

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

Adopted November 12, 1971; last revised in March 2015.

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 both on and off campus, to all Northeastern University students, at all levels of study, in all colleges and programs locally or abroad, on-ground or online, as well as all student groups and organizations. The University establishes guidelines for the behavior of its students to promote student conduct that does not adversely affect the educational mission of the University, members of the University community, its relationship with the surrounding community, sister institutions, or co-op partners. Student behavior occurring off campus that allegedly violates the Code, University policy, local, state, federal, or host country laws and that could negatively 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 and/or overseen by the Office of Student Conduct & Conflict Resolution (OSCCR). The formal rules of evidence do not apply to the Code of Student Conduct and its procedures. The Code states all rights applicable to the conduct process. Students may not access documents not included in the case packet, demand access to individuals, or compel witnesses to participate in the conduct process. For information regarding Title IX, sexual violence and related rights and procedures, please refer to the University's Policy on Rights and Responsibilities Under Title IX, which governs the investigation, adjudication, appeal and other elements of Title IX Prohibited Offenses.

The Code of Student Conduct also applies to all accepted and pre-matriculated students. The University reserves the right to adjudicate an accepted student who allegedly engages in prohibited conduct prior to matriculation (e.g., at Northeastern's New Student Orientation programs, during Move-In, or prior to the official start of the semester) through the conduct process.

When a student withdraws, takes a leave of absence, or becomes inactive 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, online, at University events, and residence halls must be free from 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 could result in being charged with a violation of the Northeastern University Code of Student Conduct. Students are expected to engage directly with OSCCR regarding any alleged violations of the Code. While students are free to consult with advocates and third parties, such third parties are not permitted to ask or communicate on behalf of students regarding alleged Code violations.

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 alleged Code of Student Conduct or University policy violations within a reasonable period of time from OSCCR's receipt 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 and/or reporting party will also be included.
2. The opportunity to request to reschedule a hearing date up to one (1) business day prior to the hearing, due to academic or other reasonable conflicts. Requests may be granted at the discretion of OSCCR.
3. To request that a hearing be suspended after the presentation of evidence for a brief and agreed-upon period of time.

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 hearings pertinent to the case.
6. To choose a hearing 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.
7. To file an appeal within five (5) business days of the date of the decision letter on the basis of: procedural error, new information that was not reasonably available at the time of the hearing, or review of the imposed sanctions based on extraordinary circumstances.

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 written information received by OSCCR that is pertinent to the case, a minimum of one (1) business day prior to the designated Student Conduct Board hearing date and to address 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 reasonable 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.

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[†] 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 manner.
6. To carry their University ID with them at all times and present it to officials when requested.
7. To review their fiscal responsibilities to the University.

[†]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, as it applies to individuals and student groups. Under the oversight of the Vice President for Student Affairs, the Director of the Office of Student Conduct & Conflict Resolution (OSCCR) has been charged with the day-to-day responsibility for administering the Code of Student Conduct and the Student Conduct Process.
- 2.** All decisions made by the Student Conduct Board, hearing administrator, Appeals Board, and/or FSL Standards Board are subject to final approval and modification by the Vice President for Student Affairs, or designee.
- 3.** 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.
- 4.** 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.

Structure and Procedure of the Conduct Process

The Student Conduct Process begins when a report alleging a violation of University policy is received by OSCCR, Residential Life, N.U.*in*, or the Center for Student Involvement.

For information regarding Title IX, sexual violence and related rights and procedures, please refer to the University's Policy on Rights and Responsibilities Under Title IX, which governs the investigation, adjudication, appeal and other elements of Title IX Prohibited Offenses. Notwithstanding the procedures established in the Code, the University reserves the right to take any action it deems necessary or appropriate to address alleged Code violations and protect the safety and well-being of the campus community, including but not limited to altering specific elements and procedures within the Code as necessary to achieve this goal.

Filing a Report

Incident Reports can be submitted by clicking on the "Reporting an Incident" link found online at northeastern.edu/osccr

Any academic or administrative official, University staff member, faculty member, law enforcement agency, member of the community, or student may file a complaint involving any student or student organization. The complaint should include the following information, if available:

- 1.** Name(s) of the student alleged to have violated the Code of Student Conduct and/or University policy.
- 2.** Description of the incident.
- 3.** Names and contact information of witnesses.
- 4.** Names and contact information of those filing the report.

In most instances, the person who submits a report will serve as the complainant should the report result in resolution through a Student Conduct Board hearing.

The Role of the Office of Student Conduct & Conflict Resolution

The role of the Office of Student Conduct & Conflict Resolution (OSCCR) is to review all reports it receives to determine if an alleged violation of the Code of Student Conduct occurred. If it is determined that an alleged violation occurred, OSCCR will oversee or directly resolve complaints of this alleged violation; OSCCR does not represent either party. From time to time, OSCCR may conduct or participate in an investigation to gather information about the alleged violation(s).

Reviewing the Report and Determining Hearing Type

The Director of the Office of Student Conduct & Conflict Resolution, or designee, reviews the report to determine if a violation of University policy allegedly occurred. The severity of the alleged violation is also considered, as this determines the type of hearing that generally will be used to resolve the complaint/case. **In most cases, off campus legal proceedings will not be grounds for delay. OSCCR will determine in each case the appropriate hearing type to resolve charges. However, if either party has concerns about this, the party should communicate such concerns with the Hearing Administrator.**

- **Administrative Hearing (noted as AH throughout):** When the severity of the alleged violation(s) could result in sanctions of Written Warning, Disciplinary Probation, or Deferred Suspension, involved students will receive a hearing notice requesting their attendance at an administrative hearing.
- **Student Conduct Board (noted as SCB throughout):** When the severity of the alleged violation(s) could result in sanctions of suspension or expulsion, or if the facts of the incident are so complex that an Administrative Hearing is not appropriate, involved students will receive a hearing notice requesting their attendance at a pre-hearing, which precedes a Student Conduct Board hearing.
- **Alternate Resolution:** The Office of Student Conduct & Conflict Resolution reserves the right to determine if the incident can be resolved by alternative means. All parties involved must agree to this, as the outcome of this alternate resolution is final and there may not be subsequent proceedings.

PLEASE NOTE: The University reserves the right to use an Administrative Hearing to expediently resolve cases where the University determines it is appropriate to do so.

Determining Responsibility: In all hearings, the Hearing Administrator or Board will use the “preponderance of evidence” standard, also known as “more likely than not” standard, to determine if a violation of University policy occurred.

Hearing Advisors

Students participating in the student conduct process may have a member of the University community serve as a hearing advisor. They will receive 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 role of the advisor includes:

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

Description of Administrative Hearings

When the severity of the alleged violation(s) could result in sanctions of Written Warning, Disciplinary Probation, or Deferred Suspension, involved students will receive a hearing notice requesting their attendance at an administrative hearing.

Notification: The administrative hearing notice will be sent to students via their University e-mail account. This notice will provide them with the date and location of the incident, the name of the complainant and/or reporting party, the alleged violation(s), and the date, time, and location of the hearing.

The Hearing: An administrative hearing is a one-on-one meeting between the student and Hearing Administrator to discuss the alleged violation(s). Third parties, including but not limited to witnesses, lawyers, parents, guardians, and friends, are not permitted to attend an administrative hearing. Hearing advisors may attend at the request of the student. During the hearing, the student provides their account of the incident, the Hearing Administrator presents the student with the report and any available documentation and asks questions to clarify or identify missing information. In addition, the student can present written witness statements at the Administrative Hearing for the Hearing Administrator's review. After the presentation of evidence, the student may suspend the administrative hearing for a brief and agreed-upon amount of time. After the information has been gathered, and the hearing concludes, the hearing administrator will review the information to determine if a violation of University policy occurred. If the hearing administrator determines that a violation occurred, the student will be found responsible, and sanctions will be imposed.

Failure to Appear: If a student fails to appear for the scheduled meeting, the Hearing Administrator has the option to dismiss the charges, set a new hearing date, or make a decision based on the information available.

The Decision Letter: Charged students will receive a decision letter via their University e-mail account that includes 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.

Description of Student Conduct Board Hearings

When the severity of the alleged violation(s) could result in sanctions of suspension or expulsion, or if the facts of the incident are so complex that an Administrative Hearing is not appropriate, involved students will receive a hearing notice requesting their attendance

at a pre-hearing, which precedes a Student Conduct Board hearing. In a Student Conduct Board hearing, the complainant and charged student come before a panel of five trained Student Conduct Board members to provide their account of the incident, answer questions, and provide any information relevant to their case.

Notification: A pre-hearing meeting notice is sent to the student at their University e-mail account. This notice will provide them with the date and location of the incident, the name of the complainant and/or reporting party, the alleged violation(s) and the date, time, and location of the pre-hearing meeting.

The Pre-Hearing: The pre-hearing meeting is a one-on-one meeting between the student and Hearing Administrator to:

- Review the incident and written documentation that forms the basis of the complaint,
- Explain the charges filed against the student, and
- Review the process for resolving the case.

In addition, students will have the option to review a list of current Student Conduct Board members and request the elimination of an unlimited number of potential Student Conduct Board members from the hearing. An explanation for this request must be supplied by the student and will be reviewed by the Hearing Administrator.

Third parties, including but not limited to witnesses, lawyers, parents, guardians, and friends, are not permitted to attend the pre-hearing meeting. Hearing advisors may attend at the request of the student.

During the pre-hearing meeting, the charged student can either accept responsibility or contest responsibility for the charges. Upon request, a charged student can delay this decision for no more than two (2) business days after the pre-hearing meeting.

a. Accept Responsibility: Students who accept responsibility for the charges proceed to an admitted responsibility meeting, scheduled for a later date. During the admitted responsibility meeting, the Hearing Administrator presents the case to at least two members of the Student Conduct Board who will ask questions to determine the most appropriate sanctions. The student may provide a verbal statement as well as additional written documentation to the Board.

b. Contest Responsibility: Students who contest responsibility for the charges proceed to a Student Conduct Board, scheduled for a later date.

The Office of Student Conduct & 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.

Preparing for the Student Conduct Board Hearing

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 & Conflict Resolution. Members of the Northeastern University Police Department or other Law Enforcement Agency may be present at hearings. Attorneys, parents, or guardians are not permitted in Student Conduct Board Hearings. Hearing advisors may attend at the request of the student.

Written Documentation: All parties involved have the opportunity to submit written documentation for the Student Conduct Board to review, no later than two (2) business days prior to the hearing.

Witnesses: Parties who have direct information regarding the incident may be presented by the complainant or the charged student, provided that a witness list is submitted to the Office of Student Conduct & Conflict Resolution two (2) business days prior to the hearing. Office of Student Conduct & Conflict Resolution staff may issue a written request requiring the appearance of an individual before the Student Conduct Board 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 at the scheduled hearing, the Student Conduct Board or Hearing Administrator may dismiss the action, set a new hearing date, continue the hearing without that party present, determine the finding, and impose sanctions based on available information.

Information Regarding the Student Conduct Board Hearing

1. The Student Conduct Board consists of five students representing undergraduate, graduate, online, law, and professional studies 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 a board of three student members provided the charged student(s) give written agreement to move forward. In addition, 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 & Conflict Resolution will be present during the hearing and all deliberations to provide information on applicable University policy and procedures. The Hearing Administrator does not vote or represent either party.
4. 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 & Conflict Resolution. Recordings are not to be removed from the Office of Student Conduct & Conflict Resolution. Recordings are destroyed upon expiration of the appeal period. Recordings do not become part of any student's record or any conduct file maintained by OSCCR.
5. Determinations of responsibility are made based on a preponderance of the evidence, or a "more likely than not" determination, as determined by simple majority vote by the Board.
6. All records of a case will be confidential, consistent with University policy.
7. All decisions made by a Student Conduct Board or Hearing Administrator are subject to final approval or modification by the Vice President for Student Affairs, or designee.

Presentation of Information

1. Complainant's opening statement and perspective (complainant is the individual or the office affected by or representing the complaint issued to the Office of Student Conduct & Conflict Resolution).
2. Charged student's opening statement and perspective (a charged student is the individual(s) charged with a violation of the Code of Student Conduct).
3. Questioning of complainant (charged student and conduct board members).
4. Questioning of charged student (complainant and conduct board members).
5. Statements from complainant's witnesses.
 - Questioning of complainant's witnesses (complainant, charged student, and conduct board members).
6. Statements from charged student's witnesses.
 - Questioning of charged student's witnesses (charged student, complainant, and conduct board members).
7. Final questions from the Student Conduct Board.
8. Complainant's closing statement.
9. Charged student's closing statement, including any statement as to mitigating circumstances.
10. Complainant and charged student are excused so the Board can engage in closed-door deliberation and sanctioning, if necessary.

The board may ask questions at any time during the hearing.

Please note that the process for hearings involving sexual violence, which includes sexual assault, sexual harassment, stalking, and domestic violence, may differ slightly from the process outlined above. Specifically, alternative room and technological setups will be available for the hearing; the charged student and affected party will not directly question one another; and if the affected party chooses to participate in the hearing, they may serve as either the complainant or a witness. During the pre-hearing meetings, OSCCR staff will discuss these specific differences with both/all parties.

The Decision Letter: After the Student Conduct Board makes a determination and applies necessary sanctions, the charged 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). Unless otherwise noted, the University reserves the right to notify parents of the outcome of cases, consistent with applicable law.

The letter to the charged student will include the rationale for the finding, sanctions (if applicable), and information on the appeal process (if applicable). The letter to the complainant and/or affected party will include the charged student's name, the violation committed, the sanctions, rationale that directly relates to the complainant, and information on the appeal process (if applicable).

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 & Conflict Resolution will take into account the severity of the incident when determining the most appropriate method of resolving end of semester cases. OSCCR retains the right to determine when and in what format any alleged Code violations are heard through Administrative Hearing or Student Conduct Board, as well as the timing of such hearing.

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.

Procedures for Student Appeals

Students may file an appeal on the three grounds outlined below:

- **Procedural Error:** A procedural error occurred that prevented the appealing student from exercising their rights under the Code.
- **New Information:** Information has arisen that was not reasonably available during the original hearing and is sufficient to alter the original Student Conduct Board/Hearing Administrator's decision.
- **Review of the Sanctions:** The student requests a review of the sanction(s) because of extraordinary circumstances.

The charged student has five (5) business days after receiving the decision letter to file a written appeal with OSCCR. The student must fill out the "Notice of Appeal" form included with the decision letter, and provide a rationale for the appeal 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 & Conflict Resolution, which may include a response from the non-appealing student. The audio recording of the original hearing (in the case of Student Conduct Board hearings) will be made available to the Appeals Board.

All conduct hearing appeals will be heard by the Appeals Board, which consists of three voting members: one representative from Academic Affairs, one representative from Enrollment Management and Student Affairs, and a member of the Student Conduct Board.

The Director of the Office of Student Conduct & Conflict Resolution, or designee, will serve as an ex-officio member of the Appeals Board. When a participant of The N.U.*in* Program files an appeal, a member of The N.U.*in* Program will join the Appeals Board.

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 sanction. Students should understand that this option is exercised only in rare circumstances. The University reserves the right to take any action necessary to corroborate the student's statements.

All decisions of the Appeals Board may be recommended to the Vice President of Student Affairs, or designee, for final approval.

Standards of Conduct

A list of the University policies, rules and regulations the University requires of all students can be found below. 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.* **For information regarding standards of conduct related to sexual violence and Title IX, including the definition of consent and the definition of Title IX Prohibited Offenses, please refer to the University's Policy on Rights and Responsibilities Under Title IX.**

Violations are listed in alphabetical order, and the order of violations is not indicative of the seriousness of each violation. All violations are assigned a hearing type, which correlates to the sanctions that may be imposed and represents the degree of severity for that individual violation. Other factors may require a case to be resolved through the other hearing type. Such factors include the student's conduct history, the severity of the harm caused with this specific incident, the nature of the violation, and the allegation of violating more than one standard of conduct. 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, which could include suspension or expulsion from the University and/or cancellation of the *Residence Hall and Dining License Agreement*.

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

Abuse of Others

Verbal, written, graphic, or electronic abuse. (AH or SCB)

Academic Integrity

As defined in the Academic Integrity Policy (pages 38–41). (AH or SCB)

Aiding and Abetting

Knowingly assisting with 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. (AH or SCB)

Alcohol, Drugs, & Medical Amnesty

The University expects that all of its students, whether on or off campus, abide by the law and 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.

Alcohol

- 1.** A person under the age of 21 is prohibited from being in the presence of alcoholic beverages in the residence halls housing provided and/or arranged by Northeastern, with the following exception: an individual under the age of 21 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 21 may not be in the room when alcohol is being consumed by the of-age roommate. (AH)
- 2.** A person under the age of 21 is prohibited from possessing empty alcohol containers. (AH)
- 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. (AH)
- 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. (AH)
- 5.** Possession or consumption of alcoholic beverages in locations or under conditions prohibited by University policy or by law. (AH)
 - a.** A person must be of legal drinking age to possess or consume alcoholic beverages. In the United States, the legal drinking age is 21.
 - b.** An individual 21 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 21 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 21 years of age may not transport or carry alcohol.
 - d. Prohibited locations include, but are not limited to, 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. (AH)
 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. (AH or SCB)
 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. (AH)
 9. Distribution, sale, or manufacture of alcohol. (SCB)
 - a. Manufacturing alcohol on Northeastern University-owned or -leased property.
 - b. Selling alcohol without a liquor license, include, but are 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.

Drugs

1. Knowingly being in the company of anyone who is using illegal drugs. (AH)
2. Possession or consumption of: illegal drugs (including marijuana), 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. (AH or SCB)
3. Possession, use, manufacture, distribution, or sale of drug paraphernalia or other items used in preparing or consuming illegal drugs (including marijuana). (AH or SCB*)
4. Promotion of illegal drugs (including marijuana). (AH)
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. (SCB)

Medical Amnesty

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 (OPEN), and may also be contacted by various campus departments (e.g., WeCare and NUPD) for an optional follow-up conversation regarding the incident. 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 & 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 may 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 & Conflict Resolution.

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 toward an individual's or group's real or perceived race, color, religion, religious creed, genetics, sex, gender identity, sexual orientation, age, national origin, ancestry, veteran status, or disability. (SCB)

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 41–50). (SCB)
2. Attempted or actual forcible access to property. (SCB)
3. Possession of stolen property. (SCB)
4. Attempted or actual theft of property, identity, or services. (SCB)

Bullying

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 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. (SCB)

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, tasers, BB guns, fireworks, ammunition, explosive devices, or firearms, except under official supervision as part of a recognized student activity. (AH or SCB)

Disorderly Conduct

Conduct that is disorderly or disruptive in nature and negatively affects the campus community, the neighborhood, and/or community members. (AH)

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, and/or excessive attendance beyond what is safe and/or reasonable. (AH or SCB*)

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. (AH or SCB)

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. (AH*)

Failure to Comply

1. Failure to comply with or violation of the terms of an imposed disciplinary sanction. (AH)
2. Failure to follow the reasonable directions of University officials (including Northeastern Police Department 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. (AH)

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. (SCB)
2. Misusing, tampering, or damaging fire safety equipment (including alarm systems, alarmed fire safety doors, smoke detectors, or fire extinguishers). (AH or SCB*)
3. Failure to vacate University buildings during or after a fire alarm. (AH)
4. Entering or re-entering a building during a fire alarm. (AH)

Forgery

Falsification, alteration, or misuse of documents or records (include, but are not limited to, parking permits, software, and computer databases and/or systems, and/or e-mail). (SCB)

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. (AH or SCB*)

Harassment

Repeated and/or continuing unwanted behavior, coercion, or intimidation of an individual or group, either directly or indirectly. (SCB)

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, 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. (SCB)

Inappropriate Identification

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

Misrepresentation of Information

Falsification, distortion, or misrepresentation of information to the University or its officials (including Northeastern Police Department 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. (AH)

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 online aggression or cyberbullying), or violations of the Appropriate Use of Computer and Network Resources Policy (pages 41–50) and/or any other computer or system use. (AH or SCB)

Noise

Disturbances in residence halls, on campus or in neighborhoods caused by a loud or disruptive sound. (AH)

Physical Abuse

Physical abuse of others, include, but are not limited to, fights and/or injury caused by endangering behavior. (SCB)

Retaliation

Any intentional or attempted act which results in an adverse or negative effect on 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. (AH)

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. (SCB)

Smoking

Smoking of any tobacco products is prohibited at Northeastern University. Refer to northeastern.edu/smokefree/faq/policy.html for a full description of the policy. (AH)

Unauthorized Access

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

Unauthorized Use/Possession of Other's Property

Unauthorized use or possession of another's property. (AH)

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. (AH or SCB*)

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). (AH or SCB*)

Vandalism

Destruction or defacement of public or private property. (AH or SCB*)

Violation of Center for Student Involvement Guidelines

Failure to abide by the rules and regulations set forth by the Center for Student Involvement and included in their Student Organization handbook. (AH)

Violation of A Guide to Residence Hall Living

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

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. (AH or SCB*)

Violation of Professional Conduct in Degree Program

Failure to fulfill the professional guidelines and/or expectations of an academic degree program. Examples include, but are not limited to, failing to complete an internship, acting in an unprofessional manner (as defined by the degree program), etc. (AH)

Violation of University Policies

Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website at northeastern.edu/policies. (AH)

*The totality of an incident and alleged severity of impact to the community will be considered in determining the hearing type required to resolve cases. This means that the hearing type identified in parentheses after each violation may not be the type of hearing used to resolve the incident. Please note that when multiple violations may have occurred or previous history warrants, the level of severity of an entire incident will be considered in determining appropriate hearing type.

SANCTIONS

Hearing Administrators and/or Boards impose sanctions when a finding of responsible results from a hearing. Sanctions are imposed to strengthen learning and assist students/organizations in adopting new behaviors in order to avoid repeat violations.

In determining appropriate sanctions, Hearing Administrators and/or Boards look at the totality of the incident(s)/situation and its impact on the community rather than looking at individual violations. In addition, they consider/weigh the impact of the following:

1. Nature of the violation(s) – what happened?
2. Severity of the impact caused (damage, injury, or harm, etc.) from this incident resulting therefrom.
3. Charged student's past disciplinary record, which could increase the severity of sanctions imposed for incident in question.
4. Mitigating circumstances.
5. Aggravating circumstances, which may include bias-motivation.

Once these factors have been taken into consideration, Hearing Administrators and/or Boards will look to impose at least one inactive sanction and at least one active sanction. In many instances, more than one active sanction will be imposed. A list of possible sanctions follows. Hearing Administrators and/or Boards reserve the right to create active sanctions not included on this list if they determine that the sanction better addresses the concern and strengthens learning.

Inactive: may affect students' good standing with the University and does not require any sort of action

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 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 temporarily. Upon the cancellation of the agreement, the student is banned from entering all University residence facilities during the specified period of separation.

Active: requires student to take action

1. Loss of membership in teams, clubs and/or officially recognized organizations.
2. Loss of access to University buildings, facilities, or resources for a specified period of time or permanently.
3. Mandated service.
4. 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.
5. Loss of guest privileges on campus or in residence halls.
6. Submittal of letter of apology to complainant/affected party.
7. Counseling evaluation.
8. Educational sanction, which may include, but is not limited to attending a program, developing a program, and/or writing a paper. Students may be charged a fee to attend an educational program.
9. Fines for alcohol and drug cases.

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 & 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.

While the hearing administrator and/or Board have discretion to impose sanctions they determine most appropriate by factoring in the five components listed above, the Code provides sanctioning guidelines for drug and alcohol violations: The sanctions set forth below provide Hearing Administrators with a starting point for sanctioning cases involving alcohol and/or 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*.

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 education program

Fine of \$200

3rd violation: Suspension from the University

Mandatory alcohol counseling to be completed off campus

Sanction Guidelines for Violating the Marijuana Policy

1st violation: Disciplinary probation

Mandatory completion of a marijuana education program

Fine of \$100

2nd violation: Deferred suspension from the University

Mandatory attendance at a marijuana education program

Fine of \$200

3rd violation: Suspension from the University

Mandatory drug counseling to be completed off campus

Sanction Guidelines for Violating the Policy on Other Drugs

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

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

Parental Notification

In accordance with federal law, the University reserves the right to notify parent(s)/guardian(s) regarding the outcome of all conduct matters. Specifically, the University will notify parent(s)/guardian(s) in cases involving alcohol or drugs, matters that pose a threat to the health and safety of the community, and cases that could result in the student's suspension or expulsion from the University.

Interim Suspension

The Vice President for Student Affairs or their designee may impose an interim suspension on a student if sufficient facts indicate that the student presents a threat to the University community. In most instances, a student who has been intermily 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 their 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 & 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 on the charges within 10 business days after the interim suspension was imposed.

No Contact Order

When the University determines the severity of an incident rises to the level where continued contact between the involved parties could lead to further incidents and/or the creation of an unhealthy, unsafe and/or hostile environment, it may impose a No Contact Order on the parties involved with the incident. The Office of Student Conduct and Conflict Resolution is one office granted authority to issue these No Contact Orders. Communication of this order will be made via e-mail to the student's Northeastern e-mail account.

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 & 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 & 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, in consultation with the designated administrator's immediate supervisor, 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.

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 & 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.