

# Student Handbook

## 2011-2012



Southern New Hampshire University

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## **Southern New Hampshire University Student Handbook**

This handbook applies to all registered undergraduate, graduate, full and part-time students as well as students enrolled in online or continuing education at Southern New Hampshire University. Changes in the content of the student handbook may be made at any time by the university administration. Whenever possible, adequate notice of anticipated changes will be given. Students are expected to be familiar and comply with all policies and procedures contained within the student handbook, and failure to read the handbook will not excuse students from the rules, policies and procedures contained within it.

### **Code of Conduct**

The university is a community of scholars in which the ideals of freedom of inquiry, freedom of thought, freedom of expression, and freedom of the individual are sustained. However, the exercise and preservation of these freedoms and rights requires a respect of the rights of all in the community to enjoy them to the same extent. It is clear that in a community of learning, willful disruption of the educational process, destruction of property, and interference with the orderly process of the university as defined by the university administration or with the rights of other members of the university cannot be tolerated. Students enrolling in the institution assume an obligation to conduct themselves in a manner compatible with the university's function as an educational institution. To fulfill its functions of imparting and gaining knowledge, the university retains the power to maintain order within the university and to remove those who are disruptive to the educational process.

### **Applicability of Code of Conduct**

The Code of Conduct applies to all registered undergraduate, graduate, full and part-time students as well as students enrolled in online or continuing education at Southern New Hampshire University.

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 code of conduct, but before alleged violation has been adjudicated through the judicial process, a hold will be placed on the student's record and the student will be banned from campus and all other educational environments. The hold will prevent a student from re-enrolling at the university until the alleged violations have been resolved.

Every effort is made to ensure that the information in the student handbook is accurate and up-to-date, but the university cannot accept liability for any errors or omissions.

### **Applicability of Code of Conduct Off Campus**

Student behavior occurring off campus may subject students to discipline pursuant to the Code of Conduct. Types of such behavior are actions that are in violation of the Code, local, state, or federal laws, or could adversely affect the educational mission of the university or its relationship with the surrounding community. This applies to students acting on their own volition as well as recognized student groups.

### **University Statement of Student Rights and Responsibilities**

The university, as a community of people, is committed to furthering scholarship, academic pursuits, and service to our society. As an institution, our purpose is to ensure all students have an equal opportunity to fulfill their intellectual potential through the pursuit of the highest standards of academic excellence. Certain rights and obligations are inherent in membership in any academic community committed to such goals:

- The rights of personal and intellectual freedom, which are fundamental to the idea of a university;
- Strict respect for the equal rights and dignity of others;
- Dedication to the scholarly and educational purposes of the university and participation in promoting and ensuring the academic quality of the institution.

Students are responsible for obtaining, learning and observing the established university policies as listed in all official publications, In addition, students must comply with the legal and ethical standards of the institution, as well as those of the state New Hampshire, as well as any other laws, rules and or regulations of other relevant jurisdictions. All members of the community should inform the appropriate official or any violation of conduct regulations.

### **Privacy of Student Records**

The policy and the procedures concerning the privacy of student records maintained by the university are in large measure governed by the Federal Family Educational Rights and Privacy Act. The university's policies and procedures are posted by the Office of the Registrar.

Except when requested by a student or required by federal or state regulations, an educational record will not include information concerning race, religion, nationality, political or social views, or memberships in organizations. Directory information (name, address, telephone numbers, major, etc.) may be released or published. State agencies and other educational agencies, doing surveys and studies for the university will ordinarily have access to a student's record without the written consent of the student concerned. One exception provides that parents have the right to view and to have copies of their child's educational record without their child's consent providing that the child is dependent upon the parents for federal income tax purposes. A student may waive the right of access to recommendations for admission to the university, for employment on file with the university, and for some honor or honor societies. The university may not require a student to waive this right nor may the student's status at the university depend upon his waiving this right.

### **Right to Procedural Fairness**

Pending action on any disciplinary allegations, the status of students shall not be altered, nor their rights to be present on campus or and to attend classes suspended, except to protect the health or safety of students or staff, or to safeguard university property. Only the dean of students or a designee, or the associate vice president of non-traditional advising and support services for COCE students, may make such a determination and direct provisional suspension.

### **Use of Video Surveillance Cameras on Campus**

The office of public safety is committed to enhancing the quality of life to the campus community by integrating the best practices of public and private security. A critical component of this comprehensive security plan is the use of video surveillance. Its primary purpose is to deter crime and to assist the public safety officers in protecting the safety and property of our university community.

Video monitoring for public safety purposes will be conducted in a professional, ethical and legal manner. On-campus video monitoring of areas is limited to locations that do not violate an individual's reasonable expectation of privacy as defined by state law. For example, camera locations are in public places such as building entry ways, parking lots and along some roadways. Personnel involved in the use of video surveillance cameras will be properly trained and supervised.

### **Inspection Policy**

University staff members may conduct a residence inspection whenever reasonable cause exists to believe that activity is taking place which is detrimental to the health, safety or welfare of individuals; or substances or items are contained in the room which would constitute a violation of the student handbook. Inspections will be confined to areas reasonably related to the alleged policy violation and may include, but are not limited to: all university owned property or furnishings; any refrigerator; bags; or personally owned property. Examples of circumstances which may prompt an inspection of a room or property are: when the size or shape of the item might suggest alcohol, other drugs or drug paraphernalia are being transported; when the staff member hears a noise which might suggest a violation of policy is occurring; when the staff member has confiscated substances which

would suggest the presence of additional substances in the area; or when the staff member observes an unusual behavior, such as an unsteady walk, slurred speech, or abusive or violent actions.

The university reserves the right to confiscate any item when it is against policy, or believed to pose a health or safety risk. Items confiscated will be disposed of and will not be returned to the student.

### **Student Rights Regarding Searches, Arrests and Related Processes**

The university will cooperate with civil law enforcement agencies performing their official duties within the university community. The university is not a sanctuary for students who may violate the law.

1. Whenever law enforcement agents, process servers or other legally authorized individuals are required to serve official papers or enforce arrest or search warrants, the university will cooperate in order to minimize interference with campus activities and to protect all persons.
2. As prescribed by law, the arresting officers may conduct limited searches of the area where an arrest is made without a specific warrant and property may be seized.

### **Commuter Students Rights and Responsibilities**

Commuter students are non-resident students taking classes at the Manchester campus. Commuter students are valued members of the University community and, as such, have rights similar to all students. Equally, they also have responsibilities as campus citizens. It is the responsibility of all commuter students to know their rights and responsibilities.

1. Commuter students have the right to access all public areas of the campus when the campus is defined as being open. Specific areas such as the student center have been designed to accommodate commuter students.
2. Commuters have the right to access all student resources.
3. Commuter students may access all activities and student groups
4. Commuters have access to private areas of the campus, such as faculty offices and residence halls at the invitation of the occupants of those areas.
5. Commuters may park on campus per the established parking policies established by the office of public safety.
6. Commuter students may have guests on campus per the guidelines and responsibilities stated in the guest registration policy.
7. Commuters may visit residential areas upon invitation. When a commuter visits the residence area at times or with such frequency or length as to assume the rights and privileges exclusively afforded to resident students, a commuter is required to register as a “guest” with a designated resident student host and as such is required to follow the guidelines established for guests. Commuters who infringe on the rights of resident students or who fail to follow university guidelines may lose the privilege of visiting resident student areas. No person may reside in a residence hall room that is not assigned to live in it by residence life; individuals who are not university students may not reside in university residence halls.
8. Lockers are available for any commuter student who is in need of a place to store books or supplies during the semester in attendance at the university. The lockers are located in the student center and are available on a first-come, first-serve basis

### **Resident Student Rights and Expectations**

Paying attention to the following rights and expectations will help build a positive community in your residence area.

1. Resident students are expected to familiarize themselves with the policies and regulations of the student handbook, to keep their living area clean, to question people who abuse their rights and/or the rights of others, to respect the rights of others, to get to know the other residents in their living area, to get to know their roommate(s), and to keep up with their studies.
2. Students are responsible for all violations that occur in their residence through encouragement or neglect. This includes apartment, townhouse, entrance hallway, lounge or other common areas.

Students have the right to read and to study free from undue interference in their room, to sleep in their own room, to live in a clean environment, to redress grievances, to have a secure place for their personal belongings, to use all public hall spaces and lounges, to be heard by the residence life staff when they must voice concerns, needs, and programming ideas, to challenge prejudicial treatment and comments, to be themselves and to be proud of their background, to have guests in their room in accordance with the university's visitation policy, to have a safe living environment, to have respect from others, to have a fair and equitable disciplinary process, and to ask for advice and/or assistance.

## Conditions of Enrollment

There are certain conditions all people must meet in order to be enrolled to the university and to function as a member of the community. Failure to meet and maintain these conditions may result in a hold against future registration and/or termination of a student's current enrollment and/or presence on campus. If a student's enrollment is terminated for failure to fulfill conditions of enrollment, she/he may not be present in the educational environment on campus or online, or use university resources without the expressed permission of the dean of students, or associate vice president of non-traditional advising and support services for COCE students. In addition, the student will not be eligible for refund of any portion of the university expenses listed by the One Stop.

1. Completion of Registration – Each semester students are required to complete their registration with the university before they are recognized as students of the school.
2. Accuracy of University Records – Students are expected to provide accurate and complete information on all university forms and documents, including applications for admission and financial aid, references, health and immunization reports, local and home addresses and other types of records.
3. Financial Obligations – Students shall be held responsible for all obligations which they have incurred with the university. Failure to comply with this policy, without prior permission being granted, could result in loss of on-campus housing space, on-campus parking, as well as a hold placed against the release of grades, and a hold of diploma or transcript of a student with such outstanding obligations.
4. Health and Immunization Records – State law requires all full-time undergraduate day students (enrolled in 12 credit hours per term), full-time graduate students (enrolled in 6 credit hours per term), and international students taking classes at the Manchester campus to provide complete and accurate immunization records in order to be enrolled. The wellness center is primarily responsible for monitoring the compliance of each student concerning this particular legal requirement. If a person should fail to comply with this requirement, the university may either prevent the student from completing his/her registration or remove the student from the enrollment rosters of the school. There is no requirement regarding immunization records for COCE students.
5. Insurance – The university requires that each full-time undergraduate student (enrolled in 12 credit hours per term) possess a minimum level of health insurance during his/her time of enrollment. All domestic students will be charged for the insurance plan offered by the university until they can show proof of other

medical insurance. The wellness center provides students with the information about this program. The university reserves the option to terminate the enrollment of any student who fails to provide proof of proper insurance coverage or who does not possess an appropriate insurance policy. Health insurance is also required for all international students taking classes at the Manchester campus. Information for international student health insurance is available at the wellness center.

6. Conditions Established as Part of Disciplinary Sanctions – All students are expected to fulfill conditions established as part of disciplinary sanctions. Students who fail to fulfill these conditions may be subjected to additional disciplinary action and/or termination of enrollment. Residence contracts may also be terminated.
7. Communications with the University – Students are expected to check their university-assigned e-mail accounts and use this account for all communication with the university and its faculty and staff. Additionally, students are expected to pick up their own mail at their on campus mailboxes and check their voice mail regularly. These are the primary communication systems used during the semester when classes are in session.
8. Class Attendance – The attendance policy for the university is listed in the most recent edition of the university catalog. Furthermore, each class may have a separate attendance policy established for it by the faculty member of record for the course.

## **University Policies**

### **Nondiscrimination Policy**

Consistent with all federal and state laws, rules, regulations and ordinances (e.g., Title VII, Title VI, Title III, Title II, the Rehabilitation Act, the Americans with Disabilities Act, and Title IX), it is the policy of the university not to engage in discrimination or harassment against any persons because of race, color, religion or creed, sex, national or ethnic origin, nondisqualifying disability, or age, and comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders, and regulations.

### **Anti-Violence Policy**

The university does not tolerate threatening or violent behavior of any kind whether physical or psychological. This policy has been created to ensure an environment of respect and safety that is free from intimidation, threats, and acts of violence. It encompasses all individuals and activities on university property or on any property used for university activities or for activities by university recognized student groups. People do not “just snap” and commit violent acts at work or in school. There are earlier indicators of a potential for violent behavior and this policy addresses those behaviors as well as behaviors that are clearly violent.

Behaviors covered by this policy have been categorized in three stages.

**Stage One** behaviors are early indicators of a potential for violence and include behaviors such as:

- Name Calling
- Profanity
- Sexual Comments
- Obscene language or gestures

**Stage Two** behaviors represent an escalated potential for violence and include behaviors such as:

- Blatantly disregarding university policies and procedures
- Ethnic or racial epithets
- Stealing
- Making verbal threats or conveying threats by note/letter and/or electronically.

**Stage Three** behaviors are actual violence and include behaviors such as:

- Physical abuse or attack
- Inappropriate touching
- Destroying property or any vandalism, arson, or sabotage
- Throwing objects
- Possession of a weapon

### **General Principles**

1. The university will respond promptly to threats or acts of violence. This response may include local law enforcement agencies if appropriate.
2. Employees of the university who commit work- related threats or acts of violence will be subject to disciplinary action, up to and including discharge from university employment. Students engaging in such behavior will be dealt with in accordance with this policy and the student code of conduct up to and including suspension/expulsion from the university.

3. The university will support criminal prosecution of those who threaten or commit violence against its employees, students, or visitors within its facilities, programs, and activities.
4. The university will attempt to reduce the potential for internal violence through an anti-violence team that will work to positively affect the attitudes and the behavior of its students and employees. The team will provide education and counseling, intervention, mediation, and referral services.
5. Possession use or display of weapons, or ammunition is prohibited on property owned by or under the control of Southern New Hampshire University and at off campus activities sponsored by the University.

### **Definition of Weapons**

A weapon is defined as: An instrument of offensive or defensive combat or something to fight with and includes any device capable of projecting a ball, pellet, arrow, bullet, missile, shell or other material. This shall include but not be limited to firearms, bows, arrows, swords, rockets, knives, sling shots, air guns, paint ball guns and martial arts devices.

### **Response to Violence**

1. **Discipline Response**-Persons whose behavior has become increasingly threatening may be separated from the university community. Behaviors which are violations of the university code of conduct will be adjudicated as described within Student Handbook.
2. **Disciplinary Response**-The university has formed an Anti-Violence Team. This group of faculty and staff will receive reports on behavior by employees and students that indicates a potential for violence or is a violent action. The team has the authority to require students and employees to take appropriate corrective measures. Programs required by the Anti-Violence Team are intended as preventive measures. By responding to early indicators of a potential for violence, the university hopes to minimize actual violent actions. Failure to comply with the requirements of the Anti-Violence Team is itself a violation of university behavioral guidelines.

### **Reporting an Incident**

Any individual, who believes he/she has been subjected to, has observed or has knowledge of actual or potential violence should immediately notify their supervisor, the Office of Residence Life, the Public Safety Office or local police. All such incident reports will then be submitted to the Anti-violence Team. Incident Reports are available online, or in the Office of Public Safety, Human Resources or the Wellness Center. If any imminent physical threat or danger exists, contact Campus Public Safety, or dial the emergency number 911 or 8-911 from a phone on the Manchester campus.

### **Policy on Sexual Misconduct and Harassment**

The university, in compliance with the spirit of various federal and state laws (e.g., Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, title VII of the Civil Rights Act of 1964, and other similar state and federal statutes and regulations), adopts the policy and fosters an environment where no individual may threaten the health, safety and welfare of a member of the university community; or any person on university property; or at a university sponsored or supervised activity, through the commission of a sexual assault, engaging in sexual harassment, discrimination, battery, and/or misconduct, including acquaintance rape.

Where there is reasonable cause to believe that a member of the university community has violated regulations prohibiting sexual misconduct, disciplinary action will be pursued by the university. Disciplinary action will be taken whether the conduct occurs on or off the campus. If you are involved in a sexual assault, you will find

confidential crisis intervention and counseling services through the Wellness Center. In addition, the university will make reasonable accommodations to change the living and/or academic situation on a case by case basis.

If you are a victim of an assault and wish to report it and to have the matter prosecuted, the Office of Public Safety will assist you in bringing the case to the attention of the local police. You may also submit a complaint through the university disciplinary system, in addition to or in place of, criminal prosecution or civil action.

As members of the university community, we are all responsible for creating a safe environment. University students are encouraged to report to the police, public safety and a university administrator all occurrences of sexual assault. Professional staff members in the office of the dean of student affairs, residential life, student counseling, the Wellness Center, and Public Safety are among those who are available to assist students who are victims of sexual assault.

## Communicable Disease Policy

The university seeks to protect the health and safety of each individual, as well as the campus community. This policy applies to students, faculty and staff of the university and aims to reduce everyone's risk of exposure to any communicable disease. Communicable diseases referred to in this policy and mandatory reporting requirements are defined by the New Hampshire Division of Public Health.

The university has established specific requirements for incoming students regarding immunization and testing for communicable disease. These requirements are in accordance with the latest State of New Hampshire and Federal guidelines. Employees of the university shall comply with all State of New Hampshire and Federal regulations as well as university requirements regarding infection control.

When an university student contracts a communicable disease, the disposition of the case will be determined by guidelines dictated by the New Hampshire Department of Public Health, the Coordinator of Health Services and the University Physician. When a university employee contracts a communicable disease, the disposition of the case will be determined by guidelines dictated by the New Hampshire Department of Public Health and the Office of Human Resources and Development. Students, faculty and staff of the University have the right of confidentiality and they must sign a consent authorization form for any information to be released.

## Smoking Policy

For the safety and health of all, the smoking policy of the institution is intended to minimize the effects of smoking as required by state legislation (RSA 155:64-77) as well as to create comfortable working, learning and living conditions for the entire campus community. Smoking is prohibited in all classrooms, residence halls, work areas and public areas as defined below. In addition, smoking is prohibited within 25 feet from any university building entrance on all athletic related venues.

Work areas are defined as any enclosed location, permanent or temporary, where faculty, staff and students perform work-related duty in the course of their employment. Public areas are defined as conference rooms, dining hall, hallways, the Student Center, and bathrooms.

## Guest Policy

Resident students are permitted to register guests to stay with them on campus. Resident students are limited to registering guests for five (5) nights within a 30-day period. However, guests may not stay longer than 3 consecutive nights per stay. Students are limited to no more than two guests at a time. Alumni and commuter students staying overnight must be registered as guests. Approval to stay longer than the above mentioned times

must be granted in advance by the Residence Director of the area. Students may not register guests for other students.

The behavior of guests is the responsibility of the host student. Therefore, students are required to accompany their guests around the campus at all times and to monitor their behavior. If a guest is registered to stay on campus during a time when his/her host is in class, the guest must remain in the host's residence during class times. Each student has the right to his/her own room; however, the privilege of entertaining guests is a negotiable agreement between roommates.

Guests are subject to all rules and regulations that apply to students. Disorderly or intoxicated guests will be ordered off campus and may be taken off campus by a cab (at their expense) or by a sober friend. If an intoxicated guest has a vehicle on campus, he/she will be allowed 24 hours to return for the vehicle. Hosts are also responsible for any fines, damages, or charges incurred by his/her guest.

If a guest was mistakenly allowed on campus (either host lost privilege or the guest is *Persona non grata*) he/she can be ordered to leave upon discovery on campus.

Students found in violation of the guest policy will lose the privilege of hosting guests, and may also be imposed a fine of \$100.

### **Guest Registration Process**

1. Students wishing to have guests on campus must go on line at <https://penelopent.snhu.edu/snhuguests/> to obtain a visitor pass and guest registration form. Guest registration forms are to be placed on the driver's side of the dashboard with the date of expiration in clear view. Students should park in the appropriate parking lots on the side of campus that his/her host lives (east or west).
2. The visitor pass is to be carried by the guest at all times. It is the responsibility of the student to inform his or her guest of all campus rules and regulations.
3. Guest registration will start at 8:00 am on Monday and continue throughout the week until 9:00 pm on Friday. Guest registration is also allowed between the hours of 8:00 am until 9:00 pm on Saturday and Sunday.
4. No one under the age of 17 will be registered as a guest unless accompanied by a custodial parent/guardian or for a demonstrated humanitarian need.
5. No guests are allowed during any final examination period, beginning the evening before reading day. No guests are allowed any time when resident assistants are not available and on duty (this includes move in days/first days). At the end of spring semester, guests will not be allowed through graduation. Rare exceptions will be made for next of kin or for a demonstrated need.

## **Judicial System**

When it is believed that a violation of the university Code of Conduct has occurred, it is documented in what is called an incident report. Incident reports are filed by a student, faculty, or staff member who observes an incident or receives a report from a student or another staff member. This report is reviewed, and, if necessary, the student will be directed to attend a hearing to determine what, if any, violation may have occurred. Students have the right to obtain a copy of the incident reports written by the university staff. The judicial process is intended to be educational in nature, and is based on the concept of due process. The procedures provide reasonable notice of the violation in question, and an opportunity for a student to be heard.

## **Judicial Procedure**

Review of all alleged violations is overseen by the director of judicial affairs, who identifies those acts that may be in conflict with the Code of Conduct. Violations are categorized as either “minor” or “major.” Violations that occur outside of the residential areas are assigned to a member of the public safety staff. Violations that occur within the residence halls are assigned to a member of the residence life staff. Violations that occur in the online environment are assigned to the director of judicial affairs, the dean of students, or the associate vice president of non-traditional advising and support services.

Minimally, a 48 hour notice is given prior to a meeting/hearing. If circumstances necessitate, the hearing could be scheduled immediately. Written notice of the date, time, location, and allegation(s) is sent to a student’s university email account. Depending on the urgency, notice may also be hand delivered. Students are required to check their university email and mailbox every day as part of his/her responsibilities as a student. If the student fails to attend the hearing, a decision will be made in his/her absence and his/her right to appeal the findings will be forfeited.

Alleged violations may be addressed in one of the following ways:

1. Educational letter or conversation
2. Mediation-Conflicts between individuals may be resolved through the collaborative process of mediation. If mediation is deemed appropriate, contact will be made to all parties involved and an explanation of the process will be offered. If accepted by all parties, mediation will be viewed as an alternative solution. In the event that it becomes apparent that coming to agreement in this way is not possible, the incident may be pursued through a disciplinary hearing. All agreements reached through mediation are binding. If at any point the agreement is not being fulfilled, the negligent party may face further disciplinary action.
3. Judicial hearing

## **Minor Violations**

Students who have allegedly been involved in a minor violation will meet with a hearing officer in a judicial hearing. These cases are less serious and are used in situations where probation or suspension is not warranted. If the staff member feels that it is not necessary to meet with the student, an educational letter outlining expectations will be sent in lieu of a hearing.

## **Major Violations**

A major violation of university policy is defined as a single incident, or a pattern of misconduct which causes significant concern for the health of the community, the safety of its students or the impact on the community. If the reported alleged violation(s) is considered a major violation of policy, a hearing will be conducted by a hearing officer, the director of judicial affairs, or the judicial board, depending upon the severity of the allegations.

When an alleged violation of university policy could result in a sanction of university probation, suspension, or dismissal, the matter will be reviewed by the director of judicial affairs. Possible violations that could result in the aforementioned sanctions include, but are not limited to, violence, sexual misconduct, controlled substance use, and patterns of misconduct. The director of judicial affairs will make a determination as to whether the hearing will be conducted directly by himself/herself or referred to the judicial board for a hearing. Cases will be referred to the judicial board for a hearing when the complexity of the allegations is significant, as determined by the director of judicial affairs.

When a case is referred to the judicial board, the director of judicial affairs will conduct a preliminary hearing with all involved students to prepare them for the judicial board process. The director of judicial affairs will discuss the incident reports, students' rights, and the hearing process. Hearings may be expedited to protect the members of the community. Students involved in major violations may be suspended in the interim from either residence or the university pending a hearing if the dean of students or his/her designee deems it is necessary. Resident students may also be temporarily re-located pending a hearing.

## **Hearing Procedures**

The steps below specify the procedures that must be followed when determining if a violation of community standards has occurred and assures that due process is followed. In cases assigned to the judicial board, members will participate on a rotating basis. The university judicial board is composed of students, faculty and staff. Attendance at hearings ranges from four to six judicial board members. At least two students will minimally hear each case regardless of the total number of judicial board members. The director of judicial affairs will serve as the advisor to the board, and will not have a vote.

Students participating in a judicial board hearing will be given the names of the judicial board members in advance of the hearing. Should a student believe that any voting board member is biased or could not render an impartial judgment, the student may challenge the individual's participation in the hearing. The director of judicial affairs will rule on such challenges, and the decision will be final.

### **Notice**

Students will receive a letter electronically from the appropriate university staff member informing them of a judicial hearing to discuss the incident. Students must be given at least a 48 hour notice for hearings and preliminary hearings to take place.

At the conclusion of a preliminary hearing, the student will receive electronic notification indicating the date, time and location of the judicial board hearing.

### **Attendance**

If the student fails to attend the hearing, the review will be made in his/her absence and the student will also forfeit his/her right to appeal the findings.

### **Burden of Proof**

The burden of proof is on the university to show that the student is responsible for the violation or a pattern of misconduct. The standard of proof is not that of the criminal courts. The decision shall be made on the basis of whether a violation of university policy more likely than not occurred.

### **Presentation**

A hearing officer will review the incident reports; students will present their own case. If the case suggests that an initial investigation should take place due to the complexity, a university staff member will be assigned to complete the investigation.

### **Witnesses**

Written witness statements must be presented to the hearing officer 24 hours in advance of the hearing. Witnesses are defined as someone who witnessed the actual incident. Witnesses may be asked to be present at the hearing to answer any questions if needed. Witnesses may be called in to discuss their statement in advance of the hearing. This will be at the discretion of the hearing officer. Only members of the university community may attend the hearing. As the student's character is not in question, character statements will not be accepted as witness statements.

### **Legal Counsel**

Both the student and the staff presenting the case may seek the advice of counsel in preparing the case but legal assistance will not be allowed during the hearing (whether by means of presence at the hearing or by recess and conference outside the hearing).

### **Advisor**

A student may have an advisor of his/her choosing from within the university community present at the hearing. The advisor may be selected from the faculty or staff at the university. The advisor shall not participate directly in any aspect of the hearing; the advisor may only confer with the student. It is the student's responsibility to present all aspects of his/her own defense.

### **Hearing**

The hearing will be conducted formally and summary notes could be kept. Hearing officers may audio record the hearing if he/she deems it is appropriate. Students may request and pay for a copy of the audio recording.

### **Special Accommodations**

The judicial board may accommodate concerns for the personal well-being, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or permitting participation by telephone, videophone, closed circuit TV, video conferencing, videotape, audio tape, written statement, or other means. This determination will be based on the judgment of the director of judicial affairs or his/her designee.

### **Finding and Sanction**

Based upon the information presented, the hearing officer or judicial board will determine if the student is responsible or not responsible for the alleged violation(s). Sanctioning is considered only after responsibility has been determined and is based solely on the severity of the violation and a student's previous disciplinary record. The decision of the judicial board will be subject to final review by the director of judicial affairs or designee.

### **Notice of Results**

An email with an attached letter notifying the student of the results of the hearing will be sent electronically no later than five business days following the hearing. Additional time may be needed if the case is complicated in nature. A copy of the notification may also be sent to the parents at the discretion of the hearing officer. Decisions made by the judicial board and/or hearing officer shall be final pending the appeal process.

### **Appeal**

If the student is found responsible, he/she may file a petition to appeal if one of the three bases for an appeal is reasonably met. A complete description of the appeal process can be found in the "Appeal" section of the section titled "Sanctions," below.

## Refund Policy for Disciplinary Sanctions

If a student is suspended from residence or from the university, the refund given will be consistent with the university “withdrawal refund policy”.

Students receiving Federal Title IV Financial Aid (Federal Stafford, Plus, Perkins loans and Federal Pell or FSEOG grants):

Students who withdraw before they have attended 60 percent of any particular academic term may need to have a portion of the federal financial aid canceled. These funds would then be returned to the lender (for loans) or to the U.S. Department of Education (for federal grants). The percentage of federal financial aid “earned” (allowed to keep) is based on the amount of time a student attends in that term and is calculated using the Federal Return to Title IV funds formula provided by the U.S. Department of Education.

If a student withdraws after they have attended 60 percent of an academic term, they have earned 100 percent of the aid awarded for that term and there is no cancellation of aid. In some instances, if a student has taken a credit refund from financial aid funds and then withdraws, these funds may need to be paid back to federal aid sources. The Financial Aid Office will make notifications in writing if this occurs. Institutional financial aid may also be canceled during the withdrawal process based on adjustments to charges and federal financial aid.

Students will have all refunds processed within 30 days of the notification of withdrawal. The university complies with all federal refund requirements. Tuition, fees, room and board are canceled/reduced based on the following schedule for undergraduate day school students:

Tuition and Room charges:

- 100 percent refund before the first day of class.
- 90 percent refund through the first 10 percent of the term.
- 50 percent refund from 10 to 25 percent of the term.
- 25 percent refund from 25 percent of the term through 50 percent of the term.
- No refund after 50 percent of the term has elapsed.
- Fees: No refund is issued after the first day of class for student activity fees.

COCE students should refer to <https://www.snhu.edu/648.asp> for the current refund policy applicable to COCE.

Refund policies can be found in the Catalog at <http://www.snhu.edu/377.asp>.

## Sanctions

If a student is found in violation of a policy following the Judicial process, he or she will receive one or more sanctions. Many factors are taken into consideration when sanctioning: the current violation, the past judicial record, previous sanctions that may exist, and the level of understanding the student demonstrates regarding the actions he or she displayed.

The purpose of any sanction is to educate individuals and to help them develop the autonomy that is expected of adult members of our community. It is possible that a student may not be eligible to participate in university sponsored activities or trips if the student is not in good social standing with the university.

The list of sanctions is meant to be illustrative rather than exhaustive. The university reserves the right to create additional sanctions based on the nature of the misconduct. Sanctions may include, but are not limited to:

### **Written Warning**

A warning consists of formal notification that the student has violated the university community standards and advises that repetition will result in a more severe sanction.

### **Behavioral Agreement/Contract**

In certain circumstances, a behavioral agreement is developed by a member of the university staff. This agreement outlines specific behaviors acceptable among all parties involved.

### **Community Service**

This sanction may be imposed when, in the view of the hearing officer or board, the student's actions have infringed on the community in some manner necessitating the student to provide positive service back to the community. The amount of service and deadline for completion will be described in the written notification to the student.

### **Educational Sanctioning**

A non-punitive sanction usually imposed in conjunction with another sanction. The educational sanction must be completed within the manner and time stated as part of the sanction. Participation in certain programs may be withheld or restricted until educational sanctions are completed.

### **Alcohol Restriction**

In cases where students are found responsible for "hosting an AOD (Alcohol and Other Drug Policy) violation", or "providing alcohol to minors", the unit will become "dry" for a minimum of 16 weeks exclusive of breaks. A "dry" apartment or townhouse is defined as an area where alcoholic beverages are prohibited. In addition, those found responsible will be sanctioned individually based on their previous AOD history.

### **Fines**

Fines are imposed on a case by case basis. Fines pertaining to the university Alcohol and other Drug Policy are explained in full detail under the disciplinary responses to AOD violations section below..

### **Judicial Educator Educational Computer Module**

As part of an educational sanction, the student could be referred to the Judicial Educator, an online assignment that you are required to complete. Modules included in this program are based on particular topics. Deadlines for completing these modules will be included in the written notification to the student.

### **Loss of Privileges**

Students may be banned from specifically stated facilities, services, or activities for a designated period of time. Examples include, but are not limited to, loss of guest privileges, loss of parking privileges, prohibition from entering certain residence halls, prohibition from university sponsored activities, room change restrictions, etc.

### **Removal from Class**

Students may be removed from classes if their actions are deemed to be detrimental to the educational environment.

### **Residence Probation**

Students are placed on residence probation for minimally one semester, and the hearing officer reserves the right to determine the length of probation based on the incident and the student's past history. Any violation of university policy during the probationary period would result in the student's referral for residence suspension.

### **Residence Restriction**

Students that live in apartment or townhouse style areas that continually violate policies in regards to community living may be subject to residence restrictions. The following list is intended to be examples of restrictions that could be imposed by a hearing officer: occupancy restrictions, 24 hour quiet hours, relocation to a traditional housing option.

### **Restitution**

Students may be required to pay the full cost of damage(s), as determined by the hearing officer. This could include the cost of materials and labor for the repair. In addition, restitution could include the cost of replacing damaged, destroyed, or stolen property.

### **Access Restriction**

Students may be denied access to any campus building, room, activity, class or program, computer and network resources, or denial of other student privileges.

### **Interim Restriction**

When a student's behavior might be contrary to his or her own well being or that of others or in cases involving serious alleged violations of university policy, students may be restricted from certain buildings, facilities or programs until the hearing has been conducted and a resolution has been reached.

### **Interim Suspension**

If a student's behavior becomes a danger or risk to the safety of the university community or to his/her own safety, the vice president for student affairs or designee may authorize immediate temporary suspension. Once required to leave campus under such an order, the student must depart immediately or face charges for trespassing and additional disciplinary action. In cases involving COCE students, the associate vice president of non-traditional advising and support services may authorize immediate temporary suspension from any and all online educational environments.

If the student must return to the university for any reason—for example, taking an exam, meeting with an administrator, pursuing rights to a hearing—and the student is under summary suspension, he/she must have the permission of the staff member who initiated the suspension or their designee.

An interim suspension ends when lifted by the dean of students or associate vice president of non-traditional advising and support services, or designee, or when the disciplinary finding on the incident is concluded.

### **Suspension held in Abeyance**

Suspension from the university or from residence halls may be "held in abeyance." This means that the suspension would not be enforced immediately, but is "in place." Notice of this status will require that specific conditions be fulfilled. Any violation of those conditions will result, at a minimum, in immediate enforcement of the suspension without a hearing. It may also result in further disciplinary action.

### **Suspension from Residence**

Suspension from residence, whether for a period of time or indefinitely, automatically carries with it the status of persona non grata in the residential areas. If the student has lost the privilege to live on campus, he/she is barred from the residence areas entirely and will only be allowed in the Athletic Complex, Shapiro Library, Student Center, Academic Building, Dining Center, Robert Frost, Exeter and Stark Halls, the Hospitality Building, Webster Hall, or Belknap Hall only between 7:30 a.m. and 12:00 a.m. The student's vehicle may only be on campus during that time, and parking is restricted to Lot 1 or 12.

**University Probation**

This sanction is the most serious form of warning for violation of university regulations prior to suspension, and places limits on the student's good standing with the university. Students on university probation may be limited in their ability to attend university programs. Probation is for a designated period of time. If the student is found responsible for violating any university policy during the period of probation, suspension may become effective and the student may be subject to additional sanctions for the additional violation(s).

**Suspension from Southern New Hampshire University**

Suspension means that the student is dismissed from the university for a given period, with an opportunity for readmission. If suspended from the university, the student will be persona non grata on all university facilities, online environments, and from all university functions for the period of his/her suspension.

**Dismissal from Southern New Hampshire University**

If a student is dismissed from the university, he/she is permanently dismissed from the university without opportunity for readmission. If dismissed from the university, the student will be persona non grata on all university facilities, online environments, and from all university functions.

## Judicial Responses to Alcohol and Drug Violations

Due to the importance of addressing drug and alcohol use, the university has developed a specific set of responses for these types of violations. If you are found to be in violation of the Alcohol and Other Drug Policy (“AOD”), you will be held accountable for your own actions and you will be held accountable for allowing or encouraging violations by your guests. The institution has a two-part response system for students in violation of the AOD Policy: a disciplinary response and an educational response. You will be required to participate in both the disciplinary and the educational process, including meetings with university officials and presence at review meetings and hearings. You will be given sufficient advance notice, in writing, of scheduled meetings and hearings. If you fail to attend a disciplinary meeting or hearing, a decision will be made without your input and you will not be granted an appeal of that decision.

**Disciplinary Response-** The following sanctions will be imposed **at a minimum** for alcohol or other drug violations. **Note:** If a student is under the age of 18 at the time of a violation, a parent/guardian will be informed in writing of that violation, regardless of the severity of the violation.

	ALCOHOL	CONTROLLED SUBSTANCES AND/OR PARAPHERNALIA
<b>Minor 1st violation</b>	Completion of an educational online module.	N/A
<b>Minor 2nd violation</b>	An awareness activity to be selected from a list of predetermined options: writing a paper, creating an educational display, or completing an educational online module.	N/A
<b>Minor 3rd violation</b>	An assessment fee of \$100.00 will be charged to the student’s account and parental/guardian contact.	N/A
<b>Major 1st violation</b>	Residence probation (resident student) or university probation (commuter student) and parental/guardian contact*	University probation and parental/guardian contact*
<b>Major 2nd violation</b>	Residence suspension (resident student) or Persona Non Grata status (commuter student) and parental/guardian contact*	University suspension and parental/guardian contact*
<b>Major 3rd violation</b>	University suspension and parental/guardian contact*	

\* Major violations **include a series of minor infractions in excess of three; a single alcohol violation which causes significant concern for the health of the community, your safety or the quality of the learning environment (e.g. common source violations or violations involving alcohol abuse or intoxication); and all violations involving controlled substances and/or drug paraphernalia.** In the case of Major violations, the university reserves the right to impose more severe sanctions (e.g. university suspension) for a first or second violation when warranted by the danger or illegality of the incident. At a minimum, Major violations will result in probation.

## Educational Responses to AOD Violations - Student Assistance Program (SAP)

Once a violation has been adjudicated in the disciplinary process, a violation form is forwarded to the SAP Coordinator. The SAP Coordinator reviews the violation and meets with the SAP Committee to determine what educational activity will be utilized. All students *generally* receive the educational activities outlined in the first column of this table (see column heading, Alcohol Minor). Additional or different measures are imposed when the incident involves a Major violation (see column headings for Alcohol Major and Controlled Substances and/or Paraphernalia).

ALCOHOL MINOR (Minor Violation and Cumulative Number of Violations)	ALCOHOL MAJOR (Major Violation)	CONTROLLED SUBSTANCES AND/OR PARAPHERNALIA (Major Violation)
<b>1<sup>st</sup> Minor Violation</b> Educational materials and a letter from the committee recognizing the violation	<b>1<sup>st</sup> Major Violation *</b> Assignment to BASICS meetings with SASSI. Assignment to CHOICES class. If already attended BASICS then referral to University Counselor for PRIME FOR LIFE or other intervention	<b>1<sup>st</sup> Major CSA Violation **</b> SASSI and Marijuana education class.*
<b>2<sup>nd</sup> Minor Violation</b> Personal meeting with Wellness Director or a designee with potential for referral to CHOICES and/or BASICS	<b>2<sup>nd</sup> Major Violation **</b> Personal meeting with University Counselor and referral to Prime For Life.	<b>2<sup>nd</sup> Major CSA Violation</b> Letter of support for university suspension Off campus assessment if student not suspended
<b>3<sup>rd</sup> Minor Violation **</b> Personal meeting with a Counselor with SASSI and referral to CHOICES if not already completed. Possible assignment to BASICS meetings	<b>3<sup>rd</sup> Major Violation</b> If student remains in school, off-campus assessment*** and recommendation for university probation	N/A
<b>4<sup>th</sup> Minor Violation</b> Personal meeting with Coordinator of Wellness Education and assignment to Prime for Life Training or referral to an off campus assessment*** Prime for Life is a 6 hour education program that provides accurate information about high-risk and low-risk use.* This includes meetings with a counselor before and after the class.**	<b>4<sup>th</sup> Major Violation</b> Letter of support for university suspension	N/A
<b>5<sup>th</sup> Minor Violation</b> Assignment for off-campus assessment***	N/A	N/A
<b>6<sup>th</sup> Minor Violation</b> Support for recommendation for university suspension	N/A	N/A

\* There is a charge to students for attendance in an on-campus educational program. Failure to attend an assigned educational activity (Choices, Prime for Life, Marijuana Education) will result in a charge to the student's account equivalent to the cost of the program. In addition, the student will be reassigned to the program and charged again.

\*\* There is no charge for a BASICS or SASSI meeting if attended as scheduled or if the appointment is rescheduled with 24 hours notice. Failure to attend scheduled BASICS, or SASSI appointment or other AOD appointment with the University Counselor will, result in a \$50.00 charge to a student's account and the appointment will be rescheduled.

\*\*\*Students are expected to pay any costs associated with an off-campus assessment. In some instances, these fees may be discounted or covered by a student's medical insurance.

## Appeal Process

Appeals of judicial sanctions must be submitted by the student in writing (electronically or printed copy) and contain grounds for the appeal based on the criteria identified below and must be received by the director of judicial affairs or a designee within five business days of the decision being rendered. The purpose of the appeal process is to ensure that a student has been treated fairly in the disciplinary process. An appeal cannot be filed simply because he/she does not agree with the original outcome of a hearing.

Appeals will be heard by the director of judicial affairs or two members of the judicial board. If a case was originally heard by the judicial board, the appeal will be reviewed by two members of the judicial board that did not originally hear the case. If a case was originally heard and determined by the director of judicial affairs, the appeal will be reviewed by two members of the judicial board.

**Appeals Process** The appeal review is limited to an analysis of the written appeal document, the notes and documents of the initial hearing, and an interview with the original Hearing Officer or Advisor of the Hearing Board. If the appeal is based on the appropriateness of the sanction(s) issued, a complete review of the student or student organization's disciplinary history, including previous sanction(s), will take place. In cases where new evidence has emerged, this information will be included as part of the review process. If new information or a procedural error has been determined through the appeals process, the case may be referred to another hearing officer to allow for a reconsideration of the original finding. The new hearing will be scheduled as soon as possible.

If there is reason to believe that the sanctioned student or other members of the university community are at risk, or a need exists to protect university property or prevent disruption of the universities educational process, the dean of students or designee may immediately enforce any or all of the original sanctions and those sanctions shall remain in effect pending the final outcome of the appeal.

All decisions resulting from an appeal review shall be final. Although a verbal notification may be provided to the student, an e-mail notification of the decision shall be sent within seven business days of the review.

### Criteria for an appeal:

1. **New information** is now available that was not at the time of the hearing. This information may have been sufficient to alter the original hearing officers' decision. This new evidence will be considered only if it is clear that the evidence could not have been known by the student(s) appealing at the time of the original hearing.
2. **A procedural error** occurred and the hearing was not conducted in accordance with procedures prescribed by the judicial process. This procedural error impaired a student's right to a fair opportunity to be heard.
3. **The severity of the sanction is not appropriate for the violation(s)** committed, and the past disciplinary history of the student. This is not applicable for minimum standard sanctions of the Alcohol and Other Drug Policy.

### Instructions for submitting the Petition for Appeal:

1. Forms can be obtained through [my.snhu.edu/](http://my.snhu.edu/) and should be turned into the Office of Student Affairs located in Exeter Hall #23.
2. The Petition for Appeal must be submitted within five business days of the discipline decision being rendered. Information on the form must be completed accurately, legibly, and concisely. It is the student's responsibility to obtain a copy of the decision letter and submit it. The student must fill out the appeal form that was included with the decision letter, as well as submit the appeal form that specifically addresses the reason for appeal.

3. If the appeal is reviewed, a decision will be made within one week of receiving the petition. Outcomes could include: the decision may be upheld, dismissed, changed, or a new hearing may be granted. In cases of sexual assault, the university has the right and is required to notify the victim.
4. If a decision is overturned, the person(s) hearing the appeal will provide a written rationale for overturning decisions to the staff member who made the original finding.

## Parental Notification

In accordance with a 1998 amendment to the Family Educational Rights and Privacy Act, Southern New Hampshire University may notify parents or guardians of students that have violated any rule or policy of the university governing the use or possession of alcohol or a controlled substance.

In most cases, the university will notify parents or guardians of students who are claimed as dependent in the following circumstances:

1. If a student is found responsible for violating a university policy that may place them in jeopardy of losing their on-campus housing or status as a student.
2. If the student is found responsible for violating any major alcohol or other drug policy.
3. If a student's health or safety may be at risk.

Parents of students who are not considered dependent may be notified in situations where the student's health or safety may be at risk.

Students are encouraged to discuss the situation with their parents/guardians prior to university notification. Students are responsible for notifying the Office of Student Affairs if they are not considered a dependent.

## Discipline Records

Discipline files are maintained online. These files are confidential records open only to authorized faculty or administrators. You may review your own records under the supervision of an appropriate member of the staff. You may request copies of incident reports as needed for the preparation of your case for a hearing. If requested, students will be provided copies of the formal incident reports. Notes from preliminary investigations will not be available for distribution; however, the information could be presented at the hearing.

Reviews for outside agencies—for example, branches of the federal government doing background investigations are done based upon written authorization of the student. Subpoenas of a student's record will be honored. The student will, however, be notified before the records are submitted unless the subpoena specifically directs the university or staff member not to notify the student. Only notices of university suspension or expulsion will be included in the student's educational record.

## **Specific Conduct Policies**

In addition to the overall Code of Conduct and the general university policies set forth previously, the university has established the following categories of specific conduct policies and standards in the areas of alcohol and drugs, personal injury and violence, general behavior and residence life. These standards are in place to ensure the safety and well being of our community. Please note that policy violations that generally appear as minor may become a major violation if they meet the criteria of exceeding three in number.

### **Alcohol and Other Drug (AOD) Policies**

Please note: students are responsible for all violations that occur in their residence through encouragement, neglect or as a host of a guest/visitor. This includes apartment, townhouse, entrance hallway, lounge or other common areas.

#### **Display Items**

Decorative/display items such as bottles are permitted in residence; however, they must have been altered in such a manner so as they do not currently or can no longer hold alcohol or have held alcohol recently. Decisions as to whether or not an item is decorative are at the discretion of university officials. (minor)

#### **Drinking Games or Acts**

Participation in games or activities intended to increase the rate of consumption of alcoholic beverages are prohibited. (major)

#### **Excessive Amounts of Alcohol or Common Source**

Both excessive amounts of alcohol and common sources are prohibited. (1) Excessive amounts are defined as supplies of alcohol which are excessive for the number of students of legal drinking age present (not to exceed the occupancy allowed or amounts which are distributed indiscriminately. The determination of what is excessive will be made during the hearing process. (2) Examples of typical common sources of alcohol are kegs and beer balls and "punch". Common source containers, whether full or empty, are not permitted in university residence areas. (major)

#### **Hosting an AOD Violation**

It is a violation of university policy to host an AOD violation in any residential area. Examples of this include minors possession or consuming alcohol, excessive amounts of alcohol, drinking games in your unit, students present who are intoxicated, etc. (minor or major)

#### **Intoxication/High Risk Consumption**

A student may not drink alcohol in a high risk manner or to the point of intoxication, nor may he/she knowingly serve another to the point of intoxication, regardless of age. Behavioral symptoms frequently associated with excessive consumption or intoxication may include: impaired motor skills, 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. The determination of high risk drinking or an intoxicated state will be based upon physical observation and need not rely on any mechanical, electrical or chemical sobriety instrument. (major)

#### **Manufacture or Distribution of Controlled Substance**

The manufacture or distribution of illegal drugs or controlled substances is prohibited at any time on university property or as part of any university activities. (major)

### **Possession in a Prohibited Area**

Alcohol and alcoholic beverage containers, whether full or empty, are prohibited (1) in apartments or townhouses where the assigned residents are underage or which have been sanctioned a “dry” unit (2) in all other residence halls, and (3) in all common areas of residence halls regardless of age. Common areas are defined as hallways, stairwells, lounges, bathrooms, building entries, and lobbies. (minor)

### **Possession of a Controlled Substance**

The possession of illegal drugs or controlled substances is prohibited at any time on university property and as part of any university activities. The possession of prescription drugs for other than their intended medical purposes or their possession by a person to whom the medication was not prescribed is not permitted. (major)

### **Possession of Alcohol in an Open Container**

Open containers of alcohol are not permitted while in a public place on campus or in the compartment of any motor vehicle. A public place is an area to which the general public can gain access - including stairwells, townhouse patios, any public building and anywhere outside. In addition, a beverage found out of the original container (e.g. in a cup), that looks and/or smells like alcohol, is assumed to be an alcoholic beverage. The determination that alcohol is present will be made by the individual reporting the incident. (minor)

### **Possession of Alcohol Paraphernalia**

Possession of paraphernalia (eg. funnels, gaming tables) that supports drinking games or activities intended to increase the rate of consumption of alcoholic beverages is prohibited and said items will be confiscated by university officials. (minor)

### **Possession of Drug Paraphernalia**

The possession of drug paraphernalia (e.g. bongs, hookah pipes, bowls, scales, grinders, pipes, dugouts, roach clips or any other item typically associated with the use of controlled substances) is prohibited at any time on university property and as part of any university activities. No evidence of drug use involving the paraphernalia is necessary to be charged with possession of the item. (major)

### **Serving Underage Person(s)**

Residents of legal drinking age who live in an apartment or townhouse unit are permitted to store or consume alcohol in his/her residence. By law, no one may provide alcohol to minors. (minor or major)

### **Transporting Alcohol**

The amount of alcohol that students may transport between residences in an opened package cannot exceed 12 standard drinks. A standard drink is defined as a 12 oz. beer, a 4 oz. glass of wine, 1½ oz. of 80-proof alcohol or 1 oz. of 100-proof alcohol. Students may not transport alcohol in any type of cooler. It is illegal for a person under the age of 21 to transport any alcohol, unless in the company of a parent or legal guardian, according to state law. (minor)

### **Underage Possession and/or Underage Consumption**

The acquisition, possession (including internal possession), transportation and consumption of alcohol by anyone less than 21 years of age is prohibited. (minor)

### **Under the Influence of a Controlled Substance/Illegal Drug**

A student may not be under the influence of an illegal or controlled substance at any time. Indications that an individual is under the influence of an illegal or controlled substance may include bloodshot eyes, a strong odor on a person’s clothing or on his/her breath, excessive mood swings, excited behavior, or irrational or erratic behavior

that lacks a logical explanation. The determination that an individual is under the influence of a controlled substance or illegal drug will be made based upon physical observation and evaluation of behavior by a university authority. (major)

### **Use of a Controlled Substance or Evidence Supporting Use**

The use of evidence of the use of illegal drugs or controlled substances is prohibited at any time on university property and as part of any university activities. The use of prescription drugs for other than their intended medical purposes or their possession by a person to whom the medication was not prescribed is not permitted. The university official reporting the incident will determine the presence of evidence that would support conducting a search. Evidence of marijuana use could include but not limited to: smell, smoke, seeds, or residue. (major)

### **Personal Injury/Violence Policies**

All issues of personal injury/violence will be categorized as major violations of university policy. All community standards violations that relate to violence are reported to the university's anti-violence team. In addition to any disciplinary proceedings pursuant to the judicial process, the anti-violence team may require students or staff members are required to participate in counseling or other programs after reviewing the reports of an incident and a student's history. The anti-violence team may act before disciplinary proceedings are concluded. It also receives reports regarding behaviors that indicate a tendency toward violence even if these are not violations of community standards, and may refer students or staff to a meeting as a result of those reports.

Violence includes but is not limited to: threats, intimidation, vulgar, indecent, defamatory, or obscene conduct or expression; engaging in behavior that is destructive, lewd, dangerous, harmful, obstructive or disorderly. Depending on the circumstances, violations could be minor or major.

### **Assault**

Any unprivileged physical contact, or intentionally inflicting bodily harm upon any person, or taking reckless action that results in harm to any person. (major)

### **Assault of a University Official**

Unwanted physical contact with an employee of the university is strictly prohibited. (major)

### **Bullying**

The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, or electronically transmitted emotional abuse, or through attacks on the property of another. Bullying may include, but is not limited to, actions such as verbal taunts, name-calling and put downs, including ethnically-based or gender-based verbal put downs. (major)

### **Cyber bullying**

The transmission of electronic communication that embarrasses, humiliates, threatens, intimidates, or is hostile is prohibited. (major)

### **Mutual Combat**

Fighting in which both parties have contributed to the situation by verbal and/or physical action. It differs from assault as there is no clear aggressor. (major)

### **Possession of Firearms, Explosives and other Dangerous Weapons**

Possession, display, use or distribution of a firearm or any other weapon or explosive is prohibited on property owned by or under control of Southern New Hampshire University. A weapon is defined as: An instrument of

offensive or defensive combat or something to fight with, and is generally any device capable of projecting a ball, pellet, arrow, bullet, missile, shell or other material. This shall include but *is not limited to* firearms, bb guns, ammunition, bows, arrows, swords, rockets, sling shots, air guns, paint ball guns, personal knives (2 inch blade or greater) and martial arts devices. These items will be confiscated and not returned. Other items could also be considered a weapon, based on the intent of the use. (major)

### **Sexual Misconduct**

Non-consensual physical contact of a sexual nature including but not limited to sexual physical abuse, rape, acquaintance rape, or any other form of sexual assault. Consent in a sexual relationship must be clear, spoken and mutual. Consent can never be assumed and is never present when one is incapacitated by alcohol or drugs. (major)

### **Stalking**

Behavior wherein an individual willfully and repeatedly engages in a knowing course of harassing conduct directed at another person which reasonably and seriously alarms, torments, or terrorizes that person. (major)

### **Threat**

Any intentional and unprivileged act that places the victim in fear of harm that would have been painful, injurious, insulting or offensive is strictly prohibited. (major)

## **General Behavior Policies**

### **Assisting in the Violation of a University Policy**

Students may never encourage or assist anyone in violating any university policy (e.g., hosting someone who has been restricted from residence areas). (minor or major)

### **Bicycles, Skates & Skateboards**

Always use bicycles, skates and skateboards in a reasonable and safe manner. Students may not ride them in any university building and must park them in the bicycle racks. They may be stored in out of the way areas of apartments, residence halls and townhouses. (minor)

### **Damage to Property**

Students may never damage or destroy property owned or operated by the university, other students, faculty, administration, staff or guests. (minor or major)

### **Disorderly Conduct**

Inappropriate, disorderly, or disruptive conduct is prohibited. Any behavior that disturbs individuals or groups without justification is prohibited. This includes, but is not limited to, mocking a university official, disruptive behavior in the classroom, yelling, using profanity toward a university official, or boisterous conduct, which is unreasonable in the place or time of its occurrence. (major)

### **Disruptive Parties**

Hosting a disruptive party, whether on or off campus is prohibited. Examples include, but are not limited to: gatherings that result in a noise complaint, those that are disruptive to neighbors in any way, excessive attendance beyond what is safe and/or reasonable. (minor or major)

### **Disrupting Community Relations**

Students are expected to abide by both university regulations as well as local, state, and federal laws. Since the interests of the university community often coincide with the broader public interest, if a student is disrupting community relations, the student may also be subject to disciplinary action. (minor or major)

### **Driving Policy**

All New Hampshire driving laws and rules must be followed while driving on university properties. (minor or major)

### **Electronic Stalking**

Using electronic media in a manner that persistently intrudes upon another person is prohibited. (major)

### **Endangering Acts or Behavior**

A student may never engage in conduct that creates or causes a situation that may result in threat or harm to a person, including himself/herself. (minor or major)

### **Failure to Comply**

Students must comply with university officials (resident assistants, resident directors, public safety officers or any staff or faculty member) in the exercise of their duties. This includes participating in investigations, producing university identification when asked, and carrying out any sanction that is imposed. (minor or major)

### **False Information**

Any student who offers false information during either an investigation or university disciplinary process/hearing shall be considered to have violated university policy and behavioral expectations. Furnishing false information or using another person's name is prohibited. (minor or major)

### **Fire Safety**

Breaching campus fire safety is prohibited. The following is a list of fire safety policies:

1. Setting a fire (including charring, burning, lighting of papers, or any other act that could cause a fire), causing or creating a false alarm, or other such intentional or reckless conduct that causes harm or reasonable apprehension of harm to a person or property. Damage to property will be prosecuted as arson whenever appropriate. (major)
2. Misusing, tampering, or damaging fire safety equipment is prohibited. The cost for needlessly activating false fire alarms is \$350. Costs for false alarms that cannot be attributed to a specific individual(s) will be assessed to the residents of the floor or area where the alarm was registered. Anyone found discharging a fire extinguisher for other reasons other than a fire will face disciplinary action and will be held responsible for the costs related to damage of property, clean up and recharging the affected fire extinguisher(s). (major)
3. Failure to evacuate university buildings during a fire alarm (major)
4. Camp stoves, candles, incense and incense burners, propane torches and lanterns are not permitted in any residence. (minor)

### **Flammable Materials and Fireworks**

Students may not possess anything in the nature of fireworks or explosives on any property owned or operated by the university. Students may not ignite or detonate anything that could cause damage by fire, explosion or similar means to persons or property. (major)

### **Fraud or Lying**

Lying or fraudulent misrepresentation in, or with regard to any transaction with the university, whether oral or written, is prohibited. (major)

### **Gambling or Betting**

Students may not play, or participate in, games of chance, such as poker. You may not participate in betting, which includes, but is not limited to, betting on university athletic teams. (major)

### **Guest Violations**

Students may not create or allow a situation where his/her guest(s) violate university policy or guidelines. If a host is found responsible for failure to control his/her guests on campus, the level of sanctioning for the host may correspond to the appropriate level of the violations) the guest committed. (minor or major)

### **Harassment or Discrimination**

The University will not tolerate harassment or discrimination for any reason. Harassment on the basis of race, gender identity or expression, religion, ethnic origin, age, veteran or marital status, sexual orientation or disability will not be tolerated. Harassment is defined as unwelcomed verbal and/or physical conduct directed toward an individual with the purpose or effect of humiliating and/or intimidating as individual or impeding and/or interfering with work performance, academic status, or college life. If a student feels harassed, or sexually harassed by another student, he/she may choose to proceed with allegations using the disciplinary process or the informal guidelines in the university's policy on sexual harassment. Acts of harassment or discrimination are regarded as very serious. Any retaliation against an individual filing a complaint or for cooperating in an investigation of such a complaint is similarity prohibited and will not be tolerated. (major)

### **Hazing**

Hazing is defined as any action taken or situation created, whether on or off university premises, which recklessly or intentionally produces mental or physical discomfort, embarrassment, harassment or ridicule to a student, member or prospective member of any organization or team. For these reasons, all forms of hazing on the part of any student/student group or team are prohibited. The willingness of another student to participate in such activities is not a consideration. (major)

### **Implied Consent**

If a student is aware of, or is in the presence of a violation of university policy and he/she remains in the presence of and/or fails to take reasonable actions to stop the violation, the student gives his/her consent to the violation and becomes a party in the violation. (minor or major)

### **Indecent Exposure**

Any inappropriate public exposure, including but not limited to inappropriate urination or defecation is prohibited. (major)

### **Misuse of Computer Software**

Unauthorized reproduction or use of computer software is prohibited. (minor or major)

### **Misuse of Electronic Equipment**

Students may not knowingly use computers, fax machines, phones or any other electronic equipment for harassment, criminal mischief, threat, or for any other unlawful purpose. (major)

### **Misuse of Keys**

A student may not use or possess a university key without proper authorization. A student may never, under any circumstance, have a university key duplicated. Resident students will be issued one room key, and may not give that key to another person. Failure to return a key when leaving an assigned space will result in a core change and the corresponding charge will be applied to his/her account. (minor or major)

### **Misuse of Telephone**

Students may not make or assist in making annoying phone calls, or otherwise misuse or abuse telephone equipment at the university. Students may never use university phones for personal or long distance calls without

proper authorization. Harassment of any individual via the telephone is a violation of community standards. (minor or major)

### **Misuse of University Documents**

Forgery, alteration, or misuse of any university document is forbidden. Unauthorized access to, disclosure of, or use of any university document, record or identification including, but not limited to, electronic software, data and records is forbidden. (major)

### **Misuse of University ID Cards**

Students may not lend a university ID card to anyone. Students must carry their ID card whenever they are on campus and outside their residence. (minor)

### **Network Acceptable Use Policy**

Southern New Hampshire University encourages the use and application of information technologies to support research, instruction and student needs. Users of university equipment, software and computer accounts are expected to follow acceptable standards of ethics and conduct in their use of computing resources. The Southern New Hampshire University network (SNHUnet) includes all computer and communication hardware, software and accounts owned by Southern New Hampshire University. A complete description of the policy can be found at the Computing Resources Website. (minor or major)

### **Online Activity**

Students are ultimately responsible for their online profiles. Pictures “tagged by others” or messages posted on one’s wall can be used in investigations by the university, local, state, and federal authorities. The institution does not actively search these online communities for information; however, any behavior that violates the Code of Conduct which is brought to the attention of a university official will be investigated and will be referred through the appropriate channel. (minor or major)

### **Online Course Etiquette**

All students are expected to adhere to strict course etiquette policies when working in the online environment. Due to the open nature of the discussion forums, students are expected to post professional, relevant responses that are suitable to an academic environment. Since any number of sensitive topics may be discussed, students must maintain an open mind while reading their peers’ postings. Students are required to be mindful of and respectful toward the person receiving any communication. Any comments deemed disruptive to the learning environment may be permanently deleted and may result in disciplinary action. (minor or major)

### **Pattern of Misconduct**

If a student has been involved in multiple violations of community standards and his/her response to disciplinary measures indicates that he/she is unable or unwilling to adapt to the university’s expectations, he/she may be found responsible for a pattern of misconduct. (major)

### **Sale of Textbooks**

Students may never sell a textbook that belongs to someone else without that person’s prior written authorization. Books that students find must be turned in to the Office of Public Safety. (major)

### **Theft or Misappropriation**

Any theft, including seizing, receiving, or concealing property with knowledge that it has been stolen, is forbidden. Sale, possession or misappropriation of any property, including university property, without the owner’s permission

is prohibited. Any objects that students find must be turned in to the Public Safety Office in Belknap Hall. Students may never sell such property. (major)

### **Unauthorized Access or Forced Entry**

Unauthorized access or entry to, into, or onto any university premises, building, room, structure, or facility, or property owned or operated by the university of private individuals is prohibited. To enter the residence room of another student, one must be granted access or invited by a resident of the room. (major)

### **Use of Personal Computer Software Policy**

Southern New Hampshire University licenses the use of computer software from a variety of outside companies. The university does not own this software or its related documentation and, unless authorized by the software developer, does not have the right to reproduce it. Southern New Hampshire University students learning of any misuse of software or related documentation within the university shall notify the Department of Computing Resources. (major)

## **Residence Life Policies**

### **Bathrooms/Showers**

Bathrooms and shower areas are designated as either male or female. There are no designated co-ed bathroom/shower facilities in any residence area. All personal items (shampoo, rinse, blow dryers, curling irons, etc.) should be kept in a resident's room when not being used. (minor)

### **Electrical Appliances**

For safety reasons, university regulations prohibit the possession or use of some appliances even though they are regularly found in private homes. Examples of items not allowed are: space heaters, power tools, hot pots, hot plates, toaster ovens, coffee makers, other small cooking appliances, microwave ovens, air conditioners, immersion heaters and halogen lamps. This list is a guide and is not all-inclusive. The university reserves the final decision on any item determined to be inappropriate for residence halls.

If residents live in an apartment or townhouse, they may have toaster ovens, coffee makers or microwaves because those residence areas have kitchens. Whenever using any appliance, follow common sense and exercise reasonable precautions. (minor)

The following rules apply to the use of electrical appliances:

1. The appliance must be UL approved.
2. Devices that overload or extend the normal capacity of outlets are prohibited. UL approved power strips with separate circuit breakers are allowed.
3. Extension cords must be grounded.

### **Health & Safety Regulations**

1. No more than 50 percent of the total wall area in any room may be covered with combustible materials (e.g. flags, posters, pictures). Do not suspend coverings (parachutes, fishnet, flags, tapestries, posters, electric lighting, etc.) from the ceilings, walls, fire detectors, or sprinklers. Electrical outlets and lights may not be covered at all.
2. Cut Christmas trees, wreaths, greens, shrubbery, etc. are not permitted. Fire retardant artificial trees are allowed, but cannot block any doorways and/or corridors nor in any way obstruct passage into one's residence.
3. Decorative holiday lights (including rope lights) will not be permitted in the residence halls.

4. The university does not permit any type of student construction in residence. This includes all types of constructed areas (e.g. sleeping lofts) and any materials. Furniture residents bring into their area must be free standing (that is not bolted or fixed to walls, floors, etc.) and should be of a size that does not block doorways and/or corridors or in any way obstructs passage into their residence.
5. Bunk beds may only be used as they are designed and intended. Residents may not raise the height of any furniture (e.g. to form a loft). This includes the use of milk crates, desks, dressers, blocks, etc.

### **Grills**

Personal cooking grills (charcoal, gas or propane) are not permitted on campus. Students are able to use the university-owned grills. (major)

### **Guest Policy**

The behavior of guests is the responsibility of the host student. Therefore, students are required to accompany their guests around the campus at all times and to monitor their behavior. Hosts are also responsible for any fines or charges incurred by his/her guest. Each student has the right to his/her own room; however, the privilege of entertaining guests is a negotiable agreement between roommates.

Resident students are limited to registering guests for five (5) nights within a 30-day period. However, guests may not stay longer than 3 consecutive nights per stay. Students are limited to no more than two guests at a time. Alumni and commuter students staying overnight must be registered as guests. Students may not register guests for other students. (minor/major)

### **Hall Sports**

Athletic activities that normally take place outdoors (hockey, lacrosse, hackey sack, soccer, etc.) or in a gymnasium are prohibited in residence. (minor)

### **Misuse of Residence**

A resident may not allow the free use of his/her residence by people who are not assigned there. Residents are responsible for all violations that occur in their residence through encouragement or neglect. This includes apartment, townhouse, entrance hallway, lounge, or other common areas. (minor or major)

### **Occupancy**

Room, apartment and townhouse occupancy is limited for safety reasons. Residence hall rooms are limited to six people including residents. Non-traditional housing rooms (quads) are limited to eight people including residents. Apartments and townhouses are limited to 20 people including residents. (minor or major)

### **Pets**

To keep conditions healthy and sanitary, pets, with the exception of fish, are not permitted in or around residence areas. Service animals must be approved and registered with the office of disability services. If a resident is found keeping a pet on campus, he/she will be responsible for charges for cleaning/repair of his/her residence (e.g., furniture/carpet cleaning). (minor)

Fish will be permitted with the following specifications:

1. One tank will be allowed per living unit.
2. Tanks will not exceed 20 gallons.
3. Residents will be held accountable for any damage incurred as a result of the aquarium.
4. Owners are responsible for care and maintenance over vacations and breaks.

### **Quiet Hours**

Out of consideration for other students, residents must keep noise to a minimum. Do not play radios, stereos, musical instruments, or other devices out of windows.

The university enforces the following quiet hours in its residence areas:

Sunday through Thursday: 9 p.m. to 10 a.m.

Friday and Saturday: 1 a.m. to 10 a.m.

During these times, residents may play radios, televisions and stereos only at a low level and only with their room doors closed. If residents gather together in halls or common areas, they must be aware that other students may be studying or sleeping. (minor)

### **Courtesy Hours**

Courtesy hours, defined as hours of reasonable quiet, are to be maintained at all times. During courtesy hours, residents are expected to keep noise at a level, which will not disturb neighboring residents, including those living on other floors and in other buildings. Residents are expected to anticipate and respect the needs of other students, specifically the need to live in an environment conducive to sleep, study and individual wellness. (minor)

### **24 Hour Quiet Hours**

During the final examination period (starting at 1:00 a.m. on the last day of classes), 24-hour quiet hours are in effect. The residence life staff will post the start date of 24 hour quiet hours on a semester basis. Special quiet hours could also be set during graduate programs final exams as the need warrants. (minor)

### **Refrigerator and Microwaves**

Personal refrigerators (max. size: 3.5 cubic feet) must be located where they do not interfere with doorways. Microfridge units (available on a rental basis through the Student Government Association) are the only approved microwave allowed in the residence halls (Lower Suites, Upper Suites, New Castle Hall, Washington Hall, Hampton Hall, and Windsor Hall). All other microwave units are not allowed and will be removed if they are found in student rooms. (minor)

### **Residence Damage Responsibility**

Residents will be held liable for the cost of any damage to their assigned room, apartment, townhouse, entrance hallway, lounge or other common areas, or to the furniture, fixtures, equipment and effects they contain. When damage occurs in a common area, such as a hallway, bathroom or stairwell, staff will try to identify the responsible person(s). If that is not possible, the cost of the damage will be divided among the residents of the area. To ensure proper materials, safety, and quality of workmanship, the university's maintenance staff will complete all repairs. Repairs that students make violate this policy and will not reduce the charges. (minor or major)

### **Unsanitary Conditions**

If a staff member deems that the condition of a room is unhealthy or unsanitary, students will be required to address this concern. Abnormal and unreasonable use of the facilities and/or property will be charged to the individual student or group of students residing in the particular area. (minor)

### **Room Furnishings/Lounge**

The university provides an adequate amount of furniture for each living area. All university furniture must be left in its assigned space. Students may not disassemble room furnishings for storage elsewhere, nor take lounge furniture for their own use. The cost of missing furniture will be assessed to the residents of the area.

Waterbeds and lofts of any kind are not allowed in any university residence because of the potential danger from weight and water problems. (minor)

**Smoking Policy**

For the safety and health of the entire campus community, the smoking policy of the institution is intended to minimize the effects of smoking and comply with the state legislation (RSA 155:64-77). Smoking is prohibited in all buildings and on Larkin Field. In addition, smoking is prohibited within 25 feet from any university building entrance.