GUIDE TO THE
STUDENT CONDUCT
PROCESS

A Publication of the Office of Student Conduct & Conflict Resolution

Northeastern
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INTRODUCTION

This brochure is designed to provide you with information about the Student Conduct Process at Northeastern University. It is not meant to be a substitute for the Undergraduate Student Handbook/Planner, the Graduate Student Handbook, or the Guide to Residence Hall Living. Rather, it is to be used as a reference for individuals involved in the student conduct process.

The Student Conduct Process is not a court of law; its proceedings pertain only to the handling of alleged violations of the Code of Student Conduct. Students who become involved with the criminal or civil court system may also be subject to a hearing through the Student Conduct Process. The issue of double jeopardy does not apply.

Whether you are involved in the disciplinary process as a charged student, a complainant, a witness, or an advisor, the goal of the office is to treat each person with respect and objectivity.

TYPES OF HEARINGS

There are two types of disciplinary hearings: administrative hearings and Student Conduct Board hearings. Staff members from the Department of Residential Life and the Office of Student Conduct & Conflict Resolution hold administrative hearings. Administrative hearings are one-on-one meetings with the staff member and the charged student. Board hearings are held before the Student Conduct Board.

The Student Conduct Board is comprised solely of students who have been selected with input from the Student Government Association, the Resident Student Association, current Student Conduct Board members, and staff in the Office of Student Conduct & Conflict Resolution. The hearing proceedings are managed by a student Chairperson. Chairpersons are selected by their peers after having served at least one semester as a Student Conduct Board member.

FILING A COMPLAINT

Individuals who wish to pursue disciplinary charges against a student must file a written complaint or incident report with the Office of Student Conduct & Conflict Resolution. The complaint should be as detailed as possible, listing the individual(s) involved, including any witnesses. A staff person will review the complaint and determine the most appropriate forum (administrative or Student Conduct Board) to resolve the dispute. Students who knowingly file a false complaint may be subject to disciplinary action.

Complainants/affected parties are encouraged to discuss their concerns with staff members in the Office of Student Conduct & Conflict Resolution. Every effort is made to offer complainants/affected parties with appropriate support services.
ADMINISTRATIVE HEARINGS
During an administrative hearing, the charged student meets one-on-one with a Hearing Officer. These meetings are designed to be educational, with the Hearing Officer sharing the written materials that formed the basis of the Code of Student Conduct charges. The Hearing Officer opens a dialogue with the charged student by asking questions related to the incident and his or her understanding of community standards and University policy.

The Hearing Officer considers all the information presented and makes a determination based on the preponderance of the information. In other words, the Hearing Officer determines whether it is more likely the charged student violated the Code of Student Conduct than s/he did not violate the Code.

PARTICIPANTS IN AN ADMINISTRATIVE HEARING
Participants in an administrative hearing are limited to the individuals listed below. These meetings are closed to parents, attorneys, and the general public.

Charged Student: Student charged with allegedly violating the standards listed in the Code of Student Conduct.

Hearing Officer: Professional in either the Office of Student Conduct & Conflict Resolution or in the Department of Residential Life who handles the disciplinary case, including meeting with the charged student.
The Student Conduct Board is used to hear cases of alleged misconduct of the most serious violations of the Code of Student Conduct. It may also be used for students who have prior disciplinary history.

PRE-HEARING MEETING
Charged students will meet with a Conduct Administrator prior to their hearing. This meeting serves several purposes. First, the Conduct Administrator reviews the disciplinary charge(s) against the student and provides the student with the written materials in support of the charge(s). At this point in the process, the student will typically be able to choose to accept responsibility for the charge(s) or choose to appear before the Student Conduct Board to determine responsibility for the charge(s).

Students who accept responsibility for the charge(s) do not appear before the Student Conduct Board. Rather, a Conduct Administrator presents the case, including a summary of the facts of the case, to at least two members of the Student Conduct Board. The Board Members then determine the sanction(s). Students should not assume that they will receive a lesser sanction by accepting responsibility for the charge(s).

Students who dispute the disciplinary charge(s) may request a hearing before the Student Conduct Board. If the student elects for this option, then the Conduct Administrator will use the pre-hearing meeting to review the hearing process and to answer any questions the student may have about the process. Charged students will be assigned the first available hearing date.

Charged students should thoroughly read the Code of Student Conduct prior to their pre-hearing meeting.
PRESENTATION OF INFORMATION AT STUDENT CONDUCT BOARD HEARING

Hearings before the Student Conduct Board are audio-recorded for the purposes of appeals only. The presentation of information shall generally proceed as follows:

1. Complainant’s opening statement and perspective
   • Questioning of complainant (charged student and Student Conduct Board)

2. Charged student’s opening statement and perspective
   • Questioning of charged student (complainant and Student Conduct Board)

3. Statements from complainant’s witnesses
   • Questioning of complainant’s witnesses (complainant, charged student, and Student Conduct Board)

4. Statements from charged student’s witnesses
   • Questioning of complainant’s witnesses (charged student, complainant, and Student Conduct Board)

5. Final questions from the Student Conduct Board to any party

6. Complainant’s closing statement

7. Charged student’s closing statement, including any statement as to mitigating circumstances

The Student Conduct Board has the option of questioning parties and witnesses at any point in the proceedings.

At the conclusion of the charged student’s closing statement, the hearing will adjourn and the Student Conduct Board and the Conduct Administrator will go into closed session. The Student Conduct Board will deliberate on the information presented and then make a determination regarding responsibility for the disciplinary charge(s). The Student Conduct Board uses the preponderance of information in determining if an charged student is responsible for the alleged violation(s). In other words, preponderance of the information means it is more likely that a violation occurred than it did not occur.

Following deliberation, if the charged student is found responsible for at least one of the violations, the Student Conduct Board reviews the charged student’s disciplinary history, if any, and reviews character statements the charged student may have provided, before determining appropriate sanctions for the misconduct.
PARTICIPANTS IN A STUDENT CONDUCT BOARD HEARING

Participants in a Student Conduct Board hearing are limited to those persons identified below. Student Conduct Board hearings are closed proceedings, therefore, parents, attorneys, and the general public are not permitted inside the boardroom.

Charged Student: Student charged with allegedly violating the standards listed in the Code of Student Conduct.

Complainant/Affected Party: Any member of the University community (student, faculty, or staff) or a member of the greater community may file a written complaint with the Office of Student Conduct & Conflict Resolution against a student alleging violation(s) of the Code of Student Conduct. During a Student Conduct Board hearing, the complainant presents the case including documentation and information showing why they believe the charged student is responsible for the alleged violation(s) of the Code of Student Conduct.

Witnesses: Either party or the Office of Student Conduct & Conflict Resolution may present witnesses to the Student Conduct Board. A list of witnesses is required and must be submitted to the Office of Student Conduct & Conflict Resolution no later than two (2) business days prior to the scheduled hearing.

Witnesses should be appropriately limited in number and be able to speak knowledgeably about the incident in question (e.g., the witness was at the scene of the incident or the witness can make statements about the charged student’s whereabouts during the incident). At no time are witnesses permitted to slander the opposing party.

Witnesses are usually required to wait outside the hearing room. They are not permitted to bring anything into the hearing room except for their notes. Reliable witnesses are critical to the integrity of the hearing process. Witnesses who do not tell the truth or engage in otherwise inappropriate conduct during the hearing are subject to charges under the Code of Student Conduct.

Live character statements are not permitted. Charged students may submit written character statements at the time of the hearing. The character statements will be read to the Student Conduct Board at the conclusion of the hearing if the charged student is found responsible. Character statements will not be considered in determining responsibility for the disciplinary charges, but may be considered when determining sanctions.
Advisors: The Office of Student Conduct & Conflict Resolution maintains a list of volunteers who have been trained to serve as advisors in the Student Conduct Board process. It is the responsibility of the charged student to contact an advisor in a timely manner. The advisor may be present at the hearing, however, s/he is not permitted to address the Student Conduct Board or speak on behalf of the charged student.

It is not the role of the advisor to “win” the case for the charged student. Rather, the advisor may assist the student in preparing for the hearing, attending the hearing, and if necessary, assisting the student with an appeal.

It is the responsibility of the student to initiate contact with an advisor. It is also the charged student’s responsibility to confirm the advisor's availability for the hearing.

The student has the option of selecting an individual, as an advisor, who is not included on the list of trained advisors. That individual must be a current member of the University community, either as faculty, staff, or student. These individuals are expected to comply with defined roles described above.

Student Conduct Board: Each hearing is typically comprised of five (5) members. Hearings may be done with as few as three (3) members.

Conduct Administrator: A professional in the Office of Student Conduct & Conflict Resolution, the Conduct Administrator serves as the advisor to the Student Conduct Board. The Conduct Administrator’s role is to ensure that the procedures outlined in the Code of Student Conduct are being followed.
RIGHTS OF STUDENTS IN THE
STUDENT CONDUCT PROCESS

Charged students in either administrative or Student Conduct Board hearings have the right to:

- Receive notice of the charge(s). As the Hearing Officer or Conduct Administrator receives new information, s/he may need to amend the charge(s). Any amendments will be provided to the charged student in written form.

- Receive written notification of the time, date, and location of the hearing.

- Review all available written information. In administrative hearings, the format of this review will be determined by the Hearing Officer. In Student Conduct Board hearings, the charged student will have access to the written materials during the Pre-hearing Meeting.

- Have an advisor present at the hearing (Student Conduct Board hearings only).

- Bring any relevant witness statement(s) to the administrative hearing or bring any relevant witness(es) to a Student Conduct Board hearing.

- Not attend the hearing. Students who do not attend their hearing will not be presumed responsible, although they will forfeit the right to be heard. The hearing may be held and a decision may be rendered in the student’s absence.

- Receive written notification of the Hearing Officer’s or Student Conduct Board’s decision. The charged student will be informed at the time of the hearing how s/he will be notified (through the mail, e-mail, hand-delivery, etc.).

- File an appeal within one week (5 business days) from the date of the decision letter.
RESPONSIBILITIES OF STUDENTS IN THE STUDENT CONDUCT PROCESS

Charged students in either administrative or Student Conduct Board hearings are responsible for:

- Carefully reviewing the Code of Student Conduct found in the Student Handbook or on-line at www.northeastern.edu/osccr.
- Seeking assistance or clarification when needed.
- Maintaining a current address with the Registrar and/or Residence Mail Services.
- Notifying the Hearing Officer or the Conduct Administrator of the need to reschedule. In the case of administrative hearings, students should contact the Hearing Officer at least 24 hours prior to the scheduled hearing time to reschedule the administrative hearing.

In the case of Student Conduct Board hearings, the charged student should notify the Office of Student Conduct & Conflict Resolution, as soon as possible, of any personal emergency that would necessitate the rescheduling of the Board hearing. Rescheduling is discretionary and will be decided by the Conduct Administrator. Students will be required to submit documentation of any such emergency.

- Being truthful in all dealings with the Hearing Officer or the Student Conduct Board and the Office of Student Conduct & Conflict Resolution.

SANCTIONS

If a student is found responsible for violating the Code of Student Conduct, sanctions will be applied. Sanctions serve a variety of purposes. The most common sanctions utilized are educational sanctions, which allow the student to learn more about the expectations the University has for its students. Listed below are the two types of sanctions used at Northeastern.

Active Sanctions: Sanctions that require work on the student’s part to complete. These include, but are not limited to, educational sanctions, such as attending classes or writing research or reflection papers, performing community service, or paying a monetary fine.

Inactive Sanctions: Sanctions that, by themselves, do not require work on the student’s part to complete. These include, but are not limited to, written warnings, disciplinary probation, deferred suspension, suspension, and expulsion. These sanctions may put restrictions on students, such as limiting access to campus recreational facilities, residence or dining halls, or the ability to hold student leadership positions.

Please refer to the Code of Student Conduct for more information about the sanctioning process. The Code of Student Conduct may be found in the Student Handbook or at www.northeastern.edu/osccr.
APPEALS
Students have five (5) business days from the date of the decision letter to appeal the decision of either the Hearing Officer or the Student Conduct Board. Appeals must be in writing and must successfully meet one of the following criteria:

- The student asserts a procedural error impaired his or her right to a fair opportunity to be heard
- Information has arisen that could not reasonably have been made available during the original hearing and may have been sufficient to alter the original Student Conduct Board/Hearing Officer’s decision
- The student requests a review of the sanction(s) applied citing extraordinary personal circumstances

Students appealing the decision of the Student Conduct Board may listen to the audiorecording of the hearing in the Office of Student Conduct & Conflict Resolution. The recording may not be removed from that office.

Please refer to the Code of Student Conduct for a more detailed explanation of the appeals process. The Code of Student Conduct may be found in the Student Handbook or at www.northeastern.edu/osccr.

JUDICIAL BLOCKS
If a student fails to complete any assigned sanction, a judicial block will be placed on the student’s record. The block will not be removed until all required active sanctions have been completed. If a judicial block is placed on the student’s record, s/he may not be able to register for classes, or if already registered, the classes will be purged unless the block is cleared during “I Am Here” registration. In addition, a block may also interfere with the student’s status at the University. Students who do not complete their sanction in a timely manner are also subject to further disciplinary action, including suspension from the University.

STUDENTS WITH SPECIAL NEEDS
Students with special needs should contact the Office of Student Conduct & Conflict Resolution well in advance of any hearing in which they are involved. The Office of Student Conduct & Conflict Resolution will work closely with the Disability Resource Center to accommodate the special needs of all parties and witnesses involved in the Student Conduct Process.