand, that an accused student submit written statements to the board before a hearing; either party may file a written statement voluntarily.
3. Attendance at hearings is limited to parties involved and University officials as deemed necessary by the board and/or by the Office of Student Conduct and Conflict Resolution. Attendees are entitled to be accompanied by an advisor chosen from the University community. Live character testimony is not permitted, although a charged student may submit written character references to the Student Conduct Board. Attorneys, parents, or guardians are not permitted in hearings at any time.
4. Witnesses may be presented by the complainant or the charged student provided that a witness list is submitted to the Office of Student Conduct and Conflict Resolution two business days prior to the hearing.
5. If either party fails to appear when the case is called for a hearing, the Student Conduct Board or Hearing Administrator, in their sole discretion, may dismiss the action with or without prejudice to either party, set a new hearing date, or continue the hearing without that party present and/or represented. In the last instance, the board or Hearing Administrator may make decisions regarding responsibility and sanction the charged student as appropriate.
6. Each party may have any one member of the University community as an advisor. The Office of Student Conduct and Conflict Resolution may make available a list of members of the University community who are willing and able to serve as advisors. The charged student or complainant may act without an advisor if he or she wishes.
7. The role of the advisor is:
 - a. to provide the advisee with assistance in understanding how the hearing will proceed
 - b. provide assistance with understanding the resolution process
 - c. provide emotional support before, during, and after a hearingAt no time is the advisor permitted to address the board directly.

8. Presentation of evidence shall generally proceed as follows:
 - a. Complainant's (complainant is the individual or the office that initiated a complaint to the Office of Student Conduct and Conflict Resolution) opening statement and perspective
 - Questioning of complainant (charged student and conduct board members)
 - b. Charged student's (a charged student is the individual(s) charged with a violation of the Code of Conduct) opening statement and perspective
 - Questioning of charged student (complainant and conduct board members)
 - c. Statements from complainant's witnesses
 - Questioning of complainant's witnesses (complainant, charged student, and conduct board members)
 - d. Statements from charged student's witnesses
 - Questioning of charged student's witnesses (charged student, complainant, and conduct board members)
 - e. Final questions from the Student Conduct Board
 - f. Complainant's closing statement
 - g. Charged student's closing statement, including any statement as to mitigating circumstances
 - h. The board may ask questions at any time during the hearing
9. During the course of a hearing, all points of clarification shall be determined by the Hearing Administrator or a majority vote of the Student Conduct Board members.
10. Should more than one student be involved in an incident going before a conduct board, then all students involved may be assigned to the same hearing.
11. Student Conduct Board proceedings are audio-recorded for the purpose of appeals only. Students who appeal may request to listen to the recording of the hearing in the Office of Student Conduct and Conflict Resolution. Recordings are not to be removed from the Office of Student Conduct and Conflict Resolution. Recordings are destroyed upon expiration of the appeal period.
12. A written summary of the Hearing Administrator's or Student Conduct Board's action shall be filed after the completion of a hearing.
13. All records of the case will be confidential.
14. Members of the Northeastern University police may be requested to be present at hearings when the case warrants it.
15. Decisions to impose a level I sanction for any violation other than a level I violation shall require a simple majority vote.
16. Students charged with a level I grievous violation and/or a level II violation during the last two weeks of classes or finals week have the option of electing to:
 - a. choose an administrative hearing to be held prior to leaving for the semester, or
 - b. return the next semester for a full Student Conduct Board hearing. This option may involve a financial loss depending on the student's circumstance regarding classes and housing.

The student's choice of a hearing body is final.

Procedures for Student Appeals

Students may appeal disciplinary actions based on the following:

- a. the student asserts a procedural error that impaired his or her right to a fair opportunity to be heard
- b. information has arisen that could not reasonably have been made available during the original hearing and may have been sufficient to alter the original judicial board/officer's decision
- c. The student requests review of the sanction because of extraordinary personal circumstances

Students may appeal disciplinary actions as follows:

1. Appeals of Student Conduct Board or administrative hearings must be made in writing, by the charged student, to the Office of Student Conduct and Conflict Resolution no more than five business days after the decision is made. It is the student's responsibility to obtain a copy of the decision letter.
2. Appeals of hearings heard by Residential Life staff will be reviewed by the director of the Office of Student Conduct and Conflict Resolution or his or her designee.
3. Appeals of hearings heard by an administrator in the Office of Student Conduct and Conflict Resolution, or appeals of conduct board cases, will be heard by the Appeals Board. Appeals Board members are individuals who were not involved in the original hearing. The Appeals Board will consist of three voting members: chairperson, faculty/staff member, and a student. The director of the Office of Student Conduct and Conflict Resolution or designee will serve as an ex-officio member of the Appeals Board.
4. Appeals of administrative hearings or Student Conduct Board decisions will be heard only if the student asserts a procedural error that impaired his or her right to a fair opportunity to be heard, or if evidence has arisen that was not reasonably available during the original hearing and may have altered the outcome of the hearing. The student must write an appeal letter that specifically addresses the reason for the appeal.
5. The Appeals Board may review written documentation in the course of its deliberations. If the board deems it necessary, the student and other persons involved in the case may be interviewed.
6. The Appeals Board will take one of the following actions:
 - a. concur with original action.
 - b. remand the matter to the appropriate hearing body if based on a procedural error. In this case, the entire case may be reheard, as if it had not been heard before.
 - c. remand the matter back to the original hearing board if based on the grounds of new evidence. The original board, complainant, charged students, and if required, witnesses, will be reconvened to review only the new evidence. The board will then render a decision based on the new evidence.
7. A student who desires a review of the sanctions assigned by a hearing body may document, in writing, extraordinary personal circumstances. Once the determination is made to review the written request, the Appeals Board then may either:
 - a. concur with the original action, or
 - b. mitigate the sanctions. Students should understand that this option would be exercised only in rare circumstances. The University reserves the right to take any action necessary to corroborate the student's statements.
8. All decisions of the Appeals Board are final.

Maintenance of Disciplinary Records

1. The University will permanently maintain the disciplinary records of those students separated from Northeastern by suspension or expulsion. The comment "Withdrawn, Expulsion" will be printed on the student's transcript if the student is expelled. The comment "Withdrawn, University Action" will be printed on the student's transcript if the student is suspended.
2. The University will destroy the disciplinary records of those students who received sanctions other than suspension or expulsion upon graduation from Northeastern.
3. If a student withdraws from the University, disciplinary records will be maintained until the student's original expected graduation date. If the student re-enters the University, the records will be destroyed upon graduation.