

## HONOR CODE

On my honor, I pledge to uphold the values of honesty, integrity, and respect that are expected of me as a Northeastern student.

## CODE OF STUDENT CONDUCT

**[northeastern.edu/osccr](http://northeastern.edu/osccr)**

Adopted November 12, 1971; last revised in March 2013.

The purpose of the Code of Student Conduct is to set forth the University's 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 interests of members of the University community, individually and collectively.

### **Applicability of the Code On and Off Campus/Jurisdiction of the Code**

The Code of Student Conduct applies to all registered Northeastern University students at all levels of study, in all colleges and programs, locally or abroad who are enrolled at Northeastern University, as well as all student groups and organizations.

**The Code of Student Conduct applies on campus as well as off campus. The University sets guidelines for the behavior of its students. The guidelines are established to promote student conduct that 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. Student behavior occurring off campus in violation of the Code, or local, state, federal, or host country laws and that could affect the educational mission of the University or its relationship with the surrounding community may subject students to discipline as noted in the Code of Student Conduct.**

Violations of the Code of Student 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 hold will be placed on the student's record and the student will be banned from campus. The hold will prevent a student from re-enrolling at the University until the alleged violations have been resolved.

### **General Expectations**

As citizens and as members of an academic community, students enjoy the same basic privileges and are bound by the same responsibilities as all citizens. The campus is not a sanctuary from the general law. Northeastern University assumes that all students will abide by the policies, rules, and regulations of the University and by state, local, federal, and host country laws. The University reserves the right to inform police or other appropriate authorities when student behavior appears to violate 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; conducted in a manner consistent with the Code and University policies; and in such a way that University business and respectful academic discourse are not unduly disrupted. Moreover, students must clearly indicate that they are speaking as individuals and not for or on behalf of 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, laboratories, University events, and residence halls must be free from any sort of undue 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 Code of Student Conduct has been developed with the assistance of students, faculty, and staff of the University.

## **Student Expectations**

Each Northeastern Student can expect:

- 1.** Written notification of any and all alleged Code of Student Conduct violations within a reasonable\* period of time from the filing of the complaint or incident report pertinent to those allegations. This notification will state the date, time, and place of the administrative hearing or pre-hearing meeting, in the case of a Student Conduct Board hearing. The date, place of incident, and the name of the complainant will also be included.
- 2.** The opportunity to reschedule a hearing date up to one (1) business day prior to the hearing, due to academic or other reasonable\* conflicts.
- 3.** To request that an administrative hearing be suspended after the presentation of evidence should the student desire to reevaluate responsibility for the charges.
- 4.** The hearing may proceed without the student's presence, consistent with the Code of Student Conduct.
- 5.** To receive the decision letter within a reasonable\* period of time from the conclusion of all hearings pertinent to the case.

\*Reasonable as determined by OSCCR.

In cases where a Student Conduct Board hearing is scheduled, the following procedural rights apply, as outlined in the Code of Student Conduct:

- 1.** To review, in writing, all written information pertinent to the case, a minimum of one (1) business day prior to the designated Student Conduct Board hearing date, and to rebut unfavorable inferences that might be drawn from such statements during the Student Conduct Board hearing.

2. To a hearing with no fewer than five (5) Student Conduct Board members present. A student may waive this right if the student wishes to have a hearing convened with no fewer than three (3) Student Conduct Board members.
3. To request the removal of any number of names from the list of prospective conduct board members, with proper notification and explanation.
4. To question witnesses, to produce witnesses on the student's own behalf, and to present substantiating information and written personal statements on the student's own behalf. Witnesses are defined as individuals who were at the incident in question and/or have information pertinent to the incident in question.
5. To choose an advisor, as outlined within the Structure and Procedure section of the Code of Student Conduct, to serve as a guide throughout the Student Conduct Board Process.
6. To choose to appeal any decision within five (5) business days of the date of the decision letter on the basis of: procedural error, new information that has arisen that was not available at the time of the hearing, or review of the imposed sanctions based on extraordinary circumstances.

Each Northeastern student has the responsibility:

1. To review and abide by the University's Code of Student Conduct and University Policies and Procedures.
2. To maintain their University e-mail address<sup>†</sup> and respond to any Northeastern University notifications sent directly to the individual student.
3. To maintain their local address information and update it at the beginning of each semester when they are an active student.
4. To represent the University appropriately, both on and off campus.
5. To respect the differences of individuals and treat others in a civil and respectful fashion.
6. To carry their University ID with them at all times and present it to officials when requested.

<sup>†</sup>Northeastern considers and assumes any communications sent to a student's official Northeastern e-mail account to be received by the student.

### **Decision-making Authority**

1. The Vice President for Student Affairs is responsible for the overall administration of the Code of Student Conduct as well as the Student Conduct Process. Under the oversight of the Vice President for Student Affairs, the Director in the Office of Student Conduct and Conflict Resolution has been charged with the day-to-day responsibility for administering the Code of Student Conduct and the Student Conduct Process.
2. The Student Conduct Board and designated Hearing Administrators are authorized to take official disciplinary actions in accordance with the policies, regulations, and sanctions contained in the Code of Student Conduct and other policies and regulations of the University.
3. The policies and procedures outlined in the Northeastern University Code of Student Conduct will at all times govern the adjudication of matters relating to the Code.

## 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 may be additionally charged with the appropriate alcohol or drug violation.

Violations are listed in alphabetical order; the order of violations is not indicative of the seriousness of each violation. All violations are assigned a level representing the degree of seriousness of the violation. That level is listed next to each violation. It should be noted that while the level represents the degree of seriousness of the violation, other factors might be taken into consideration in applying sanctions. Such factors include but are not limited to the nature of the violation, severity of the damage, harm or injury, or the student's past conduct history.

Experience demonstrates that inappropriate behavior will often involve violations of more than one standard of conduct listed in this Code. *Repeated violations, multiple violations, or the severity of the misconduct may heighten the University's response and may yield sanctions beyond those discussed in this Code or beyond the suggested seriousness listed in level definitions. Such heightened response could include suspension or expulsion from the University and/or cancellation of the Residence Hall and Dining License Agreement. In addition, students may incur monetary fines of up to \$200.* Information regarding specific sanctions can be found on pages 10, 11, 12, and 16–18.

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

### **The definition of each level follows:**

**Level I:** Sanctions for the first violation of level I are up to and including expulsion.

**Level II:** Sanctions for the first violation of level II are up to and including deferred suspension.

**Level III:** Sanctions for the first violation of level III are up to and including probation.

**Level IV:** Sanctions for the first violation of level IV may be a written warning but can be up to and including probation.

### **Abuse of Others**

1. Bullying, defined as the repeated use of written, verbal, or electronic expression or communication, or a verbal, electronic, or physical act or gesture, or any combination thereof that (i) causes or is intended to cause physical, psychological and/or emotional harm to another person or damage to property; (ii) places a University community member in reasonable fear of harm to or damage to property; or (iii) creates a hostile, threatening, intimidating, humiliating, or abusive environment for a University community member or substantially interferes with academic performance,

opportunities, or benefits. For purposes of this section, bullying may include, but is not limited to: social exclusion or isolation, humiliation or degradation, threats, intimidation, harassment, stalking, theft and/or damage/destruction of property, or the perpetuation of any of the conduct listed in this section by inciting, soliciting, or coercing others to demean, embarrass, humiliate, or cause emotional, psychological, or physical harm to a member of the University community. *(level II or III\*)*

2. Domestic Violence defined as the intentional infliction of physical, sexual or psychological harm on a current or former roommate, partner, or spouse. Domestic Violence includes dating, intimate partner, and relationship violence. *(level II or III\*)*
3. Harassment, defined as repeated and/or continuing unwanted behavior, coercion, or intimidation of an individual or group, either directly or indirectly, on the basis of race, color, religion, religious creed, genetics, sex, gender identity, sexual orientation, age, national origin, ancestry, veteran, or disability status. *(level II or III\*)*
4. Verbal, written, graphic, or electronic abuse. *(level II or III\*)*

\*The level of sanctioning will be dependent upon the nature of the incident with respect to above description.

### **Academic Integrity**

As defined in the Academic Integrity Policy (pages 38–41). *(level II)*

### **Aiding and Abetting**

Knowingly aiding, abetting, or cooperating in an act or action that violates the Code of Student Conduct. A student may be held responsible as though the student was a direct participant in the violation, even if information indicates the student was not directly involved in the perpetration of the violation. *(level I through IV\*)*

\*The level of the sanctioning for the student present may depend upon the actual violation committed.

### **Alcohol Policy**

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 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 the room only if the 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, other central sources of alcoholic beverages, or other unauthorized quantities of alcohol is not permitted. 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. *(level III)*
  - a. A person must be of legal drinking age to possess or consume alcoholic beverages. In the United States, the legal drinking age is twenty-one.
  - b. An individual twenty-one years of age or older may possess and/or consume alcohol only in the student's residence hall room or in the residence hall room of another resident who is twenty-one years of age or older and present in the room, 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.
  - 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 funnels, AWOL (Alcohol Without Liquid) generators or vaporizers, etc.), regardless of age. *(level III)*
7. Providing alcohol to anyone under the legal drinking age and/or allowing anyone under the legal drinking age to consume alcohol in on- or off-campus residences. *(level II)*
8. Requiring the consumption of alcohol by someone as a condition of initiation or admission into, affiliation with, or continued membership or participation in any group or organization.
9. Distribution, sale, or manufacture of alcohol.\* *(level I)*
  - a. Manufacturing alcohol on Northeastern University-owned or -leased property.
  - b. Selling alcohol without a liquor license, including, but not limited to, the sale of cups and/or any other form of container for the distribution of alcohol.
  - c. Distributing alcohol includes providing a central source or large quantity of alcohol.

\*Distribution or sale of alcohol could result in a sanction of at least suspension from the University.

### **Sanction Guidelines for Violating the Alcohol Policy**

The sanctions set forth below provide Hearing Administrators with a starting point for sanctioning cases involving alcohol. Depending on the information obtained through the Hearing and the severity of the harm, the imposed sanctions may be enhanced or lessened. Please be advised that students found responsible for violating these regulations risk the cancellation of their *Residence Hall License and Dining Agreement*.

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

***A letter may be sent home to a parent/legal guardian in all cases where there has been a violation of the Alcohol Policy.***

### **Bias-Related Incidents**

Conduct prohibited by this Code, including but not limited to harassment, bullying, abuse of others, disorderly conduct, and vandalism, that is motivated in whole or part by prejudice towards an individual's or group's real or perceived race, color, religion, religious creed, genetics, sex, sexual orientation, gender identity, age, national origin, ancestry, disability, or veteran status. *(level I)*

### **Breaking and Entering and/or Theft**

1. 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 pages 42–50).
2. Attempted or actual forcible access to property. *(level I)*
3. Possession of stolen property. *(level II)*
4. Attempted or actual theft of property, identity, or services. *(level I)*

### **Dangerous Weapons**

Possession or use of items that could be used or are used to threaten another individual with physical harm. Those items include but are not limited to nunchaku (karate sticks), pepper spray or mace, switchblades, knives, fake guns, tazers, BB guns, fireworks, ammunition, explosive devices, or firearms, except under official supervision as part of a recognized student activity. *(level I)*

### **Disorderly Conduct**

Conduct that is inappropriate, disorderly, or disruptive in nature. Examples include, but are not limited to, disruptive behavior in the classroom, public urination, yelling, use of profanity, behavior that a reasonable person would consider disorderly. *(level III)*

### **Disruptive Gatherings**

Hosting a disruptive gathering, whether on or off campus. Examples include, but are not limited to: gatherings that result in a noise complaint and/or police response, those that are disruptive to neighbors in any way, excessive attendance beyond what is safe and/or reasonable. *(level II or III\*)*

\*The level of sanctioning will be dependent upon the nature of the incident with respect to above description.

### **Drug Policy**

1. Knowingly being in the company of anyone who is using illegal drugs. *(level IV)*
2. Possession or consumption of: illegal drugs, salvia divinorum, prescription medications belonging to another individual, or over-the-counter substances, nitrous oxide, or other available substances to "get high" or induce a mind-altering state. *(level II)*

3. Possession, use, manufacture, distribution, or sale of drug paraphernalia or other items used in preparing or consuming illegal drugs. *(level II)*
4. Promotion of illegal drugs. *(level IV)*
5. Distribution, sale, or manufacture of drugs (marijuana, mushrooms, prescription drugs, and so on).\* This includes the sharing of drugs, cultivation of drugs, and any other form of distribution or intention of distribution. *(level I)*

\*Distribution, sale, or manufacture of illegal drugs could result in a sanction of suspension or expulsion from the University.

### **Sanction Guidelines for Violating the Drug Policy**

The sanctions set forth below provide Hearing Administrators with a starting point for sanctioning cases involving drugs. Depending on the information obtained through the Hearing and the severity of the harm, the imposed sanctions may be enhanced or lessened. Please be advised that students found responsible for violating these regulations risk the cancellation of their *Residence Hall License and Dining Agreement*.

- 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

***A letter may be sent home to a parent/legal guardian in all cases where there has been a violation of the Drug Policy.***

### **Endangering Behavior**

Conduct demonstrating that the student constitutes a threat to self or others, or to the proper functioning of the University, including but not limited to threats, excessive consumption, intoxication, bypassing security measures, dropping items from a window, and using any item to cause fear and intimidation and/or injury to another. *(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 that may endanger oneself or others. *(level III alcohol and/or drug)*

### **Failure to Comply**

1. Failure to comply with or violation of the terms of an imposed disciplinary sanction.
2. Failure to follow the reasonable directions of University officials (including public safety officers and faculty and staff at Northeastern), law enforcement agents, cooperative work assignment employers, or officials at 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:

1. 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, or other such intentional or reckless conduct that causes harm or reasonable fear of harm to persons or property. *(level I)*
2. Misusing, tampering, or damaging fire safety equipment (including alarm systems, alarmed fire safety doors, smoke detectors, or fire extinguishers). *(level II)*
3. Failure to vacate University buildings during or after a fire alarm. *(level III)*
4. Entering or re-entering a building during a fire alarm. *(level III)*

## **Forgery**

Forgery, alteration, or misuse of 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. *(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, causes mental or physical fatigue or distress, discomfort, embarrassment, harassment, ridicule, or intimidation, causes damage to or destruction of property, or which is a violation of law, University policy, or the Code of Student Conduct. 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/Sexual Violence**

### **1. Sexual Assault** *(level I)*

- a. With penetration, defined as the oral, anal, or vaginal penetration by an inanimate object, penis, or other bodily part without consent, as defined below.
- b. Without penetration, defined as the touching of the intimate body parts of another (for example, breasts, buttocks, groin, genitals, or the clothing covering them, without consent as defined on next page).

**2. Sexual Misconduct** is any unwanted act that is intended in a sexual manner or any unwanted touching of a body part not usually considered intimate. Examples include, but are not limited to, providing an unwanted back massage to another person, exposing one's genitals or other intimate body parts to a particular person or to the general public, repeated sexually charged verbal abuse related to one's gender, repeated obscene phone calls or mail, or the viewing, filming, photographing, and/or recording in any manner or by any means transmitting and/or disseminating any recording of any type of sexual acts, partial or full nudity, inappropriate materials, sounds, or images of another person without the knowledge and consent, as defined below, of all parties involved. *(level II)*

**CONSENT:** Appropriate sexual behavior requires consent from all parties involved.

Consent means a voluntary agreement to engage in sexual activity proposed by another and requires mutually understandable and communicated words and/or actions demonstrating agreement by both parties to participate in all sexual activities.

Consent may never be given by minors (in Massachusetts, those not yet 16 years of age), mentally disabled persons, or those who are incapacitated or intoxicated as a result of alcohol or other drug consumption (voluntary or involuntary) or those who are unconscious, unaware, or otherwise physically helpless. Physical force, threats, intimidating behavior, duress, or coercion cannot be used to gain consent. A person who is incapacitated or intoxicated cannot give consent to sexual activity with that person. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why, or how of their sexual activities.

"Without consent" may be communicated by words and/or actions demonstrating unwillingness to engage in proposed sexual activity.

**Additional clarifying notes for consent:**

- Consent is mutually understandable when a reasonable person would consider the words and/or actions of the parties to have expressed a mutually understandable agreement between them to do the same thing, in the same way, at the same time, with one another;
- In the absence of mutually understandable words and/or actions, it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity, to make sure to obtain consent from the partner(s); both parties may be initiators at different points of sexual activity; a person's initiation of a sexual act constitutes consent to that act, but not necessarily to subsequent acts;
- Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated in mutually understandable words and/or actions, and all sexual activity must cease;
- The person who is the object of sexual advances is not required to physically or otherwise resist;
- Silence, previous sexual relationships or experiences, and/or a current relationship may not, in themselves, be taken to imply consent;
- Use of alcohol or other drugs by the charged student does not mitigate a violation of the Inappropriate Sexual Behavior Policy;

- Coercion is pressure for unwanted sexual activity. When someone makes clear that they do not want to go past a certain point of sexual activity, continued pressure beyond that point may be considered coercive.

### **Inappropriate Identification**

1. The manufacturing, production, and/or distribution of any fake identification. *(level I)*
2. Use of identification other than your own or possession of a false or altered ID. *(level III)*
3. Representing yourself as someone other than who you are. *(level III)*
4. Impersonating a University official. *(level III)*

### **Misrepresentation of Information**

Falsification, distortion, or misrepresentation of information to the University or its officials (including public safety officers and faculty and staff at Northeastern), law enforcement agents, cooperative work assignment employers, or officials at other colleges and universities, that is intended to mislead in investigations or administrative processes, or could adversely affect the mission of the University. *(level III)*

### **Misuse of Electronic Resources**

Misuse of electronic systems or methods (for example, e-mail, “hacking,” and so on) to steal, misrepresent, threaten, harass, or bully (including on-line aggression or cyberbullying), or violations of the Appropriate Use of Computer and Network Resources Policy (pages 42–50) and/or any other computer or system use. *(level III)*

### **Noise**

Noise disturbances in residence halls, on-campus, or in neighborhoods. *(level IV)*

### **Physical Abuse**

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

### **Retaliation**

Any intentional or attempted act against a person who in good faith makes a report, serves as a witness, or participates in an investigation or hearing regarding a violation of the Code of Student Conduct or other University policy. *(level III)*

### **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)*

### **Stalking**

Stalking, defined as a willful and/or malicious pattern of conduct or series of acts directed at a specific person, which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress. Examples of stalking include, but are not limited to, conduct, acts or threats conducted in person, or by mail, phone, electronic communication, or social media. *(level II)*

### **Unauthorized Access**

Unauthorized access or entry to, into, or onto any property owned or operated by the University or any private or restricted property. *(level II)*

### **Unauthorized Use/Possession of Other's Property**

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

### **Unauthorized Use of University Identification Marks**

Unauthorized use of the University's name or other identifying mark, including but not limited to: postings, letterhead, websites, pamphlets, Social Media, etc. *(level II)*

### **University Guest Policy**

Failure to control guests on campus or at University-sponsored events. Refer to the *Residence Hall and Dining License Agreement and/or A Guide to Residence Hall Living* for specific regulations regarding guests in residence halls. If a guest violates University policy, the host may be held accountable for actions of the guest. The level of sanctioning for the host may be dependent upon the nature of the incident(s). *(level I through IV)*

### **Vandalism**

Destruction or defacement of public or private property. *(level III)*

### **Violation of Guide to Residence Hall Living**

Failure to abide by the rules and regulations set forth for all on-campus students and stated in the *Guide to Residence Hall Living*. *(level IV)*

### **Violation of The N.U.in Program Supplemental Guide to Participant Conduct**

Failure to abide by the rules and regulations set forth for all N.U.in participants and/or established in conjunction with N.U.in partner institutions. *(level I-IV)*

### **Violation of University Policies**

Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website. *(level IV)*

### **Sanctions**

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

1. Nature of the violation(s)
2. Severity of the damage, injury, or harm resulting therefrom
3. Student's past disciplinary record
4. Mitigating circumstances
5. Aggravating circumstances, which may include bias-motivation

**The following list of sanctions is meant to be illustrative rather than exhaustive.**

The University reserves the right to create other sanctions as well as choose more than one sanction based on the nature of the misconduct.

**The University's sanctions include:**

- 1. Expulsion**, which is the permanent separation of the student from the University. Students are permanently banned from entering all University property and prohibited from participating in any University-sponsored activities. A permanent notation, "Withdrawn Expelled (WE)," 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, students are banned from entering all University property, may not live in University housing, and are prohibited from participating in any University-sponsored activities. Students are expected to adhere to all University policies while on suspension and will be held accountable for any violations during the period of suspension. Students will not be granted credit for any academic work during the period of suspension (including a cooperative work assignment). A permanent notation, "Withdrawn Disciplinary Action (WDA)," will appear on the student's transcript. A student will continue on Disciplinary Probation for a specified period of time following the completion of suspension.
- 3. Deferred Suspension**, which is the most serious formal warning for violation of University rules/regulations that affects the student's good standing with the University. Students on deferred suspension may be limited in their ability to attend University programs, including those outside the country during the period of deferred suspension. Deferred Suspension is for a designated period of time. If the student is found responsible for violating any additional University rule/regulation during the period of Deferred Suspension, suspension may become effective and the student may be subject to additional sanctions for the additional violation. 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 elected or appointed position in any recognized student organization or group, represent the student body on any University committee, or serve the University in other leadership positions. A student will continue on Disciplinary Probation for a specified period of time following the completion of Deferred Suspension.
- 4. Disciplinary Probation**, which is a formal warning for violation of University rules/regulations affects 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 elected or appointed position in any recognized student organization or group, represent the student body on any University committee, or serve the University in other leadership positions. Students may run for office while on probation, but they may not take office while still on probation.
- 5. Letter of warning**, which is a formal warning for violation of University rules/regulations, including a statement that continuation or repetition of prohibited conduct may result in more serious sanctions.
- 6. 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.

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. Loss of access to University buildings, facilities, or resources for a specified period of time or permanently.
10. Mandated Service.
11. 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.
12. Loss of guest privileges on campus or in residence halls.
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 also reserves the right to sanction any student found responsible, who pleads no contest, or is found guilty in a court of law for a violation of 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, expelled, or have their *Residence Hall and Dining License Agreement* canceled are subject to "Refund Policies" found in this handbook and the *Residence Hall and Dining License Agreement* refund policy found in *A Guide to Residence Hall Living*. In addition, students should review their financial aid and scholarship information to get clarification on those policies.

### **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. Neither the caller nor student requiring 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 receive Medical Amnesty and will have a confidential "check in" meeting with a staff member from the Office of Prevention and Education at Northeastern (O.P.E.N.). 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. When repeated instances of drug or alcohol emergencies 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 but not limited to 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 not 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.

### **Temporary Measures Administrative Directive**

If a student or student organization is acting in such a way that may prove to be a violation of the Code of Student Conduct, the Vice President for Student Affairs, or designee, may issue an administrative directive prohibiting the continuation of such behavior. It is not necessary for there to be current ongoing proceedings or even charges against the student or student organization when an administrative directive is issued. A designated University administrator may issue an administrative directive, according to the guidelines listed, when harm is deemed to be occurring and immediate action is deemed necessary. The Office of Student Conduct and Conflict Resolution will enforce the directive.

- 1.** A designated University administrator may issue an administrative directive:
  - a.** to prevent a student from acting in specified ways that may result in violations of the Code of Student Conduct. The designated University administrator may also prevent a student or student organization from committing an act that would negatively impact or interfere with the Office of Student Conduct and Conflict Resolution proceedings, or any other similar proceedings.
  - b.** to restrain a student or student organization from assuming or exercising privileges granted to them by the University, pending action, until a final judgment can be rendered.
- 2.** In order to receive an administrative directive, the prohibited action must be within the jurisdiction of the administrator issuing such an order, or such administrator's designee.
- 3.** The designated administrator determines the date that the administrative directive expires, a period which initially will not exceed 10 days. The 10-day period may be extended for cause or if the restrained party consents to an extension.
- 4.** Administrative directives will specify the reasons for the directive, the act or acts that are prohibited, and the student or organization bound by such directive.

### **Interim Suspension**

The Vice President for Student Affairs or his or her designee may impose an Interim Suspension to a student if sufficient facts indicate that the student presents a threat to the University community. In most instances, a student who has been interimsly suspended

from the University will be immediately banned from the University community. Interim Suspension may include restrictions on class attendance, access into residence halls, and/or access to or use of University-owned or operated property. The Vice President of Student Affairs or his or her designee may remove the Interim Suspension.

Students who have been intermily suspended from the University will have a hold placed on their record and will need to make advance arrangements with the Office of Student Conduct and Conflict Resolution for approval any time they may need to be on campus to take care of University-related business during the period of the Interim Suspension. In cases involving Interim Suspension, every effort will be made to conclude the hearing and obtain a decision from the hearing board within 10 business days after the Interim Suspension was imposed.

### **Structure and Procedure of the Conduct Process**

Any academic or administrative official, University staff member, faculty member, law enforcement agency, aggrieved member of the community, or student may file a complaint against any student or student organization for misconduct. The role of the Office of Student Conduct and Conflict Resolution is to resolve complaints or alleged violations of the Code of Student Conduct; it does not represent either party. From time to time, the Office may conduct an investigation to gather information about the alleged violations.

#### **Initiating a Complaint**

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

1. Name(s) of the student alleged to have violated the Code of Student Conduct
2. Description of the incident
3. Names and contact information of witnesses
4. Names and contact information of those filing the complaint

\*In general, the person who submits a complaint will serve as the complainant in the conduct process.

Incident Reports can be submitted by clicking on the "Reporting an Incident" link found online at [northeastern.edu/osccr](http://northeastern.edu/osccr)

#### **Reviewing a Complaint**

Once received, the Director of the Office of Student Conduct and Conflict Resolution reviews the complaint to determine if a violation of the Code of Student Conduct allegedly occurred. If so, the case is assigned to a staff member. Once a case is assigned and necessary documentation is received, the staff member will determine the appropriate type of hearing to which the student will be assigned (Administrative or Student Conduct Board). The student will receive notification via e-mail identifying the incident, charge(s), complainant, and meeting time to discuss the resolution of the case.

#### **Hearing Options**

Residential Life staff will typically process incidents occurring in the residence halls or involving resident students. Hearings heard in Residential Life typically result in sanctions less than suspension.

The Office of Student Conduct and Conflict Resolution reserves the right to determine if the incident can be disposed of by alternative means of resolution, by mutual consent of the parties involved, or on a similar basis acceptable to the Office. Such disposition shall be final and there shall be no subsequent proceedings.

***Please note: the University reserves the right to resolve 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 Student Conduct Board, if necessary, to expediently respond to such violations.***

### **Administrative Hearing**

When the severity of the incident would not result in suspension or expulsion from the University, the student(s) involved will attend an Administrative Hearing with a Hearing Administrator from either the Office of Student Conduct and Conflict Resolution or Residential Life.

- 1. Notification:** The charged student is e-mailed an **Administrative Hearing Notice** to the student's University e-mail account, which notifies the student of the alleged violation(s), the date of the incident, the location of the incident, and the name of the complainant. The e-mail also notifies the student of the date and location of the hearing. If the student is unable to attend the hearing due to an academic or other reasonable conflict, the student must contact the Hearing Administrator no later than one (1) business day prior to the hearing date to request the hearing be rescheduled.
- 2. Hearing:** In an Administrative Hearing, the Hearing Administrator, and student meet one-on-one to discuss the incident resulting in the student's attendance at the hearing. The Hearing Administrator reviews the documentation concerning the incident with the student, and the student provides an account of the incident. Third parties, including but not limited to witnesses, lawyers, parents, guardians, and advisors, are not permitted to attend an Administrative Hearing. The student can present written statements from witnesses, however. The student may request that the Administrative Hearing be suspended for a brief and agreed upon amount of time after the presentation of evidence, should the student desire to reevaluate responsibility for the charges. Based on a review of the information available (which may be delayed if continued review of the incident is required for a decision), the Hearing Administrator determines if the student is responsible for the alleged violation(s) by using a preponderance of the information, or a "more likely than not" standard of proof. If the student is found responsible, the Hearing Administrator renders a sanction(s).  
**Failure to appear:** If a student fails to appear for the scheduled meeting, then the Hearing 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.
- 3. The Decision Letter:** After the Hearing Administrator makes a determination and applies necessary sanctions, the student will receive a decision letter via e-mail to the student's University e-mail account. The letter will include the rationale for the finding(s), sanctions (if applicable), and information on the appeal process (if applicable). Unless otherwise noted in a student's records, the University reserves the right to notify parents in the outcome of all cases.

## **Student Conduct Board Hearings**

When the severity of the incident would result in suspension or expulsion from the University, or if the facts of the incident are so complex that an Administrative Hearing is not appropriate, the student(s) involved participate in a Student Conduct Board Hearing.

### **Composition of the Student Conduct Board Hearing**

1. The Student Conduct Board shall hear cases involving undergraduate, graduate, online, law, and professional studies students and shall consist of student board members (resident and nonresident students). In cases involving graduate and professional studies students, a simple majority of the board members will be graduate and/or professional studies students. A hearing may go forward with less than a simple majority of graduate/professional studies students if the charged student(s) give written agreement to move forward.
2. The chairperson will be a student, whose 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. The Hearing Administrator's role is to ensure the procedures are followed during the hearing of all cases. The Hearing Administrator does not vote or represent either party.
4. The board will consist of five student members. A hearing may go forward with a board of three student members provided the charged student(s) give written agreement to move forward.

***Please note: 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. Attorneys, parents, or guardians are not permitted in Student Conduct Board Hearings.***

### **Pre-Hearing Meeting**

The Student Conduct Board Hearing begins with a pre-hearing meeting between the student and Hearing Administrator.

1. **Notification:** The charged student is e-mailed a Pre-Hearing Meeting Notice to the student's University e-mail account, which notifies the student of the alleged violation(s), the date of the incident, the location of the incident, and the name of the complainant. The e-mail also notifies the student of the date and location of the pre-hearing meeting. If the student is unable to attend the pre-hearing meeting due to an academic or other reasonable conflict, the student must contact the Hearing Administrator no later than one (1) business day prior to the pre-hearing meeting date to request that the pre-hearing meeting be rescheduled.
2. **In the Pre-Hearing Meeting**, the Hearing Administrator reviews the incident and the charges against the student and shares the written documentation that forms the basis of the complaint. Third parties, including but not limited to witnesses, lawyers, parents, guardians, and advisors are not permitted to attend a pre-hearing meeting. During the pre-hearing meeting, **the Hearing Administrator explains the process for resolving the case to the student.** The student can either elect **to accept responsibility** for the charges or **contest responsibility** for the charges and have

the Student Conduct Board Hearing scheduled. Upon request, a student can delay this decision for no more than two (2) business days after the pre-hearing meeting.

***During the pre-hearing meeting, the Hearing Administrator will share a list of current Student Conduct Board members. The charged student can request the elimination of an unlimited number of potential Student Conduct Board members from the hearing. An explanation for this request must be supplied and will be approved at the discretion of the Hearing Administrator.***

- a. Accept Responsibility:** Students who accept responsibility for the charges are scheduled for an admitted responsibility meeting. At this meeting, a Hearing Administrator presents the student's acceptance of responsibility, along with the written documentation, to at least two members of the Student Conduct Board. The student may provide a verbal statement as well as additional written documentation to the board. The members of the Student Conduct Board then determine the sanctions.
- b. Contest Responsibility:** Students who ***contest responsibility*** for the charges are scheduled for a Student Conduct Board at the next available hearing date by an administrator in the Office of Student Conduct and Conflict Resolution (see "Student Conduct Board Hearings" on page 22). A student's request for an extension must be supplemented by written documentation. An extension will be granted only under extreme circumstances and at the discretion of the Office of Student Conduct and Conflict Resolution.

- 3. Hearing Advisors:** Each party may have any one member of the University community serve as a hearing advisor. During the Pre-Hearing Meeting, the Hearing Administrator will provide a list of members from the University community who have volunteered to serve as a hearing advisor and been trained in the conduct process. Staff or faculty who are hired as a student's legal counsel outside the conduct process may not also act as a student's advisor in the University process. The charged student or complainant may act without an advisor if the student wishes.

The role of the advisor includes:

- a.** Assisting the advisee in understanding how the hearing will proceed.
- b.** Assisting the advisee with understanding the resolution process.
- c.** Attending the Hearing (Administrative, Student Conduct Board or Admitted Responsibility), if the advisee prefers and if schedules permit.
- d.** Providing emotional support before, during, and after a hearing. At no time is the advisor permitted to address the board directly.

The Hearing Advisor can request of the Hearing Administrator to adjust the hearing's time line should the case warrant such a change.

- 4.** The Office of Student Conduct and Conflict Resolution reserves the right to refer all students from the same incident to a Student Conduct Board hearing for a resolution, regardless of an individual student's preference regarding acceptance or contesting of responsibility.
- 5.** Should more than one student be involved in an incident going before a Student Conduct Board, then all students involved may be assigned to the same hearing.

## **End of Semester Pre-Hearing Meetings**

Incidents that may result in suspension or expulsion and occur during the last two weeks of classes or finals may be resolved by one of the following:

1. An Administrative Hearing held prior to the end of the semester, or
2. A Student Conduct Board hearing for the following semester.

Please Note: The Office of Student Conduct and Conflict Resolution will take into account the severity of the incident when determining the most appropriate method of resolving end of semester cases.

## **End of Semester Administrative Hearings**

Incidents that occur during the last two weeks of classes or finals and will not result in suspension or expulsion may be resolved by one of the following:

1. An Administrative Hearing held prior to the end of the semester, or
2. An Administrative Hearing held immediately following the end of the semester. When distance precludes a student from having a face-to-face Administrative Hearing with a member of OSCCR, the case may be resolved via a Skype or phone hearing.

## **Preparing for the Student Conduct Board Hearing**

1. **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. Attorneys, parents, or guardians are not permitted in Student Conduct Board Hearings.
2. **Written Documentation:** All parties involved have the opportunity to submit written documentation no later than two (2) business days prior to the hearing.
3. **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 (2) business days prior to the hearing. Live character statements are not permitted. 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.

**Failure to Appear** 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.

**In most cases, off-campus legal proceedings will not be grounds for delay. However, if either party has concerns about this, the party should communicate such concerns with the Hearing Administrator.**

## **Student Conduct Board Hearing Procedures**

1. **Presentation of information** 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 Student 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
2. 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.
  3. 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.
  4. Determinations of responsibility are made based on a preponderance of information, or a "more likely than not" determination, and a simple majority vote by the Board.
  5. All records of the case will be confidential.
  6. Members of the Northeastern University Police Department or other Law Enforcement Agency may be requested to be present at hearings when the case warrants it.
  7. Determinations to impose a level I sanction for any violation other than a level I violation shall require a simple majority vote.
  8. Determinations made by a Student Conduct Board or an administrator for all hearings will be recommended to the Director/Vice President for Student Affairs, or designee for final approval.
  9. **The Decision Letter: After the Student Conduct Board makes a determination and applies necessary sanctions**, the student will receive a decision letter. The letter will include the rationale for the finding(s), sanction(s) (if applicable), and information on the appeal process (if applicable). The University reserves the right to notify parents of the outcome of cases, consistent with applicable law.
- In cases involving sexual violence, abuse of others, physical abuse, and academic integrity**, the Administrator will notify both parties of the decision of the hearing via written communication. The letter to the charged student will include the rationale for the finding, sanctions (if applicable), and information on the appeal process (if applicable). Unless otherwise noted in a student's records, the University reserves the

right to notify parents of the outcome of all cases. The letter to the complainant and/or affected party will include the charged student's name, the violation committed, the sanctions that directly relate to the complainant, and information on the appeal process (if applicable). The rationale for the outcome will also be shared with all parties in cases that involve sexual violence, abuse of others, physical abuse.

### **Procedures for Student Appeals**

Students may appeal disciplinary actions based on the following:

- a. The student asserts a procedural error that impaired the student's 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 be sufficient to alter the original Student Conduct Board/officer's decision.
- c. The student requests a review of the sanction(s) because of extraordinary 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 and received by the Office of Student Conduct and Conflict Resolution no more than five (5) business days after the receipt date of the decision letter. It is the student's responsibility to obtain a copy of the decision letter. The student must fill out the appeal form that was included with the decision letter, as well as submit a rationale for the appeal letter that specifically addresses the reason for the appeal. The appeals process is primarily a paper process and will not typically involve a meeting with the charged student or other persons unless requested by the Appeals Board. The Appeals Board will review the paper appeal submitted by the appealing party, the documentation from the original case, and any other information deemed necessary by the Office of Student Conduct and Conflict Resolution and will make a decision. The audio recording of the original hearing (in the case of Student Conduct Board hearings) will be made available to the Appeals Board as well.

**In cases involving sexual violence, sexual harassment, stalking, domestic violence, dating/intimate partner violence, abuse of others, physical abuse, and academic integrity,** the charged student and the complainant have the right to an appeal based on the three reasons stated above.

**If either party involved in cases involving sexual violence, sexual harassment, stalking, domestic violence, dating/intimate partner violence, abuse of others or physical abuse files an appeal, the following procedure will take place:**

- a. The appeal will be reviewed by the Director in the Office of Student Conduct and Conflict and passed on to the original hearing administrator
- b. The non-appealing party will be notified, provided with a copy of the appeal, and given the opportunity to submit a written response to the appeal within 2 business days.
- c. The Appeals Board will review all available documentation; including the documents provided for the original hearing and all appeal-related documents/statements submitted by all parties.

2. All conduct hearing appeals 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 (one of whom will be the chair). The board will be comprised of two representatives from Academic Affairs and Enrollment Management and Student Affairs, and a Student Conduct Board member. The Director of the Office of Student Conduct and Conflict Resolution or designee will serve as an ex-officio member of the Appeals Board.
3. The Appeals Board will take one of the following actions:
  - a. Concur with original action.
  - b. Refer 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. Refer the matter back to the original hearing board if based on the grounds of new information. The original board, complainant, charged students, and if required, witnesses, will be reconvened to review only the new information. The board will then render a decision based on the new information.
  - d. 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.
4. All decisions of the Appeals Board will be recommended to the Vice President of Student Affairs or designee for final approval.

### **Maintenance of Disciplinary Records**

1. The University will permanently maintain the conduct records of those students separated from Northeastern by suspension or expulsion. A notation will be placed on the transcript of any student expelled from the University. A hold will be placed on the account of any student that withdraws prior to the resolution of disciplinary charges. Such hold may not be lifted until the pending charges are resolved.
2. The University will expunge the conduct records of those students who received sanctions other than suspension or expulsion three (3) years after the student's withdrawal or immediately upon graduation date from Northeastern.
3. Students have the right to submit any documentation in their conduct file to amend a record they believe to be inaccurate or misleading.

### **Interpretation and Application**

1. Any question of interpretation or application of the Code of Student Conduct shall be referred to the Director of the Office of Student Conduct and Conflict Resolution.
2. The Code of Student Conduct and its related procedures do not preempt or supplant any similar rules and regulations maintained by individual colleges, programs, departments, or offices. For example, student-athletes and members of student organizations must abide by the policies of the Athletics Department and the Center for Student Involvement, respectively. Any proceedings under such policies may run concurrently with those described herein.
3. Nothing in this Handbook limits the University's right to take any action it deems necessary to comply with applicable local, state and federal law.