



STUDENT HANDBOOK OF RIGHTS AND RESPONSIBILITIES

Please note- The information contained herein, including statements of policies and procedures and details about services and facilities, is subject to change and may be superseded by subsequent statements and specifications issued by Northern Vermont University.

The NVU Community Commitment

Northern Vermont University (NVU) is a thriving learning and living community dedicated to honoring the diversity of its students, faculty, and staff, and investing in their commitment to lifelong learning, personal well-being, and success.

Demonstrated through our actions and beliefs we are committed to...

A community where freedom of expression is protected; differences in others' ideas, values, and experiences are respected; and where civility is positively affirmed.

A community where curiosity, critical thinking and thoughtful questions are celebrated as meaningful contributions to the learning environment.

A community that demonstrates compassion and responsibility through service and involvement within our Universities and our surrounding communities.

A community where individuals accept their obligations to the group and respect the rights and property of others.

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Section I

Student Rights and Responsibilities

Northern Vermont University is an academic community in which all people--students, faculty, administrators, and staff--share responsibility for the community's growth and continued welfare. As members of this community, one can reasonably expect that the following rights will be respected by all members of the community.

Students, faculty, administrators, and staff are expected to be familiar with the rights and responsibilities, as well as the code of conduct and other Vermont State Colleges System (VSCS) policies.

Speech/Expression/Press

This expectation includes email and computer use. Students have the right to express themselves freely on any subject provided they do so in a way that does not violate the Code of Conduct or University policy. NVU. Students, in turn, have the responsibility to respect the rights of all other members of the University.

Nondiscrimination

Students have the right to not be discriminated against by any agent or organization of NVU by reason of race, color, ancestry, ethnicity, national origin, place of birth, sex, sexual orientation, gender identity, creed, religion, disability, age, veteran status, marital status, genetic information, positive HIV-related blood test results, or any other status protected by state or federal law. In their individual roles, and as members of student organizations, students have the responsibility not to discriminate against others. Please refer to the VSCS Policy 311: Non-discrimination and Prevention of Harassment and related unprofessional conduct:

<https://www.vsc.edu/board-of-trustees/policies-procedures/student-affairs-policies/>

Assembly and Protest

Students have the right to assemble in an orderly manner and engage in peaceful protest or demonstration that does not disrupt the functions of the University, threaten the health or safety of any person, or violate the policies in this handbook and the policies and procedures of NVU.

Religion and Association

Students have the right to exercise their religious convictions and to associate with religious, political, or other organizations of their choice provided they do so in a way that respects the rights of other members of the community and complies with this handbook and the code of conduct and policies of NVU. Students have the responsibility to respect the rights of other members of our community to freely exercise their religious convictions and to exercise free association with organizations of their choice.

Privacy, Search, and Seizure

Students have the right to privacy, and to be free from unreasonable searches or unlawful arrest on campus property. However, campus property is not a safe haven for unlawful activity. Students have the responsibility to adhere to the NVU code of conduct and other University policies and to respect the privacy of other members of the campus community in their persons and in their places of residence. Additional information on conditions under which NVU employees may enter student rooms is in Section II.

Academic Pursuits

Students have the right to accurate, clearly stated, information relating to their academic standing, graduation requirements, and individual course objectives and requirements. Students can expect instruction from designated instructors at appointed class times and reasonable access to those instructors. Students have the responsibility to attend class and know their appropriate academic requirements. Residential students who fail to attend classes at a level necessary for satisfactory academic progress or who are not in compliance with academic probation stipulations may lose their housing privileges.

Quality Environment

Students have the right to expect a reasonably safe environment supportive of the University Community Commitment and their own educational goals. Students have the responsibility to protect and maintain the environment and protect themselves from all hazards to the extent that reasonable behavior and precaution can avoid risk.

Sharing Concerns

Students have the right to assume the community cares about them. They also have the responsibility to share any concerns they might have regarding the health, safety and well-being of others. Students are encouraged to reach out to Public Safety, Residence Life, or the Dean of Students office to share any concerning issues

The University also offers a Medical Amnesty/Good Samaritan Policy which is designed to encourage dangerously intoxicated or impaired students, or their guests, to receive the assistance and medical treatment they need. Further information about this policy, can be found in Section III.

Governance and Participation

Students have the right to establish governmental bodies and to participate in university governance in accordance with the rules and regulations of the University and the Vermont State College System. Students who accept representative roles in the governance of the University have the obligation to participate responsibly.

Due Process

Students have the right to due process before formal disciplinary sanctions are imposed for violation of the code of conduct or university policies. Students have the right to receive written notice and the opportunity for a hearing before any change in status is incurred, unless a significant risk to health or safety exists. More information on due process is in this handbook, in Section III.

Education Records

Students have a right to access and control access to their education records as provided in the federal Family Educational Rights and Privacy Act of 1974 ("FERPA"), as amended, also known as the Buckley Amendment. These include the right to review and challenge the content of education records, to limit the disclosure of personal and academic information to third parties, and to limit the disclosure of all or some information defined as directory information. FERPA also applies to international students, except where specified by legislation, rules, and regulations governing the particular visa status.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue SW, Washington DC 20202-4605

Directory Information

The following information is considered "Directory Information" under FERPA:

- Name
- Home and University address
- Telephone listing
- E-mail address
- Date of birth
- Major
- Enrollment Status (full or part time)
- Enrollment level (undergraduate or graduate)
- Dates of attendance
- Degrees and awards received
- Weight and height of members of athletic teams
- Photographs
- Most recent and previous educational institutions attended
- Participation in officially recognized activities and sports

NVU may disclose Directory Information without the prior written consent of the student. Students have the right to opt out of the disclosure of directory information by submitting a Request to Withhold Directory Information form to the Registrar. Upon receipt of this form, NVU shall release no directory information to any third party without prior consent from the student, except as may otherwise be permitted by law. <https://www.northernvermont.edu/academics/resources-and-support/advising-registration-and-resources/registrar/policies/>

The Right to Review and Challenge the Content of Education Records under FERPA

1. **The right to inspect and review.** Students should submit a written request to the Registrar, Dean, Provost, or other appropriate officials, identifying as precisely as possible the record(s) to be inspected. The official will arrange for access and notify the student of the time and place where the records may be inspected. Access will be provided within 45 days or less from receipt of the written request. Certain documents, such as information pertaining to another student, financial records of a student's parents, and confidential recommendations shall be removed or redacted before the student inspects the record. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. **The right to request amendment.** Students have the right to ask to have record(s) corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Students should submit a written request to the Registrar or other University official responsible for the record, clearly identifying the part of the record they want changed, and specifying why it is inaccurate, misleading, or in violation of their privacy rights. The University has the authority to accept or reject the request. If the University decides not to amend the record, the University will notify the student of the decision and advise the student of the student's right to a hearing to challenge the information at issue. Additional information about the hearing procedures are set forth in VSCS Policy 312: Compliance with the Family Educational Rights and Privacy Act (FERPA) <https://www.vsc.edu/wp-content/uploads/2019/06/Policy-312-FERPA-Compliance-revised-6-20-19.pdf>

Public Access to Student Information under FERPA

Personally identifiable information from education records may be released to a student and, under the following circumstances, to third parties:

1. Where the student has completed the VSCS FERPA Authorization Form and authorized other individuals to speak to University officials about their record. Students can find the FERPA Authorization Form on the Portal under Web Services, click on Student Academic Profile. Students will be asked to create an access code. Students should share their student ID and their access code only with those individuals whom they authorize to access their education records. The student may grant or remove authorization at any time.
2. Where the disclosure is to school officials with legitimate educational interest. For the purposes of this section, "school officials" include persons employed by the University and the Vermont State College System in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff). "School officials" also include persons, companies or agencies with whom the VSCS has contracted to provide services (i.e. attorney,

auditor, collection agent, etc.), a person serving on the board of trustees, and a student serving on an official committee or assisting another school official in performing his or her own tasks. For the purposes of this section, "Legitimate Educational Interest" means: (a) the record or information requested is relevant and necessary to the accomplishment of some task or determination; (b) the task or determination is an employment responsibility for the inquirer or is properly assigned subject matter for the inquirer's task or determination; and (c) the task or determination is consistent with the purpose for which the record or information is maintained.

3. Where special circumstances permit disclosure under FERPA, such as: upon request by officials of another school in which a student seeks or intends to enroll or is already enrolled; to comply with a judicial order or lawfully-issued subpoena; and to authorized representatives of institutions from which a student has received financial aid or to which the student has applied for financial aid. For the exceptions, see VSCS Policy 312: Compliance with the Family Educational Rights and Privacy Act (FERPA). Typically, disclosure without consent in these special circumstances is permitted but not required.

Parental/Guardian Notification

FERPA allows parents and/or legal guardians of students under the age of 21 to be notified, without the student's consent, when a student is found responsible for a violation of the University's alcohol or drug policy. Students will be notified when parental notification is made (see Consequences for Violation of Alcohol/Drug Policy, in Section III of this handbook).

Disclosure may also be made to parents or legal guardian, or other appropriate parties, without the student's consent, if there is a concern of imminent risk of health or safety of the student or to the community.

Communication/Notification

Students have the right to receive pertinent information from the University in a timely manner. Students have the responsibility to check their NVU email on a regular basis, as this is the primary means used for sending official University communications. Students are also expected to check their University mailbox on a regular basis.

Emergency Notifications to the NVU Community

If it is confirmed that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the University Community, a University-wide warning will be issued. Public Safety will collaborate with appropriate offices to determine the content of the message and will use some or all of the systems described below to communicate information to the Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. Taking into account the safety of the community, the University will promptly determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the Emergency Planning and Response Team, compromise the efforts to assist an individual or to contain, respond to, or otherwise mitigate the emergency.

These methods of communication include:

- Email notification to the individuals NVU email address of record
- Cell phone emergency alert text messaging system
- Online announcements on the NVU web portal
- Online announcements on the public NVU website
- Public address speaker system (Johnson campus)

How to sign up for University Emergency Alert Text Messaging

*The NVU emergency alert text messaging system, is available free of charge to NVU students, staff and faculty. All students who supply a cell phone number are automatically enrolled in this program. To verify your information within this system, please visit page 12 of the public safety manual:

https://www.northernvermont.edu/sites/default/files/nvu_asr_2020-2021.pdf

University Crime Report

The University publishes an annual University safety and crime report. This report includes statistics for the previous three years concerning certain crimes that occurred on University; in certain off-University buildings or property owned or controlled by Northern Vermont University; and on public property within, or immediately adjacent to and accessible from, the University. This report also includes University policies concerning University security. You can obtain a copy of this report by contacting the Director of Public Safety on either campus, or you may view the Northern Vermont University crime report here:

https://www.northernvermont.edu/sites/default/files/nvu_asr_2020-2021.pdf

Missing Student Protocol

In compliance with the Missing Student policy in the U.S. Department of Education's Handbook for University Safety and Security Reporting, all residential students are asked to identify a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing. The missing student contact person can be anyone, including the same person identified as the student's emergency contact person.

The missing student contact person's name is confidential and will be accessible only to authorized University officials, and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

How to report a suspected missing student:

Should any NVU Community member be aware or suspect that a student is missing, notification to the Public Safety Office should occur immediately. This can be done by calling Johnson- 802.635.1205 Lyndon- 802-626-6452. The Public Safety office will initiate the University's Missing Student Protocol.

Section II

Student Life Policies and Guidelines

NVU Housing Policy

It is a condition of enrollment at NVU, to the extent that University housing is available, that students are required to live in the residence halls for their first two academic years. Students whose permanent living residence is within 30 driving miles may apply for release from the policy. A Housing Review Release Form, must be used for all requests. This form is available online at <https://northernvermont.erezlife.com/>.

The housing application is a legally binding document that financially obligates a resident to the end of the academic year. Students who have submitted a housing application are responsible for fulfilling their obligation; therefore, it is assumed a student will not move out of University housing during the fall or spring semesters. Residential students who wish to be released to obtain off-University accommodations must submit an on-line housing exemption request. This exemption request is on the NVU portal

Residential Students/Credits per semester

Students residing on campus, including the Johnson Campus Apartments, are required to be registered for nine (9) or more academic credits per semester. Should any residential student drop below nine credits, and/or fail to attend classes at a level necessary for satisfactory academic progress, housing status will be reviewed and may be revoked.

Residents in the Johnson Campus Apartments must maintain a Grade Point Average of 2.5 each semester and have no disciplinary violations in order to maintain eligibility for the apartments.

Students who are automatically Exempt from the housing policy:

- Are turning 24 years of age on or before January 1 of the upcoming calendar year
- Are married or a single parent with custody of child(ren) or are partners in a civil union
- Have lived on a University campus for four (4) semesters
- Have 60 or more completed credits
- Are a returning student who has fulfilled the NVU housing policy requirement
- Are registered for less than nine (9) VSCS academic credits per semester
 - *Please note: if at any point a student enrolls in over nine (9) academic credits, exemption from policy will terminate and the student must apply for a release from the NVU housing policy.

Applying for Release from the NVU Housing Policy

A Housing Review Release Form, must be used for all requests. It is available online at <https://northernvermont.erezlife.com/>. A Housing Review Committee will review requests. The student will receive a reply within 10 business days from when all of the documentation is received and the request is complete. Request for additional detail will be made by the Committee Chair via NVU email.

Students not automatically exempt from the NVU policy may request a release for the following reasons:

- To commute from the home of a parent or legal guardian prior to the beginning of a semester or academic year
 - For students requesting to commute from home, a parent or guardian must reply to the email they receive from the Housing Review Committee confirming their approval.
- Are completing an internship, teaching practicum, or assistantship out of their campus area
- Physical disability: documentation from a medical professional (MD, DO, or similar) and student disclosure is required prior to review by the Housing Review Committee
- Psychological disability: documentation from a mental health professional and student disclosure is required prior to review by the Housing Review Committee and the NVU Counselor and/or the NVU Coordinator of Disability Services
- Academic disability: documentation summarizing this disability and student disclosure is required prior to review by the Housing Review Committee and the NVU Coordinator of Disability Services.
 - Link to complete the disability disclosure: <https://www.northernvermont.edu/academics/resources-and-support/academic-support/nvu-disability-services>
- Financial hardship: documentation submitted will be reviewed by the Housing Review Committee and a member of NVU Student Administrative Services
- Extraordinary circumstances: specific information is required and reviewed by the Housing Review Committee

All requests must be submitted to the Housing Review Committee by:

- Returning Students: April 1 if requesting release for the fall semester
- New students: July 1 if requesting release for the fall semester
- All: December 1 if requesting release for the spring semester

Decisions of the Housing Review Committee are final.

Security Deposits

Residence Halls: All returning students living in the Residence Halls are required to pay a \$100 room deposit prior to participating in Room Selection (month of April) for the upcoming academic year. Students may not be assigned their room of choice in the residence halls until the room deposit is received by NVU Student Financial Services. Housing deposits will be returned to the student at the end of the academic year less any damage or fines incurred during their time in residence.

Johnson Campus Apartment: Students offered a Campus Apartment are required to pay a \$250.00 security deposit.

Release from the Meal Plan

Students who live in the residence halls are required to participate in the campus meal plan program. To request a release from the meal plan program, the student must submit a housing review form. It is available online at <https://northernvermont.erezlife.com/>. The information on the review form must include documentation from a physician diagnosing a medical or psychological condition or specific dietary needs of the student. The chair of the Housing Review Committee, Coordinator of Disability Services, and the Food Service Director will review the information submitted. If it is determined that the University cannot meet the necessary requirements stated in the documentation, a release may be approved.

Releases are in effect for only the current academic year.

Meal plan refunds are based on the last day the meal plan is used and prorated from that date.

Safety Guidelines for Residential Students (halls and apartments)

Fire Safety Guidelines

The following violate the fire safety code and therefore are prohibited:

- Smoking, vaping or tobacco use of any type in the residence halls and campus apartments
- Open flame or fire (i.e. candles or incense)
- Decorative lights - unless they are LED
- Live trees or wreaths
- Additional furniture
- Anything near, covering, or attached to the smoke detector or heat sensor
- Items hanging from the ceiling, or storing items near the ceiling that restrict the flow of air to the smoke detector or heat sensor (such as bulky items stored above wardrobes)
- Toaster ovens, hot plates, electric frying pans, toasters, crock pots
- Indoor or outdoor grills
- Space heater
- Blocking doorways or exits
- Storage of flammable liquids
- Tapestries not flat against wall
- Anything blocking, covering or using the room heater as a shelf
- Storage of bikes or any other items in residence hall corridors, stairwells, entryways or bathrooms

Per legal standards, an unobstructed 3-foot pathway into your room must be maintained at all times. In addition, 70% of walls must be free of wall decorations.

Maintenance Guidelines

The following violate the NVU Physical Plant code and are therefore prohibited:

- Fans installed in or affixed to windows
- air conditioners
- Lofts
- Steel tip darts
- Painting the room
- Nailing or drilling holes into the walls
- Use of duct tape
- Hazardous chemicals

General Community Safety Guidelines

Other prohibited actions that are a risk to the safety of our residential community, including but not limited to:

- Sports of any kind cannot be played in the residence halls or campus apartments
- Skateboards, rollerblades, scooters and bicycles cannot be used in the residence halls or campus apartments
- Throwing or dropping items from windows, balconies or down the stairwells
- Walking on roofs or window ledges

- Entering the residence halls or campus apartments through windows.

The following is a list of acceptable appliances to use in the Residence Halls and campus apartments:

- electric blankets
- coffee pots with an auto shut-off
- electric irons with an auto shut-off
- floor lamps/lights (non-halogen) *plastic shades prohibited
- *microwave ovens (less than 1,000 watts)
- *micro fridge units
- *small refrigerators (no more than 90 lbs.)

*Only one refrigerator/micro fridge unit and one microwave allowed per room. Note: All electrical items need U.L. labels.

If students have a question about a specific item that is not listed above, they can ask their Residence Hall Staff.

Additional Safety Guidelines for the Johnson Campus Apartments

Residents and guests of the Campus Apartments must also comply with the following safety guidelines:

- Notify the Public Safety in the event of a fire.
- Do not disconnect or tamper with fire or carbon monoxide detection devices.
- Observe the posted 15 M.P.H. speed limit.
- Keep apartment doors locked.
- Keep windows closed during cold weather.
- Refrain from covering light fixtures with material that may create a fire hazard.
- No use or possession of personal outdoor cooking equipment, including gas and charcoal grills.
- Keep closets containing electrical panels and access doors reasonably free from obstruction.
- Maintain safe entry and exit paths from all rooms within the apartment.

The following items may not be installed or brought into the Campus Apartments, including but not limited to:

- Laundry machines (washers or dryers)
- Dishwashers
- Air conditioners
- Freezers separate from the included refrigerator/freezer
- Outdoor satellite dishes or TV antenna
- Additional heating or air conditioning units
- Electrical fixtures or wiring
- Fixtures of any kind
- Waterbeds

Campus Quiet/Courtesy Hours

Northern Vermont University observes courtesy hours 24 hours a day, and quiet hours during specific time periods.

Courtesy Hours means that one's activities should not interfere with the basic peace, quiet and life activities of neighbors. In the residence halls this means everyone should have a reasonable expectation of being able to study or visit with neighbors without being overwhelmed by others' noise. In the apartments this means a respect and consideration for neighbors.

Quiet Hours means neighbors should not be able to hear what is happening next door. Quiet hours are in effect outdoors and in common areas as well as in residential areas including the campus apartments.

Quiet hours for the campus are as follows:

Sunday-Thursday 10:00pm to 9:00am
Friday-Saturday 1:00am to 9:00am

Residence Hall Guest Policy

Because of Vermont fire safety codes and regulations for the square footage of a residence life area, no more than six people are allowed in a room at one time, regardless of whether the door is open or closed.

Guests are defined as anyone in a residence hall room who is not assigned to that room, or anyone in a residence hall who is not assigned to that residence hall. All guests must register with a Residence Life staff member and abide by Northern Vermont University policies and code of conduct. A Guest Registration Form with photo identification should be completed with a member of Residence Life. Guests who do not register may be required to leave immediately.

Resident guests may not occupy any room other than the room assigned to the student hosting them.

An overnight guest is someone who is in the room past 10pm on weekdays (Sunday-Thursday) and 1am on weekend (Friday – Saturday). Overnight guests must also register with a Residence Life staff member and should include vehicle information on your guest registration. Overnight guests may not occupy any room other than the room assigned to the student hosting them.

Overnight guests can park only in residential student parking lots.

Each resident and guest must abide by the following:

- All overnight guests should first be approved by a student's roommate.
- Overnight guests must register with a member of the Residence Life staff
- Approved guests may stay in a student's room for a maximum of two nights in a seven-day period.
- Residents are limited to two guests per evening and two nights total per week.
- Student hosts are responsible for the conduct of guests and will be held accountable for guest conduct, including liability for any damages or misconduct.
- Guests must be escorted by host at all times.
- Alcohol consumption by guests of the legal drinking age is not allowed in underage student rooms.

Johnson Campus Apartment Guest Limit

Due to fire and safety code, campus apartment residents can only have 12 guests in the apartment at one time. Non-compliance of this expectation may result in further guest limit restrictions or review of eligibility to retain or renew your campus apartment.

Entering Students Rooms and Campus Apartments

Student Rooms:

When entry into a student's living area is required, reasonable attempts will be made to advise the student in advance. NVU recognizes that students are entitled to privacy in their individual residence hall rooms and campus apartments. However, students should be aware that there are rare occasions when University representatives may, without specific consent or prior notice, enter rooms to check for conditions or articles causing concern, even in closed spaces. (i.e. wardrobes, closets, desks or drawers).

Room entry may occur for the purposes of responding to housekeeping or maintenance requests; a concern for health, welfare, or safety of any room occupant or the room itself; or when there is reasonable basis to believe that there may be a violation of the code of conduct, campus policy, or State or Federal laws. The University reserves the right to remove any prohibited or illegal items if found upon entering a student's room. The University reserves the right to request residents to open closed spaces. University officials may open closed spaces in the case of health and safety concerns.

Johnson Campus Apartments:

University officials may enter the apartments at any time, in case of imminent danger to the health, safety or welfare of people or personal property. The University may also enter the apartment for the following purposes:

- to inspect the condition of the apartment, when deemed necessary;
- to inspect for fire and health hazards;
- to remove placards, signs, fixtures, alternations or additions to the premises which are in violation of the University code of conduct or the guidelines in place for the Campus Apartments;
- to show the apartment to prospective residents;
- to make repairs, installations, additions or alteration (including painting) to the apartment or to the building;

Except in cases of emergency, the University agrees to make a reasonable effort to notify the resident(s) in advance of such entry.

Safety Inspections

The University will conduct periodic health and safety inspections of all residential rooms and University apartments. Advance notice will be given. The purpose of these inspections is to maintain a safe living environment for all residential students. If during the course of safety inspections, code of conduct or University policy violations are discovered, those responsible may be sanctioned.

Residence Hall Room Changes

Room changes are generally not made until after the second week of each semester. This allows the Residence Life Department to determine who has arrived and which rooms might be available. Students must make final room change requests and arrangements with the Residence Life Department two weeks prior to the end of each semester.

Unauthorized room changes may result in administrative action deemed appropriate by the Residence Life Department. There will be no room rate adjustments after the class withdrawal date stated on the academic calendar.

Housing during Scheduled University Breaks

The residence halls will remain open for scheduled breaks of less than one-week duration. For scheduled breaks of one full week or longer, the residence halls close at 10:00am on Saturday and re-open at 9:00am the Sunday prior to classes resuming. Please refer to the academic calendar for dates and times of these closings. Requests to remain on campus during breaks will be considered. All requests must be received via online form on or before the stated deadline.

Break housing approvals are generally made for the following circumstances:

- Student Internship - supported/approved by the Academic Deans Office and the company in which the student is interning.
- Work study or on/off-campus job – supported/confirmed by their job supervisor via email to Residence Life.
 - the drive time commute from campus to work must be 30 miles (or estimated 45 minutes of driving time) less than the commute to work from their home address.

- NSE/International Students - students who are participating in the NSE program, ISEP program or who live overseas.
- University Sponsored Events - students who are participating in a scheduled University event during break week. This event needs to be confirmed, by email, by the program director, advisor, class professor, etc., two full weeks prior to the beginning of the University break.
- Extenuating Circumstances – decisions in this category will be made on a case-by-case basis.

Students who have a current disciplinary file in the Dean of Students Office may not be offered housing during the scheduled University breaks. Decisions will be made on a case-by-case basis.

The Campus Apartments remain open through the academic year; therefore, residents are not required to leave. The guest policy for Johnson apartment residents remain in effect. At least one resident of the assigned Johnson apartment must be staying at the apartment when a guest is present over break.

Guidelines for students who remain on campus during breaks:

All Northern Vermont University code of conduct and policies remain in effect during University breaks. In the Residence Halls, guests are not allowed during this time, 24 hour quiet hours are in effect, and no alcohol consumption is permitted regardless of age. Non-compliance with these expectations may result in immediate removal from housing for the remainder of the break.

Please note: The use of a campus meal plan is not available to students during break weeks. This is the case whether or not the student is required to remain on campus. Limited food service options will be available in designated locations for all students who are on campus during these scheduled breaks. Students may use their declining balance points during break weeks.

The Johnson Campus Apartments remain open through the academic year; therefore, residents are not required to leave. The guest policy for apartments remains in effect. At least one apartment resident must be staying at the apartment when a guest is present over break.

End of the Semester Procedures

Students must vacate their residential room 24-hours after their last exam. If their last exam is scheduled on the last day of exams, students are required to vacate by 12:00 P.M. on the Friday of exam week. Students are not required to remove all items from room between the fall and spring semesters unless they are not returning to the University. Exceptions are made only for seniors and students participating in graduation ceremonies. These students may stay until 2:00 P.M. on graduation day.

If an exception is needed it is the student's responsibility to request this in via email to ResidenceLife@NorthernVermont.edu within stated deadlines.

Students who have officially checked-out of the residence halls are not allowed back into the residence halls and may not be a guest of another student. Residence Hall and room access may be terminated if a student fails to vacate the residence halls as required.

Residential Replacement Costs

Should damage occur during a student's stay in the residence halls or apartments, student(s) will be held accountable for replacement or repair of such equipment or furnishings.

Individual room damage will be split between roommates if no responsibility is taken for the damage. Damage or vandalism to floors, suites, or common living areas will be shared among students living in those areas. All damage must be reported promptly to the Residential Life or Dean of Students Office.

Students who do not formally check out with a member of Residential Life lose the right to appeal any room damage or housekeeping fees. Students are notified via NVU email any costs associated to room damage, replacement or housekeeping fees that are added to their student account.

A list of applicable costs for replacement or repair is available upon request from the Dean of Students/Residential Life Office in Johnson- Dewey Hall and Lyndon- Rita Bole Complex.

Fire Safety Policy

Northern Vermont University maintains a University-wide fire alarm system, and fire alarms are located in each building in strategic locations. Smoke and heat detectors are located in each residence hall room and in common areas in all buildings; smoke detectors are also installed in the Johnson Campus Apartments in conformance with building codes. Emergency evacuation routes and locations of fire extinguishers are posted on all residential hall room/suite doors and or common areas. Anyone who discovers a fire on University should activate an alarm immediately before making any attempt to extinguish it. Under no circumstances should employees or students enter a hazardous area.

Fire Alarm Evacuation Procedures

The occupants of a building will evacuate the building promptly and in an orderly fashion upon the activation of a fire alarm or notification that an emergency situation exists. Whenever possible, individuals evacuating a building should help those individuals who may require special assistance. Building evacuees must gather in the designated areas of refuge noted on the posted evacuation plan, as outlined below.

Designated Places of Refuge

In the event of a fire or other emergency which requires vacating your building, you should take refuge as directed by the University official in charge.

Building Entry and Reentry

Public Safety personnel are responsible for ensuring that only fire fighters and other emergency personnel are allowed to enter a building during an emergency. No one is allowed to enter a building until either the Public Safety Department or an emergency services official determines that there is no emergency situation, and announces that a building is safe to reenter.

Following an emergency, Public Safety personnel will remain on site until the emergency services personnel have departed and everyone has safely reentered the building.

Fire Drills

Announced fire drills in residence halls will be conducted by the Residential Life and Public Safety Department once per semester during the first two weeks of school. Unannounced fire drills may be conducted on occasion in residence halls to ensure that evacuation and other safety measures are correctly observed. Students are required to vacate the building immediately once a fire alarm sounds. Entrances to buildings and fire lanes must be free of obstacles. All students are required to be 25 feet from the building entrance during an alarm. Assume that all alarms are emergencies. Your residence hall staff will review proper evacuation routes and procedures with you during the first week of each semester.

Johnson Campus Apartments will not have scheduled fire drills. Evacuation procedures and evacuation routes will be discussed at the Campus Apartment meeting in the fall.

Voluntary Medical or Mental Health Exit

Should a student have a medical or mental health condition that prevents them from continuing academic work, the student may submit a request for a medical exit to the Dean of Students. This request must be accompanied by supporting clinical documentation indicating that the student's medical or mental health condition is preventing the student from actively engaging in coursework (as opposed to a condition which makes being a student difficult or inconvenient).

If the exit is approved, the student's transcript will reflect withdrawals (W's) for the semester and the student will be refunded or have their bill reduced as appropriate on a prorated basis determined by the approved exit date. The student would automatically be granted a leave of absence and will not be required to reapply in order to return to the College *unless otherwise indicated by the Dean of Students Office*.

Involuntary Medical or Mental Health Exit

An involuntary leave of absence may be required if a student's threatening, self-destructive, or disruptive behavior is determined to be the result of a medical or mental health condition and the student has refused to cooperate with efforts by the students health care provider(s), Dean of Students Office and/or the NVU Wellness Center to address the behavior.

After a review of all of the pertinent factors, such as: the nature of the student's conduct; the nature, duration and severity of the risk; the likelihood of potential injury; and whether reasonable modifications of policies, practices or procedures will mitigate the risk*, A decision to place a student on an involuntary leave of absence for medical or mental health-related reasons will be made in consultation with the NVU Wellness Center/Brown House, the Dean of Students Office, and input provided by the student's current and/or former health care providers (if made available by the student),

*Reasonable modifications do not include changes that would fundamentally alter the academic program or unduly burden the University's resources or staffing capabilities or, with respect to the required level of care or monitoring, which would exceed the standard of care that NVU can be expected to provide.

Students will be notified in a meeting with a University official and in writing that he or she has been placed on involuntary leave. The student may appeal this decision to the Dean for Students.

Extended Class Absence

On occasion students may have a medical, psychological, or psychiatric condition resulting in the need to leave school and/or miss class for a limited, defined period of time. In such instances, students are responsible for maintaining satisfactory academic progress and are expected to contact instructors to make arrangements to stay current in their courses. The instructor has the discretion to determine whether such absences are excused for the purposes of course requirements.

Re-enrollment Requirements

Following a voluntary or involuntary medical or mental health exit, or an extended class absence, the University will require students to comply with a treatment plan during their time away prior to returning to the University. The student must also submit documentation from their care provider(s) to the NVU Wellness Center/Brown House that outlines or demonstrates that the circumstances that led to their leave have been satisfactorily addressed, that they are ready to resume their studies and return to residential living if applicable. The University will provide to the student and/or their care provider(s) the necessary paperwork to completed.

In addition, students will be required to meet with the Director of the NVU Wellness Center at Johnson or a Counselor at Lyndon to grant permission to consult with their care provider in order to obtain a professional assessment about the student's stability and readiness to re-engage in the academic and social areas of college life.

In all such cases, the decision whether to allow a student to re-enroll will not be made until documentation, consultation and a student meeting with the Wellness Center has been completed. This decision will be made by the Director of the Wellness Center and/or the Dean of Students or designee.

See "Interim Suspension or Mandated Leave" in Section III for additional information on leaves or exits, not related to medical or mental health concerns, required by the College.

Tobacco Policy

In keeping with the [Vermont State Colleges System policy 314](#)

[SHOULD GO TO THIS LINK https://www.vsc.edu/wp-content/uploads/2017/02/Policy-314-Tobacco-Use-Reduction-and-Prevention.pdf](https://www.vsc.edu/wp-content/uploads/2017/02/Policy-314-Tobacco-Use-Reduction-and-Prevention.pdf), all campuses within the VSCS have committed to becoming tobacco-free*. At NVU, our desire is to ensure a safe and healthy environment for all students as well as staff and visitors who work and use our facilities.

All university-owned grounds and buildings, including residence halls and campus apartments, are tobacco-free. Please access the website or portal for additional information related to our tobacco-free campus policy.

*Per this policy, tobacco is defined as any manufactured product containing tobacco or nicotine, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, shisha, pipes, water (hookah) pipes, dissolvable tobacco products, electronic cigarettes, other electronic or battery-powered vaping devices and all forms of smokeless tobacco.

*As of September 1, 2019, it is illegal for a person under 21 years of age in Vermont to possess, purchase, or attempt to purchase tobacco products, tobacco substitutes, or tobacco paraphernalia.

Camping

Due to concerns for both personal safety and the preservation of University landscaping, unauthorized camping on University property is prohibited. "Camping" is defined to include use of tents, RV's, sleeping bags, or other outdoor sleeping arrangements (including overnight occupancy of any vehicle parked on University property). Exceptions to this policy can only be approved by the Dean of Students office or designee.

Outdoor Fires

Outdoor fires of any kind are strictly prohibited, unless prior approval has been received. Any student or group that wishes to have an outdoor fire of any kind on University premises must submit a request in writing and receive written authorization prior to having any such fire. Requests must be made to Public Safety and must include event details such as the time, date and desired location. Fires will only be permitted if conditions are safe. Any fire found on University premises that is not authorized will be immediately extinguished and those responsible will be subject to disciplinary action including costs associated with cleanup.

Parking

Each student who parks a motor vehicle, including motorcycles, on University grounds must register that vehicle with the Public Safety Department, and pay a vehicle registration fee, to receive a parking permit. Students acknowledge that they will abide by the parking and traffic regulations set forth by Northern Vermont University. Vehicles that do not display a valid NVU permit are subject to ticketing, booting, and/or towing.

Parking regulations are enforced 24 hours a day throughout the calendar year. Lot restrictions are in force at all times unless otherwise stated by the Director of Public Safety. The owner and/or operator who receive multiple violations within the same semester may lose on University driving privileges for one semester. Subsequent violations may result in disciplinary action. In cases where the violation is deemed severe, vehicle privileges may be revoked.

Additionally, vehicles not registered and that have accumulated 3 or more parking violations within an academic year, that are illegally parked in a handicap parking space, are blocking or impeding the flow of traffic, or are creating a safety hazard, may be booted and/or towed without notice. If your vehicle is towed, contact Public Safety for information on retrieval.

If your vehicle is booted you must make arrangements with Public Safety for boot removal. Do not attempt to operate your vehicle or attempt to remove the boot device as damage will occur to your car. This device will not be removed until the owner identifies themselves to the Public Safety Department to make payment arrangements for outstanding fines and a \$50.00 immobilization fee. Prior to a vehicle being booted, notification will accompany the parking ticket prior to the offense that results in a vehicle boot

Information on appealing parking violations is included on the parking ticket itself.

Please note that students are prohibited from parking in Faculty/Staff parking lot at all times. This is strictly enforced 24/7, year round.

Abandoned Vehicles

All vehicles on the Northern Vermont University campus must be in operable condition. Vehicles lacking valid license plates, valid inspection stickers, or not registered with Public Safety, as well as those that are in such a state of disrepair that they cannot be operated, will be considered abandoned and are subject to removal at the owner's expense. Public Safety will attempt to contact the vehicle owner prior to its removal; however, removal may occur without notice.

If your vehicle has broken down and is inoperable, please notify Public Safety immediately. Vehicles that have not been moved for more than 14 days, and vehicles that pose a hazard (such as leaking fluids), are subject to immediate removal without notice.

Vehicle Maintenance

Performing vehicle maintenance (e.g., oil changes, engine work, body work, transmission repair, put on jack stands, etc.) on University property is strictly prohibited. Vehicle may be towed for a violation at the owner's expense. Exceptions to this regulation include emergency vehicle maintenance such as use of jumper cables or flat tire repair. Additionally, washing of vehicles on University property is also prohibited.

Winter months

At times, it may be necessary for students to move their vehicles to an alternate location so that snow removal can take place. Students will receive notice via NVU's emergency text alert messaging system and NVU email and will be expected to move their vehicles as indicated.

Student IDs and Keys

All students will be issued one student ID at no expense. This ID is valid for the entire time students are enrolled at the University. Residential students will use their IDs for access into their Residence Hall as well as into their individual rooms. IDs also serve as a meal card and library card, and are necessary for entry into the SHAPE facility. A student ID should be on your person at all times and should never be loaned to anyone else. Students should report lost or stolen IDs immediately to PublicSafety.

Students that are issued metal keys for University jobs or for living assignments are required to abide by the key terms and conditions on the access request form. Keys shall not be loaned to others, and must be returned immediately upon termination of University employment or loss of residential status. Keys lost or not returned to by the due date indicated on student paperwork will be billed to the student's account.

If a student misplaces their student ID, he/she should visit the Public Safety Office during normal business hours to request a temporary access card. A temporary access card is valid for only seven days. If a student's ID is not found with that timeframe, a new ID must be purchased.

Skateboarding, Longboarding, Rollerblading, Biking

Pedestrians have the right of way on University walkways.

Riding is prohibited on University roadways and in University buildings. Additionally, the use of benches, stairs, planters, railings, bridges or any other fixtures on University property for boarding or blading tricks is strictly prohibited. Careless, negligent, or reckless riding including excessive speed may result in disciplinary action. Offenders may be billed for damages associated with these activities. In addition to the NVU-L skate park, there is a skateboard park in the Town of Johnson and in the Town of Lyndon which students are welcome to use free of charge.

Bicycles are allowed on University roadways, but not in University buildings.

Procedures and Expectations Regarding Pets, Service, and Assistance Animals on Campus

Guiding Statement

NVU welcomes animals on campus consistent with the procedures and expectations outlined below but may exclude an animal from campus if it causes disruption, threatens the health or safety of others, or otherwise fails to meet the criteria set forth in this document.

Pets

A pet is any animal that is not trained or used as a service or assistance animal, but instead kept for ordinary recreation and companionship.

Pets are welcome to use public outdoor spaces on campus, subject to certain restrictions including the athletic fields. Where pets are permitted on campus, owners/handlers are expected to clean up after their animals. Pets visiting campus must always be kept on a leash and may not be left unattended or tied to any objects. All damages caused by an animal are the responsibility of the owner/handler.

To maintain safety and avoid disruption, pets are not allowed inside indoor spaces owned or controlled by the University.

Service Animals

NVU welcomes the presence of service animals on campus. A service animal is any dog or miniature horse that has been individually trained to do work or perform tasks to accommodate an individual with a disability.

Service animals are permitted to be anywhere on campus that the animal's handler is permitted to be, including indoor spaces; however, there may be some locations and activities where animals (including service animals) are not permitted for health and safety reasons including, but not limited to:

- Teaching laboratories
- Mechanical rooms/maintenance closets
- Food service preparation areas
- Areas where there is a danger to the service animal

Access to these and other restricted areas may be granted on a case-by-case basis by the University Coordinators of Disability Services (in the case of students) or the Director of Human Resources (in the case of employees). Contact information is provided below.

Individuals who anticipate bringing a service animal to campus regularly are encouraged to notify the Coordinator of Disability Services (in the case of students) for their respective campus or the Director of Human Resources (in the case of employees) to ensure appropriate access and use of University facilities. Contact information is provided below.

Assistance Animals

NVU welcomes the presence of approved assistance animals as a reasonable accommodation for individuals with disabilities who reside in University housing. An assistance animal is any animal that is specifically designated by a qualified health care provider as necessary in order to afford an individual with a disability an equal opportunity to use and enjoy their residence. These are also referred to as emotional support animals (ESA).

Individuals seeking approval of an assistance animal to reside with them in University housing are required to make a request for reasonable accommodation with the Coordinator of Disability Services for their respective campus. Contact information is provided below.

Responsibilities of Animal Owners/Handlers

Owners/handlers must comply with the following provisions regarding the behavior and care of animals (pets, service, and assistance) on campus:

- Animals must be leashed at all times unless otherwise authorized by one of the Coordinators of Disability Services or the Office of Human Resources. Contact information below.
- Dangerous, poisonous, or illegal animals are not permitted.
- The animal must be vaccinated in accordance with local law and meet all other licensing requirements.
- The animal must be in good health and maintain good hygiene. If fleas, ticks, or other pests are detected, the owner/handler will be required to remove the animal from the campus pending proof of treatment.
- From time to time, the University may use pesticides, pest control devices, de-icing materials, cleaning supplies, and other materials for the maintenance and operation of University facilities. The University is not responsible for any harm to animals on campus caused by such materials.
- The owner/handler is financially responsible for the animal, including for any bodily injury or property damage caused by the animal.

Exclusions

Parts of these procedures and expectations do not apply to approved staff with live-in or live-on responsibilities.

The University may impose additional restrictions on the presence of animals in certain locations or at particular events.

Questions and Contact Information

Coordinator of Student Disability Services at **NVU-Johnson** may be reached by email at: michele.feiner@northernvermont.edu, or by phone at: 802.635.1264.

Coordinator of Student Disability Services at **NVU-Lyndon** may be reached by email at: denise.moses@NorthernVermont.edu, or by phone at: 802.626.6210.

The Office of Human Resources at **Northern Vermont University** (for all employees) may be reached by email at: katrina.meigs@NorthernVermont.edu, or by phone at: 802.626.4865.

Guidelines for Participation in Athletics and Co-Curricular Activities

Students have the following responsibilities:

- **Making commitments that can be honored**

Both in terms of which courses they choose and in making commitments to teams and other extracurricular groups, students must make sure that they do not extend themselves beyond their ability to deliver on their commitments.

When an irresolvable conflict exists between the needs of a student's academic program and the opportunity to participate in an extracurricular activity, the student's academic needs must be considered first. Students signing up for sports teams and other extracurricular activities should take the time to learn about what is expected of those who participate in these activities. Certainly, no student should sign up for a team, for example, which practices at a time that regularly conflicts with the student's course schedule.

- **Communication**

When a student has undertaken commitments that do not impose unreasonable conflicts, the student must ensure that all parties are kept informed of conflicts that exist and how these will be resolved. While coaches and the Athletics Director, for example, have a specific role in communicating directly with faculty, the student holds the ultimate responsibility for ensuring that his/her instructor receives adequate, timely notification of athletic contest schedules, etc. Similarly, when students must miss scheduled extracurricular events, such as athletic practices and competitions because of class responsibilities, it is only fair to give ample notice to the coaches or other individuals responsible for organizing the event.

- **Getting the work done**

While the policy guidelines that follow detail circumstances under which students may be excused from class attendance or be given the opportunity to make up class responsibilities, none of these guidelines is intended to relieve students of the responsibility for completing the academic work of their courses. Whether through attending make-up laboratory sections, audio taping lectures, borrowing class notes from students, interviewing those who attended, or any other appropriate procedure, the student must do whatever it takes to ensure that participating in extracurricular activities does not interfere with the attainment of course learning objectives. Finally, students should not assume that faculty will grant them grades of incomplete grades because of their involvement in extracurricular activities.

Excused Class Absences

Three levels of athletic and co-curricular participation are addressed by this policy:

A. Varsity contests, concerts and plays, and certain governance roles.

The University officially recognizes three categories of student participation as deserving of special accommodation: varsity athletic competitions, performances officially sponsored by the Music and Theatre Arts Departments, and representation of the University at meetings of the Board of Trustees, Board Committee meetings and meeting of the Vermont State Colleges' Student Association. For these events faculty are required to permit students to miss class and to waive, postpone, or agree to schedule make-up opportunities for students who would otherwise have been obliged to take a test or present an in-class project or assignment. This obligation for

excuses, however, extends to no more than 10% of the scheduled class meetings. The only exception made to this policy pertains to district, regional, and national varsity athletic competitions. Even students who have already taken excused absences equivalent to 10% of their class shall not be penalized for missing assignment and test due dates for participating in postseason competition.

B. Co-curricular and Faculty-sponsored field trips

Often in the course of the year, either related to specific courses that are being taught or growing out of departmental or club activities, field trips are organized that can be educationally beneficial to students. Faculty are not obliged to grant students excused absences from class to participate in these field trips but are strongly encouraged to do so as long as students can reasonably be expected to keep up with the academic requirements of the course.

Similarly, while faculty are not required to reschedule evaluations and other class assignments, they are encouraged to do so in these cases.

C. Rehearsals, athletic practices, club activities

Students may not miss classes for varsity athletic practices. Students are not guaranteed excused absences for attending play or concert rehearsals or for participating in club activities, including club sports. In such cases, the students may request to be absent from class without penalty. The instructor may use his or her own judgment as to whether to grant such permission. Instructors are expressly discouraged from rescheduling course evaluation procedures and/or deferring class-related presentations, etc., in these cases. Finally, faculty must inform students when the use of excused absences is, in the judgment of the faculty, beginning to jeopardize learning.

Computing and Telecommunications Technology Conditions of Use Policy

The purpose of this policy is to define permissible behavior of those Vermont State Colleges System ("VSCS") employees, students and others using VSCS computing and telecommunications resources ("VSCnet) in order to preserve the confidentiality, availability, and integrity of VSCnet resources and promote the goals and values of the VSCS.

VSCS owns and maintains computing and telecommunications technologies to support the education, research and daily work of its faculty, staff, and students. This policy applies to any user of VSCnet resources. The right to use VSCnet, its resources, and the Internet is dependent upon compliance with this policy. If found in violation of this policy, a student may be denied access to the VSCnet. The VSCS will seek to maintain system security and privacy, but the VSCnet exists for the furtherance of VSCS business and users should not have an expectation that information in user accounts, or on VSCS-owned or –administered computers, is private.

This policy can be viewed in its entirety at: **BAD LINK** <https://www.vsc.edu/wp-content/uploads/2016/10/Policy-502-Computing-and-Telecommunications-Technology-Conditions-of-Use.pdf>

Section III

Code of Conduct

The Code of Conduct promotes the necessary order, safety and security of the Northern Vermont University (NVU) community. The goals of the conduct system are:

- Promote a campus environment that supports the educational mission of the university.
- Protect the university community from harm and disruption.
- Encourage appropriate standards of individual and group behavior.
- Foster ethical standards and civic virtues.

We meet these goals by providing programs and services that:

- Develop, disseminate, interpret, and enforce campus regulations.
- Help students model appropriate behavior.
- Intervene effectively when behavior is inconsistent with the code of conduct.

When a community member is found responsible for a code of conduct infraction, the goal of the conduct system is an educational and restorative outcome whenever possible.

The regulations set in the Code of Conduct should be read broadly. They are not designed to list every possible example of misconduct. The provisions of the Code are not a contract between the student and the university. The university reserves the right to amend any provision at any time, with written notice to the campus community.

State of mind or impairment from drug or alcohol use does not excuse behavior inconsistent with the mission and values of the university.

Student Code of Conduct Administration Procedures

Part 1: Scope of Conduct Administration

The Code of Conduct applies to all members of the university community. When student behavior represents an infraction of the Code, the Dean of Students office has the authority to designate professional staff who take appropriate administrative action.

Any member of the university community or general public may report infractions of the Code to Public Safety, Student Life staff, Residential Life staff, or any other university official. A public report form is available on the Portal.

Any community member who is subject to disciplinary action has the right to appeal. The appeal process is detailed in Part 4.

Vermont State College System wide Policies such as Policy 311- *Non-Discrimination and Prevention of Harassment and Related Unprofessional Conduct*, and Policy 311-A- *Sexual Misconduct, Domestic Violence, Dating Violence, Sexual Assault, and Stalking*, have their own procedures, timelines, and process which can supersede any contained in this Code. These policies can be found here: <https://resolve.vsc.edu/>

Part 2: Jurisdiction of the University and Prohibited Conduct

Jurisdiction of the University

The university may take administrative disciplinary action any time a student engages in prohibited behavior. This can include off-campus behavior and travel abroad such as for a class trip or exchange program. The university reserves the right to take administrative disciplinary action if it learns a student is subject to legal action, even if the legal action is outside the university's jurisdiction and not involving other members of the university community.

Behavior that is not listed below but interferes with the university's mission, values, or reputation is also subject to administrative discipline.

NVU MEDICAL AMNESTY/GOOD SAMARITAN POLICY SEE SOMETHING, SAY SOMETHING, DO SOMETHING:

Northern Vermont University considers the safety and well-being of our student body a priority.

The University recognizes that there may be assistance needed for alcohol or other drug-related medical or safety emergencies and the potential for student conduct action or discipline could act as a deterrent to seeking help for themselves or others. The *Medical Amnesty/Good Samaritan Policy* is designed to encourage dangerously intoxicated or impaired students, or their guests, to receive the assistance and medical treatment they need; therefore, Northern Vermont University will offer immunity from disciplinary action that reporting students or the intoxicated/impaired individual may have committed.

The University will, however, consider educational opportunities in such cases. For circumstances in which other violations occur, students will be subject to our code of conduct process. These circumstances include, but are not limited to, physical abuse, conduct which threatens safety, verbal or physical harassment, disorderly conduct or property damage. The Medical Amnesty/Good Samaritan Policy does not apply for subsequent alcohol or other drug-related medical or safety emergencies. This policy also does not grant amnesty from criminal, civil, or legal consequences for violations of Federal, State, or Local law.

The University reserves the right to take disciplinary action on a case by case basis regardless of the manner in which the incident was reported.

Prohibited Conduct

Section 1: Behavior which threatens or endangers the health or safety of oneself or others' person or property. This includes actions, implied actions, and threatened actions.

Examples include (but are not limited to):

- Disorderly conduct (including public intoxication or drug impairment, public urination)
- Obscene or unsanitary behavior
- Libel
- Slander
- Assault
- Racial slurs
- Sexual slurs
- Threats
- Intimidation
- Hazing

Section 2: Weapons or weapons facsimiles, including disabled weapons.

Examples of prohibited items include (but are not limited to):

- Firearms
- Explosives (materials or devices, including fireworks)
- Knives that have a blade over 3"
- Switchblades, butterfly knives, and the like, regardless of blade length

- Slingshots
- Bows and arrows
- BB or pellet guns
- Combustible materials
- Any other item which can be used to inflict injury OR cause a person to reasonably believe can be used to inflict injury.

Section 3: Possession, solicitation, sale, distribution, or use of any illegal drug or federally controlled substance or paraphernalia. Credible evidence of use (such as smells or physical signs of impairment).

Violations of state or federal law, or local ordinance, are also prohibited. Infractions which adversely affect the interests and reputation of the university can be subject to disciplinary action independent of civil authorities.

Examples of restricted illegal or federally controlled substances include (but are not limited to):

- Cannabis (commonly known as marijuana), in any form, including synthetic and edible cannabis.
- Prescription drugs, not prescribed to the student in possession.
- Prescription or over the counter drugs, used inconsistently with intended use.
- Other legal substances, used in an illegal manner (aerosols, other chemicals).
- Any drug that is illegal per federal or state law or restricted by university policy.

Examples of restricted paraphernalia include (but are not limited to):

- Bongs
- Hookahs
- Rolling papers
- Pipes, or any other smoking apparatus
- Needles
- Syringes
- Any vaping or other electronic delivery devices (including but not limited to juuls, e-cigarettes, pens, pods, etc.)

Section 4: Trespassing or unauthorized presence in or on any university-owned building or property.

Examples include (but are not limited to):

- Accessing rooftops.
- Accessing balconies or any other area with no door or locked doors.
- Accessing any area with signage restricting access.
- Presence in residence halls or other closed areas during a break, without advance written permission.

Section 5: Attempted or actual theft of university property or property of a university community member.

Examples of theft include (but are not limited to):

- Theft of belongings
- Theft of services through unauthorized use of university premises
- Theft of services through unauthorized use of vehicles
- Theft of services through unauthorized use of academic or library resources

Section 6: Vandalism or defacement of any university property or personal property of university community members.

Examples include (but are not limited to):

- Damage to university or others' personal property due to careless use
- Vandalism of walls, windows, walkways, or any other surface
- Damage of academic or library resources
- Damage of vending machines or vendor spaces

Section 7: Alcohol and Tobacco

- Use or possession of alcoholic beverages or tobacco products by persons under 21 years of age is prohibited. Empty containers in the room of an under-age student count as possession.
- Supplying alcohol to persons under 21 years of age is prohibited. This includes under-age students supplying alcohol to other under-age students.
- Students of-age who are otherwise permitted to use or possess alcohol in their room or apartment, may only do so in the presence of other of-age students. The only exception to this is an under-age roommate. This exception only applies when the roommate is the only person present. This exception does not permit the under-age roommate to use alcohol.
- Students 21 years old and older may possess up to one six pack of 12 oz. beers, OR one 750 mL bottle of wine, OR one pint of hard liquor. Empty containers are included in the count. Students of-age, in a designated substance-free living area, may not possess any alcohol per the substance-free agreement.
- Kegs, tap systems, beer balls, or any other bulk delivery system for alcohol are not permitted.

Section 8: Fire Safety

Examples of prohibited actions related to fire include (but are not limited to):

- Starting a fire on campus.
- Tampering with any mechanism which is part of the fire alarm or fire suppression system.
- Failure to leave the building when a fire alarm is sounding.
- Pulling a pull station as a false alarm or prank.
- Covering, removing, or otherwise altering a fire, smoke, or carbon monoxide alarm.
- Tampering with sprinkler heads.

- Hanging belongings from sprinkler pipes or fire safety equipment.

Examples of prohibited items include:

- Propane cylinders
- Gasoline
- Camp Fuel
- Any other flammable or explosive substances.

Section 9: Refusing to disclose reasonably requested information to a university official when asked, and failure to appear at any required meeting when given reasonable written notice.

Examples of prohibited actions include (but are not limited to):

- Lying to or withholding requested information from a university official.
- Alteration of university records.
- Copying, misusing, or loaning out keys or ID cards.
- Forgery of documentation, including both university documents and documents furnished to a university official.

Section 10: Failure to comply with a reasonable request from a university official.

Examples of prohibited actions include (but are not limited to):

- Refusal to furnish identification to university staff or faculty.
- Refusal to properly identify oneself.
- Refusal to follow reasonable instructions from faculty or staff.

Section 11: Residential Life Policies

All policies listed below, generally referred to as Residential Life policies, are applicable to all campus areas and all housing types. Additionally, residential students are required to observe all instructions and lists contained in the Terms and Conditions of the Housing Contract and in the Residential Life section of the Student Handbook of Rights and Responsibilities.

Prohibited actions include (but are not limited to):

- Infraction of the guest policy or infractions of the Code of Conduct by a guest.
- Infraction of quiet hours or courtesy hours.
- Unauthorized alteration of a room including painting, construction of a loft, etc.
- Removal of university furniture.
- Possession of pets except fish in a tank five gallons or smaller.
- Infraction of fire/safety regulations (tapestries flat against the wall, egress or access blocked by furniture or other items, items hanging from ceiling).
- Furniture not issued by the university.
- Improper use of cooking equipment.
- Improper disposal of trash or recycling.
- Throwing items out of windows.
- Participation in hall sports (any sporting activity that occurs in a residence hall or apartment).
- Possession of candle(s), incense, or anything that is used with an open flame.
- Interference with the normal residential experience of others.
- Use of a bathroom inconsistent with the values and expectations of that community.
- Use of tobacco or nicotine.
- Exceeding occupancy limits, which are: 6 people per residence hall room, 12 people per apartment.
- Infractions of the skating/riding policy.
- Presence of lounge or common area furniture in a residence hall room.
- Improper use of university furniture within a room (such as disassembly or modification).
- Infractions of the campus parking policies.

Section 12: Participation in a demonstration, which adversely affects normal operations of the university and/or poses a threat to the safety of the university community or property. This includes intentional obstruction that interferes with freedom of movement by pedestrians or vehicles within normal traffic patterns.

Section 13: Theft or abuse of the computer or phone systems.

Examples of prohibited actions include (but are not limited to):

- Unauthorized entry into a file for any purpose (including to use, read, or change its contents).
- Unauthorized transfer of a file.
- Unauthorized use of another individual's identification and/or password.
- Use of computing facilities to interfere with the work of another student, faculty, or staff.
- Use of computing facilities or phone service to send threatening, harassing, obscene, or abusive messages.
- Use of computing facilities to interfere with the normal operations of the university's computing system.
- Fraudulent use of phone service.
- Use of the phone system to interfere with the normal operations of the university's phone system.
- Violation of any Vermont State College System computer policy.
- Use of an unapproved wireless router.

Section 14: Compromising the security of the card access or locking system.

Examples of prohibited actions include (but are not limited to):

- Using another person's ID card to gain access to any building, facility, or service.
- Tampering with and/or vandalizing any locking or card access equipment.
- Propping any residence hall entrance or exit door.

Section 15: Refusal to cooperate with and participate in the university conduct system.

Examples of prohibited actions include:

- Failure to respond to communications from appropriate university officials within the time frame specified within those communications.
- Failure to appear at required meetings.
- Lying
- Failure to cooperate with assigned sanctions.
- Falsification, distortion, or misrepresentation of any information before any designated university official or hearing board (including appeals boards).
- Disruption of the orderly conduct of a proceeding.
- Making false charges. A charge is only deemed false if there is evidence the person bringing the charge knew it was false. A finding of "Not Responsible" due to lack of evidence is not necessarily a false charge.
- Attempting to discourage another individual's participation in or use of the conduct system.
- Attempting to influence the impartiality of any person involved with the conduct system. This includes designated university officials.

Part 3: Conduct Administration Proceedings

Who May File a Code of Conduct Complaint

Any member of the university community may report possible infractions of the Code of Conduct. There is an incident report form located on the portal. Public Safety staff follow up with these submissions to gather additional information before investigating. If you have something to report, the university encourages you to do so as soon as possible after discovery of the issue you're reporting.

Public Safety and Residential Life staff use an internal incident report system. They write incident reports anytime they observe or have reported to them, misconduct or safety issues of any kind.

Due Process and Standard of Evidence

When a report is filed, the appropriate designee of the Dean of Students will conduct an investigation. This will include a meeting with the party (or parties) named, review of available evidence, and conversations with witnesses as appropriate.

The standard of evidence for all university conduct proceedings is preponderance of the evidence.

All decisions will be presented in an email to the student's NVU account, which will include the process to appeal if the student is found responsible for an infraction.

All students subject to a Code of Conduct process are afforded due process, which in the university setting means:

- The right to review and respond to the evidence the university is using, as well as introduce one's own evidence.
- The right to produce witnesses for oneself and respond to statements made by other witnesses.
- The right to appeal.

Sanctions

Confiscation

In cases where a student possessed item(s) prohibited by the Code of Conduct, the university reserves the right to confiscate the item(s) according to the following principles.

- If the item is illegal to possess per federal or state statute, it will be turned over to local law enforcement or disposed of per law enforcement instructions. This includes all drugs or paraphernalia, underage alcohol or tobacco/nicotine possession, or weapons.
- Items legal to possess but restricted by the Code of Conduct will be labeled and stored securely for up to 60 days after the case is resolved and the appeal timeline is exhausted. At the discretion of the Director of Public Safety or designee, the item can either be claimed by the student in-person on their way to bring the item off campus, or, the item can be shipped to the student's home address and the cost billed to the student.

If the student is not sanctioned, but the item in question is still restricted by law or the Code of Conduct, the above conditions for confiscation and return will still apply.

Interim Sanctions

The university recognizes that certain alleged offenses of the Code of Conduct may present a safety risk to the campus or surrounding community. In such cases, the Dean of Students or designee may impose immediate temporary sanctions prior to a hearing. These sanctions can, if necessary, include no-contact orders, temporary suspension from housing, and/or temporary suspension from the campus.

Such measures may only be put in place when one or more of the following conditions is true:

1. The student represents a likely, substantial threat to others' or their own safety.
2. The student represents a likely, substantial threat to others' or university property.
3. The student represents a likely, substantial threat to disruption of normal operations of the university.

The university will initiate a hearing process as soon as it is safe, practical, and reasonable to do so after reviewing the information related to the alleged code of conduct violation. Whenever possible, the hearing will occur within 10 business days of the interim sanction being imposed. Holidays and scheduled breaks do not count as business days.

Range of Sanctions

The following sanctions may be imposed on any student who is found responsible for an infraction of the Code of Conduct. Sanctions are, within certain parameters, at the discretion of the university official who leads the conduct meeting. In the case of an administrative hearing, the Dean of Students will determine sanctions.

1. Written Warning. No further action is required unless there is a further infraction of the same section of the Code of Conduct.
2. Parental Notification. The university reserves the right to notify parents or guardians, regardless of the student's age, status or conduct in health and safety emergencies, hospitalizations or when the health or well-being of the student or others may

be at risk. The university may disclose results of disciplinary findings to parents or legal guardians for violations of federal, state or local law, or any rule or policy of the institution governing the use or possession of alcohol or a controlled substance.

3. Administration of Brief Alcohol Screening Intervention. This is an online certification course or other educational work completion as appropriate to the infraction.
4. Service Hours or Work Restitution. Depending on the severity and nature of the infraction, the student can be required to complete service or other work as determined by the university official issuing the sanction.
5. Participation in a Restorative Justice Process. All parties have to agree and the university official leading the conduct process must agree it is an appropriate incident for a restorative process.
6. Loss of privileges. Appropriate to the severity and nature of the infraction, the student can lose certain university privileges.
7. Financial Restitution. If university or community property is damaged, the student can be held responsible for the cost of the repairs.
8. Required Screening. In cases of high-severity drug or alcohol use infractions, the student may be required to undergo off-campus professional drug and alcohol abuse screening, and be required to follow all recommendations of the counselor who conducts the screening.
9. Residential Probation. Depending on severity and time elapsed, one more infraction of the Code of Conduct can result in loss of housing.
10. Conduct Probation. Depending on severity and time elapsed, one more infraction of the Code of Conduct can result in suspension from the university.
11. Restriction From Housing. In such cases, the student will be restricted from living on campus or entering as a guest any university housing areas on either campus.
12. Suspension From the University. This includes being restricted from all university property, on both campuses as well as on satellite property. Suspension is for a specified time period.
13. Dismissal From the University. Permanent separation from and restriction from the grounds of the university, on both campuses as well as on satellite property.

Disciplinary Guidelines

Depending on the severity of the possible infraction, a student named as involved in an infraction of the Code will participate in one of two types of hearing processes. The first is an individual meeting with a university official who has been designated by the Dean of Students. The second is an administrative hearing board. The Dean of Students or his/her designee shall make the final decision on the type of hearing to be used.

Administrative Hearing Process

Most cases are adjudicated by a designated university official. This process consists of the following steps:

- The university official contacts the student(s) named as involved and meets with each individually.
- The student(s) may suggest additional witnesses or evidence to review. The university official will make every reasonable effort to follow up suggested evidence or witnesses that are germane to the incident under discussion.
- The student(s) may review evidence available to the university and have the opportunity to respond to it.
- If new evidence becomes available after the initial meeting, which contradicts the student's account, the student will have an opportunity to respond to that evidence.
- After all meetings have occurred, the university official will issue a written finding that details whether the student is found responsible for the infraction, details any sanctions, and provides instruction for the appeal process.

University Hearing Board

For possible infractions that could have a possible outcome of suspension from housing, suspension from the university, or dismissal from the university, the student will appear before an administrative hearing board.

If the student is on interim suspension, they will be granted temporary permission to access the university for the hearing. However, if the student is determined by the Dean of Students or designee to pose an excessive threat to any person, property, or the normal operation of the university, the hearing will be conducted over conference call or other electronic distance means.

The University Hearing Board Process consists of the following steps:

- A designee of the Dean of Students will meet with the student to review the evidence available. If the student is opting to bring an advisor of choice, this meeting is the deadline to provide the name and inform the university if the advisor is an attorney.
- During this meeting or sooner, the names of the hearing panel members are made available to the student. The student may challenge Hearing Board members if there is a history that could introduce bias against the student.
- This preparatory meeting will occur no less than two business days before the hearing. In cases of interim suspension from the campus, the preparatory meeting may occur over phone or via network conferencing technology.
- At any point prior to or during this meeting, the student may suggest witnesses and evidence to review. The university official designated to review evidence and present to the hearing panel will make every reasonable effort to follow up with all witnesses and evidence that are germane to the possible conduct infraction.
- A hearing panel can consist of a combination of NVU staff, faculty, and/or students. Hearing panelists receive training and guidance from the Office of the Dean of Students prior to hearing cases. The size and composition of the panel is at the discretion of the Office of the Dean of Students.
- The university official responsible for reviewing and investigating evidence will present the university's evidence to the board.
- The student will respond, and answer follow-up questions from the board.
- The board will meet privately and decide on a recommended finding of Responsible or Not Responsible.
- Notification of this finding will be made in writing to the Dean of Students or designee, within 24 hours of the conclusion of the hearing.
- The Dean of Students or designee will decide whether to accept the recommendation, and what sanctions to impose if there is a finding of Responsibility.
- The Dean of Students or designee will send a written finding that details whether the student is found responsible for the infraction, details any sanctions, and provides instruction for the appeal process.

The Dean of Students or designee will make every reasonable effort to send the decision letter within five business days of receiving the hearing board's recommendation.

Timing and Calendar Definitions

All reasonable effort will be made to send notification of meetings the business day after an incident report is issued, and for the hearing to occur within 10 business days of the alleged infraction.

Delays due to evidence collection, scheduling difficulties, or unforeseen circumstances will not invalidate the investigation and follow-up process.

Days on which the university is closed due to holiday, scheduled breaks, or snow days will not count as business days.

If the student does not show up to their meeting or arrange another time, the designated university official can issue a sanction based on the incident report and any other evidence available, and notify the student in writing. If a student declines to participate in an administrative board hearing, the hearing board can still proceed based on what evidence is available. A student who does not participate in the conduct process waives the right to appeal.

Section IV

Appeals

A student may appeal a conduct process decision only on the following grounds:

- A. New evidence, not available at the time of the conduct process. This can only include specific evidence about the incident itself.
- B. Procedural error egregious enough that it was not possible for the student to present and respond to evidence.
- C. A sanction greatly out of proportion to the conduct infraction.

To appeal, a student must submit a Request to Appeal form within five business days of the date the written decision letter was sent. This form is available in electronic form by emailing ResidentialLife@NorthernVermont.edu or in physical form in the Dean of Students office on each campus.

The burden of proving grounds for appeal rests with the student.

Depending on the nature of the infraction and the process used to issue the sanction, the appeal will be reviewed either by the issuing university official's immediate supervisor or designee. In either case, the written request for appeal will be considered on its merits under the three criteria for appeal. If the written appeal does not meet grounds, the appeal will be denied with a written explanation. If the written appeal has merit under the grounds for appeal, the student will appear before the official and answer any follow-up questions.

The official reviewing the appeal will respond in writing via Northern Vermont University email within 5 days of the original appeal submission. This finding will be a recommendation to either uphold the original finding or sanction, modify or reduce the finding or sanction, or hold a new hearing. The recommendation will be sent to the Dean of Students except in cases where the Dean of Students determined the initial outcome. In such cases, the Appeals Board recommendation will be sent to the President or designee.