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Student Conduct Regulations and Procedures



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Westfield State University recognizes that the student, as an adult member of society and a citizen of the United States of America, is entitled to respect and consideration and has the right to the constitutionally guaranteed freedoms of speech, assembly and association. The University further recognizes the student's right within the institution to freedom of inquiry and



to the reasonable use of services and facilities of the University which are intended for his/her education.

In the interest of maintaining order on the campus and guaranteeing the broadest range of freedom to each member of the community, some regulations have been developed by students, administrators, and faculty acting in concert. These regulations reasonably limit some activities and also proscribe certain behaviors which are harmful to the orderly operation of the University and the pursuit of its legitimate goals. All members of the community are to be held informed of the regulations which are printed in the Student Handbook, the Residential License Agreement, the Equal Opportunity, Diversity, and Affirmative Action Plan, and other official publications.

Violations of the University regulations may be handled through the University disciplinary procedure, which is established to resolve complaints of nonacademic student misconduct (Academic classroom misconduct may also be handled through Academic Affairs procedures.). The disciplinary procedure is designed to protect due process rights and to reach decisions that are in the best interest of both the student and the University. Students charged with misconduct are afforded the right to written notice of charges, right to a fair and impartial hearing, and right of appeal.

Exceptions to the disciplinary procedure described within are that allegations of discriminatory harassment (based on race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status) may be handled through the procedures described in the [Equal Opportunity, Diversity and Affirmative Action Plan](#). Violations including sexual harassment, sexual assault, dating violence, domestic violence, stalking and retaliation may be handled through the [Title IX Sexual Harassment Policy](#), which is found in Appendix 7 of the [Equal Opportunity, Diversity and Affirmative Action Plan](#).

Violations of state and federal law will subject the violator to criminal and/or civil court procedures. Whenever any such violation of the law, whether committed on campus or off campus, impinges on the integrity of the University's own rightful responsibilities and activities, the violator will not only be subject to civil and criminal court procedures, but will also be subject to the University disciplinary procedure. The University disciplinary policy in no way deprives a person who incurs injury or damages from seeking redress in the civil or criminal courts.

Actions taken under the Student Code of Conduct are administrative and not criminal in nature. A student can be found responsible under the Student Code of Conduct even if the conduct would not constitute a criminal offense. If a prosecutor has determined not to prosecute a case as a criminal matter or if the student was found "not guilty" in a criminal proceeding, the University may still hold the student accountable through their regulations and procedures found herein.



For further information about the University disciplinary procedure, contact the Student Conduct Office in the Ely Campus Center, Room 209.

Student Conduct Regulations

The following regulations demonstrate conduct that is prohibited and will subject students to disciplinary action. Any serious criminal offense committed on campus shall be referred immediately to the Campus Police who will investigate and refer as necessary to the Massachusetts State Police and the Hampden County District Attorney's Office in addition to the University disciplinary system.

These regulations shall apply to all full-time and part-time students of the University. A student is defined as any individual currently admitted, registered, or enrolled in any University academic course or academic program. For the purposes of this code, an individual is also considered a student if, at the time of the reported incident, he/she was admitted to, registered or enrolled in any University academic course or academic program.

Please note that any violation of the regulations described below (1-32), will be used to adjudicate all Student Conduct violations. Allegations of discriminatory harassment (based on race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status) may be handled through the procedures described in the [Equal Opportunity, Diversity and Affirmative Action Plan](#). Violations including sexual harassment, sexual assault, dating violence, domestic violence, stalking and retaliation may be handled through the [Title IX Sexual Harassment Policy](#), which is found in Appendix 7 of the [Equal Opportunity, Diversity and Affirmative Action Plan](#).

1. Disruption of teaching, learning, research, administration, residence hall living environment, student conduct activities, or other related support activities, either in person or virtually, that are recognized as necessary to the lawful mission of the University.
2. Any violation of state, federal, or local law which coincidentally interfere with the legitimate aims, purposes, activities, and responsibilities of the University.
3. Assaulting/placing another person in fear of imminent physical danger and/or striking any member of the University community, visitor, or guest.
4. Physical fighting and/or any unauthorized mutual physical contact of any nature including pushing, shoving, wrestling, punching, and hitting.
5. Acts of sexual harassment, sexual assault, dating violence, domestic violence, stalking and retaliation as outlined in the [Title IX Sexual Harassment Policy](#), which is found in Appendix 7 of the [Equal Opportunity, Diversity and Affirmative Action Plan](#).
6. Acts of discrimination or discriminatory harassment based on race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression,



genetic information, marital or parental status, or veteran status as published in the [Equal Opportunity, Diversity and Affirmative Action Plan](#).

7. Physical abuse, verbal abuse, intimidation or threats to any member of the university community, visitor, or guest.
8. Harassing, intimidating, or bullying any member of the University community, visitor or guest. This includes verbal or physical conduct of a threatening, intimidating, or humiliating nature committed by any means such as orally, electronically, in writing, or through any social media.
9. Promoting or participating in hazing or other activities which cause undue physical or mental harm, duress, or humiliation to an individual. In accordance with Chapter 665 of the Massachusetts Acts of 1987, the organization of or participation in hazing is illegal. Hazing means any conduct or method of initiation into any student organization which willfully or recklessly endangers the physical or mental health of any student or other person. (see [Hazing Law](#))
10. Making or causing to be made bomb threats or false fire alarms, or maliciously or negligently causing fires.
11. Knowingly damaging, covering, or tampering with fire detection or fire fighting equipment or any part thereof such as pull stations, extinguishers, smoke and heat detectors, fire hoses, cabinets, and other encasements.
12. Possession or use of firearms, explosives, fireworks, other similar materials, weapons, and/or potentially dangerous or lethal devices. Such other materials, weapons, and/or potentially dangerous or lethal devices shall include, but are not limited to, knives (kitchen utensils or jackknives used for lawful purposes are excluded), swords, nunchuks, brass knuckles, throwing stars, and guns of any nature including paintball guns, tasers or other electrical controlled devices, pellet guns and any gun having the capacity to shoot any kind of projectile.
13. Unauthorized entry or presence in or on University buildings, rooms, areas or structures, or refusing to vacate such buildings, rooms, areas, or structures upon lawful request.
14. Entry or presence in or on areas or structures not designed for public use.
15. Cohabitation in University housing facilities. Cohabitation is defined as any person residing in or attempting to reside in any University room, suite, apartment, or building in violation of the Residence Hall guest/visitor policy.
16. The theft, unauthorized taking or use, or possession of goods or property belonging to other persons or the State/Commonwealth.
17. Destruction, damage or abuse/misuse of the property of another or the State/Commonwealth.
18. Unlawful possession or use of drugs, controlled substances, or drug paraphernalia. Unlawful distribution or sale of drugs or controlled substances. (see [Alcohol and Other Drug Policy](#))



19. Failure to comply with University alcoholic beverages or smoke and tobacco regulations as published in this handbook. (see [Alcohol and Other Drug Policy](#))
20. Failure to comply with a University student conduct system order including failure to complete student conduct sanctions as assigned.
21. Gambling, or any unlawful bookmaking or betting of any nature prohibited by state law.
22. Falsification or aiding or abetting in the falsification of University records or the possession or use of false University records including, but not limited to, transcripts, grade reports, student identification cards or other forms of identification which the University deems necessary to achieve a lawful and legitimate purpose. Providing false information to or knowingly withholding information from any University official, office, or student conduct hearing panel.
23. Failure to comply with a legitimate order of an officer of the University (faculty, staff, administrative, Public Safety or Residential Life personnel), including, but not limited to, the failure to present proper identification upon the lawful request of an officer and interfering with staff in the performance of their duty.
24. Violation of the Residential License Agreement as published by the Department of Residential Life, or any violation of residence hall regulations as published by the individual residence halls or the Office of Residential Life.
25. Failure to comply with University and CDC guidelines as it relates to a Public Health Crisis.
26. Violation of Food Service policies or regulations as published by the Dining and Food Service management.
27. Violation of University motor vehicle regulations as published by the Department of Public Safety.
28. Violation of the *Acceptable Use of Computer and Communications Equipment Policy* and the Westfield State University Computing Resource Policy as published and made available by the Department of Information Technology.
29. Violation of the *Free Speech/Demonstration/Picketing Policy* as published in the [University Policy Manual](#).
30. Violation of any other University policies as published in the [University Policy Manual](#).
31. Failure to properly supervise student or non-student guests/visitors. **Residents will be held responsible for the behavior of their guests.**

Non-student Policy: All non-students at the University must abide by all nonacademic regulations. Alleged non-student violators of these regulations shall be accorded notice of charges and a conference before an appropriate administrator, if they so request, at which time the non-student defendant will have the opportunity to review the evidence of the University and present their own evidence.

Student Conduct Procedures



The following procedures, described in Section A-L below, will be used to adjudicate all Student Conduct violations. Allegations of discriminatory harassment (based on race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status) may be handled through the procedures described in the [Equal Opportunity, Diversity and Affirmative Action Plan](#). Violations including sexual harassment, sexual assault, dating violence, domestic violence, stalking and retaliation may be handled through the [Title IX Sexual Harassment Policy](#), which is found in Appendix 7 of the [Equal Opportunity, Diversity and Affirmative Action Plan](#).

A. Student Conduct Administration and Staff

1. The responsibility for the management and administration of all nonacademic student discipline matters rests with the Dean of Students, or their designee, referred to as the Student Conduct Officer. The Student Conduct Officer/designee shall process all disciplinary action against students who are alleged to have violated the Student Conduct Regulations.
2. The Student Conduct Officer may recruit and supervise undergraduate and graduate student interns, upon notification to the Student Government Association, whose duties shall include assisting and/or representing the Student Conduct Officer in the resolution of any student disciplinary matter.
3. The Dean of Students/designee shall have the authority to determine any given conduct matter whether the matter is heard before an administrative hearing officer or the Student Conduct Board. General Student Conduct Board procedures contained herein would apply to hearings conducted by an administrative hearing officer.

B. Student Conduct Board Membership and Term of Office

1. Membership

The Student Conduct Board, hereafter called the Board shall be independent from other University organizations and committees at Westfield State University and shall be comprised of five (5) members, all of whom may hear a matter at any one time. A small pool of alternate members may be maintained and used as needed. The composition of the Board shall be three (3) students, one (1) administrator and one (1) faculty member. Student members must be currently admitted to, registered or enrolled in a University academic program and in good academic standing.

2. Selection

The members of the Board shall be approved by the Dean of Students as follows: three (3) student members appointed by the Student Government Association, one (1) administrator and one (1) faculty member appointed by their respective bargaining units. The Dean of Students may also appoint members to the Board as needed if bargaining units do not put forth appointments as described above.



3. Chairperson

The members of each Student Conduct hearing panel shall elect a student chairperson who shall preside over the student conduct hearing.

4. Quorum

Each matter presented to the Board shall be heard by a panel of at least four (4) members (student, staff, and faculty), except in the case of a Protective Order, which shall be heard by a panel of at least three (3) members. In any given case, after notification by the Student Conduct Board Chairperson that a hearing panel quorum is unavailable, the Dean of Students/designee shall appoint a designated Hearing Officer, who will conduct the student conduct hearing and render decisions. The Officer hearing a case shall follow the general Student Conduct Board procedures and shall have the same decision making authority as the Board in all matters.

5. Term of Office

The term of office for each member shall be one (1) year commencing with the first day of class scheduled by the University in September of each year.

6. Disqualification

- a. No student may be a member of the Student Conduct Board and be employed by the Department of Public Safety and/or the Department of Residential Life.
- b. No administrator may be a member of the Student Conduct Board and be a member of the Residential Life or Public Safety staff concurrently.
- c. No member may serve on any panel deliberating any issue with respect to which the member is an interested party or witness to the matter being heard as determined by the Dean of Students/designee.
- d. No member may serve on any panel if they are biased in the matter. Determination of bias is to be made by the Dean of Students and/or a majority vote of the Student Conduct Board hearing panel.
- e. A member's status shall be subject to review and a member may be removed by the Dean of Students, in agreement with the President of the respective recommending bargaining unit, if the member is found to be in violation of University regulations or if the member is not fulfilling the requirements of the position.

7. Jurisdiction

The Board shall have jurisdiction in the following matters:

- a. *Disciplinary Actions* - The Board shall have jurisdiction in matters involving violations by students of nonacademic regulations at the University. In any disciplinary action taken by the University against any student, the Board/Hearing Officer shall have sole jurisdiction except as provided in sections B, G, and K of this code. Exceptions to the disciplinary procedures are that allegations of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation in addition to discrimination and discriminatory harassment based on race, creed, color, national origin, religion, gender, sexual orientation, gender identity, gender




expression, disability, genetic information, marital or parental status, age, or veteran status may be handled through the procedures described in the Equal Opportunity, Diversity and Affirmative Action Plan.

- b. *Sanctioning Actions* - Whenever any student admits responsibility for any offense charged, a meeting to determine sanctions will be afforded the student with the Dean of Students/designee. Sanctions shall be assigned by the Dean of Students/designee in accordance with the guidelines for sanctions contained herein. Any student who does not admit responsibility for any offense charged will be forwarded to the Student Conduct Board as described above. Any student aggrieved by the decision regarding assigned sanctions may appeal said decision pursuant to the appeals guidelines outlined in [Section I](#) of this Code.
- c. *Protective Orders* - Any individual who feels they are being intimidated or harassed by another individual may seek from the Office of Student Conduct a Protective Order prohibiting such action.
- d. *Off-Campus Jurisdiction* - When a criminal violation is committed off campus and a court conviction ensues, the violator may be subject to the Board's disciplinary jurisdiction if the Dean of Students/designee determines that the criminal violation interferes with the integrity of the University's rightful responsibilities and activities. Further, an off-campus criminal violation, regardless of any court status, may subject the alleged violator to the Board's disciplinary jurisdiction if the Dean of Students/designee at their discretion determines that the alleged violator constitutes a danger to persons or property on or off campus or has engaged in off-campus conduct that affects the welfare of the campus community. Such behaviors that may be subject to University disciplinary action include, but are not limited to, physical assault and battery, sexual assault, harassing or intimidating behavior, damage to other's property, unlawful alcohol gatherings, disruptive behavior, selling or distributing drugs, and any drug possession where the evidence indicates intent to sell or distribute controlled substances. Also, any student who exhibits chronic behavioral issues off campus may be subject to University disciplinary action under these guidelines.

C. Complaint Procedures

Complaints concerning disciplinary action shall be presented to the Student Conduct Officer in writing by the complaining party for action in accordance with the provisions set forth herein.

1. Disciplinary Action

With regard to disciplinary action, matters shall be brought forth for hearing as follows: The Student Conduct Officer/designee shall give to the student reasonable notice, in writing, of the charges against them, the particular law or regulation which the student has alleged to have violated, the basic facts including dates and times on which the charges are based, the time and date of the hearing, which hearing shall be held within forty-five (45) school 

days of the Notice of Hearing and Charges, and the existence of these regulations and applicable sanctions. The notice shall contain a statement that the student may:

- a. Request from the Student Conduct Officer/designee a list of witnesses against the student.
- b. Review substantive evidence to be used against the student.
- c. Ask questions and present witnesses at a hearing.
- d. Seek counsel of the student's choice, who may advise, but shall not represent the student at the discipline hearing.
- e. A student will pay restitution should damage or loss be proved to be caused by the student.

2. Protective Orders

With regard to protective orders, matters shall be brought forward for hearing as follows:

- a. Any complainant, witness, or any other person may appear before the Office of Student Conduct or Dean of Students/designee, ex parte, to request that the Office of Student Conduct or Dean of Students issue an order prohibiting an individual from interfering with the rights and freedoms of said complainant, witness, or other person.
- b. The Office of Student Conduct or Dean of Students/designee shall have the discretion to determine whether a Protective Order shall be issued.
- c. The hearing panel shall decide all matters with respect to the issuance of protective orders by a simple majority vote.
- d. If issued, a Protective Order for a non Title IX Case, shall remain in effect until rescinded by the Office of Student Conduct or Dean of Students/designee at the request of the individual against whom the order has been issued, if either student is no longer enrolled at the University, and/or after a hearing conducted under such procedure as the Office of Student Conduct or Dean of Students/designee may determine to be appropriate.
- e. Violation of a Protective Order may be the basis of a disciplinary complaint, subject to the sanctions imposed pursuant to the disciplinary procedure set forth herein.

D. Hearing Procedures

1. Any student who is accused of a conduct code violation shall be afforded the opportunity of a hearing. The student shall be given a reasonable notice, in writing, of the charge against them, the particular law or regulation which the student is alleged to have violated, the basic facts including the dates and times on which the charges are based, and the time and date of the hearing. The hearing will proceed as follows:
 - a. The accused student shall have the right to be assisted and counseled by the person of their choice. This person may be present at the hearing to advise and counsel, but may not represent the student to the Board or enter into direct examination.



- b. The accused student shall have the right to ask questions and to present witnesses on their behalf.
- c. The accused student shall not be required to testify against themselves but shall be deemed to have waived their right if they should testify at all.
- d. The decision of the panel shall be based solely upon the evidence presented during the hearing.
- e. No student shall be found responsible of any offense charged unless a minimum of three-fourths (3/4) of the members of the panel believe that student, based on the evidence presented, is more likely than not to be responsible.
- f. An audio/video recording of the hearing shall be made by the University and shall be made available for use by the accused student for purposes of appeal only.
- g. All hearings shall be closed to the public.
- h. The decision of the panel shall be in writing and shall include specific findings regarding the responsibility of the student on each charge, as well as information regarding the student's right to appeal pursuant to [Section I](#) of this code.

E. Witnesses

In regard to matters heard by the Board, at least three (3) days before the hearing, if the student so requests, the accused student shall be given the names of all witnesses against them by the Student Conduct Officer, unless the Dean of Students/designee shall rule, after an informal hearing at which the student and the Student Conduct Officer present arguments, that the safety or welfare of said witnesses may be endangered or threatened if their names are disclosed to the student.

F. Evidence

1. In regard to matters heard by the Board, the accused student shall have the right to review the substance of the evidence to be used against them at the hearing and shall be notified of any exculpatory evidence of which the Student Conduct Officer may be aware.
2. The Board need not follow the general rules of evidence. Generally, the Board may choose to consider no statement against the accused student unless the person making said statement is present at the hearing. If a person cannot be present (in person/virtual), a written statement from that person may be submitted to the Board upon verification by the Student Conduct Officer. Such statement will be assigned appropriate weight based on the information presented, and if applicable, the fact that the person is not present to provide clarifying information or answer any questions. Irrelevant, immaterial, and unduly repetitious evidence may be excluded.
3. The Dean of Students/designee shall make rulings on admission of evidence including, but not limited to, official business records, official documents, authoritative resource material, medical statements or treatment records, records of regularly conducted activity,



public records, and any other evidence deemed reliable by the Dean of Students/designee and to be important to the matter at hand.

G. Waivers

1. Any student may waive any of their rights hereunder, including the student's right to a hearing. The Student Conduct Officer, Residential Life professional staff members, or other designated student conduct staff, in consultation with the Dean of Students/designee, may accept a student's waiver of a hearing, or postpone a step in the hearing procedure for the purpose of resolution by agreement of the parties. A student need not waive their right to a hearing and may request to meet with the Student Conduct staff/Student Conduct Board.
2. Any student may waive their right to a hearing before a Student Conduct hearing panel and may elect to have their case heard by the Dean of Students/designee. The Hearing Officer hearing a case shall follow the general Student Conduct Board hearing procedures. In event of an appeal, [Section I](#) procedure shall apply.

H. Sanctions

In regard to matters heard by the Student Conduct Board/Hearing Officer, the Board/Hearing Officer is authorized to impose one or more of the sanctions listed below. The Board shall require a three-fourths (3/4) majority vote in order to impose any sanction. The recommended sanction shall be implemented by the University at the expiration of the appeal period, unless the Board/Hearing Officer determines that the sanction shall be implemented immediately. Sanctions shall be determined based on the severity of the infraction, the prior history of the student, and any facts and circumstances relevant to each case. Students who have multiple conduct violations may be subject to more serious and progressive sanctions in addition to those outlined in individual University policies.

In regard to student violations handled through the policies and procedures contained in the Equal Opportunity, Diversity and Affirmative Action Plan, sanctions shall be imposed pursuant to those policies and procedures, and the disposition and sanctions issued to a student will be reported to the Student Conduct Office and become part of the student's disciplinary record.

Note: Failure of a student to follow through with a sanction will result in the automatic elevation of the sanction to the next level after the failure is proven through due process procedures published in the Student Conduct Code.

1. Admonition

A warning or advice that certain conduct has been inappropriate.

2. Censure

A written reprimand.

3. Restitution/Work Project

Compensation, for damage or offense committed, through the payment of money or



through an appropriate work requirement related to the offense.

4. Suspension/Restriction of Specific Privilege

Loss of specific privilege or privileges for a specific period of time. Such restrictions include, but are not limited to, prohibition from events, programs, residence halls, campus areas, or other activities of the University.

5. Substance Education Referral

Referral of a student to a counseling service for evaluation and recommendations. This may also include a referral to the Substance Education Program or to a substance abuse counselor, who may be in an off-campus agency. Any expense incurred shall be the responsibility of the student.

6. Probation

A period of time during which the student's actions are subject to close examination. Offenses committed during this period will be considered with prejudice by the Hearing Officer/Student Conduct Board.

7. Residential Review

An action taken against a student placing their resident status in jeopardy. As a result of this action, the student's housing status will be reviewed at the end of the semester in order to determine whether or not the individual should be allowed to remain in, or be admitted to, on-campus housing.

8. Deferred Suspension From University Housing

A deferred removal from University housing for a specific period of time. Any proven offense committed during this period will cause the suspension to take effect immediately for the balance of the period in addition to any sanctions given for the latest offense.

9. University Housing Suspension

Removal from University housing for a period of one or two semesters or portion thereof. This includes prohibition from entering all University housing facilities. After the student has gone through a residential review and University housing eligibility has been restored, the student may be readmitted by way of regular waiting list procedures. (Note: Depending on the availability of University housing and current waiting list procedures, there is no guarantee that a student who is suspended from housing will be able to return to housing to live after their suspension is complete.)

10. University Housing Expulsion

Permanent removal from University housing. This includes prohibition from entering all University housing facilities.

11. Deferred Suspension From University

A deferred removal from the University for a specific period of time. Any proven offense committed during this period will cause the suspension to take place immediately for the balance of the period in addition to any sanction given for the latest offense.

12. University Suspension

Removal from the University for a period of one or two or three semesters or part thereof 

This includes prohibition from entering all University buildings, grounds, activities and events. No registration, class attendance, participation in cocurricular activities or University housing will be permitted during this time.

13. Limited Expulsion

Removal from the University. This includes prohibition from entering all University buildings, grounds, activities and events. No registration, class attendance, participation in cocurricular activities or University housing will be permitted. Review for readmittance will be granted only after expiration of two (2) calendar years from the time of removal.

14. Expulsion

Permanent removal from the University. This includes prohibition from entering all University buildings, grounds, activities, and events. No registration, class attendance, participation in cocurricular activities or University housing will be permitted.

I. Appeals

Appeal Procedure

With regard to any matter over which the Board/Hearing Officer has jurisdiction, any accused student, aggrieved by a decision of the Board/Hearing Officer, may appeal said decision by filing a Notice of Appeal Form within five (5) working days of the date of the decision of the Board/Hearing Officer.


Appeals may be submitted on the following grounds:

1. to allege a material procedural error within the hearing or resolution process that would substantially change the outcome; or
2. to consider new evidence that was not known at the time of the investigation that would substantially change the outcome.

Appeals will not be considered on any other basis.

Upon timely receipt of the Notice of Appeal Form, the Student Conduct Officer shall submit written statements from the aggrieved student and the Student Conduct Officer/designee, the Board/Hearing Officer Decision Form, and other information pertinent to the matter to the appellate body for review.

If the Vice President, Student Enrollment, Engagement and Development/designee, finds upon initial review, that there exist no grounds for appeal, the appeal will be concluded and all Board/Hearing Officer decisions will be upheld without further review. Otherwise, appeals shall be reviewed by a body that includes administrative designee(s) determined by the Vice President, Student Enrollment, Engagement and Development and one student representative as determined by the Vice President, Student Life of the Student Government Association.

Within 30 days of receiving the appeal, the appellate body shall issue a written decision to the parties in which it may uphold, reverse, modify the decision, or order a new hearing. All appellate decisions are final. 

J. Disciplinary Records

1. All student disciplinary records shall be maintained in accordance with University policy and The Family Educational Rights and Privacy Act of 1974 (see [Student Privacy Records and Regulations](#)).
2. Student Conduct Code violations that are also violations of the Equal Opportunity, Diversity, and Affirmative Action Plan will result in student conduct records that are maintained by both the Student Conduct Officer and the Title IX/Non-Discrimination Officer.
3. Maintenance and destruction of student records will be done in accordance with the requirements of the Massachusetts State Records Retention Schedule.

K. Emergency Action

1. If the Dean of Students/designee shall determine that a student's presence on campus constitutes a danger to persons or property, the University may immediately suspend the student on an interim basis, provided that a preliminary hearing before the appropriate administrator be accorded prior to the interim suspension, unless unreasonably difficult to do so, and provided that a full hearing be conducted in accordance with these regulations as promptly as permits and no later than twenty (20) school days of such interim suspension.
2. If the Dean of Students/designee shall determine, based clearly on a review of all the evidence in a given case, that the Student Conduct Board/Hearing Officer or Student Conduct staff has acted in an arbitrary, capricious, or unreasonable manner, the Dean of Students may take any necessary action relative to the findings or sanctions to safeguard the legitimate interests of the University. In this event, prompt notification shall be given to the student.
3. If information and circumstances pertaining to an individual's personal safety and/or well-being or the health and safety of the University community presents itself, the Dean of Students/designee shall have the authority to refer a student to an on-campus or off-campus agency for psychiatric evaluation and care.

L. Amendments

This code shall be amended within the guidelines of the University's Policy manual and by the majority vote of the members of the Student Government Association and approval of the Vice President, Student Enrollment, Engagement and Development, the University President and the University Board of Trustees. All matters involving student personnel policies, including Student Conduct Policies and Regulations, rest in the ultimate authority of the President and Trustees of the University. Any questions of interpretation regarding the Student Conduct



Code shall be referred to the Vice President, Student Enrollment, Engagement and Development or their designee for final determination.

M. Posting

These regulations shall be made available to students at the Office of Student Conduct and online through the University Catalog.



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