



New England College

2021-2022
Student Handbook

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I. LETTER FROM THE VICE PRESIDENT OF ACADEMIC AFFAIRS

Dear Students,

It is my pleasure to welcome you to New England College for the 2021-2022 academic year. I am privileged to serve as your Associate Vice President of Student Affairs. It is my goal to create healthy, safe, and dynamic living and learning environment during your stay at New England College. In addition to the values stated below, I will ask a few things of you as you pursue the exceptional education offered at the college. One, stand up for what you believe, but at the same time learn from the diverse perspectives you will be exposed to. While here you will be pushed outside of your normal areas of thought and belief, I ask that you do not run, but instead wait and listen. There may be something there to help you grow. Two, step out and get involved. Yes, it is a small college, but there is a lot going on here. Studies show getting involved outside of the classroom helps tremendously with both physical and mental health. Three, if you begin to struggle, in any way, academically, socially, mentally, get help. There are many people here both willing and able to support you. Finally, the college has formed a presidential committee devoted to moving the institution further in the directions of diversity, inclusion, and equity. I am confident during your stay at NEC you will be exposed to these concepts. I encourage you to learn as much as you can about how diversity, inclusion, and equity have impacted you, those around you and the nation you live in.

During your time here at NEC we understand the importance of educating the whole person. It is our mission to create and support a learning community that challenges individuals to transform themselves and their world. We have nine important values that help our community meet that mission. These values are: • Value 1: Imaginative, innovative, and creative approaches to all endeavors • Value 2: Respect for self in the development of personal, social, physical and intellectual abilities • Value 3: Caring and collaborative relationships among members of our community • Value 4: Respect for the varied qualities of individuals, communities, and the world • Value 5: An appreciation of beauty and elegance in the search for truth • Value 6: Inquiry into and the pursuit of social justice • Value 7: Ethical and responsible citizenship, including service to the community • Value 8: The pursuit of ecological sustainability • Value 9: Continuous learning and a lifetime of personal achievement.

All members of the NEC staff and faculty encourage you to take advantage of the many opportunities to expand your mind. We will assist and support you on your journey. The college policies outlined in the Student Handbook are here to guide you of the expectations New England College has for its students. Please pay special attention to the final section on policies related to COVID-19, as we want our community to remain healthy. As part of your acceptance into NEC, you have expressed consent to adhere to the policies outlined in this and other College publications. If you need assistance, please do not hesitate to contact any staff member in academic or student affairs.

Best wishes on a safe and enjoyable year,

Luis Rosa, M.Ed. Associate Vice President of Student Affairs

CODE OF STUDENT CONDUCT

Every community has certain regulations and traditions governing the behavior of its members in order to ensure the basic rights of individuals as well as to reflect the practical necessities of the community. A College community is no exception and, perhaps more than others, depends upon members who are mature and have a sense of responsibility. New England College expects students to be mature, honest and responsible members of their college community and the larger, off-campus community. Any behavior which infringes upon the rights, safety, property and privileges of another person, or which impedes the educational process of New England College, is unacceptable. Physical violence and personal abuse of others represents behavior that is not conducive to an educational environment and will not be tolerated.

New England College is an educational community that holds respect, care, and responsibility as core values. In fact, New England College requires its students to conduct themselves in a manner that ensures the safety and security of all students is maintained. Students in their choices of action and speech, though free, are expected to respect the institution's educational mission, policies, property values, rights of others, and the key principals involved in bias and hate. New England College strives in every way to nurture the fullest development of its students in a culture fairness, respect, due process, and equity.

As indicated later in this code, the College reserves the right, as permitted by the Family Educational Rights and Privacy Act (FERPA), to contact parents or family members of students who are involved in student conduct-related matters. However, the College believes that the primary responsibility for such disclosures to family and parents rests with the student, and student conduct-related processes can be initiated and completed without any outreach from the College to a parent or family member. We encourage students and families to maintain open dialogue about all issues pertaining to a student's standing at the College.

Article I: Definitions

1. The term “**College**” means “New England College.”
2. The term “**student**” includes all persons taking courses at the College, either full-time or part-time, pursuing undergraduate, graduate or professional studies. The term “students” also includes all persons taking on-line classes that are offered through the College or that are delivered through a College-approved provider. Persons who withdraw after allegedly violating the Student Code, who are not officially enrolled for a particular term but who have a continuing relationship with the College (e.g. students who withdraw from their current classes but who are registered for classes for the next semester) or who have been notified of their acceptance for admission are considered “students”, as are persons who are living in College residence halls even if they are not currently enrolled in this institution. Students who are suspended or expelled from the College, (but who are still within their appeal timeline) or who have submitted an appeal of their sanction, will be considered to have a continuing relationship with the College until their appeal timeline passes and/or any pending appeal process is concluded (including any

possible re-hearing or reconsideration of their case). This Student Code applies at all locations, including the College's on-line programs.

3. The term “**faculty member**” means any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.
4. The term “**College official**” includes any person employed by the College, performing assigned administrative or professional responsibilities.
5. The term “**member of the College community**” includes any person who is a student, faculty member, College official or any other person employed by the College or by a company who maintain offices on campus property (including bookstore, food service, and facilities staff). A person's status in a particular situation shall be determined by the Office of Registrar and/or the Office of Human Resources.
6. The term “**College premises**” includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the College, including adjacent streets and sidewalks.
7. The term “**organization**” means any number of persons who have complied with the formal requirements for College recognition.
8. The term “**Student Conduct Panel**” means any group of three people authorized to determine whether a student has violated the Student Code of Conduct and to identify sanctions that may be imposed when a policy violation has been committed. Panel membership may include the Vice President of Student Affairs, Dean of Students, Associate Dean of Students and any staff, faculty members, and Graduate Assistant for Student Conduct, who have been trained and appointed (by the Vice President of Student Affairs or Dean of Students) to membership on the panel. In cases where the VP or DOS does not sit on the panel for a specific case, the panel will forward recommended sanctions to the VP or DOS for their approval.
9. The term “**Sexual Harassment, Sexual Assault, Domestic/Dating Violence and Stalking Panel**” means any group of three people, consisting of the Dean of Students (or designee) and two faculty or staff members, authorized to determine whether a student has violated any policies related to sexual assault, sexual abuse, domestic violence, sexual harassment or other forms of sexual misconduct. In cases where violations of policy are found to have occurred, the Sexual Harassment/Assault/Domestic Violence Panel shall identify sanctions that may be imposed.
10. The term “**Student Conduct Officer**” means a College official designed by the Associate Vice President of Student Affairs/Dean of Students. The Associate Vice President of Student Affairs/Dean of Students may authorize a Student Conduct Officer to serve simultaneously as a Student Conduct Facilitator and as one of the members of the Student Conduct Panel.
11. The term “**Appeals Board**” means any two or more persons authorized by the Associate Vice President of Student Affairs/Dean of Students (or designee) to consider an appeal from a Panel/AVP/Dean's determination as to whether a student has violated the Student Code or from the sanctions imposed by the Associate Vice President of Student Affairs/Dean of Students or designee.

12. The term “**Student Conduct Conference**” shall refer to a meeting between one or more Student Conduct Officers and a student (or students) reported to have been in violation of College policy. Information at this conference shall be used to help the Officer(s) come to decisions regarding any possible policy violations and any appropriate sanctions. Sanctions from these conferences can include any sanction up to a Residence Hall Relocation and/or Probation status.
13. The term “**Dean’s Conference**” shall refer to a meeting between the Vice President, Dean of Students, Associate Dean of Students or Director of Student Conduct (or designee) and a student (or students) reported to have been in violation of College policy. (Note: At their discretion, the VP/DOS/Associate Dean/Director (or designee) may ask an additional Student Conduct Officer to take part in this process.) Matters adjudicated in Dean’s Conferences will typically involve students who have been involved in repeated violations of College policy, who are on a current probation status at the College and/or whose reported behaviors were particularly serious in nature. Information at this conference shall be used to help the Student Conduct Officer(s) come to decisions regarding any possible policy violations and any appropriate sanctions. Sanctions from these conferences can include any sanction up to suspension from the College.
14. The term “**Student Conduct Hearing**” shall refer to any meeting in which the Associate Vice President of Student Affairs/Dean of Students (or designee), Student Conduct Panel or Sexual Harassment/Assault, Domestic/Dating Violence, and Stalking Panel hear information regarding alleged policy violations and come to decisions regarding these violations and any appropriate sanctions. Sanctions from these hearings can include any sanctions, up to and including expulsion from the College.
15. The term “**shall**” is used in the imperative sense.
16. The term “**may**” is used in the permissive sense.
17. The term “**policy**” means the written regulations of the College as found in, but not limited to, The Student Handbook, the Student Code of Conduct, the College web page and computer use policy and Graduate/Undergraduate Catalogs.
18. The term “**Complainant**” means any person who submits a report alleging that they have been a victim of another person’s potential misconduct. When a student believes that they have been a victim of another person's misconduct, the student who believes they have been a victim will have the same rights under this Student Code as provided to the Respondent, even if another member of the College community submitted the charge.
19. The term “**Respondent**” means any student who has allegedly violated this Student Code.
20. The term “**Student Conduct Facilitator**” means the Director of Student Conduct or other staff member designated by the Associate Vice President of Student Affairs (or designee) to facilitate a student conduct hearing. The role of the Student Conduct Facilitator is to conduct hearings according to a pre-established format, to

maintain appropriate decorum during the hearing and to act as a resource person to all involved parties before, during and after the hearing process.

21. The term “**Witnesses**” means individuals with direct or indirect knowledge of a given incident or case, chosen by the Respondent, Complainant and/or Presenter and deemed appropriate by the Director of Student Conduct. Respondents and Complainants will typically be limited to three witnesses per hearing, unless the circumstances of an incident, in the judgment of the Director of Student Conduct, warrant the inclusion of additional witnesses. The role of a witness is to offer testimony when solicited relating to specific incident(s) under consideration.
22. The term “**Presenter**” means a member of the Student Development or Campus Safety Staff selected by the Student Conduct Facilitator to attend a hearing and present incident reports and other evidence pertinent to the disposition of the case at hand. There may not be a Presenter at all hearings. The Student Conduct Facilitator may choose someone who is a member of the College community to read the basis of the policy violations in cases where the Presenter is not necessary or may read the basis of the policy violations themselves
23. The term “**Respondent’s/Complainant’s Advisor**” means a person who is willing to provide advice and support to the Respondent or Complainant during the investigation and hearing process. In most cases, it is suggested that the Advisor be a current faculty member, staff member or student who has been chosen by the Respondent or Complainant. However, complainants and respondents are entitled to be accompanied by an advisor of their choice which can include non-College community members, members of the bar and family members.

Note: In non-sexual harassment processes- advisors are limited to a supportive, non-participatory role in the investigation and hearing, and their advice is limited to written and oral communication with their advisee. Advisors may not make presentations for, or arguments on behalf of, their advisee. Advisors who do not comply with the limitations of their role may be asked to leave the investigation or hearing process, and the process will continue without the advisor present. The name and email address of the advisor must be provided to the Student Conduct Facilitator at least one business day prior to the hearing in order to be approved.

In sexual harassment processes, advisors may be selected by the Respondent/Complainant but if a Respondent/Complainant does not have an advisor, one will be appointed for purposes of cross-examination if a hearing is initiated. The name and email address should be provided to the Title IX coordinator 12 days prior to any hearing process. Please note an advisor in this process is limited in scope to a be a supportive, non-participatory role in the investigation but as required by federal law, can participate in the cross examination of Respondent/Complainant. All questions will be subject to relevancy by the hearing panel (Decision-makers).

Article II: Authority

1. The Associate Vice President of Student Affairs/Dean of Students (AVP) is that person designated by the College President to be responsible for the administration of the Student Code.

2. The Associate Vice President of Student Affairs/Dean of Students (or designee) shall determine the composition of Student Conduct Panel and Appeals Boards and determine which Student Conduct Panel, Dean of Students, Student Conduct Officer or Appeals Board shall be authorized to hear each case. Cases involving sexual misconduct, sexual violence, sexual assault, rape, domestic or dating violence, stalking, sexual harassment, and other similar violations, will be addressed by a Sexual Harassment/Assault/Domestic Violence Panel.

3. The Associate Vice President of Student Affairs/Dean of Students (or designee) shall develop policies for the administration of the student conduct system and procedural rules for the conduct of Student Conduct Panel Hearings that are not inconsistent with provisions of the Student Code of Conduct.

4. Decisions made by a Student Conduct Panel, Associate Vice President of Student Affairs, Dean of Students or Student Conduct Officer shall be final, pending the normal appeal process. Please see Article IV, Letter D of the Code of Student Conduct for information on the appeals process.

Article III: Policies

Jurisdiction of Student Code

The Student Code of Conduct shall apply to conduct that occurs on College premises, at on- and off-campus College-sponsored activities and to off-campus or on-line conduct that adversely affects the College community and/or the pursuit of its objectives. Please note the College does not actively monitor social media but reserves the right to investigate specific reports of violations of the Student Code of Conduct. Each student shall be responsible for their conduct from the time of application for admission through the actual awarding of a degree (or, in the case of a student who does not complete their degree, through the end of their last classes at the college), even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Code shall apply to a student's conduct even if the student withdraws from school while a conduct matter is pending. Cases involving academic misconduct will, in most cases, be adjudicated by the Office of Academic Affairs or the Academic Standards Committee. However, the Office of Academic Affairs may, at its discretion, refer these cases for adjudication under this Code of Student Conduct to the Office of Student Conduct. The Dean of Students (or designee) shall decide whether the Student Code shall be applied to conduct occurring off campus, on a case by case basis, in their sole discretion.

Prohibited Conduct

Students are required to engage in responsible conduct that reflects credit upon the College community and to model good citizenship. Any student found to have committed, or to have attempted to commit, the following misconduct is subject to the sanctions outlined in Article IV:

1. Acts of dishonesty, including but not limited to the following:
 - a. Cheating, plagiarism or other forms of academic dishonesty.
 - b. Knowingly furnishing false information to any College official, faculty member or office.
 - c. Forgery, alteration or misuse of any College document, record or instrument of identification.
 - d. Use of a deliberate, untrue and derogatory statement to harm another person's (or persons') reputation.
2. Disruption or obstruction of teaching, research, administration, student conduct proceedings, other College activities, including its public service functions on or off campus, or of other authorized non-College activities when the conduct occurs on College premises.
3. Physical assault, physical abuse, verbal abuse, threats, harassment, coercion and/or other conduct which threatens or endangers the health or safety of any person or group of people.
4. Any violation of the College Policies regarding Sexual Harassment, Sexual Assault, Dating/Domestic Violence and Stalking (found later in this handbook).
5. Hate crimes or bias incidents involving actions taken against another because of bias against their race, color, sex, age, religion, sexual orientation, gender identity and expression, native language, social/organizational affiliation, ethnic origin or disability.
6. Attempted or actual theft of and/or damage to property or services of the College or property or services of a member of the College community or other personal or public property on or off campus. This may include unintentional, reckless damage to College or personal property.
7. Hazing means any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any act, when such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person and when such act is a condition of initiation into, admission into, continued membership in or association with any organization.

The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule. (Note: for more information, please see Policy on Hazing in the "College Policies" section of the Student Handbook).

8. Failure to comply with College Officials (including Resident Advisors), college-contracted staff or law enforcement officers acting in performance of their duties.
9. Unauthorized possession, duplication or use of keys or combination locks to any College premises or unauthorized entry to or use of College premises (including entry into any office or residence hall room without permission) or lending/giving a student identification card, key, or lock combination to another student or a non-student.
10. Violation of any College policy, rule or regulation published or posted in hard copy, available electronically on the College website or distributed via New England College email.
11. Violation of any federal, state or local law or any town ordinance.
12. The usage (including but not limited to consumption, injection, smoking/inhalation, etc.), manufacture, possession or distribution of illegal drugs or significantly mind-altering substances, pharmaceutical and otherwise, (including salvia divinorium, medical marijuana, and synthetic forms of banned substances; including but not limited to K2, Spice, Black Magic, etc.), inappropriate/illegal use or distribution of any pharmaceutical product or possession of drug paraphernalia including, but not limited to, bong, pipes, electronic scales and rolling papers.
13. Use, possession, manufacturing or distribution of alcoholic beverages (except as expressly permitted by College regulations) or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age. This includes unauthorized use or possession of large quantities of alcohol on College property (e.g., beer kegs or other common source containers). *Note: Students living in campus housing are strongly advised to read the more detailed “Alcohol and Other Drugs” policy found in the “College Policies” section of the Student Handbook.*
14. Illegal or unauthorized possession of firearms, CO2 cartridges, electronic control device/taser, explosives or incendiary chemicals (including fireworks, sparklers, etc.), other weapons (see “Weapons Policy” for a more detailed list) or dangerous chemicals on College premises, or use of any such item even if legally possessed, in a manner that harms, threatens or causes fear to others.
15. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the College and/or infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area. *Note: Students are advised to also read the “Dissent and Demonstration” policy, found in the “College Policies” section of the Student Handbook.*
16. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at college sponsored or supervised functions.

17. Conduct that is disorderly, lewd, inappropriate, or indecent; breach of peace; or aiding, abetting or procuring another person to breach the peace on College premises, off campus or at functions sponsored by, or participated in by, the College or members of the academic community.
18. Any unauthorized use of electronic or other devices to make, share or distribute an audio, video, or pictorial record of any person without their prior knowledge, without their consent, and/or when such recording, sharing or distribution would be expected to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room or restroom or any other area where a person would expect to have a reasonable expectation of privacy.
19. Theft or other abuse of computer facilities and resources, including but not limited to:
 - a. Unauthorized entry into a file, to use, read or change the contents or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another individual's identification and/or password.
 - d. Use of computing facilities and resources to interfere with the work of another student, faculty member or official.
 - e. Use of computing facilities and resources to send obscene or abusive messages.
 - f. Use of computing facilities and resources to interfere with normal operation of the College computing system.
 - g. Use of computing facilities and resources in violation of copyright laws.
20. Abuse of the Student Conduct System, including but not limited to:
 - a. Falsification, distortion or misrepresentation of information before a Student Conduct Panel or AVP/DOS.
 - b. Disruption or interference with the orderly conduct of a Student Conduct Panel proceeding.
 - c. Falsely making a complaint about another student's behavior.
 - d. Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
 - e. Attempting to influence the impartiality of a member of a Student Conduct Panel prior to, and/or during the course of, the Student Conduct Hearing.
 - f. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Panel prior to, during and/or after a student conduct code proceeding.
 - g. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
 - h. Influencing or attempting to influence another person to commit an abuse of the Student Conduct Code system.
21. Intentionally or recklessly starting a fire, attempting to start a fire or burning/charring/singeing any College property or personal property.

22. Intentionally misusing or damaging fire safety equipment or intentionally initiating or participating in any false report, warning or threat of fire or other emergency.
23. Being present during the planning or commission of any violation of the Code of Student Conduct in such a way as to condone, support or encourage that violation. Students who anticipate or observe a violation of the Student Conduct Code are expected to remove themselves from association or participation and are encouraged to report the violation.
24. Any off-campus apartment, house, or other dwelling where there have been repeated complaints or complaints of a serious nature about disruptive behavior may be designated as a Nuisance Residence.
25. Failure to comply with college directives, protocols, or procedures meant to limited the spread/exposure of viruses, illnesses, and other contagions. (Please see the policy on COVID-19 Unvaccinated Students)

Violation of Law and Student Code

1. Student conduct proceedings may be instituted against a student charged with behavior that potentially violates both the criminal law and this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with or following civil or criminal proceedings off campus at the discretion of the Vice President of Student Affairs or Dean of Students. In most cases, it is preferable for the College to proceed immediately with student conduct proceedings. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of College rules were dismissed, reduced or resolved in favor of or against the criminal law defendant.
2. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also being processed under the Student Code, the College may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled within the College community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the College community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

3. It should be noted that felonies and other acts of an equally serious nature, whether committed on or off campus, are felt to be inconsistent with the College's standards and educational goals and to reflect in a negative manner upon the College. Therefore, students who have been charged with such acts may be subject to immediate interim measures and/or referral to a formal Student Conduct Hearing process.

Article IV: Procedures, Sanctions and Appeals

Non-Sexual Harassment Violations and Student Conduct Hearings

1. Any student conduct process must begin with a complaint from a community member or a report from a College department/staff member. Any member of the College community may file a complaint against a student for violations of the Student Code. A complaint shall be prepared in writing and directed to Department of Campus Safety. Any policy violations should be submitted as soon as possible after the event takes place, preferably within five working days.
2. The College may conduct an investigation to determine if a complaint or report has merit. If the reported issue is between two College community members, it may be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Vice President of Student Affairs (or designee). If, in the opinion of the parties involved or in the opinion of the Vice President of Student Affairs (or designee), the violations cannot be settled without a student conduct process, the matter will be referred for a Student Conduct Conference or Student Conduct Hearing.
3. All violations for formal hearings shall be presented to the Respondent in written form, which includes communication via the New England College e-mail system. As indicated in the New England College Academic Catalog, "New England College uses NEC e-mail as a means for official communication with students. As these communications may be time sensitive, the College expects that such communications will be read in a timely fashion. The College expects that students check their NEC e-mail at least once per business day while enrolled." A time shall be set for a Hearing, no less than two business days and no more than fifteen calendar days, after the student has been notified. Maximum time limits for scheduling of Student Conduct Hearings may be extended at the discretion of the Student Conduct Facilitator.
4. Rights of students involved with formal hearings and student conduct conferences:
 - a. The presumption of innocence until found responsible for any policy violation(s).
 - b. The right to have their case processed without prejudicial delay.
 - c. Notice of the violations at least 48 hours before the scheduled hearing. Normally such notice will be written, although unusual circumstances may require temporary verbal notification. E-mail communication to a student's New England College e-mail account is considered written communication for the purposes of this process.

- d. Written notice of the time, place and date of the hearing, in advance. E-mail communication to a student's New England College e-mail account is considered written communication for the purposes of this process.
 - e. Opportunity to review any incident reports, written statements or other applicable materials prior to their hearing process. This review will take place in the Office of Student Conduct. Students who are restricted from campus prior to their hearing may ask for permission to come to campus to review these records or may ask to have them reviewed on the phone prior to the hearing process. Note: Students are advised to make requests to review hearing-related materials in a timely fashion so that there is sufficient time to schedule a time to review relevant materials.
 - f. The right to be assisted during the hearing process by an advisor in accordance with the guidelines listed above in the "Respondent's/Complainant's Advisor" definition.
 - g. The right to respond to any information presented at their hearing, to produce witnesses on their behalf and to present evidence.
 - h. In most cases, the right to question any witnesses appearing at the hearing. Under circumstances in which a witness is unable to appear or (in the opinion of the Vice President of Student Affairs or designee) when such appearance would endanger or cause unnecessary psychological stress to the witness, the presenter may enter evidence on behalf of the witness without the witness present. In extreme cases of potential threat to or abuse of the witness, the name of the witness may also be excluded from testimony.
 - i. Written notice of hearing decision and sanctions.
 - j. The right to appeal.
5. Formal hearings shall be conducted according to the following guidelines:
- a. Hearings normally shall be conducted in private, with any persons not part of the process allowed in at the discretion of the Student Conduct Facilitator.
 - b. The Complainant, Respondent and their advisors, if any, shall be allowed to attend the entire portion of the Hearing at which information is received (excluding deliberations). Admission of any other person to the Hearing shall be at the discretion of the Student Conduct Facilitator.
 - c. In Hearings involving more than one Respondent, the Student Conduct Facilitator, in their discretion, may permit the Hearings concerning each student to be conducted either separately or jointly.
 - d. The Complainant and the Respondent have the right to be assisted by a Respondent's/Complainant's Advisor (as defined above), at their own expense. The Complainant and/or the Respondent is responsible for presenting their own information, and therefore, advisors are not permitted to speak or to participate directly in any Hearing. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.

- e. The Complainant, the Respondent and the Student Conduct Facilitator or designee may arrange for witnesses to present pertinent information to the Panel. The College will try to arrange the attendance of possible witnesses who are members of the College community, if reasonably possible, and who are identified by the Complainant and/or Respondent at least 24 hours prior to the Hearing. Respondents and Complainants must notify the Office of Student Conduct via email no less than 24 hours prior to their hearing of the names of witnesses they intend to bring to the hearing. Failure to notify the office within the time frame may result in the witness(es) not being admitted unless approved by the Associate Vice President of Student Affairs (or designee). Respondents and Complainants will typically be limited to three witnesses per hearing unless the circumstances of an incident, in the judgment of the Student Conduct Facilitator, warrant the inclusion of additional witnesses. Witnesses will provide information to, and answer questions from, the Panel and may, in some cases, also be asked questions by the Respondent. In the event that direct questioning between parties may become adversarial, intimidating or may cause either party emotional distress, questions may be submitted to the Student Conduct Facilitator and they will ask the questions of the witness. Questions of whether potential information will be received shall be resolved at the discretion of the Student Conduct Facilitator.
 - f. Pertinent records, exhibits and written statements (including Incident Reports) may be accepted as information for consideration by a Panel at the discretion of the Student Conduct Facilitator.
 - g. When appropriate, the Student Conduct Facilitator shall invite to a hearing person(s) who can share and discuss the impact of a reported incident (or incidents) on themselves or their community. At this time, restorative sanctions or community reparations may be discussed. All Respondents and Complainants the Hearing Officer/Panel members will be allowed to ask questions. The Respondent will be given an opportunity to respond to this discussion prior to the next section of the hearing.
 - h. All procedural questions are subject to the final decision of the Student Conduct Facilitator.
 - i. After the portion of the Hearing concludes in which all pertinent information has been received, the Panel shall determine (by majority vote in the case of a Panel) whether the Respondent has violated each section of the Student Code which the student is charged with violating.
 - j. The Panel's determination shall be made on the basis of whether it is more likely than not that the Respondent violated the Student Code. The standard of proof for all College Student Conduct Hearings is preponderance of evidence ("more likely than not").
 - k. Formal rules of process, procedure and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings.
6. There shall be a single verbatim record, such as a tape recording, of all Hearings (not including deliberations). Deliberations shall not be recorded. The record shall be the

property of the College and will be erased or otherwise destroyed after any potential appeals process has ended.

7. All hearings will be conducted with the following format. Deviations from this format will be allowed with the consent of the Respondent(s), Complainant(s) and Student Conduct Facilitator.
 - a. Introduction to hearing
 - i Purpose of the hearing
 - ii Format of the hearing
 - iii Introduction of Student Conduct Facilitator
 - b. Introduction of the Panel Members
 - i Consent given to panel members by Respondent and/or Complainant
 - c. Introduction of participants
 - i Respondent and Advisor
 - ii Complainant and Advisor
 - iii Presenter
 - iv List of Witnesses
 - d. Reading of Policy Violations and responses by the Respondent. The Student Conduct Facilitator reads the policy violations and the asks the Respondent for a response of “Responsible or Not Responsible” to each violation
 - e. Presentation by the Presenter. Presenter reviews incident report and other information that makes up the basis for the policy violation.
 - i Respondent(s) and Complainant(s) may ask clarification questions
 - ii Panel may ask clarification questions
 - f. Presentation by Respondent(s) and Complainant(s). Respondent(s) and Complainant(s) can respond to previously entered information and make a statement, as desired. If the Respondent(s) states that they are “Responsible” the Respondent(s) should explain why they are taking responsibility.
 - i Respondent(s) and Complainant(s) may ask clarification questions
 - ii Presenter may ask clarification questions
 - iii Panel may ask clarification questions
 - g. Presentation by Witnesses. Witnesses will be asked to give a statement about information they have pertaining to the alleged policy violations
 - i Respondent(s) and Complainant(s) may ask questions
 - ii Presenter may ask questions
 - iii Panel may ask questions
 - h. Optional Break- Student Conduct Facilitator has the ability to pause the hearing
 - i. Questioning of all hearing participants by Panel members
 - j. Final remarks and follow-up questions
 - i Follow-up questions by Presenter
 - ii Final remarks by Respondent(s) and Complainant(s)
 - iii Final follow-up questions by the Panel

8. If a Respondent, after sufficient notice, does not appear at their Hearing, the information in support of the policy violations may be presented and considered even if the Respondent is not present. In some cases, Respondents may choose to attend their hearing but, either by personal choice or at the advice of counsel, not make any statements. A Respondent's absence or decision not to fully participate in the hearing process will not be seen in a pejorative sense.

The Student Conduct Panel may accommodate concerns for the personal safety, well-being and/or fears of confrontation of the Complainant, Respondent and/or other witness during the hearing by providing separate facilities, by using technology by permitting participation by telephone, video conferencing, written statement or other means where and as determined in the sole judgment of Student Conduct Facilitator.

Violations of Sexual Harassment/Assault/Dating/Domestic Violence Policies and Student Conduct Hearings (Title IX process)

1. When a student wishes to report a violation of the sexual harassment/assault/dating/domestic violence policy, the student must meet with the Title IX Coordinator. During this meeting, the Title IX Coordinator will review supportive measures and discuss the process with the student.
2. To start a formal complaint for sexual misconduct, the complainant must file a Formal Complaint with the Title IX Coordinator. This may be done in person or electronically and include the signature of both the complainant and Title IX Coordinator. In rare circumstances a Title IX Coordinator can pursue a Formal Complaint without the signature of a complainant. The Title IX Coordinator must complete the following items:
 - Review all the rights for both the Respondent and Complainant
 - Determine if the complaint meets the definition of sexual harassment or assault based on the definitions defined by the Clery Act
 - Identify whether the incident occurred on campus property, or at a campus affiliated activity in the United States
3. Title IX coordinator will e-mail both parties, Respondent and Complainant regarding the decision to proceed through a Title IX process or to dismiss the complaint as a Title IX process (A student conduct process can be initiated at this time). Students will be able to appeal the decision of the Title IX Coordinator within 10 Days of the decision. The appeal must be submitted in writing to the Deputy Title IX Coordinator.
4. Approved Formal Complaints will be forwarded to the Title IX Investigator. Title IX Investigator will review the initial complaint, explain the rights to both parties and e-mail both parties for an interview. Both parties will be given 10 days to respond to the initial request for an interview and be encouraged to seek out an advisor for the process. If a party is unable to find an advisor, the party should reach out to the Title IX coordinator and one will be assigned.

5. Investigator will proceed with the investigation and upon completion will notify both parties of the evidence and findings in writing. Investigator must send both parties all of the evidence and the summaries. Parties will have 10 days to review the initial final report and respond with any additional questions or comments.
6. Investigator will review responses by both parties, seek out any clarification/answers to questions and forward final report to Title IX Coordinator.
7. Title IX Coordinator will send the final report to both parties and a time and date of a formal hearing. The formal hearing must occur at least 10 days after the final report is sent to both parties. If one of the parties (or both) do not have an advisor for the formal hearing, a trained advisor will be chosen by the Title IX Coordinator for the parties.
8. The Title IX Coordinator will select a panel of three trained staff and faculty members to serve as Decision-Makers. The AVP/Dean of Students/Associate Dean of Students (or designee) must be one of the members of the panel.
9. Title IX Coordinator will serve as the facilitator of the panel but will NOT make any decisions regarding questions, responsibility or sanctioning. All decisions will be made by the panelists (Decision-Makers).
10. Rights of students involved with formal Title IX related hearings and informal resolution meetings:
 - a. The presumption of innocence until found responsible for any policy violation(s).
 - b. The right to have their case processed without prejudicial delay.
 - c. Notice of the violations at least 10 days before any process begins. Normally such notice will be written, although unusual circumstances may require temporary verbal notification. E-mail communication to a student's New England College e-mail account is considered written communication for the purposes of this process.
 - d. Written notice of the time, place and date of the hearing, in advance. E-mail communication to a student's New England College e-mail account is considered written communication for the purposes of this process.
 - e. The right to be assisted during the hearing process by an advisor in accordance with the guidelines listed above in the "Respondent's/Complainant's Advisor" definition.
 - f. The right to respond to any information presented at their hearing, to produce witnesses on their behalf and to present evidence.
 - g. The right to cross-examine any witnesses appearing at the hearing by a party's advisor.
 - h. Written notice of hearing decision and sanctions.
 - i. The right to appeal.
11. Live hearings with cross examination shall be conducted according to the following guidelines:

- a. Hearings normally shall be conducted in private, with any persons not part of the process allowed in at the discretion of the panelist (Decision-Makers).
 - b. The Complainant, Respondent and their advisors shall be allowed to attend the entire portion of the Hearing at which information is received (excluding deliberations). Admission of any other person to the hearing shall be at the discretion of the panelists (Decision-Makers)
 - c. The Complainant and the Respondent have the right to be assisted by a Respondent's/Complainant's Advisor (as defined above), at their own expense. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
 - d. The Complainant and the Respondent and the Investigator may arrange for witnesses to present pertinent information to the Panel. The College will try to arrange the attendance of possible witnesses who are members of the College community, and who are identified by the Complainant and/or Respondent at least 24 hours prior to the Hearing. Respondents and Complainants must notify the Title IX Coordinator via email of any witnesses. Witnesses will provide information to, and answer questions from, the Panel and also be cross-examined by the Respondent or Complainants advisors. Questions from the advisors will be reviewed for relevance at discretion of the Decision-Makers (panelists).
 - e. Pertinent records, exhibits and written statements (when the witness is present at the hearing) may be accepted as information for consideration by the Decision-Maker.
 - f. All procedural questions are subject to the final decision of the hearing panelists (Decision-Makers).
 - g. After the portion of the Hearing concludes in which all pertinent information has been received, the Panel shall determine whether the Respondent has violated each section of the Code of Student Conduct which the student is charged with violating.
 - h. The Panel's (Decision-Makers) determination shall be made on the basis of whether it is more likely than not that the Respondent violated the Student Code. The standard of proof for all College Student Conduct Hearings is preponderance of evidence ("more likely than not").
 - i. Formal rules of process, procedure and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings.
12. There shall be a single verbatim record, such as a tape recording, of all Hearings (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the College and will be erased or otherwise destroyed after any potential appeals process has ended.
13. All hearings will be conducted with the following format. Deviations from this format will be allowed with the consent of the Respondent(s), Complainant(s) and Student Conduct Facilitator.

- a. Introduction to hearing
 - iv Purpose of the hearing (including statement about respondent (s) being considered not responsible at the onset of the hearing)
 - v Format of the hearing
 - vi Introduction of Student Conduct Facilitator or Title IX Coordinator
- b. Introduction of the Panel Members (Decision-Makers)
 - i Consent given to panel members by Respondent and/or Complainant
- c. Introduction of participants
 - i Respondent and Advisor
 - ii Complainant and Advisor
 - iii Title IX Investigator
 - iv List of Witnesses
- d. Reading of possible Policy Violations and responses by the Respondent. The Student Conduct Facilitator/Title IX Coordinator reads the policy violations and the asks the Respondent for a response of “Responsible or Not Responsible” to each violation
- e. Presentation by the Title IX Investigator. Title IX Investigator reviews incident report and other information that makes up the basis for the policy violation.
 - i Respondent(s) and Complainant(s) may ask clarification questions
 - ii Panel may ask clarification questions
- f. Presentation by Respondent(s) and Complainant(s). Respondent(s) and Complainant(s) can respond to previously entered information and make a statement, as desired. If the Respondent(s) states that they are “Responsible” the Respondent(s) should explain why they are taking responsibility.
 - i Respondent’s advisor may cross examine the Complainant
 - ii Complainant’s advisor may cross examine the Respondent
 - iii Hearing panel (Decision-makers) will determine if each question is relevant to the proceedings
 - iv Hearing panel may ask questions to both the Respondent and Complainant
- g. Presentation by Witnesses. Witnesses will be asked to give a statement about information they have pertaining to the alleged policy violations
 - i Respondent(s) and Complainant(s) advisors may ask questions to the witnesses
 - ii Hearing panel (Decision-makers) will determine if each question is relevant to the proceedings
 - iii Panel may ask questions
- h. Optional Break- Student Conduct Facilitator/Title IX Coordinator can pause the hearing
- i. Questioning of all hearing participants by Panel members
- j. Final remarks and follow-up questions
 - i Final remarks by Respondent(s) and Complainant(s)

ii Final follow-up questions by the Panel

14. If a Respondent, after sufficient notice, does not appear at their Hearing, the information in support of the policy violations may be presented and considered even if the Respondent is not present. In some cases, Respondents may choose to attend their hearing but, either by personal choice or at the advice of counsel, not make any statements. A Respondent's absence or decision not to fully participate in the hearing process will not be seen in a pejorative sense.
15. Failure of Witness(s) to attend a live hearing will result in information obtained from that individual being removed from decisions.
16. Failure of a Complainant to participate in the hearing will result all information from the Complainant to be excluded from consideration by the Decision-makers. This may result in removal of the Sexual Harassment policy violations as a charge.

The Decision-Makers may accommodate concerns for the personal safety, well-being and/or fears of confrontation of the Complainant, Respondent and/or other witness during the hearing by providing separate facilities, by using technology by permitting participation by telephone, video conferencing, or other means where and as determined by the Decision-Makers.

Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code:
 - a. Administrative Sanctions:
 - i. Documented Conversation/Educational Conversation – A Documented Conversation/Educational Conversation is an intervention used in cases where students have been involved in less serious violations of policy. Students are advised to carefully review all College policies and are notified that repeated violations will result in additional sanctions.
 - ii. Warning – A Warning is a status that reflects a student's repeated violation of policy or involvement in a serious single violation. Students who have received a warning face probation status if they are involved in additional violations of policy. Parent and Academic Advisor contact may take place at this level, as permitted by FERPA.
 - iii. Probation – Probation status indicates that a student's actions have placed their status at the College in jeopardy. Parents and Academic Advisors may be notified, as allowable by FERPA, in all Probation cases.
 - iv. Deferred Suspension- Deferred suspension indicates that a student's status is in severe jeopardy if they violate a particular

policy. Deferred suspension may also be used late in the semester where a student is allowed to finish their courses but be separated from the college after the completion of the courses for a determined time. Parents and Academic Advisors may be notified, as allowable by FERPA, in all cases.

- v. Suspension – Separation from the College for a period of time to be determined. Students may be required to complete certain requirements (e.g. completion of off-campus treatment program) before being allowed back from a suspension.
- vi. Expulsion - Permanent separation of the student from the College.

b. Residence Hall Sanctions:

- i. Residence Hall Relocation – Reassignment of a student from their current residence hall/house room to another residence hall/house room. This reassignment may be short- or long-term and may include restrictions from entering their former room and/or living area and restrictions of guest privileges.
- ii. Residence Hall Suspension - Separation of the student from the residence halls for a period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- iii. Residence Hall Expulsion - Permanent separation of the student from the residence halls.

c. Additional Sanctions

- i. Loss of Privileges - Denial of specified privileges for a designated period of time.
- ii. Fines - Previously established and published fines may be imposed.
- iii. Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- iv. Educational Sanctions—including, but not limited to, work assignments, essays, service to the College or other related discretionary assignments.
- v. Revocation of Admission and/or Degree - Admission to, or a degree awarded from, the College may be revoked for fraud, misrepresentation or other violation of College standards in obtaining the degree or for other serious violations committed by a student prior to graduation.
- vi. Withholding Degree—The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

- vii. Dean's Hold – A hold may be placed on any student's account pending their completion of any of the above-listed sanctions.
- viii. Note: More than one of the sanctions listed above may be imposed for any single violation.
- ix. Note also: Any sanction may be "deferred" upon issuance, meaning that the sanction will remain in place without going into effect as long as the student completes certain conditions and/or remains free of any additional violations for a specified period of time.
- x. Note also: When identifying an appropriate sanction, a Panel/AVP/Dean/Officer will select the sanction that best reflects the seriousness of a given student's violation and may choose more serious sanctions without a student having previously been placed on a lower sanction. A student's conduct history, including active sanctions, past sanctions and previous incident reports, will be reviewed and taken into account prior to issuing sanctions for a current matter. In a hearing, prior conduct history will not be discussed until the sanctioning phase, unless the student agrees to have their conduct history considered at an earlier point in the process.
- xi. Other than College expulsion or revocation or withholding of a degree, student conduct sanctions may not be made part of the student's permanent academic record but shall become part of the student's student conduct record. Upon graduation, a student's conduct records may be expunged of documentation of conduct actions, other than residence hall expulsion, College suspension, College expulsion or revocation or withholding of a degree, upon application to the Student Conduct Facilitator. Cases involving the imposition of sanctions other than residence hall expulsion, College suspension, College expulsion or revocation or withholding of a degree shall be expunged from the student's confidential record seven years after a student's last policy violation.
- xii. In situations involving both a Respondent(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Respondent(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.
- xiii. The following sanctions may be imposed upon groups or organizations:
- xiv. Those sanctions listed above in article IV (B) (1).

- xv. Loss of selected rights and privileges for a specified period of time.
- xvi. Deactivation. Loss of privileges, including College recognition, for a specified period of time.
- xvii. In each case in which a Student Conduct Panel determines that a student and/or group or organization has violated the Student Code, sanction decisions will be made by the members of the Panel. Following the Hearing, the Student Conduct Facilitator shall advise the Respondent, group and/or organization (and a complaining student, when allowed by FERPA) in writing of the determination and of the sanction(s) imposed, if any.

Interim Measures

Interim measures may be immediately imposed without a hearing if based on information available at the time it is determined that the student may be an endangerment to the safety or wellbeing of them self or other members of the College community or disruptive to the College's educational processes. Whether interim measures are imposed is determined by the Vice President of Student Affairs or designee in consultation with appropriate members of the College community. If the student is concerned about the appropriateness of the interim measures, they may contact the Dean of Students (or designee) the next business day in order to provide additional information to be taken into consideration and ask to have the measures modified. Interim measures may be in effect until a Student Conduct Hearing for the alleged policy violation occurs and a final outcome is rendered. Interim measures are not formal conduct sanctions. Alleged policy violations that may result in interim measures include but are not limited to:

- Sale or evidence of intent to sell drugs
- Instigating a riot or other highly disruptive behaviors
- Arson or attempted arson
- Physical assault or attempted physical assault
- Sexual harassment and assault
- Domestic/dating violence
- Stalking
- Threat or Danger to Self
- Threat or Danger to Others
- Harassment
- Tampering with Fire Safety Equipment

Interim measures may include but are not limited to:

- If student is living on campus - relocation to another residential facility or removal from on-campus housing
- Restriction from specified campus buildings, classes, areas on campus, or the entire campus property
- No contact with specified persons

- Required assessment with an off-campus practitioner (counselor, etc.) when issues of dangerousness are involved

In cases involving an alleged violation of the sexual harassment/assault policy, the student will be required to attend a threat assessment to determine danger to self or others prior to an interim removal from college property. Failure to attend threat assessment may result in a failure to comply policy violation and an interim measure being enacted.

Appeals

1. Any sanctions issued by or decisions reached by a Student Conduct Officer, Student Conduct Panel, or the Associate Vice President of Student Affairs or Dean of Students may be appealed by the Respondent(s) or Complainant(s). In non-sexual harassment/assault incidents, appeals must be submitted to the Director of Student Conduct no later than 4:30 p.m. on the third business day after delivery of the decision letter. In sexual harassment/assault incidents, appeals must be received within 10 days after the delivery of the decision. Appeals will be reviewed by the following person(s):

- a. For matters addressed in a Student Conduct Conference, the Dean of Students (or designee) will be the appellate administrator.
- b. For matters addressed in a Dean's Conference, the Appeals Board will be the appellate body.
- c. For matters addressed in a Student Conduct Hearing or Sexual Harassment/assault, the Appeals Board will be the appellate body.

All appeals shall be in writing and shall be delivered electronically to the Office of Student Conduct. In cases where a student does not meet the deadline for an appeal, the appellate person/board shall decide whether or not to consider the appeal letter. This decision shall include consideration of any issues or circumstances which may have prevented a student from submitting their appeal in a timely fashion.

Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Hearing and/or supporting documents for one or more of the following purposes:

- a. To determine whether the process was conducted fairly and in conformity with prescribed procedures. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
- b. A conflict of interest by any college official involved in the process, including but not limited to, Title IX Coordinator, student conduct facilitator, Title IX Investigator, hearing officer or hearing panelist (decision-maker).
- c. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts

were not known to the person appealing at the time of the original conduct process.

2. If an appeal is approved by the Appeals Board, the Appeals Board can take the following actions:
 - a. Return the matter to the original Student Conduct Officer/Panel/AVP/Dean for re-opening of the hearing to allow reconsideration of the original determination and/or sanction(s) or to allow for consideration of new information.
 - b. Refer the matter to a new Student Conduct Officer/Panel/AVP/Dean in the event that the Appeal Board concludes that the initial Student Conduct Officer/Panel/AVP/DOS would be biased or prejudiced.
 - c. Remove, add or change any sanctions issued from the initial hearing process.
3. If an appeal is denied, the matter shall be considered final and binding upon all involved.

Article V: Interpretation and Revision

1. Any question of interpretation or application of the Student Code shall be referred to the Associate Vice President of Student Affairs/Dean of Students or designee for final determination.
2. The Student Code shall be reviewed annually under the direction of the Associate Vice President of Student Affairs/Dean of Students.
3. New England College reserves the right to modify the procedures and the substantive provisions of the Code of Student Conduct at any time and for any reason without notice.

III. COLLEGE POLICIES

Academic Policies

The Academic Catalog is the definitive statement on academic policies and procedures. Occasionally revisions are made in the policies and procedures after the catalog has been published. If changes are made there will be a section in the online Academic Catalog that is specific to the adjustments.

Students who have extenuating circumstances that they believe may entitle them to exemption from any of these policies or procedures should consult their faculty advisor. The faculty advisor will guide a student through the appropriate procedure to assure that their request is given proper consideration.

Alcohol and Other Drugs

Student Use of Alcohol and Other Drugs

The objectives of the College's Alcohol and Other Drug Programs are to:

- Allow residents to live and socialize happily while respecting the rights of all residents to enjoy a safe, private, secure and comfortable living environment free from excessive noise and disturbance
- Enable residents to make informed decisions about alcohol
- Minimize alcohol- and drug-related harm to an individual/s and damage to property
- Preserve the reputation of the College within the community
- Offer appropriate forms of assistance to those for whom alcohol and/or other drugs have become a problem

The College permits the consumption of alcohol for residents 21 years of age or older. Moderation in the use of alcohol and a responsible attitude towards its consumption within the College setting is essential and expected. Abuse of alcohol or excessive intoxication will not be regarded as an excuse for inappropriate behavior but as a justification for student conduct action.

The health and wellbeing of our students is one of our primary concerns. Alcohol affects different people in different ways, and there are always risks associated with the consumption of alcohol. These include damage to an individual's health, family and peer relationships, academic performance and social and emotional wellbeing.

The College holds the view that the excessive consumption of alcohol and binge drinking:

- Are not an acceptable rite of passage of College life
- Can be facilitators of inappropriate and/or destructive behavior, poor academic achievement, etc.
- Can be the cause of incidents of disrespect and/or harm to other members of the College community

All students should be able to sleep and study without being disturbed by other students. The decision of whether to consume alcohol is a personal choice that is respected by the College and

one that must be respected by all students. The College aims to create a climate that enables individuals (over the age of 21) to make free and informed choices as to the level of consumption of alcohol in an environment free of inducement and social pressure to drink to excess.

Continued excessive consumption of alcohol or anti-social behaviors arising from alcohol consumption may result in the student being referred for assistance to the Wellness Center/Counseling Staff. If significant health issues surrounding alcohol or other substances are identified, residents will be supported within the capabilities of the College and outside agencies will be involved where appropriate. It is the responsibility of students to minimize the harmful effects of alcohol and to ensure that relevant policies are strictly adhered to.

College Policies Regarding Student Use of Alcohol and Other Drugs

The following are violations of College policy, which are subject to action through the student conduct system:

1. Misuse or illegal use and/or distribution of alcoholic beverages including any violations of the laws of the State of New Hampshire. It is unlawful for any person under the age of 21 to consume alcohol or have it in that person's possession. Unauthorized kegs and large amounts of alcoholic beverages are not permitted on College property.
2. Use or possession of any controlled substance or illegal drug in the residence hall or on campus.
3. Possession of drug paraphernalia, including, but not limited to, pipes, bong, rolling papers, electronic scales.
4. Unauthorized distribution or possession for purpose of distribution of any controlled substance or illegal drug.

New England College does not allow open containers or consumption of alcoholic beverages on College property, walkways, roadways, athletic fields or facilities and academic facilities or any area not previously approved by the College. Local police also enforce these regulations, both on and off campus. The Department of Campus Safety has an obligation to enforce the College regulations and to work within the limits of the law.

Sanctions for alcohol and drug policy violations will be determined on a case-by-case basis by the nature of the infractions. The following are guidelines only; the College, in its sole discretion, may depart from these guidelines depending on the facts and circumstances of each case.

- First-time violators will generally be placed on Warning status and may be required to attend and participate in a CHOICES Workshop facilitated by the Wellness Center
- The College strongly believes in the value of communication with parents and families regarding alcohol and other drug issues. The College will typically be in written or telephone contact with parents and families of students who are involved with repeated violations of policy, or who are involved in a particularly serious drug- or alcohol related incident

- Students who are involved in persistent, repeated or egregious violations of College policy, as determined by the College, will receive more serious conduct sanctions which may include, but not be limited to, mandatory participation in substance abuse education programs, Probation status, suspension from College housing or suspension from the College altogether
- Students who demonstrate, in the determination of the College, troubling patterns or levels of alcohol or other drug use may be required to complete off-campus substance abuse counseling/treatment (possibly at their own expense), in addition to other sanctions, as a condition of continued enrollment

Alcohol and other Drug Education

Wellness Center

New England College has taken a proactive step in dealing with the issues that alcohol and other drugs can bring to a college campus. All members of the College are made aware of the risks of alcohol and other drug use. Through both education and individual services, we promote healthy lifestyle choices.

College Alcohol Policy Specific to Residence Halls

1. Drinking of alcoholic beverages or the possession of open containers containing alcohol is forbidden in public areas (e.g., hallways, lounges, outdoor areas, etc.) of any residence facility. Any exceptions to this rule (such as special events, programs and other social events) must be approved by the appropriate Area Coordinator and the Director of Residential Life and Housing.
2. Student Rooms

Alcohol is permitted in student rooms under the following conditions:

 - A. Alcoholic beverages may be possessed and/or consumed (but not sold) in student rooms by those students and their invited guests who are all of legal drinking age (21 or older), as long as at least one resident of the room is 21 years of age;
 - B. Students of legal drinking age may not possess large quantities of alcohol. Students who are 21 years of age (or older) can possess the following amounts of alcohol in a campus residence hall: twelve standard size (12 ounce) bottles of beer or malt beverage, OR one quart (32 ounces) of hard liquor, OR one half gallon (64 ounces) of wine.
 - C. Empty alcohol containers can be seen as evidence of past or current alcohol consumption, and are generally prohibited from being possessed by students under the age of 21.
 - D. At no time are kegs or beer balls (empty or full) and common-source containers allowed in the residence halls.
 - E. Damage resulting from any activity involving alcohol will be paid for by the sponsoring person(s) and/or residents of the room.

- F. Anyone allowing underage students to drink alcohol in their residence hall room will be subject to conduct action.

Binge Drinking

The College is highly concerned with student safety. Because of the risk to students from binge drinking, students with elevated blood alcohol levels or who drink to the point of sickness, disorientation, or a semi-conscious or unconscious state will receive an enhanced response from the College. This may include more substantial educational sanctions, higher administrative sanctions (e.g. Probation status) and stronger connections with family members or legal guardians. Student engaged in “drinking games” or who possess alcohol-related paraphernalia such as “beer funnels”, which encourage high levels of alcohol consumption, will be documented and addressed through the conduct process.

In addition, intoxicated students who disrupt residential communities with arguments or conflicts, noise, vandalism and/or vomit left in bathrooms or other areas risk removal from the residential community or the college having demonstrated an inability or unwillingness to respect the educational environment.

Students concerned about possible conduct ramifications that might arise from seeking assistance for a highly intoxicated person (including themselves) should note that the College has an Amnesty Policy. This policy recognizes the importance of seeking assistance at these critical times and reduces the consequences for students in the conduct process.

Social Gatherings and Social Events That Include Alcohol

Students who are 21 years of age (or older) may have alcohol served/consumed at gatherings in their residence halls rooms (or, in the case of Rowe Hall and Union Hall, in their apartment or suite) as long as:

- No under-21-year-old persons possess or consume alcohol
- The occupancy limits for their living space are not exceeded
- The social gathering does not become disruptive to other persons in the residence hall/house

Students who are 21 years of age (or older) may also apply for authorization to hold a social event involving alcohol in a designated residential common area. The guidelines for such events are as follows:

Campus-Wide Guidelines Regarding Alcohol Use

- Alcoholic beverages are not allowed in classrooms, lecture halls, the library or any other academic building unless proper licensing is obtained. Alcohol is not permitted outside of student residencies unless proper licensing/permission is obtained.
- Alcoholic beverages are not allowed at any athletic event
- Alcoholic beverages may not be sold by unit or be made available at any event where admission is charged without an approved New Hampshire liquor license

- Use or possession of large quantities of alcohol on College property (e.g., beer kegs or other common source containers) without prior authorization is prohibited
- Games which encourage consumption of large quantities of alcohol are not permitted to be played in any public areas such as the Torrington Arms Pub

Procedure for Incidents Involving New England College Students who have been confronted for Underage Drinking

Henniker Campus: When College staff encounter situations involving possibly intoxicated students, the following procedures will be used:

1. Level of impairment will be assessed, using the following steps:
 - A. Campus Safety or Residence Life and Housing staff will make an initial assessment of the student's level of impairment, based on observations.
 - B. Campus Safety will observe the student and will subject the student to an intoxilyzer.
2. Based on the assessed level of intoxication, the following measures will be taken:
 - A. For students who are believed not to be under the influence of alcohol or any drug:
 - Students will be free to leave the scene of the incident but may be directed not to come back to the location of the incident if the incident did not take place in their own room
 - For students who are assessed to be intoxicated, but at a low level (BrAC level below .08% and/or is determined by the officer not to be highly intoxicated):
 - Student will be brought back to their own residence hall room, if they are not already present in their own room
 - Campus Safety Officer will complete a "plain view" room inspection (plus a check of the interior of any refrigerators in the room) to check for alcohol and will have the student discard any alcohol found
 - The Campus Safety Officer will advise student that they are remanded to their room for the remainder of the night or until sober. Note: Students who fail to comply with a room remand are subject to action through the Student Conduct System. Students who are highly uncooperative or combative may require the College to seek assistance from an off-campus law enforcement agency
 - B. For students who are intoxicated at a moderate level (BrAC level at or between .08 and .24, or is intoxicated in the judgment of the Campus Safety officer)
 - Unless they are assaultive or verbally abusive, the student will be considered for monitoring through the New England College Protective Care Program. A student who is placed in Protective Care will be observed and monitored by a trained staff person until such time as their level of intoxication has fallen below .08% BrAC. Note: students who are monitored in the Protective Care area will be charged a fee sufficient to cover the staffing, cleaning and administrative costs
 - If no Protective Care monitor is available to watch a student, the College may refer the student to off-campus law enforcement personnel

- If a student who is otherwise eligible for the Protective Care Program is assaultive or verbally abusive, or becomes uncooperative or disorderly with College staff, off-campus law enforcement will be contacted and asked to remove the student from campus property
 - Students who are placed in protective care will, in most cases, still be subject to College conduct action
- C. If the student is highly intoxicated (BrAC level of .25 or above, or other evidence of high intoxication or incapacitation), the Campus Safety Officer will request that the student be evaluated by off-campus emergency medical personnel.

Students who live in College-owned housing and who are confronted off-campus by Henniker Police may be released to the College for assessment and monitoring using the procedures listed above. Students cannot be required to be released to College staff in these situations, and they may elect to be released to another person deemed appropriate by the police officer or they may elect to be brought to the Merrimack County House of Corrections or other holding facility identified by the law enforcement official. Students who do not reside in College housing are responsible for finding a responsible party to whom they can be released.

Manchester Campus: The RA will call campus safety and campus safety visually assesses the student. If campus safety is concerned about the student's intoxication level, campus safety will contact EMS and/or the Manchester PD.

Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol

Type of Drug - Drug Name - Common Health Hazards Associated with Use

Cannabis/Marijuana: Memory impairment, possible damage to the lungs, heart, reproductive and immune systems. Hashish: also, psychological dependence, hallucinations, panic and anxiety reactions.

Stimulants (drugs that stimulate the nervous system):

Cocaine: Intense psychological dependence, sleeplessness, anxiety, sexual impotence, seizures and lung damage; also nasal passage damage, tremors, psychosis, depression, stroke, neurological damage, ulcers, high blood pressure, heart disease, liver damage and death from overdose or nervous system impure supply. There are also serious problems for unborn and newborn infants.

Amphetamines: Dexedrine, Methadrine, diet pills, Nicotine: Sleeplessness, anxiety, hallucinations, seizures, brain damage, malnutrition, ulcers, depression, sexual impotence, physical and psychological dependence, heart deterioration, high blood pressure, irregular heartbeat, heart attack and death from overdose.

Nicotine: Cancers of the lung, throat, mouth and esophagus; also, heart disease and emphysema.

Narcotics: Heroin, Morphine, Codeine, Methadone, Demerol: Addiction with severe withdrawal symptoms. Respiratory and circulatory depression may lead to death. Also, vomiting, dizziness, sexual impotence, effects to the immune system, increased blood pressure, heart failure, infection of the heart lining and valves, skin abscesses and lung congestion. Hallucinogens PCP, LSD, Mescaline: Anxiety, depression, impaired memory and perception, death from accidents and overdose, that alter flashbacks, breaks from reality, violent perceptions of behavior, seizures, stroke, coma, heart and related lung failure.

Depressants (drugs that slow down the central nervous system):

Alcohol: Large amounts of alcohol in the system can cause unconsciousness, respiratory depression and death. Long term heavy use can cause permanent brain damage, such as memory and the ability to think abstractly. Other complications of alcohol dependence include cirrhosis (liver damage), hepatitis, altered brain cell functioning, nerve damage, gastritis (inflammation of the stomach), premature aging, impotence, infertility and other reproductive disorders; also, increased risk of heart disease, pneumonia, tuberculosis, neurological disorders and an increased risk of cancer.

Barbiturates, Pentobarbital, Secobarbital, Amobarbital: Addiction with severe withdrawal symptoms. Also, nausea, loss of motor control, depression, seizures, respiratory and circulatory failure, death from overdose, sexual impotence, birth defects and behavioral problems to unborn infants. Combining with other drugs greatly increases the risk of death.

Tranquilizers, Valium, Librium, Equinil, Quaaludes: Psychological and physical dependence, tremors, sexual impotence and menstrual irregularities. Mixing with alcohol or other depressants may cause death. Overdose may cause coma and death. Death from overdose. There is a severe reaction with alcohol. Causes - auto accidents because of faulty judgment and drowsiness. Also, nausea and seizures may result. Steroids Blood disorders, liver problems, cancers, aggressive behavior and psychosis.

This is not an exhaustive list of illicit drugs used in society today. The use of inhalants, such as glue and cosmetic sprays, for example, are currently posing serious health risks across the nation. Rohypnol (roofies) and GHB, on the other hand, are deceptively being used to sedate and rape individuals.

Low-Risk and Appropriate Uses of Alcohol

Our health is dependent upon our ability to set standards for alcohol and other drug use and to live by them. There are low-risk and high-risk situations involving alcohol and other drug use. Listed below are some suggestions for setting both personal and group standards around alcohol.

Suggested Standards *

- The use of alcohol is a personal choice; no one should be pressured to drink or not to drink
- Alcohol is not essential for the enjoyment of family or social events or for celebrating success
- Drinking should not be an activity for its own sake
- The use of alcohol at luncheons or meetings during working hours or the class day should be discouraged. Many companies and institutions specifically prohibit the use of alcohol during the work or school day
- Excessive drinking that leads to intoxication is neither healthy, safe, nor socially acceptable and can put a person at risk
- Drunkenness should not be laughed at or taken lightly but should be considered high risk behavior and could possibly be indicative of more serious issues
- The person responsible for setting up parties or social events is accountable for seeing that alcohol, if used, is used legally, appropriately and in a low-risk manner
- Everyone should know when to abstain from chemicals. A helpful barometer is the scale ranging from low risk situations to those of high risk for endangering yourself and/or others. Examples of the higher risk side of the scale are the following: while engaged in athletics or physical activities, especially aquatics; while pregnant or nursing a child; when full cognitive functioning is needed - schoolwork, job, or athletic performance; while doing anything that is more dangerous or less effective under the influence of alcohol
- Everyone should know their limits and keeps them in low risk situations. How much alcohol a person can consume before they become impaired or intoxicated depends upon several factors, including age, body weight, food eaten, gender, and degree of fatigue, strength of drinks, mental state, and menstrual cycle

*From the "It's Time to Talk" program published by Hazelden Health Promotion Services.

A Description of Alcohol and other drug counseling, Treatment and Rehabilitation Programs Available to Members of the College.

New England College will assist faculty and staff who are experiencing substance abuse problems. The Employee Assistance Program provides a way for employees and their dependents to receive confidential, professional evaluation and help. You may contact the Human Resources Office or your supervisor for more information or you may call the EAP directly. In addition, the Human Resources Office can provide information on health insurance coverage for substance abuse counseling or in-patient programs.

New England College provides counseling and educative services and programs to students who are experiencing substance abuse problems. You may contact the Wellness Center or the Student Development Office for more information regarding these services.

This policy will be subject to biennial review. Individuals or groups who wish to comment on or to recommend changes to this policy should contact the Office of Student Development.

Classroom Buildings

Classroom buildings are to be used only for scheduled classes or events. To reserve a classroom, please contact the Events Office.

College Name

No student, group of students, or student club/organization may use the name of the College in any communication outside of the college or any public forum without prior approval from the Director of Marketing.

Communicable Diseases

I. Introduction

The general provisions of this policy apply to students, faculty and staff of New England College unless otherwise directed at a specific group of the institution and noted herein. The policy is based upon the need of the institution to develop systematic approaches for controlling contamination risks associated with the serious strains of communicable diseases, to protect the community with prompt notification and raise awareness of the communicable disease problem through an effective education program.

As an institution, we are concerned with both the health and safety of the individual and the community. As a result of rapidly changing data, medical research and shifting public health policies associated with communicable diseases, policies and procedures should be broad enough in scope to account for the general increasing body of knowledge while protecting the individual's rights and those of the community.

II. Evaluation Team

It shall be the policy of the College to review cases of communicable diseases on an individual basis. The mechanism used for such a review shall be an evaluation team which will undertake evaluations based on the latest information available from public health sources.

- A. The evaluation team will be headed by the Director of the Wellness Center
- B. The evaluation team may consult additional health care providers for individual situations as deemed appropriate, within the bounds of confidentiality as indicated by state law and the Family Educational Rights and Privacy Act.
- C. The evaluation team will review the health issues associated with individual cases of communicable disease, and evaluate potential risks to the rights of the individual and the College community. The team's decisions will be based on medical analysis and a weighing of the factors outlined in this and other provisions of the policy.
- D. Team recommendations may include such actions as recommendations for medical care, and other actions as deemed appropriate to protect the individual as well as the campus community.

III. Education

It shall be the policy of the College to educate its students, faculty and staff as to the dangers of communicable diseases and as to the latest public health findings as such material becomes available. The following procedures shall be a matter of policy:

- A. The provisions of this policy shall be distributed among the various constituency of the College on a regular basis as deemed appropriate by the Vice President of Student Affairs, Director of Human Resources and Vice President of Academic Affairs.
- B. The Vice President of Student Affairs, Director of Human Resources, and Vice President of Academic Affairs shall design and offer workshops, oversee the distribution of literature and otherwise assure an atmosphere of discussion on issues surrounding communicable diseases. Precautionary procedures and guidelines for safe handling of blood and body fluids will be provided for personnel from Athletics, Campus Safety, Dining Services, Residential Life and Housing, Wellness, and academic departments offering biological teaching laboratories.

IV. Reporting

It shall be a requirement of the institution that cases of communicable disease be reported to the Medical Director of the Wellness Center within a reasonable period after an individual's discovery of a reportable communicable disease. The Medical Director of the Wellness Center and the Director of Human Resources will make available a list of what the New Hampshire Department of Public Health considers to be reportable communicable diseases.

V. Confidentiality

The College endorses the provisions of all applicable state law and the Family Educational Rights and Privacy Act. Therefore, no person, group, agency, insurer, employer or institution will be provided medical information without the prior written consent of the patient. This provision shall include parents of students.

VI. Individual Responsibility

It shall be the responsibility of an infected individual to avoid contact or activity that will facilitate communication of the disease to other members of the community. Failure to act responsibly will require that disciplinary action be taken and may result in removal from the College community.

Covid-19 policies/Code of conduct for non-vaccinated individuals

All members of the NEC community have been required to be fully vaccinated from COVID-19. These policies only apply to those individuals who were given an exemption not to be vaccinated. All policies related to COVID-19 are subject to change due to guidelines consistent with CDC recommendations and the current state of the pandemic.

- 1) Masks must be worn properly in all college buildings at all times with the following exceptions: the residence hall room in which a student was assigned by the Office of Housing and Residential and when in the bathroom associated with the assigned residence hall room. You also may remove your mask while sitting at a table in the dining hall and eating or drinking. Masks must cover both your nose and your mouth.
- 2) All non-vaccinated individuals on campus must maintain social distance from other individuals whenever possible. This means that a non-vaccinated student should always be at least 3 feet away from another student
- 3) If in quarantine or isolation, non-vaccinated students must abide by the mandates from the Wellness Center or other campus officials. Failure to do so may result in immediate removal from housing and face-to-face classes

The previous policies will fall under the following main code violation: Failure to comply with college directives, protocols, or procedures meant to limit the spread/exposure of viruses, illnesses, and other contagions

Depending of the severity of the violation, students may be immediately removed from campus housing and face-to-face classes pending the resolution of a conduct hearing for any violation of policies related to COVID-19/coronavirus. Parental notification will be included for all violations

Any student who is removed from campus for violating a COVID policy will NOT be reimbursed any money for room and board. In addition, the semester will not count towards the requirement to live on campus for 6 semesters.

Cyberbullying

Cyberbullying is the use of electronic information and communication devices to willfully and repeatedly harm a person (or persons) through the medium of electronic text, photos, or videos. Examples of this behavior include but are not limited to:

- Sending false, cruel or vicious messages
- Creating websites that have stories, cartoons, pictures and jokes ridiculing others
- Breaking into an email account and sending vicious or embarrassing materials to others
- Engaging someone in electronic communication, tricking that person into revealing sensitive personal information and forwarding that information to others
- Posting of a student picture without their permission

Actions of this nature create a hostile, disruptive environment on the campus and is a violation of a student's right to be safe and secure. The College will not tolerate cyberbullying and harassment including but not limited to threatening, harassing or intimidating an individual, or

group of individuals, placing an individual in reasonable fear of harm, damaging an individual's property or disrupting the orderly operation of the school.

The online activities and technologies often used by students engaged in cyberbullying include, but are not limited to, social networking sites, chat rooms and discussion groups, instant messaging, text messaging, computers, cell phones and personal digital devices, digital cameras, cell phone cameras and webcams. As new technologies emerge, they too may be included with the above forms of electronic communication.

Any disciplinary actions taken by New England College do not shield the harasser(s) from any criminal actions that may be taken against them.

Demonstration

Several principles basic to our College community are enumerated below and serve as a summary of the College's position concerning freedom of expression and dissent.

- A. Free inquiry and expression are elements in the achievement of the goals of this academic community.
- B. Responsible dissent is to be encouraged as one of the means of discovering truth.
- C. Any effort to limit freedom or openness in this academic community is a matter of serious concern because it is against the freedom of expression.
- D. Thus, all members of the community are free to express, through orderly means, their point of view on any issue or decision. They are also expected to help guarantee the right of others to free movement about campus and free expression of their concerns.

The College would make clear to all members of the community that any group or individual has the right to free expression and presentation of its, or the individual's, point of view. No group or individual has the right to interfere with the movement or functions of other authorized persons and groups. Students must take upon themselves the responsibility for seeing that reasonable order and decorum are maintained in any demonstration or counterdemonstration. Where the interests of two groups come into conflict, it is the responsibility of these groups, working as necessary with the Associate Vice President of Student Affairs, to establish guidelines for their behavior.

The College has a responsibility to protect its guests from mistreatment or danger and expects student cooperation in exercising that responsibility. Since it is difficult to detail what the College's responsibilities would require of a given group in any particular situation, and because of the possible unforeseen consequences of demonstration activity, groups or individuals planning demonstrations are encouraged to inform the Office of Student Development of plans before the event.

It must be understood that those who do not abide by specified limitations placed upon their activity, or who ignore generally accepted standards of conduct, are subject to conduct charges. Such action would be taken through the procedures that normally handle discipline cases, namely the Office of Student Conduct.

Discriminatory Harassment

New England College seeks diversity in its community members and places high value on inclusion for and appreciation of differing backgrounds, lifestyles and points of view. The College supports regular ongoing efforts at achieving high levels of acknowledgement and appreciation of differing points of view and freedom of expression through educational programs, advising, counseling and conciliation. The College also stands ready to protect the educational process by initiating a conduct process for those persons who engage in discriminatory harassment or intimidation.

Discriminatory harassment or intimidation of persons by members of the College community is an anathema to the educational environment of New England College and, therefore, individuals who engage in such behavior will be subject to conduct charges.

Discriminatory harassment or intimidation is any behavior (verbal, written, graphic or physical) that stigmatizes or victimizes an individual on the basis of race, ethnicity, religion, sex, sexual orientation or identity, gender identity and expression, creed, national or ethnic origin, ancestry, age, veteran status, marital status or physical or mental disability and that:

- Involves an expressed or implied threat to an individual's academic efforts, employment, participation in College sponsored activities or personal safety
- Creates an intimidating, hostile or demeaning environment for educational pursuits, employment or participation in college sponsored activities

Such behavior includes, but is not limited to:

- Objectionable and/or inflammatory epithets which are directed to an individual or group
- Demeaning depiction or treatment- including mockery, appropriating cultures, stereotyping.
- Threatened abuse or actual harm, whether it be physical or verbal
- Any behavior that creates an offensive, intimidating, hostile or demeaning environment for an individual or group of individuals in person or electronically. Instances of the aforementioned behavior should be reported to the Associate Vice President (or designee) and will be investigated and may be addressed by the conduct system or via an employment action. Community members are encouraged to report this type of incident whether as the victim or as an observer. You can report instance anonymously by utilizing the CARE reporting system. Anonymous reports may not be able to be investigated thoroughly depending on information available.

The College urges reflection on the impact of such incidents on an individual, on the group that individual may represent and on the community as a whole. While the intent of an action was not to cause harm, the impact may be what is addressed.

Resident students are free to express themselves by decorating the outside of their doors as well as the inside of their rooms. Decorations that are part of common and public areas must follow the guidelines prescribed for preventing a hostile environment. Decorations that stigmatize or victimize individuals or create a hostile environment for individuals are a violation of our *Code of Student Conduct*. Such content includes, but is not limited to:

- Objectionable epithets which are directed towards an individual or group and inflammatory
- Demeaning depiction or treatment
- Threatened abuse or actual harm
- Any decorations or displays that create an offensive, intimidating, hostile or demeaning environment for an individual or group of individuals

Discriminatory Harassment Complaint Procedures

Purpose of Complaint Procedure: To determine whether discrimination on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity and expression, creed, national origin, ancestry, age or disability has occurred; and if it has, to determine what constitutes an appropriate remedy for the complainant.

Eligibility: All individual students at New England College.

Informal Complaint Procedure: The informal part of this procedure is an attempt to resolve individual complaints through an informal process involving the administrative personnel most directly concerned with the issue.

Step 1: Complaint is taken to the supervisor of the area where the problem is perceived.

Step 2: If complaint is not solved at Step 1, the next step will be to take complaint to the Associate Vice President of Student Affairs (or designee) or to the Office of Human Resources.

Step 3: If complaints cannot be satisfactorily solved at the previous two levels, concerns can be taken to the individual responsible for directing the College's Affirmative Action Program located in the Human Resources Office.

Formal Complaint Procedure: If complaints cannot be solved through the informal process, the complainant should proceed through a formal process. This part of the process involves the use of established processes to determine if discrimination has occurred and, for students, would involve a student conduct process described in the *Code of Student Conduct*.

General Guidelines: Formal complaints shall be in writing and must state the nature of the complaint, including the alleged violation, the contention of the complainant and the outcome sought.

The complaint will be presented to the Affirmative Action Officer.

Formal Hearing Process: In cases where a New England College student has been accused of violating this policy, all formal complaints will be addressed through the student conduct process (as described in the *Code of Student Conduct*). In cases where the accused is an employee of New England College, the process will be coordinated by the Office of Human Resources or the Office of the Vice President of Finance and Administration.

Equal Educational Opportunities

New England College is an equal opportunity/affirmative action employer.

New England College prohibits discrimination on the basis of race, color, creed or religion, national origin, sex, sexual orientation, gender identity and expression, age, marital status, pregnancy, veteran's status or disability in regard to treatment, access to or employment in its programs and activities, in accordance with federal and state laws and regulations. In compliance with the Americans with Disabilities Act (ADA), individuals with disabilities needing accommodation should contact the ADA compliance officer.

New England College seeks to provide equal opportunity in all conditions of employment and to create an environment that welcomes, supports and celebrates diversity. Whenever an imbalance is found to exist, the College will make good faith efforts to recruit, hire and promote persons under-represented in the workplace.

Hazing

New England College supports the State of New Hampshire law and does not condone or tolerate any acts of hazing. Any such acts, on or off College premises, which interfere with normal College activities, academic or nonacademic, are expressly forbidden. In accordance with the New Hampshire hazing law, New England College will report any incidents of hazing to the proper legal authorities.

Definition

Hazing is defined as any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any act when:

- Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person, and
- Such act is a condition of initiation into, admission into, continued membership in or association with any organization

Policy

- A. A person is responsible for a violation of the hazing policy if such person:
1. Knowingly participates in any student hazing; or

2. Being a student, knowingly submits to hazing and fails to report such hazing to the Vice President of Student Affairs; or
3. Is present at, or otherwise has direct knowledge of, any student hazing and fails to report such hazing to the Vice President of Student Affairs.

B. An organization is guilty of hazing if it:

1. Knowingly permits or condones student hazing; or
2. Knowingly or negligently fails to take reasonable measures within the scope of its authority to prevent student hazing; or
3. Fails to report to the Vice President of Student Affairs/ any hazing reported to it by others or of which it otherwise has knowledge.

Consent

The implied or express consent of any person toward whom an act of hazing is directed shall not be a defense in any action brought under this section.

Implementation

Any infraction of the New England College Hazing Policy by students, groups of students or student organizations shall be adjudicated through established Student Conduct System procedures.

Hover board Policy

Due to safety concerns following a number of reported hover board fires, New England College prohibits the use, possession or storage of hover boards and similar devices containing lithium ion batteries on campus.

Drones and UAVs Policy

The operation of a drone or UAV (unmanned aerial vehicle) over New England College property is prohibited in the absence of approval by the Vice President of Student Affairs or designee. In order to obtain approval for the operation of a drone or UAV over college property the operator must request in writing with the Vice President of Student Affairs or designee at least 48 hours prior to the planned operation.

The written request must include the following information:

- Date, time and location of the operation
- Purpose of the operation
- Equipment to be used
- Identity and contact information for the operator
- Data to be collected

The proposed operation must not pose an unacceptable threat to safety, privacy or the environment. Approval, once given, may be rescinded if it is determined that the information provided is incorrect or incomplete or if circumstances have changed and a determination is made that the planned operation is not in the community's best interest. New England College also reserves the right to immediately order the cessation of any operation which is deemed to create a hazard or interference with any campus equipment or activity.

Keys and Door Combinations

It is a violation of college policy for students to give college keys/door combinations to an unauthorized person. Any reported violations of this policy will be adjudicated through the Student Conduct System.

Withdrawals and Leaves of Absence

Please refer to the academic catalog regarding withdrawals and leaves of absences.

Good Samaritan/Amnesty Policy

Because the health and safety of students are of primary importance, students are encouraged not only to look out for their own health and safety but also for that of their peers. It is imperative that someone calls for medical assistance when an individual's health and safety are threatened or appear to be in jeopardy due to severe intoxication or a serious injury after consuming alcohol or other drugs/substances. People may be reluctant to seek help in such alcohol or other substance-related emergencies because of potential College consequences for themselves or the person in need of assistance. Since these emergencies are potentially life threatening, the Amnesty Policy reduces or eliminates disciplinary consequences for students who obtain medical help for an intoxicated student or guest or even for themselves.

This policy is part of New England College's comprehensive approach to reducing harmful consequences caused by the consumption of alcohol or other drugs. The Amnesty Policy represents the College's commitment to increasing the likelihood that community members will call for medical assistance when faced with an alcohol or substance-related emergency. The Amnesty Policy also provides education for individuals who receive emergency medical attention to reduce the likelihood of future occurrences.

How does Amnesty work?

Typically, amnesty only applies to the person in need of medical assistance and to those who assist in the seeking of medical assistance. Individuals seeking medical treatment for themselves or for another student in an alcohol-related or drug-related medical emergency will be granted amnesty from sanctions pertaining to their substance use. Other consequences, such as parent contact and meetings/assessments with Wellness Center staff, may be required. Serious or

repeated incidents will prompt a higher degree of concern and response. *Note* that amnesty can also be applied in cases where a student is making a report that they or another person have been the victim of harassment, physical assault, sexual misconduct and/or stalking (or other similar situations where someone may have been victimized).

Amnesty only applies to violations of the New England College Code of Student Conduct. It does not grant amnesty for criminal, civil or legal consequences for violations of federal, state or local law. Students may not be granted amnesty from sanctions resulting from other policies that they violate while under the influence of alcohol, particularly if these other violations involve significant disruption or harm/danger to self or others (i.e. physical assault and sexual assault).

Failure to complete educational assignments or treatment recommendations issued under this policy normally will result in disciplinary action. The student will be responsible for any costs associated with drug or alcohol education interventions.

If a student received amnesty for a prior incident in which they needed attention, the availability of amnesty for a subsequent incident is at the discretion of the Vice President of Student Affairs or designee. If an individual requires additional emergency medical assistance in multiple situations, it may be a sign that the student is unable to maintain a safe and healthy lifestyle and needs assistance beyond what we can provide at the College. Helpers, or those who seek help for the endangered student, are not limited to only one use of the Good Samaritan/Amnesty Policy. It is expected that members of the New England College community will always make an effort to help a fellow student that is in need even if they have been using alcohol themselves.

Recognizing Signs of Intoxication/Overdose

If you drink, or have friends who drink, it's important to know the signs and symptoms of alcohol poisoning. It's not necessary for all of these symptoms to be present before you seek help. Those signs followed by an asterisk may also indicate opiate or sedative/hypnotic drug overdose.

- Vomiting
- Confusion, stupor*
- Seizures*
- Slow breathing (less than eight breaths a minute) *
- Irregular breathing*
- Blue-tinged skin or pale skin
- Low body temperature (feels cold & clammy to touch) *
- Unconsciousness ("passing out") *

Signs of an amphetamine overdose may include:

- Rapid heartbeat
- Increased temperature/sweating

- Behavior changes indicated by increased anxiety, delirium or psychosis

*A person who is unconscious or can't be roused is at risk of dying

SEEK ASSISTANCE!

Even if you don't see the classic signs and symptoms but suspect someone has alcohol poisoning, err on the side of caution - seek immediate medical care. In an emergency, follow these suggestions:

- If the person is unconscious, breathing less than eight times a minute or has repeated and uncontrolled vomiting, call 911. Remember that even when someone is unconscious or has stopped drinking, alcohol continues to be released into the bloodstream and the level of alcohol in the body continues to rise. Never assume that a person will "sleep off" alcohol poisoning
- Don't leave an unconscious person alone. While waiting for help turn them on their side; don't try to make the person vomit. People who have alcohol poisoning have an impaired gag reflex and may choke on their own vomit or accidentally inhale (aspirate) vomit into their lungs, which could cause a fatal lung injury

Your assistance and support in helping the College keep you and your fellow students safe is most appreciated.

Smoking/Vaping

Smoking/vaping is prohibited in all College buildings including: residence halls, offices, hallways, waiting rooms, restrooms, lounges, lunchrooms, meeting rooms and all community areas including the porches at the main entrances to the buildings. This policy applies to all students, employees and visitors.

Smoking is defined as inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana. Smoking also includes the use of electronic smoking devices that create aerosol or vapor in any manner or form. An "electronic smoking device" is a product containing or delivering nicotine or any other substance intended for human consumption that can be used to simulate smoking through inhalation of vapor or aerosol from the product. "Electronic smoking devices" include but are not limited to e-cigarettes, e-cigars, e-pipes, e-hookahs or vape or vaporizer pens.

Note that community members may possess these items on campus, but use is strictly prohibited inside any College buildings. If you are caught smoking/vaping within a residence hall you may be fined \$500.00. Due to health and safety concerns, campus community members who choose to smoke on campus must stay at least 25 feet from the entrance to any building when smoking/vaping. Proper disposal of cigarette butts and other trash is required.

Solicitation

Any person wishing to sell merchandise or canvass for information in any of the New England College buildings must obtain permission and a permit from the Office of Events approximately three weeks in advance of the proposed date. Anyone sponsoring programs on campus must clear time and location on the activities calendar in the Office of Events.

Weapons

The NEC community is one that should feel safe and welcoming to all students. Accordingly, the College restricts the possession of weapons on campus. The possession of weapons on campus is disruptive to the College community and poses a risk to the health and welfare of College community members.

The term "weapon" includes, but is not limited to, the following:

- **Firearms of any kind**, with the exception of weapons carried by off-campus law enforcement officials in the course of their duties
- Bows, crossbows, arrows and crossbow bolts
- Knives with blades longer than 3 inches, with the exception of knives expressly made and used for food preparation
- Martial arts weapons, including but not limited to; throwing stars and nunchakus
- Airsoft, pellet, paintball and B-B guns
- Paint balls, BB pellets
- Bow and arrows
- Metal knuckles
- Sling shot
- CO2 cartridges
- Electronic control devices/tasers
- Live and used ammunition
- Replicas of firearms

Replicas of firearms, including air soft guns and paintball guns, can cause the same alarm and disruption as actual firearms and can also present a risk of harm to the owner and other community members. As a result, these items are prohibited on campus property at all times. Any item that is brandished as a weapon will also be treated as a violation of College policy, including (but not limited to) brandishing of a pocket knife or holding a hand under clothing to simulate a weapon. Propellant sprays used for personal protection and self-defense purposes are allowed on campus. However, misuse of these items will be considered a violation of this policy.

Fire Safety Information and Policies

Fire Evacuation

At the beginning of the academic year, all students will receive fire and evacuation training information from their Residential Life Staff in conjunction with the Department of Campus Safety. Fire evacuation drills will be held in all College owned and operated residence halls periodically during each semester. These drills are designed to familiarize residents with the procedures to be followed during an emergency. Failure to evacuate is a violation of New Hampshire State Law and may result in civil action. Students failing to evacuate promptly or found to be reentering the building during an alarm will be subject to a \$100.00 fine and probationary disciplinary status. A second offense may lead to an interim suspension from the residence halls. Make a plan for escape. Become familiar with your surroundings and identify at least two ways to get out of your building in case of fire/evacuation. Take special note of the location of fire safety equipment.

Discover Smoke or Fire

If you see fire or smoke, immediately sound the building alarm by activating a pull station as you are LEAVING the building. This will warn other occupants to evacuate the building as well. The alarm will send a message to a dispatch center who will inform the New England College Department of Campus Safety of the alarm.

Building Alarm Sounds

If you hear a building alarm, exit the building immediately and report to your predetermined meeting area (as instructed at beginning of semester by RA). Once outside, stand clear of the building to allow fire fighters access. No one shall re-enter the building for any reason until fire situation has been handled and you have been instructed by a Safety Officer that re-entry is allowed.

In a Burning Building

Go to your nearest exit and evacuate the building. Close all doors behind you. DO NOT use Elevators! Feel door for heat before opening. If it's hot, don't open the door. Try another exit. If you are in a smoke filled area, keep low to the floor to escape the smoke. A damp cloth used to cover your mouth and nose will make breathing easier.

If you are confined to your room, open your window slightly if there is not smoke outside. Signal rescuers by waving a sheet or clothing out your window and call for help. Telephone with your location, if possible. Seal cracks around door with tape, clothes, sheets, etc. to prevent smoke from entering. If your clothing catches on fire, Stop, Drop and Roll! Running will feed the fire. Use a blanket, coat, etc. to smother the flames on another person and drop them to the floor and roll them to smother fire.

Fire Fighting

Fire Extinguishers are located throughout all campus buildings. Extinguishers should be used to fight a fire only.

False Alarms

It is a violation of local and state law and College policy to cause a false alarm. Anyone found responsible for falsifying a fire alarm (either a smoke detector, alarm or a pull box) may be subject to a \$500.00 fine, suspension/disciplinary action, and whenever possible, civil action. Please help eliminate the dangerous practice of false fire alarms. Report any information related to a person falsifying an alarm to a Resident Advisor. Investigations of every false alarm are conducted. Any information is greatly appreciated.

Misuse of Equipment

Misuse of ANY Fire/Life Safety Equipment may result in a Life/Safety charge of \$500.00 and will result in disciplinary actions. Fire/Life Safety Equipment includes, but is not limited to; pull stations, fire extinguishers, smoke detectors, heat sensors, alarm panels, emergency lights and exit lights. Report any damaged or missing extinguishers, alarms, smoke detectors, emergency lights or exit signs to your Resident Advisor.

Fire Doors/Exits

Fire doors prevent fire and smoke from spreading and provide a safe escape route. Fire doors must be closed at all times and should not be "propped" open. Fire door windows should remain uncovered at all times. Anyone found responsible for propping doors may receive a Life/Safety fine of \$100.00.

Never block access to fire doors, exits or fire escapes. Keep hallways and stairways free from obstructions at all times. Trash, boxes, furniture, bikes etc. should be stored appropriately and should not be placed in these areas.

Smoke Detectors

In an effort to alert residents, each resident hall room is equipped with a smoke detector. Each detector is inspected and maintained regularly. However, they occasionally malfunction and sound an alarm or a beeping sound for no apparent reason. Should this happen, call a residential life staff member or member of Campus Safety. Do not disconnect detectors. Do not cover or block smoke detector at any time.

IV. POLICIES REGARDING SEXUAL MISCONDUCT, DATING/DOMESTIC VIOLENCE, AND STALKING (TITLE IX)

Policies in this section are based on a number of federal laws, including Title VII (1964 Civil Right Act), which prohibits sex-based discrimination in employment, Title IX (1972 Education Amendment) that prohibits sex-based discrimination against students and the Campus Sexual Violence Elimination Act of 2013. In addition, the Final Rules regarding Title IX released in 2020 are included in this section.

In addition, these policies are founded in New England College's strong stance against sexual misconduct, dating/domestic violence and stalking.

Employees and students should address sexual misconduct, dating or domestic violence and stalking in order for everyone to enjoy a work and learning environment free from offensive and hostile behavior. Employees and students are strongly encouraged to seek information about campus resources available to them (including the information listed below) and to disclose cases of sexual misconduct, dating or domestic violence and stalking so that situations can be addressed.

New England College's Title IX Coordinators

Employee Title IX Coordinator (Lead)
Dr. Paula Amato
Senior Vice President, CFO

Student Title IX Coordinator
Stanley Horton
Director of Student Conduct

E-Mail: pamato@nec.edu
Phone: 603-428-2461

E-mail: SHorton@nec.edu
Phone: 603-428-2318

Promulgation

Information and policies for students regarding sexual harassment and assault, dating/domestic violence and stalking shall be defined in this part of the "College Policies" section of the New England College Student Handbook and are referred to in the *Code of Student Conduct*.

This policy will be published in the student handbook and be available online to all members of the NEC community. Printed copies can be requested at the Office of Student Conduct. Requests for alternative forms of this document (e.g. an audio version) can be directed to the Office of Student Conduct or the Office of Access and Accommodations

Jurisdiction

These protocols apply equally to all students enrolled at New England College. Please note that all violation of Title IX will be determined by the same standard of evidence, preponderance of evidence.

Policy

A student will be held responsible for a violation of College policy if they are found to have committed any of the actions listed below in the “Definitions” section as defined by the Final Rule

According to the Final Rule

“Sexual harassment includes any of three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

- Any instance of quid pro quo harassment by a school's employee;
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access;
- Any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

The Final Rule prohibits sex-based misconduct in a manner consistent with the First Amendment. Quid pro quo harassment and Clery Act. VAWA offenses are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such misconduct is sufficiently serious to deprive a person of equal access.

Clery Act Sexual Offenses Definition

The Clery Act has four defined sex offenses for which crime statistics must be collected on Clery geography. They are rape, fondling, incest and statutory rape.

1. Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

2. Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age and/or because of his/her temporary or permanent mental incapacity.

3. Incest

Non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

4. Statutory Rape

Non forcible sexual intercourse with a person who is under the statutory age of consent.

Where and How Sexual Harassment Could Occur

According to the Final Rule “The Title IX statute applies to persons in the United States with respect to education programs or activities that receive Federal financial assistance. Under the Final Rule, schools must respond when sexual harassment occurs in the school’s education program or activity, against a person in the United States.”

Institutions may address sexual harassment outside of the educational program or activity by any other means, including supportive measures and other disciplinary processes.

Dating and Domestic Violence (VAWA Definitions)

Dating violence: is defined as violence or abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

Domestic violence: can be defined as a pattern of abusive behavior that is used by an intimate partner* to gain or maintain power and control over the other intimate partner. Domestic violence includes incidents where the involved parties are current or former spouses (or persons similarly situated to a spouse or that cohabitated as spouses), have a child in common or have or had another relationship covered by the domestic or family violence laws of the jurisdiction (such as individuals related by blood or marriage or current or former household members.)

Dating and domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure or wound someone.

Abusive behavior may include, but is not limited to, the occurrence of one or more of the following acts:

- Attempt to cause, purposely or recklessly, bodily injury
- Physical or verbal threatening to cause imminent bodily harm to themselves, the alleged victim or another person
- Attempting or engaging in sexual assault
- Attempting to or restraining someone through physical holding, preventing their leaving or taking them somewhere against their will
- Attempting or committing destruction of property of the alleged victim

- Attempting or committing an unauthorized entry on the property of the alleged victim
- Engaging in any other course of conduct which physically or emotionally harms or places in fear the alleged victim
- Intimidating the alleged victim by engaging in a pattern of conduct intentionally or recklessly which would cause substantial emotional distress to a reasonable person

*"Intimate partners" means persons who are, or have been for any length of time, sexually or romantically involved regardless of the gender of either partner.

Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Course of conduct is defined as “a pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct.”

Stalking Behaviors

Stalking includes any behaviors or activities occurring on more than one occasion that collectively instill fear in a victim and/or threaten their safety, mental health or physical health. Such behaviors and activities may include, but are not limited to, the following:

- Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts or any other communications that are undesired and place another person in fear
- Use of online, electronic or digital technologies, including:
 - Posting of pictures or information in chat rooms or on Web sites
 - Sending unwanted/unsolicited email or talk requests
 - Posting private or public messages on Internet sites, social networking sites and/or school bulletin boards
 - Installing spyware on a victim’s computer
 - Using Global Positioning Systems (GPS) to monitor a victim
- Pursuing, following, waiting or showing up uninvited at or near a residence, workplace, classroom or other places frequented by the victim
- Surveillance or other types of observation including staring, “peeping”
- Trespassing
- Vandalism
- Non-consensual touching
- Direct verbal or physical threats
- Gathering information about an individual from friends, family, and/or co-workers
- Threats to harm self or others
- Defamation – lying to others about the victim

Consent

Consent is an understandable exchange of affirmative words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed and freely and actively given. Consent must be ongoing throughout a sexual encounter, and it is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. An individual may change their mind and revoke consent at any time by verbal or non-verbal communication.

The lack of a negative response is not consent. An individual who is incapacitated by alcohol and/or other drugs both voluntarily or involuntarily consumed may not give consent. Past consent of sexual activity does not imply ongoing future consent.

If any of the following are present, consent cannot be given:

- Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g. to understand the “who, what, when, where, why or how” of their sexual interaction)
- Sexual activity with someone who one should know to be, or based on circumstances should reasonably have known to be, mentally or physically incapacitated (by alcohol or drug use, unconsciousness or blackout) constitutes a violation of *The Code of Student Conduct*
- A person whose incapacity results from mental disability, sleep, involuntary physical restraint or from the consumption of rape drugs cannot give consent
- In New Hampshire, people who engage in sexual activity with children under the age of consent (age 16) can be convicted of sexual assault (also called statutory rape) and would be considered to be in violation of this policy and in violation of the Code of Student Conduct

Alcohol-related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness or intoxication. Evidence of incapacity may be detected from context clues, such as:

- Slurred speech
- Bloodshot eyes
- The smell of alcohol on their breath
- Shaky equilibrium
- Vomiting
- Unusual behavior
- Unconsciousness

Context clues are important in helping to determine incapacitation. These signs alone do not necessarily indicate incapacitation.

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and/or coercion that overcome resistance.

Coercion is unreasonable pressure for sexual activity. Coercion is the use of emotional manipulation to persuade someone to do something they may not want to do such as being sexual or performing certain sexual acts. Being coerced into having sex or performing sexual acts is not consenting to having sex and is considered sexual misconduct.

Rights and Provisions

It is the policy of the College to provide comprehensive educational programs about sexual misconduct, dating/domestic violence and stalking to students. The Associate Vice President of Student Affairs will ensure that programs are provided on an appropriate and timely basis. Programs should include pamphlets and other media presentations, meetings, seminars and other educational forms of discussion.

Victims/survivors of sexual misconduct may seek assistance from any College office without any obligation to make a formal report to the College or to the police.

Persons accused of sexual misconduct, dating/domestic violence and/or stalking will be subject to conduct proceedings under the procedures set forth and with the rights assured in the student handbook. The College seeks to address any complaint, including the investigation of said complaint, completion of any hearing/mediation/grievance process and any opportunities for appeal within a reasonably prompt timeframe of the receipt of the complaint.

The College's actions will not be dependent on the initiation or outcome of criminal charges.

The College will assure complainants or respondents involved in sexual harassment/assault, dating/domestic violence and/or stalking incidents the following set of rights in addition to any other rights inherent in the Student Code of Conduct accruing to either the victim or the accused:

Rights of the Complainant and the Respondent

Both parties have the following rights during the investigation and hearing process. Even if a reported victim does not wish to submit a report or file any charges, they will be given any of the rights listed below that do not apply to the conduct process.

- A. The right to request an interim measure pending a hearing
- B. The right to request and receive assistance with:
 - a voluntary residence hall relocation
 - a transfer of classes or other academic accommodations to prevent unnecessary or unwanted contact or proximity between the parties involved
 - transportation and parking assistance
 - alterations to on-campus work schedules and/or duties When possible, requests will be accommodated
- C. The right to immediate medical care and free counseling services. Individual counseling is available to each of the persons involved in such an incident.
- D. Consultation with a campus official on academic support services and referrals to community resources when appropriate.

- E. The right to have a person of their choice (a Respondent's/Complainant's Advisor) accompany them throughout the investigation and hearing process. The role of an Advisor is clearly defined in the Code of Student Conduct.
 - F. The right to have full evidence of the investigation 10 days prior to the hearing
 - G. The right to remain present during the entire hearing
 - H. The right to be simultaneously informed of the outcome of the hearing
 - I. The right to be protected under New Hampshire state law
 - J. The right to speak with off-campus authorities (e.g. Henniker Police Department) and to request an order of protection from a court of appropriate jurisdiction against the alleged perpetrator
 - K. The right of appeal of the primary Panel's/AVP/Dean's decision, the right to be simultaneously informed of any changes in the hearing results stemming from an appeal, and the right to be simultaneously notified when the results become final
- Respondents should refer to the New England College Student Handbook for more information on their rights, resolution of conduct violations, procedures, and responsibilities.

Disclosure, Reporting and the Complaint Process

Students who believe that they have been the victim or survivor of sexual misconduct, dating or domestic violence and/or stalking are encouraged to file a complaint with the Student Title IX Coordinator. A Formal Complaint must be signed before any investigation process can occur. An informal resolution process can also be initiated by contact the Title IX Coordinator.

The Department of Campus Safety (603-428-2323) has trained investigators on staff who are prepared to investigate cases involving sexual harassment, assault and dating/domestic violations. England College encourages reporting of all incidents of sexual misconduct, dating or domestic violence and/or stalking to law enforcement authorities but strongly respects that whether to report to the police is a decision that the victim needs to make.

New England College offers services to victims even if they choose not to report the incidents to any on- or off-campus reporting authorities. In those cases, services can be obtained directly by the student, through a confidential referral from the New England College Wellness Center, Counseling on the Manchester Campus or other confidential resource (off-campus counselor, etc.).

If other policy violations have occurred in connection with an incident of sexual harassment/assault, dating or domestic violence and/or stalking, particularly alcohol or substance use/abuse violations, the College generally will not pursue disciplinary actions against the complainant or against student witnesses of the incident.

A student has several options regarding notifications of on- and off-campus authorities. These options are as follows:

- The student can contact either campus authorities (e.g. Campus Safety, Title Coordinator), off-campus authorities (e.g. Police) or both

- The student can ask for the assistance of Campus Safety or Title IX Coordinator with contacting off-campus authorities
- The student can choose to notify neither the police nor any campus authorities

Please note that the College has the authority to move along with the hearing process regarding domestic/dating violence even when the victim is not willing to participate. This could occur when there is evidence of domestic/dating violence from a third party report or direct witnessing of events. In addition, in certain instances, New England College may need to report a stalking incident to law enforcement authorities even when the victim is not willing to file a complaint. Such circumstances include any incidents that warrant the undertaking of additional safety and security measures for the protection of the victim and the campus community or other situations in which there is clear and imminent danger or when a weapon may be involved.

College conduct procedures are not substitutes for civil and criminal proceedings available to all citizens. A student accused of sexual misconduct, dating or domestic violence and/or stalking can be prosecuted under New Hampshire criminal statutes as well as held accountable under the New England College *Code of Student Conduct*.

An accused person, if not a member of the New England College community, may be prosecuted under the New Hampshire state laws but not under the New England College student conduct system. When the accused is not a member of the College community, that person may be banned from campus. In these cases, the victim is still entitled to all New England College support services.

Confidentiality

Under federal law, if a student makes a formal report about an act of sexual misconduct, dating or domestic violence and/or stalking to the Title IX Coordinator or designee, the institution has an obligation “respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent, which means a response that is not clearly unreasonable in light of the known circumstances.” To the extent possible by law, the Title IX Coordinator and/or designees will protect the privacy of all parties to a complaint but cannot promise confidentiality. Only those employed by the New England College Wellness Center may promise confidentiality.

The College shall edit or redact publicly-available record keeping to remove identifying information about the victim to the extent possible by law.

New England College will comply with all known orders of protection, no contact orders, restraining orders or similar lawful orders issued by criminal, civil or tribal courts. Students should notify and provide a copy of such an order to the New England College Department of Campus Safety (in person at 58 Union Street or via phone at 603-428-2323.)

Any individual may make an anonymous report concerning an act of sexual harassment, sexual violence, dating or domestic violence or stalking. An individual may report the incident without disclosing their name, identifying the accused or requesting any action. Depending on the extent

of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited.

The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate and, in consultation with the Director of Campus Safety, comply with all Clery Act obligations.

Investigations and Grievance Procedures

Upon receipt of a signed formal complaint, the College "must respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent, which means a response that is not clearly unreasonable in light of the known circumstances." When a formal complaint is not dismissed, an investigation will be pursued. This investigation will be conducted, in most cases, by the Department of Campus Safety. Students, faculty and staff are expected to cooperate fully with any investigation and/or the hearing process and are expected to provide the truth in all investigations and hearings.

Procedures related to investigations and student conduct processes at New England College are designed to provide prompt, fair and impartial investigation and resolution of complaints. Investigations and conduct processes will be conducted by professionals who receive annual training in issues related to sexual misconduct, dating/domestic violence and stalking. Additionally, staff members who conduct hearings are continually trained to conduct processes that protect victim safety and promote accountability.

The U.S. Education Department's Office for Civil Rights (OCR) has issued guidelines for meeting the requirements of Title IX of the Educational Amendment of 1972. According to these guidelines, the College is in violation of the law if we fail to act promptly to end sexual harassment that we "knew or, in the exercise of reasonable care, should have known."

The College seeks to address any complaint, including the investigation of said complaint, completion of any hearing/mediation/grievance process and any opportunities for appeal, within a reasonably prompt timeframe of the receipt of the complaint.

Preserving the Evidence

In the event of an assault one crucial consideration is preserving evidence. Should a survivor be even remotely considering the possibility of eventually pursuing criminal sexual assault charges, evidence found on or in the body must be collected by trained medical personnel at a hospital. While this can feel like adding trauma to trauma, at the very least the student should consider not immediately taking a shower or washing or destroying the clothes associated with the assault. In addition, persons who may be considering entering an off-campus or on-campus complaint should do their best to preserve other physical evidence, such as clothing and communications (text messages, e-mails, etc.).

Conduct Process and Determination

In cases where a student is alleged to have violated any of these policies, the College will adjudicate the matter through the student conduct process. Refer to the *Code of Student Conduct* for information on the conduct process.

In cases where an employee of the College is alleged to have violated these policies, the College will adjudicate the matter through the employee's supervisor, the Office of Human Resources or the Office of the Vice President for Finance and Administration. Employees should refer to their employee handbook for more information.

In all student conduct hearings and proceedings, the standard of evidence that will apply is a "preponderance of the evidence".

Retaliation

All students have the right to pursue both internal disciplinary processes and/or charges through external law enforcement authorities free of any interference or retaliation by any member of the New England College community or any person acting on their behalf. Any retaliation under these circumstances is strictly prohibited and would represent a violation of the *Code of Student Conduct* even if the underlying complaint cannot be substantiated.

This retaliation policy protects complainants, witnesses and any other parties involved in any investigation or student conduct process.

Retaliation should be reported to the Title IX Coordinator, Department of Campus Safety, or Office of Student Conduct.

Sanctions

If the respondent is found responsible for violating the sexual harassment/assault, dating/domestic violence and/or stalking policy and therefore, violating *The Code of Student Conduct*, appropriate sanctions will be imposed. Sanctions are determined by the seriousness of the violation, precedent for similar violations, the Respondent's conduct history and any existing aggravating and/or mitigating factors. Sanctions can include, but are not limited to suspension or expulsion from New England College.

Seeking Assistance

New England College encourages students who have been a victim, or who need information or support about sexual misconduct, dating/domestic violence and/or stalking, to contact the following campus and local resources:

On-Campus Resource:

- ***Department of Campus Safety***

Phone: 603-428-2323 (Henniker) 603-836-2504 (Manchester)

The Department of Campus Safety provides assistance with submitting complaints and reports, investigates incidents and connects students the Wellness Center as well as with off-campus agencies.

- ***Wellness Center***

Phone: 603-428-2253

The Wellness Center is able to provide health assessments and treatment, as well as counseling.

- ***Office of Student Conduct***

Simon Center, Room 307

Phone: 603-428-2241

The Office of Student Conduct coordinates all student conduct processes stemming from alleged violations of the Code of Student Conduct. Our staff can also discuss reporting options, both on-campus and off-campus, and can help with referrals to other resources.

Off-campus resources Henniker:

- ***Merrimack County Advocacy Center***

10 Green Street

Concord, NH 03301

Phone: 603-219-0627

Website: www.cac-nh.org/merrimack

Facebook Page: search @MerrimackCountyCAC

The Advocacy Center provides support and services to victims of sexual and physical abuse.

- ***Henniker Police Department***

340 Western Avenue

Henniker, NH 03242

Phone: 603-428-3213

Website: www.henniker.org/general/page/henniker-police-department

The Henniker Police Department offers emergency response, victim support and assistance and referrals to local support and advocacy resources. Can also apply for requests for emergency orders of protection.

- ***New Hampshire Coalition Against Domestic and Sexual Violence***

Statewide sexual assault hotline: 1-800-277-5570
Statewide domestic violence hotline: 1-866-644-3574
Website: www.nhadsv.org
Facebook Page: search @nhcadsv
Twitter: @NHCADSV

The Coalition helps connect victims and survivors with a number of local resources and agencies.

- ***Crisis Center of Central New Hampshire*** 866-841-

Phone: 866-841-6229 (24 crisis/resource hotline)
Website: <https://ccnh.org>
Facebook Page: search @cccnh
Twitter: @_cccnh

The Crisis Center of Central NH supports those affected by domestic and sexual violence. The Crisis Center also has advocates for victims; these advocates can accompany them to the courts, help prepare for courts and assist with getting services.

- ***Hillsboro District Court, Family Division***

15 Antrim Road
Hillsborough, NH 03244
Phone: 855-212-1234
Available 8:00 a.m. - 4:00 p.m. Monday through Friday

Victims can apply to the court for orders of protection. The Department of Campus Safety or the Henniker Police Department (see above for contact information) can assist with this process.

- ***Victim's Compensation Program (NH Department of Justice)*** victimcomp@doj.nh.gov

Phone: 800-300-4500
Email: victimcomp@doj.nh.gov
Website: www.doj.nh.gov/grants-management/victims-compensation-program/index.htm

The New Hampshire Victims' Compensation Program helps innocent victims of violent crime with expenses directly related to crime injuries.

- ***Riverbend Community Mental Health***

Phone: 844-743-5748 (24 hour emergency services)
Website: www.riverbendcmhc.org
Facebook Page: search @RiverbendCMHC

Riverbend offers 24-hour-a-day emergency services for persons experiencing mental health issues. They can provide assessment, referrals to other agencies, and on-going counseling services.

• ***New Hampshire 211***

Dial 211 from any cell phone or land line

Website: www.211nh.org

New Hampshire 211 (sponsored by the United Way) can help persons connect with a variety of supports and service including legal assistance, health care, counseling, housing assistance and food and income assistance.

Off-Campus Resource Manchester:

Resources by Phone

Elliot Hospital, Sexual Assault Support Services – (603) 363-5000

NH Coalition Against Domestic & Sexual Violence – (800) 277-5570

YWCA Crisis Line – (603) 625-5785

The Mental Health Center of Greater Manchester, Mobile Crisis Response Team
- (800) 688-3544

Getting a Restraining Order

Manchester 9th Circuit Court - Family Division

35 Amherst Street, Manchester, NH 03101-1801

(855) 212-1234

Domestic and Sexual Violence Victim Advocate

Rashida Mohamed - (603) 792-5530 email - rmohamed@manchesternh.go

Emergency Shelter and Assistance

If you need to physically remove yourself and your children from danger, help is available. In addition to the assistance that can be offered to you by the Manchester Police, you may call the YWCA Crisis Service at (603) 625-5785 or (603) 668-2299. The YWCA Crisis Service, located at 72 Concord St. in Manchester, NH is a non-profit program providing a twenty-four hour crisis line, emergency housing, court advocacy, hospital and police accompaniment and support groups for survivors of domestic abuse.

Prevention Programs

- Programs and sessions offered at New Student Orientation
- Trainings for RAs (Wellness Center, Campus Safety, Student Conduct and the Crisis Center of Central New Hampshire) regarding resources, policies, and strategies for assisting students with reporting options, etc.

- First-year seminars
- Passive programming, including but not limited to brochures regarding sexual assault, sexual consent, domestic violence, and stalking - in the Wellness Center and at Campus Safety
- Posters and brochures around campus with support information, including referral to off-campus resources
- An awareness-focused event on abuse, sexual assault and domestic violence (similar to The Clothesline Project)
- Wellness Fair
- A campus-wide program entitled “It’s on Us” in which students are informed about resources and reporting options on and off the campus

Risk Reduction, Prevention Information and Response - Sexual Misconduct

Victims of sexual assault, rape and other sexual misconduct are **never** at fault. Please contact the Department of Campus Safety, the Wellness Center or another College resource if you or someone you know is a victim of sexual misconduct. We encourage all NEC community members to read the following suggestions:

Psychological Prevention:

- Trust instincts. If you feel uncomfortable about a person or situation, remove yourself from the situation immediately
- Learn to be assertive. Enforce your rights without violating the rights of others. Be assertive but not defensive. When you become defensive you become more vulnerable
- Don't be predictable; remember that many sexual assaults are planned. If you must walk alone, walk a different route each time so that you don't have a fixed pattern
- Don't be afraid to make a scene if you are confronted

Be Alert When with Acquaintances:

- If you are at a party or other group function, don't leave with a person you don't know well
- Remember that alcohol and drugs compromise your ability to make decisions. They lower your inhibitions and make you a more likely candidate for becoming a victim
- If you are a female, avoid parties where men greatly outnumber women
- Avoid secluded places where you put yourself into a vulnerable situation
- Be careful when inviting someone to your residence or accepting an invitation to theirs
- Set sexual limits and communicate those limits. Beware of partners who disregard your requests

Be Alert When Walking:

- Avoid walking alone at night
- Travel with a friend or in a group
- Be alert and aware of your surroundings
- If you must walk alone, stay in well-lighted areas, away from alleys, bushes and entryways
- Walk confidently, directly and at a steady pace
- Keep your hands free. Avoid overloading yourself with packages and books
- Avoid dark, vacant or deserted areas; use well-lit, well-traveled routes
- Dress in clothes and shoes which will not hamper movement
- Be familiar with the blue-light emergency phones and yellow boxed security phones located throughout campus
- Be aware of your surroundings. Look, listen and notice if someone is following you

If You Sense You Are In Trouble:

- Move away from the potential threat if possible
- Join any group of people nearby; cross the street and increase your pace
- If a threatening situation is imminent, and people are close by to help, yell, scream, blow a whistle or make a commotion in any way you can to get their attention. Remember that people are more likely to respond to shouts of "Fire" and "Call 9-1-1" than to shouts of "Rape"
- Go to an open building or business
- From a safe location, Call 911 (police) or Campus Safety at 603-428-2323

Be Alert Where You Live:

- Don't let anyone you do not know well inside your residence hall or apartment
- Do not open your door unless you know who is there
- Be sure that the doors of your residence are locked when you are there as well as when you are away. Lock your door even if you just go down the hall to visit a friend
- Avoid being in isolated areas such as parking structures or laundry rooms by yourself, especially at night
- Never indicate to anyone that you are alone
- Use well lighted entrances to your apartment or residence hall
- If anything appears out of the ordinary at your residence, go to a safe place and call the police

What to do if you or someone you know has been a victim or survivor of sexual misconduct, dating/domestic violence and/or stalking...

When someone experiences sexual misconduct, dating/domestic violence and/or stalking, there are a variety of reactions that are all normal – feeling numb, dirty or dysphoric, to

name a few. It is important to keep in mind the following steps to get yourself safe and to receive the help you or your friend need:

Go to a Safe Place

Call a friend, family member or someone you trust to stay with; you are encouraged to call the police (911 or) or Campus Safety (603-428-2323- Henniker) (603-836-2112- Manchester).

Further Steps

A College staff member or counselor from the Crisis Center can work with the student to understand, as appropriate, the survivor's options, including,

- Seeking Medical Care
- Filing a report with the Henniker Police Department
- Filing a Conduct Case through New England College's Student Conduct System
- Obtaining a No-Contact Agreement through the College
- Non-medical assistance
 - Housing
 - Counseling
 - Academic Issues - Assistance is available to the survivor regarding academic problems that may arise in relation with the assault

Tips for helping someone who has experienced sexual misconduct, dating/domestic violence and/or stalking:

DO:

- Be supportive, listen to them
- Share your feelings of concern for them
- Communicate to your friend that they are not responsible for the violation
- Make sure your friend has a safe place to stay
- Allow your friend to regain control by making their own decisions
- Make yourself available to accompany your friend to a helping resource (e.g., hospital, Wellness Center)
- Realize that you too have been affected and seek support if you need it

DON'T:

- Attempt to seek revenge
- Make jokes
- Be angry with your friend
- Force them to talk and/or take control from them
- Ask your friend how they could "let this happen". - Assume you understand how your friend feels
- Discuss the incident with others unless you have permission from your friend

Dating/Domestic Violence

Dating and Domestic Violence are never the fault of the victim. Through awareness of the potential warning signs of abuse of violence, persons can help to identify abuse and victimization in their own lives or in the lives of others they know. Please be aware of the following potential warning signs and please contact a College official if you have any concerns for yourself or someone else in the community. The Department of Campus Safety is one resource, available 24 hours a day, and can be reached at (603-428-2323-Henniker) (603-836-2112-Manchester).

Potential Warning Signs of Interpersonal Violence

Warning Signs Someone May Be Being Abused/Victimized May Include:

- Withdrawal from friends and/or activities
- Absences from class, work or regular activities
- Failing grades
- Dramatic changes in mood or personality
- Extensive concern about the partner's anger, disapproval or happiness
- Visible marks and bruises
- Emotional outbursts
- Overreacting to minor incidents
- Difficulty making decisions without the partner
- Constantly defending the abuser and may blame self
- Changes in appearance

Warning Signs of a Potential Abusive Person May Include:

- Attempts at monitoring activities/relationships
- Jealousy
- Lack of respecting boundaries
- Possessiveness
- Threats and/or destruction of property
- Verbal abuse
- Puts others down
- Use of humiliation
- Controlling
- Isolating person from support (family, friends, mentors)
- Use of intimidation
- Volatile temper
- Forces unwanted sexual behavior
- Blames the victim or others for the abuse
- History of violence
- Uses hurtful and/or discriminatory language about others based on gender, race, or sexual orientation

- Mean to animals or children
- Breaking or hitting objects (e.g. punching a wall)

Stalking

The following are ways you can reduce your risk of being victimized through stalking. Stalking is never the fault of the victim. Please contact the Department of Campus Safety if you are concerned that you or someone you know is being stalked.

- **Remove personal information from social media**
Remove information such as telephone numbers, addresses, email, pictures and class schedules from Facebook, Twitter and other social networking profiles. Set your profiles to private. Change your password.
- **Keep information private**
If you feel that you are being stalked, you may want to consider taking down your profiles and changing your email address and phone number. Only give friends you know personally access to new phone numbers or personal information.
- **Vary your routine**
Take a different route to places you go often such as class or work. Eat lunch at a different time. Changing your routine makes you harder to follow.
- **Don't walk alone**
Ask a friend if you feel afraid to walk alone. Campus Safety can also provide an escort. Walk with friends around campus. When you leave work, have a coworker make sure you get to your car safely.
- **Lock your doors**
Make sure when you leave your place of residence you lock your doors; stress the importance of locking the door with any roommates. If you have lived with your stalker, or think they have access to your home/room, change your locks.
- **Be aware of controlling behaviors**
Watch for signs of controlling behaviors in a relationship. Does your partner monitor your emails, call to check up on you, follow you or threaten you? These can be “red flags” or warning signs of an unhealthy situation.
- **Take a self-defense class**
Self-defense classes are offered in the community – please contact the Department of Campus Safety to learn about local resources. These classes can teach basic self-defense and can help you to feel empowered.
- **Trust your instincts**

If you feel unsecure or afraid, that can be a warning that a situation is not right or safe. Do not ignore those feelings, take necessary precautions.

- Use the personal safety tips provided by Campus Safety, an RA, or other college officials. We are here to help you make safer choices

V. RESIDENTIAL LIFE AND HOUSING INFORMATION AND POLICIES

Residential Life and Housing does not discriminate in its application, assignment, or conduct procedures; in access to its programs or activities; or in treatment or employment of individuals on the basis of race, color, creed or religion, sex, age, national origin, sexual orientation, gender identity and expression, ability, veterans' status, or marital status.

Welcome

Welcome to New England College on-campus living! We hope that during the coming years you will take advantage of the opportunity to become a productive and responsible member of our residential community. The College believes that living on campus is a valuable part of an overall college education that contributes to a student's sense of self and identity. Students who live on campus gain independence and develop lifelong relationships. Living on campus requires a commitment to basic principles including:

- Consideration for the rights of others for privacy and quiet
- Respect for the community and for others' personal belongings
- Discussion of differences with roommates or neighbors in a timely and constructive manner

New England College offers you a living experience based on a community structure that supports the College's commitment to a culturally diverse residential environment. In order to maintain a strong community with an atmosphere conducive to academic excellence, there must be guidelines for appropriate behavior. These guidelines encourage student accountability and responsibility and have been established with the intention of benefiting the community as a whole. Students are responsible for reading, knowing and abiding by all College policies and procedures, including those stated in this handbook and on the housing contract. Students who choose not to read the handbook, the housing policies, and email correspondences sent to their NEC email account will still be held responsible for knowing and following all policies. The staff encourages residents to be responsible and independent in their living areas. Individuals are expected to take responsibility for creating and preserving a positive community. Residents are expected to respect the rights of others, to be considerate, to take care of property, and to act as responsible adults in the community.

Residential Life Staff

Residential Life and Housing is responsible for developing and implementing the New England College housing policies. On the Henniker campus, the office includes an Associate Dean of Students, live-in professional Area Coordinators (ACs), Resident Advisors (RAs) and a Housing Coordinator. Students can contact Residential Life and Housing by email at ResLife@nec.edu or by phone at 603-428-2242. During the academic year, Residential Life and Housing in Simon 306 is open Monday through Friday from 8:30 a.m. to 5:00 p.m. The staff strives to provide assistance, offer educational opportunities and answer questions regarding housing issues. Students are encouraged to stop by and meet the various staff members who supervise their areas and become familiar with Residential Life and Housing staff. Resident Advisors (RAs) are on

duty Sunday through Thursday from 7:00 p.m. to 8:30 a.m. each night and have 24-hour shifts on Friday and Saturday.

On the Manchester Campus, there is an Assistant Director, live-in professional Area Coordinators, an Administrative Assistant, and Resident Advisors. During the academic year, Residential Life & Housing in Concord Hall, is open Monday through Friday from 8:30 a.m. to 5 p.m. Resident Advisors (RAs) are on duty from 8:00 p.m. to 8:30 a.m. each night and have 24-hour shifts on Friday and Saturday.

RAs are upperclass students who have successfully completed extensive selection and training programs. Their primary role is to work with you as a peer advisor to make your stay in on-campus housing a positive living and learning experience. Your RA is available to:

- Help students meet other residents and build a community within each living environment
- Provide support with social, personal and other issues
- Assist in the resolution of conflicts with room/suite/apartment mates
- Plan activities to address students' needs and interests
- Uphold the rules and expectations of the College Code of Student Conduct and Residential Life policies and procedures.
- Educate residents regarding academic programs, career services, health services counseling services, intramurals and other campus resources
- Enforce safety and security measures in cooperation with Campus Safety.
- Assist the AC with administrative tasks such as conducting health and safety inspections

Area Coordinators and RA's are considered College officials. Any student who interferes with an AC or RA in the course of them completing their job responsibilities or fails to comply with requests made by Residential Life and Housing staff may be referred to the Office of Student Conduct.

Student Rights

As a resident of New England College housing, you are entitled to specific and individual rights that should be respected by your roommates/suitemates, by those living around you and by the College. These rights are balanced by reciprocal responsibilities, which all students must uphold to maintain the residential community. As a resident, you have the right to:

- Sleep and study in your room free from undue interference
- Have control over your personal belongings
- Have free access to and from your place of residence
- Enjoy a clean, safe environment in which to live
- Entertain guests when it does not infringe upon roommate, community rights or conflict with housing policies
- Confront another's behavior when it infringes upon your rights without fear of retribution
- Be free from all forms of intimidation, including verbal, physical and/or emotional harm
- Bring forward issues and grievances
- Seek aid of staff in resolving conflicts

- Be afforded due process

Community Standards

At the beginning of each semester, students will be expected to participate in a suite/floor/apartment standards meeting facilitated by an RA where agreements will be made by the residents concerning how floor/suite/apartment mates will relate to and treat each other. Community members will create a list of agreements made by members of their community so that individuals will begin to form a community through dialogue, compromise and commitment. An important aspect of community standards is discussing and deciding how to enforce the agreements. Discussing the issue of responsibility and accountability of each floor/suite/apartment member can be challenging. The thought of holding someone accountable can be equally difficult, however, with the assistance of the hall staff, each member of the community will be able to be an active participant in crafting the community standards of the floor. Students who choose not to be an active participant in creating the community standards are still responsible for knowing and following the community standards set for each floor.

Roommate Agreements

Within the first few weeks of classes, first-year students will complete a roommate agreement with the assistance of their RA and AC. While the community standards apply to the entire suite/floor/apartment, the roommate agreement is a separate document that opens the door for communication between residents sharing the same room. Many incoming students have never had to share a room with another person, so the agreement serves to facilitate open dialogue between roommates. In the event of a conflict, the agreement will be used to remind roommates of the values and guidelines they chose to uphold. If the agreement needs to be adjusted or changed, roommates will meet with their Area Coordinator to complete a new roommate agreement.

Housing Eligibility and Assignments All Students

New England College requires all students to live on campus for the first six semesters they are a student. Students who are 23 years of age or older by August 1 of the upcoming academic year, veteran status, married, have a child, have an approved accommodation from the Office of Student Access and Accommodations, or wishes to live with a parent/guardian at a permanent home address within a preapproved commuter town may be exempt from the housing requirements. For students wishing to commute from a permanent address within a preapproved commuter town, the college considers the permanent address to be the same address that is used for tax purposes, and the address that was provided to the College at the time of admission. If a permanent address is changed after a student has been admitted, a copy of a parent/guardian driver's license or other proof of residency with the new address will be requested to confirm a new permanent address. Students who are 23 years of age and older are not guaranteed housing. Housing for students over the age of 23 is provided on a case by case basis depending upon availability.

Assignments Process – Incoming Students

Housing is assigned for the full academic year. In the event that a student submits a housing contract after College housing is filled to capacity, the student will be placed on a waiting list in order of the date on which the contract was received. If residence halls are filled, we reserve the right to place students temporarily in overflow accommodations until standard occupancy space is available.

Assignments Process - Returning Students

Housing is assigned for the full academic year. Returning students choose their housing assignments for the following year during the housing selection process in the spring semester. Students may be required to be registered for fall classes before housing selection to be eligible to participate and choose a room for the following academic year. Once a student has chosen a room and signed a contract for the following academic year, that contract is considered a binding agreement unless the student withdraws from the College or is approved to be off campus as part of an accommodation. Students who have not fulfilled their 3-year, on-campus requirement will be assigned a room and assigned a 300 block meal plan if they choose not to participate in room selection. If a student has not fulfilled their 3-year residency requirement, and they are assigned a room and a meal plan even though they have not signed a contract, they are required to adhere to the policies and regulations as if they signed the contract. Signing an off-campus lease does not absolve a student of the first 3 year or 6 semesters on campus residency requirement.

Break Period Housing

During break periods when there are no in person classes, all residential facilities are closed. Any request to stay in the residence halls when the College is closed must be approved PRIOR to the break period by the Associate Dean of Students. There may be an additional charge for staying late with approval and if a student is found in a room without approval. In addition, any student found in a residence hall without permission after the halls closed will be subject to conduct charges.

Housing and Meal Plan Contract

All students living on campus must sign a housing and meal plan contract prior to moving into their assigned room. All students are responsible for abiding by all College policies and procedures, including those stated in this handbook and on the housing contract. Gilmore Dining Hall at the Henniker campus and Chartwells at the Institute of Art & Design provides cafeteria-style service on both campuses. On the Henniker campus, students may use their meal plan allowances or pay in cash. “To-go” food and beverage options are available in the Café in the Simon Center and at the Starbucks Café in the John Lyons Center. Students may use their Flex Cash or pay in cash at either café. All meals and food on campus are planned and prepared under supervision of a contracted food service provider.

Flex Cash

On the Henniker campus, each meal plan includes a starting balance of flex cash. The amount is added to each student's I.D. card and may be used at Gilmore Dining Hall, the Starbucks Café, or the Simon Center Café to purchase food, beverages, or for a guest. Any unused Flex Cash from the fall semester will "roll over" into the spring semester. Any unused Flex Cash funds will NOT roll over from the spring to the fall semester and will be lost at the end of the spring semester. If a student withdraws or is discontinued from the College or from the meal plan, any unused flex cash is not refundable.

Housing Contract Termination

The College may terminate the housing agreement and take possession of a room at any time for violation(s) of: the terms and conditions of the Housing Contract, health and safety reasons, failure of the student to contract for or continue on the board plan without authorization, failure to be registered as a full time student, failure to pay tuition or room and board costs, or violations of published College policies as outlined in the Code of Conduct. Upon withdrawal or formal suspension/expulsion from the College, students must remove all personal belongings from their room within 48 hours or within other established deadline, as determined by the Student Conduct Office or the Dean of Students Office. Students must return any College issued keys, sign the express checkout card or check out with the appropriate residence hall staff within 24 hours of their last academic requirement or by 7:00 p.m. on the last day of final examinations, whichever comes first.

Housing Contract Release Process

The housing contract is binding for the entire academic year. In the event that a student has an extenuating circumstance and wishes to break the housing and meal plan contract, the student may petition for release from the contract. The student must submit a housing petition form to Residential Life and Housing explaining why they feel they need to break the housing contract. All petitions are reviewed by the Associate Dean of Students and any other College official who may have information to help support the student's reason for breaking the housing contract. Once a decision has been made, it cannot be appealed.

Late Arrival Occupancy

A student planning to occupy their room after the opening of the residence halls should notify Residential Life and Housing in writing prior to their assigned arrival date. A room will not be held later than the first day of classes unless the student has notified the Office of their late arrival. Failure to do this may result in a loss of the original room and assignment to a new room. Any student who does not withdraw from the College by 5:00 pm on the first day of classes will be charged the full cost of the room and full cost of the meal plan for the entire semester.

Administrative Moves

The College expressly reserves the right at any time during the academic year for the Dean of Students, or their designee, to reassign a student to another housing accommodation for any reason including, but not limited to, safety and security measures, maximum utilization of the College's housing facilities, or conduct related issues. Charges may be decreased when reassignments are made but not increased without the agreement of the student affected unless the reassignment is a room change initiated by the student. All available measures will be taken to ensure that the student is given adequate time to move, but establishing this time frame for such administrative moves is the sole responsibility of the Residential Life and Housing administrator involved in the situation. Failure to comply with such requests may result in student conduct action and removal from College housing with no refund of housing or meal plan charges.

Room Entry and Room Inspection

Room Entry

The College respects and appreciates each student's right to privacy. Your assigned room/suite/apartment is considered your private domain and will not be entered without your consent, except, but not limited to, the following circumstances:

- For pre-opening and closing inspections (Note: Closing inspections will always be conducted with at least a 24-hour notice).
- For health and safety inspections (Note: health and safety inspections will always be conducted with at least a 24-hour notice, unless a follow-up to a previous failed inspection).
- During fire drills and fire alarms.
- For performance of maintenance/custodial services and inspections.
- If there is reason to believe that there is a threat to the health, welfare or safety of any person or property.
- If there is a reason to believe a violation of College policy has taken place.
- For nuisance noise (e.g. alarm clock, unattended music/tv, etc.).
- If there is a vacancy in your living unit and Residential Life and Housing needs to check the condition of the room in order to assign a student to the vacancy.
- When a College official deems it essential to the operation of the student housing unit or to the safety of the residents.

Additionally, the Dean of Students (or designee) may authorize a room entry and inspection (please see below for more details).

The College may restrict a student access to a room or apartment at any time as a result of violations of College regulations or for health, safety, or financial reasons.

Room Inspection

When possible, room resident(s) may be present to observe room inspections. However, College officials may conduct a detailed inspection in the student's absence and without the student's consent. All detailed inspections will be conducted by at least two staff members,

at least one of whom will be a member of the College's Professional Administrative Staff or Campus Safety. Room entry, inspections and authorized searches will not be conducted under the direction of police or on their behalf.

When a College official enters a student's room for the reasons listed in the "Room Entry" policy, the staff member is authorized to conduct a plain-view inspection of the room. A plain-view inspection involves the observing of items and persons in the sight of a staff member, and does not involve opening or moving any items within the room (drawers, bags, refrigerators, etc.). This plain-view inspection is intended to look for health or safety issues, to check on the welfare of room occupant(s) and/or to determine if a policy violation has taken place.

If prohibited items are found as a result of a room entry or a plain-view inspection, a detailed inspection may be conducted. During a detailed inspection, College officials reserve the right to inspect both College and personal property (e.g. refrigerators, lockers, locked boxes, suitcases, book bags) and/or confiscate items when deemed necessary to uphold the basic responsibility of the College regarding discipline, safety, and maintenance. During a detailed inspection, items in a room may be opened or moved so that a thorough inspection can take place. The staff member(s) may request a student to assist with opening of personal items that are included in the inspection, but these items may be opened without the student's consent.

In some circumstances, College staff members may be authorized to conduct a detailed inspection that does not result from a typical room entry and plain-view inspection. In most of these cases, these circumstances are the result of a community member submitting information to a College official about a prohibited item(s)/behavior being present in a student room. These searches must be authorized by the Associate Vice President of Student Affairs and Dean of Students or their designee. A Dean-authorized search must be based on reasonable suspicion that a College rule or regulation has been violated. Examples of items or circumstances prompting a Dean-authorized search may include (but are not limited to): weapons, stolen property, illicit drugs/paraphernalia or imminent harm (including self-harm) to a student.

In addition to the above-listed inspection, there are other circumstances in which a College official may inspect a resident's room or area. These are:

1. Closing inspections - during closing inspections before a break period, College staff will enter a resident's hall room or area to conduct an inspection. These inspections may include (but are not limited to): checking outlets, refrigerators, windows, or inspecting other general areas that may be of concern. These inspections may include the moving of furniture and/or personal belongings or opening or closing of items in a room.
2. Health and safety inspection-New England College takes student health and safety seriously and has established guidelines for students living in campus residence halls. The College's policies are based on the fact that unhealthy conditions are preventable and it's the responsibility of all members of the College community to maintain a healthy living environment. Students are required to read and comply

with all community standards, which includes periodic health and safety inspections. Responsibility for complying with health and safety inspection requirements rests solely with each resident.

Any unauthorized appliances, lamps, candles, ceiling hangings and other health and safety hazards and policy violations may be removed from the room by Residential Life staff or Campus Safety staff during a health and safety inspection. Residents who fail the inspection may face disciplinary or misconduct charges. Failure to maintain each residential area in a satisfactory condition could result in a student conduct violation. In addition, residents will be assessed for damages found during inspections. Staff will conduct follow-up visits to ensure problem areas are corrected. The College reserves the right to retain confiscated items if they represent a danger to persons or property, or if those items are not legal for the resident(s) to possess. The College may ultimately return some confiscated items if possession of those items is not a violation of local, state or federal law. The return of the items may be delayed until a student is leaving the campus for a break period. In some cases, prohibited items may be confiscated and handed over to the local police department, and information about those confiscated items may be used in College conduct processes. In the event that an item in a student room cannot be opened during an inspection (e.g. a safe or lockbox), the item may be confiscated by College staff. If a student chooses not to assist College staff with the opening of a locked item, the College reserves the right to open these items without a student's consent; this includes breaking locks if necessary, and the College may not be held financially responsible for damage to the locked item or the lock itself. The College will not be held liable for any damages to confiscated items.

Consequences for failed health and safety inspections:

- 1st Failure – student will receive a failure slip which details why room failed with follow-up inspection instructions
Follow-up inspections will take place 24 hours after the inspection, but no later than 7 business days.
- 2nd Failure-non appealable \$100.00 fine-student will be told why the room failed and next step in the inspection process.
Follow-up inspection will take place the next business day.
- 3rd Failure -suspension from the residence halls for the remainder of the academic year.

Students who are suspended *will not* receive a prorated refund for the remainder of the year.

Students suspended for repeated health and safety violations in the fall semester will be charged the cost of the room and meal plan for the spring semester as well.

Reinstatement process for suspended students who want to return to housing from repeated failed health and safety inspections:

- Mandatory Wellness Assessment – student must sign consent form for counselors to speak with Student Development/Residential Life staff regarding the findings of the assessment.
- Final Appeal Decision will be made by the Vice President of Student Affairs and Dean of Students or their designee.
- Students who have been suspended are still bound to the 6 semester housing requirement and will be required to return the following academic year if they have not completed their 3 year on campus requirement.

Unprepared Vacancies

The protocol for students who fail to maintain the preparedness of a room vacancy and it is discovered during a health and safety inspection or at any other time is as follows:

- 1st Failure-Warning **and** follow-up inspection to be conducted within 1 business day
- 2nd Failure-\$150 fine **and** follow-up inspection to be conducted within 1 business day
- 3rd Failure-\$300 fine **and** failure to comply conduct charges
- 4th Failure-Suspension from the residence halls for the remainder of the academic year.

Students who are suspended for continual unprepared vacancy violations *will not* receive a prorated refund for the remainder of the year. Students suspended in the fall semester will be charged for the cost of the room and the meal plan for the spring semester as well.

Reinstatement process for suspended students found in repeated violation of an unprepared vacancy:

- Appeal to return to campus must be made in writing to Associate Vice President of Student Affairs and Dean of Students from the student's NEC email account.
- Final Decision will be made by the Associate Vice President of Student Affairs and Dean of Students or their designee.

Consolidation

When the number of vacancies in any residential area reaches a determined level, Residential Life and Housing will implement its consolidation policy. Students may be asked to move out of a given area or may be required to move to a different assignment. Students not complying with the consolidation policy will be assessed an additional room charge and may face a referral to the Associate Vice President of Student Affairs and Dean of Students Office.

Room Changes

Room changes will not occur during the first two weeks of the semester. There is a two-week housing freeze at the beginning of each semester. Students who desire a room change must follow the procedures outlined by Residential Life and Housing by contacting the appropriate

Area Coordinator or RA. When appropriate, mediation between room/suite/apartment mates may be required before a room change is granted. All room change requests are subject to approval based on space availability. Students who move in to a new room without permission from Residential Life and Housing will face conduct charges and be required to move back to their original room. If there is a vacancy in your living unit as the result of a room change, Residential Life and Housing reserves the right to check the condition of the room and to assign a student to the vacancy. Students are expected to maintain a prepared vacancy in the living unit. Any student involved in an unauthorized room change, or who fails to maintain a prepared vacancy, may be charged a minimum of \$150 in addition to possible conduct action.

Removal from Housing

When it becomes clear that a student has caused extensive and/or repeat damage to College property, or if a student has repeat conduct violations, or a student is a disruption in any way to the community, the College reserves the right to remove a student from housing at any time. Students appealing those decisions must notify the Dean of Students of the intent to appeal immediately and must submit this appeal to the Dean of Students within 48 hours of their removal. All communications must be in writing from the student's NEC email account.

Damages and Damage Appeals

Students are responsible for the condition of their room at the time of check-in until they complete the checkout process through Residential Life and Housing. Students are encouraged to note the condition of the room in detail on the room condition report (RCR) issued to each student during check-in. Damages are assessed throughout the academic year and after the close of the residence halls in the spring semester. All damage appeals must be emailed through the student's NEC email account to Residential Life and Housing within 30 days of the date on the invoice. Appeals submit after 30 days or from non-NEC student email accounts will not be considered. The cost of damage to common areas (hallways, bathrooms, lounges, TV rooms, etc.) and false fire alarms are the shared responsibility of each resident. If the responsible individual(s) cannot be determined, the entire community will share the cost of the damage, whether that is the section, floor or the entire building. Community damage charges are NOT subject to appeal. Students who select express checkout or who fail to checkout waive their right to appeal any damages associated with their room.

Keys, Combinations, Swipe Cards

Each student is issued a key/combination(s) to their room/suite/apartment and/or building at the time of check-in. It is mandatory that key(s) be returned when the student checks out. Keys may not be duplicated, nor may they be transferred or given to other persons. Lost keys should be reported immediately to Residential Life and Housing. Combinations and swipe cards may not be transferred or given to other persons. Unauthorized use of keys or entry to College premises (including entry into any office or residence hall room without permission) is considered

misconduct and students may be subject to the disciplinary sanctions outlined in the student handbook. Students will be charged appropriately for any lock/combination change(s) necessary as a result of sharing a key or combination with anyone not authorized to have a key or know a combination.

Charges for key and combinations are as follows:

- \$50 for a combination change
- \$25 for a traditional metal key

When a student changes rooms, the combinations to each room involved in the move will be changed as standard procedure by the College and will not be charged to the residents.

Locking Doors

For your own personal safety and security, you should keep your doors locked at all times and not prop open any suite, stairwell or apartment doors. Propping open any doors is potentially dangerous and a violation of housing policies. Allowing unauthorized people in the building by allowing them to “piggyback” on your entrance to the building is a safety hazard. If you do not know who is behind you, do not let them in to the building. Should you experience a loss by theft, immediately notify the loss to Campus Safety. The College does not reimburse student’s for items that are stolen because a door is left unlocked. Students are encouraged to purchase renter’s insurance to protect their personal items.

Lockouts

For the Henniker campus, students who become locked out of their rooms should contact Campus Safety at 603-428-2323. There is a \$25.00 charge for the first lockout. For every subsequent lockout, an additional \$10.00 will be added to the previous lockout charge. Residents must go to Campus Safety and get temporary access to perform a self-lockout for their room. There is no charge for residents who use the self-lockout process. Students who do not return the key/card used to perform the self-lockout within the established timeline will be billed to replace it.

For the Manchester Campus, students who become locked out of their rooms should contact Campus Safety at 603-836-2112. There is a \$25.00 charge for the first lockout. For every subsequent lockout, an additional \$10.00 will be added to the previous lockout charge. Residents must go to Campus Safety and get temporary access to perform a self-lockout for their room.

Room Check-in and Checkout

For the Henniker campus, when moving into an assigned College room, each resident is responsible for carefully checking the condition of their room and its furnishings thoroughly and for recording it on the Room Condition Report (RCR). Each resident must fill out, sign, and return their copy of the RCR to their Resident Advisor or Area Coordinator within 72 hours of check-in in order to remain eligible to appeal any damage charges incurred to their room at checkout. The College will hold each resident responsible for loss and/or damage to College property beyond normal wear and tear. If two or more residents reside within an area where

damage has occurred and neither has taken responsibility, the charges will be divided among the residents.

For the Manchester campus, prior to moving in, an RCR will be generated by a staff member, documenting the condition of the room. When moving into an assigned College room, each resident will be escorted to their room by a staff member. At this time, the staff member will review the RCR with the resident. If the resident would like to make any changes to the RCR, the staff member will make those changes to the report. At that time the resident must sign the RCR. The College will hold each resident responsible for loss and/or damage to College property beyond normal wear and tear. If two or more residents reside within an area where damage has occurred and neither has taken responsibility, the charges will be divided among the residents.

All unauthorized early arrivals may be subject to a fine of \$100 in addition to \$50 for each night the resident occupies the space. Failure to follow appropriate checkout procedures or to leave by the officially stated time may result in a \$150 fee for improper checkout. Residents must check out of their housing assignment at the time they vacate their space or withdraw from the College. To check out, each resident must complete either an Escorted Checkout or an Express Checkout. For an Escorted Checkout, each resident must schedule an appointment with their RA at least 24 hours prior to departure to be officially checked out of their room. When checking out with the RA, the resident and RA will complete the checkout portion of the RCR. If the resident has a key, they must return it at this time. For an Express Checkout, the student must fill out the Express Checkout form and deposit it into the intra-office mail slot at the Mail Center located in the Simon Center. For students who must return a key, they must fill out the Express Checkout envelope, deposit their key into the envelope, seal the envelope, and deposit the envelope into the intra-office mail slot at the Mail Center located in the Simon Center.

Students must remove all personal belongings when checking out of the room and have the room returned to its original condition. Students who fail to immediately remove any personal belongings upon vacating their assigned space may have their item(s) disposed of and may be subject to additional charges. Students must officially checkout within 24 hours of their last academic requirement or by 7:00 p.m. on the last day of final examinations, whichever comes first. During the spring semester, graduating seniors may stay in their room assignments after this time but must checkout by 5:00 p.m. on the day of commencement. Failure to properly check out will result in a \$150 improper checkout fee. Any items left in a room after a student has vacated the room will be discarded. There is no storage available at the College.

Emergencies

To call for help in an emergency or to report any threatening or suspicious behavior, or any threat to public safety or security, call the Department of Campus Safety. For the Henniker campus, they can be reached at 603-428-2323. The office is located on Union Street and is open 24 hours a day. Resident Advisors (RAs) are on duty Sunday through Thursday from 7:00 p.m. to 8:30 a.m. each night and have 24-hour shifts on Friday and Saturday.

For the Manchester Campus, Campus Safety can be reached at 603-836-2112. The director's office is located at 88 Lowell Street, room number 209. They may also be reached at 156 Hanover Street.

Fire Drills and Alarms

The College conducts emergency evacuation drills on a regular basis. Students are required to exit the building immediately and may not re-enter the building without the direction of authorized College personnel. During the drill evacuation, College staff will enter the buildings and check all resident spaces for students who have failed to evacuate. Failure to evacuate or comply with a College or town fire or police official during an actual fire or a drill may result in conduct charges.

Personal Property

The College is not liable for any reason for the loss or damage of or to a student's property, belongings or any personal goods stored in College housing facilities at any time. The College does not provide insurance for personal property and will not reimburse students when another student's actions cause damage or loss of property. Students are strongly advised not to bring to campus any items of extraordinary value. Students are urged to inventory all personal belongings, to record serial numbers whenever possible and to make arrangements through their parent/guardian's insurance for adequate coverage. Thefts should be reported immediately to Campus Safety. Campus Safety uses the Operation ID service to assist in the identification of personal property such as computers and bicycles. Please see Campus Safety for details.

College and Non College Property

Any student found responsible for any damage to College property must pay for the restoration of the property to its original condition; this includes but is not limited to paint being removed from walls, destruction of College furniture and damage to locks and screens. Liability for any damage to the apartment or to the public area within any one of the residential units beyond reasonable wear and tear will be assigned to students of the particular building, apartment, suite or room whenever the damage cannot be assigned as the responsibility of identified persons.

Property belonging to the College must not be moved or taken from areas designated for its specific use. For fire safety and personal hygiene reasons, students may not have any non-College property in their rooms/apartments/suites, including but not limited to chairs, couches and mattresses. Violators will be subject to fines and subject to conduct action. This action also covers the misuse of any College property, such as students using College lounge furniture in their room.

Air-Conditioning Units

Student air-conditioning units are not permitted in any student dwellings, except in cases of approved medical accommodations or through special approval by Residential Life and Housing. Any college issued air-conditioners are permitted.

Alcohol Policy

For information on the College's comprehensive alcohol policy, refer to the Code of Student Conduct and Alcohol and Other Drugs section found in the student handbook. Residential Life and Housing may intervene and make the necessary changes to a student's living situation when a student's alcohol or drug use negatively affects them or the residential community.

Alterations to College Property

Residents shall not make any changes or alterations to an apartment or room, or disassemble or dismantle any piece of equipment or furniture, or place, affix or attach any articles to the floor, walls, ceilings, furniture or fixtures without the written consent of the College. This shall include, but not be limited to, the addition or changing of any locks, removal of window screens, the alteration of the heating or light fixtures, painting of any surface including window panes, installation of any television or satellite dish or drilling holes into a wall and all other changes, repairs and additions. Sticky tape that leaves marks or removes paint from a wall will result in a charge for the costs of repair. Students are not permitted to disassemble any College furniture or build additions onto any College furniture. Only College issued lofts are acceptable forms of lofting a student bed. College furniture may not be removed from the residence hall at any time.

Appliances

Some small appliances are permitted in the residence halls but the College reserves the right to deny a student use of any appliance if it is used in the wrong type of space (room vs. kitchen) or if the appliance is causing the building's electrical circuits to overload. Authorized appliances must be UL approved and include:

- Televisions (should not be larger than 48 inches)
- Compact personal microwaves (600 watt maximum) (Henniker Camps Only)
- Compact personal refrigerators (maximum 4.2 cubic ft. and 2.5 amps.)
- Automatic drip coffee pots (with automatic shut off only)
- Blenders
- Stereo speakers
- Hair dryers
- Fans
- Hot-air popcorn poppers
- George Forman grills or frying pan (to be used in kitchen spaces only)
- Irons with automatic shutoff
- Rice cooker (to be used in kitchen spaces only)
- Crock pot (to be used in kitchen spaces only)

Unauthorized personal appliances include, but are not limited to:

- Air conditioners (unless issued by the college)
- Any device with an open heating element
- Dishwashers

- Drones
- Halogen lamps
- Hot plates (including those used for oil or candle warmers)
- Hot pots
- Keurig or other K-cup/single serve coffee makers
- Lava Lamps
- Oil-based popcorn poppers
- Ovens
- Space heaters
- Washing machines

Residential Life staff will confiscate illegal or misused appliances, and individuals responsible will be subject to conduct sanctions. All appliances must be UL listed. Residential Life staff and Facilities personnel may check for frayed or broken cords. During break periods, all appliances not provided by the College must be unplugged, including fish tanks. The College will not be held responsible for loss or condition of any items that are confiscated.

Bicycles

Bicycles may be stored in student rooms only. Bicycles are not to be stored in the basements, lounges or lobbies of the residential areas, hallways, stairwells, balconies, laundry rooms, or near exits. Bicycles locked to stairwells or inside other College property may be removed and discarded.

Ceiling Hangings

Due to the potential threat to personal safety in the event of fire, room decorations including, but not limited to, tapestries, string lights, posters, etc., may not be affixed to/cover/suspended from the ceiling, windows and doors, sprinkler heads and/or pipes. This includes all items that are suspended overhead, attached to walls or other items.

Commercial Enterprises, Solicitations and Unapproved Activities

Residence halls and the campus in general are for the use of registered students, College guests, and College conferees only. Any other use, including commercial enterprises, activities not approved by Residential Life and Housing and door to door solicitations are strictly prohibited. Students selling items door to door or asking for donations door to door without prior approval are subject to conduct charges.

Courtesy Hours/Quiet Hours

Residents and staff are responsible for maintaining an atmosphere that is conducive to study and sleep. Therefore, courtesy hours are in effect 24 hours a day. Residents are expected to observe common courtesy and to respond positively to requests to reduce or minimize the noise they are

making. As a general rule, musical instruments should not be played in rooms/suites/apartments. Stereos, speakers and other music devices are not permitted to be amplified out windows to outside areas unless it has been approved as part of a registered event.

Quiet hours are as follows:

Sunday–Thursday 10:00 p.m. – 8:00 a.m.

Friday–Saturday 12:00 a.m. – 8:00 a.m.

All areas must adhere to 24-hour quiet policies beginning at 9 p.m. on the last day of classes and continuing through the semester close of the residence halls. Students violating 24-hour quiet hours or causing any disruption may be directed to leave the residence hall immediately and not be permitted to return until the end of final examinations.

Damage Billing

All damage appeals must be emailed from the student’s NEC email account to Residential Life & Housing (reslife@nec.edu) within 30 days of the date on the damage billing invoice. Students who select express checkout or who fail to checkout waive their right to appeal any damages associated with their room.

The cost of damage to common areas (hallways, bathrooms, lounges, etc.) and false fire alarms are the shared responsibility of each resident. If the responsible individual(s) cannot be determined, the entire community will share the cost of the damage, whether that is the section, floor, or the entire building. Community damage charges are NOT subject to appeal.

In many cases, common area charges are minimal because the communities have been successful in establishing an environment characterized by respect for each other and the facility. In fact, on college campuses across the nation, damages are reduced considerably when such a community environment exists. However, there may be times when in spite of the efforts of our staff, residents will choose to not address unacceptable behaviors in their community. As a result, those floor and hall damages which cannot be attributed to an individual are assessed and charged to all members of the residence hall as common area damages.

Defacing College Property

Defacing College property in and around the residential facilities will not be tolerated. Violators are subject to disciplinary action and restitution payment.

Dirty dishes

Dirty dishes (include, but are not limited, to dishware, flatware, cookware, bakeware, utensils, appliances, etc.) must be cleaned and removed from the community kitchen/common area immediately. Any dirty dish(es) left in the community kitchen/common area will be discarded without notice. Residence halls where students do not keep kitchens and refrigerators cleaned

may have access to the kitchen suspended. The college is not responsible for the replacement or reimbursement of discarded or stolen or damaged property that is left in a kitchen or refrigerator.

Extension Cords and Surge Protectors

Only UL-approved, surge-protected power strips and extension cords are permitted. Students are not permitted to plug one extension cord into another extension cord or one power strip into another power strip. Violators will be subject to disciplinary action.

Flammable Materials

Flammable liquids are not permitted in any of the residential areas. Cloth and other flammable materials may not be hung on walls or ceilings. Flammable or wet materials may not be hung above heaters due to fire hazard. Storing or possessing gasoline, including gasoline-powered machines, or other combustibles or explosive chemicals, lighter fluid, fireworks, candles, incense, oil lamps, oil/candle warmers or other flammables is not allowed in any residential area. Producing an open flame in or around the residence halls is not permitted. Grills that are used for outdoor grilling are not allowed in, near or around the residence halls due to fire codes in Henniker. Unauthorized grills will be confiscated and discarded. A member of the Residential Life staff will address violations of the fire codes on an individual basis, and students may be subject to conduct charges.

For the Institute of Art and Design only, students may store “wet media” in their room; however, students are not permitted to use “wet media” in their rooms. They may only use “wet media” in approved spaces only, such as studio space. “Wet media” includes, but is not limited to, oil paints, solvents, lacquer, polishes, charcoal, etc.

Furniture

Furniture provided by the College must remain intact, assembled and in its assigned room. The College will not store any furniture that a student does not want or is not using. Students are NOT permitted to bring additional furniture to their rooms. For safety reasons, lofts not provided by the College and waterbeds are not permitted. Some beds are “bunkable” with provided lofting pins that residents must request from Campus Facilities. All furniture arrangements must be made in such a way that all exits are free from obstruction. Common areas are furnished for the comfort and convenience of all. Furnishings in lounges or other common areas are College property and must remain in the common areas where placed and are not permitted in students’ rooms. Misuse of common area furniture, including but not limited to stacking the furniture, moving it to stairwells or blocking hallways or doors is prohibited. A charge will be assessed to those responsible or to the entire building/floor if an individual cannot be identified.

Trash Removal

Students must maintain clean rooms/suites/apartments at all times. Living spaces must not be susceptible to insect and pest infestations or offensive odors. Food must be stored and disposed

of properly and in a timely fashion. Residents are responsible for the removal of all garbage and trash from their rooms/suites/apartments. Excessive trash in a residential area may result in a health and safety violation and, if not corrected, could result in a referral to the Office of Student Conduct.

For the Henniker campus, trash must be brought outside to the nearest dumpster, not thrown in the kitchen or bathroom trash can. Personal garbage cans in a student's room may not exceed the 13-gallon (kitchen garbage can) size so as to ensure that garbage is removed in a timely fashion.

Guest and Visitor Policy

While New England College does not restrict the hours during which residents may have guests and visitors in their rooms, the College has the responsibility to provide policies which allow for the safety of its community and ensure consideration for individual resident student rights. As such, the College reserves the right to modify, restrict or revoke the privilege of the guest and visitor policy at any time.

Guests (any non-student)

All residents are responsible for their non-student guests and, therefore, for their guests' behavior. If a guest is displaying inappropriate behavior, the host will be held responsible. All guests must comply with College rules and regulations. The host/hostess must escort all guests to and from the front entrances and at all times while the guest is present in the residential area. Any unescorted guests in a residence hall will be considered in violation of the Guest and Visitor policy. Such violations may result in guests' removal from the residence hall and conduct action for the guests and their host/hostess. No guest is permitted to be in a student room without a resident of the room present, including when a host is at class. This includes students who are hosting athletic recruits.

Minor Guests

No guest under the age of 18 is allowed in the residence halls without the expressed written permission of the Area Coordinator as confirmed through the host's/hostess's NEC e-mail account. The host must contact the Area Coordinator of the area where the minor guest will be staying with at least 48-hours notice and provide the guest's name and the contact information of the guest's parent or legal guardian. The Area Coordinator will then contact the parent or legal guardian to notify them of the minor's intent to stay on campus. A \$50.00 fee may be charged to the host's student account if the guest is not registered 48 hours prior to their arrival.

Visitor (any New England College student)

A visitor refers to any New England College student who is not assigned to the room they are visiting. All residents are responsible for their visitors and, therefore, for their visitors' behavior. If a visitor is displaying inappropriate behavior, both the visitor and host will be held responsible. No visitor is permitted to be in a student room without a resident of the room present, including when a host is at class.

Quiet Hour Guests or Visitors

Guests and visitors may stay in another resident's room during quiet hours (overnight). During quiet hours, guests and visitors are not permitted in residence hall rooms, suites, or apartments without advance permission of all residents of that room. If agreements with roommates cannot be reached, the rights of the roommates supersede those of the guest. The occupants of that suite/apartment may determine visitation hours for each suite/apartment. Visitors (NEC students) do not need to register or obtain a guest pass. All students hosting guests (Non NEC students) during quiet hours must register their guest and their guest's car with Campus Safety. A guest pass will be issued by Campus Safety and the Residential Life staff will be notified by email of the presence of a guest on campus. Failure to obtain a guest pass may result in the removal of the guest(s) and subject the host/hostess to conduct action. During quiet hours, the guest must carry a guest pass at all times and present it to any College official when requested to do so. Guest passes may be obtained prior to the start of quiet hours; or if the guest arrives during quiet hours, they may be obtained at the time of the guest's arrival. Quiet hours are as follows, 10:00 p.m. – 8:00 a.m. Sunday through Thursday, and 12:00 a.m. – 8:00 a.m. Friday and Saturday. Quiet hour guests or visitors are permitted only with permission of your room/suite/apartment mates. Guests are limited to a stay of two consecutive nights. Guests or visitors may not stay in a residence hall room for more than four nights during any 30-day period without the expressed written permission of the roommate(s) and the Area Coordinator as confirmed through the host's/hostess's NEC e-mail account. All residents are responsible for their non-student guests and, therefore, for their guests' behavior at all times.

Occupancy Restrictions

Due to safety and fire-code regulations there is a limit to the number of visitors/guests allowed in the living units on campus. A resident is allowed no more than a total of two guests or visitors at any one time; however, the total numbers of people in a room at any given time may be restricted further based on the existing local, state and federal fire regulations.

Holiday Decorations

Residents may decorate their rooms during holiday periods, provided such decorations do not restrict access to and from residents' rooms and public areas. Do not attach anything to or tamper with light fixtures, sprinkler heads or exit signs. No live or cut trees are allowed in the residential areas; however, artificial trees may be used. Candles and incense are not permitted in the residence halls for any reason. No holiday decorations can be hung from ceilings at any time.

Offensive Odors

An offensive odor is any odor or aroma of such intensity that it becomes bothersome to other members of the community. Any odor can become offensive when it is too strong. Some examples are perfume, air-freshening spray, large amounts of dirty laundry or human body odor. Residents identified as being responsible for any disruptive odor will be asked to eliminate the

cause of the odor. Students who fail to eliminate an offensive odor after repeated requests to do so may have conduct charges brought against them. Incense is not permitted to cover up an offensive odor as it is a fire hazard and can easily set off the smoke detectors.

Pets

Fish in an approved aquarium are the only pets allowed in residential rooms/suites/apartments. Each student is permitted to have only one 5 gallon tank. Fish must be properly maintained and cared for so as not to disrupt the residential community. The maximum size for an aquarium is 5 gallons. Aquariums and other equipment needed to maintain fish may not be plugged into electrical outlets during vacation periods. Pets other than fish and pet care items not associated with an approved aquarium are not permitted, including but not limited to pet food, cages, and pet bedding. Violation of the policy will result in immediate removal of the animal, misconduct charges, and full replacement cost for damaged property. Repeated violations may result in immediate removal from housing without a refund.

Postings

Contact Residential Life and Housing if you would like to post material in the residential areas. With the exception of the RAs, no postings will be permitted without approval of the Area Coordinator of that area. Postings that have been approved will be posted in designated areas only. Each posting is allowed for one week. All unapproved postings will be removed. It is the responsibility of the individuals posting to use approved adhesives that will not damage the area where the postings are held.

For the Manchester Campus, postings are not permitted on any painted surfaces.

Roofs

Any person on the roof of any residential facility or throwing anything onto the roof of any residential facility will be subject to disciplinary action. The roofs, window ledges and balconies of all buildings are off limits to students unless prior approval is granted by Residential Life and Housing staff.

Smoking

The residence halls at NEC are smoke free at all times. Smoking, including the use of e-cigarettes and vaping, is not permitted in any building. Due to health and safety concerns, campus community members must stay at least 25 feet from the entrance to any building when smoking. Proper disposal of cigarette butts and other trash associated with smoking is required.

Sports

Playing basketball, wrestling, hockey, lacrosse, baseball, rollerblading, Frisbee or other sports in residence halls is prohibited. Any damage to property from sports in the halls will result in charges being assessed to the responsible person's NEC account.

Storage

The College does not have storage areas for any student items at any time. Any personal items that are left in a room when a student is not registered to that room will be discarded. Students who anchor their room from year to year are required to remove all personal items from the room when they are not assigned to the room over the summer.

Tampering with Fire Safety Equipment

Any student found tampering with fire equipment, including but not limited to smoke detectors and fire extinguishers, activating a false alarm or attaching any items to the sprinkler pipes is subject to disciplinary action and/or arrest and will likely be removed immediately from on-campus housing. Any student found tampering with an exit sign will be referred to the Office of Student Conduct. A life-safety fine of up to \$1,000.00 may also be assessed to the student's account.

Weapons

Potential lethal weapons, or toys that appear to be lethal weapons, including but not limited to firearms, hunting bows, knives, swords, paintball guns, weapons paraphernalia, bullets, pellet guns and air-soft guns are prohibited, along with any other instruments legally classified as dangerous weapons. Anyone possessing any of these items may be suspended from housing pending a disciplinary hearing, and the weapons will be confiscated and not returned.

Windows

Throwing items out a window presents a safety hazard to those below and will not be tolerated. Using windows in a non-emergency situation for egress to or from an area presents a safety risk and may result in damage to the window and/or screen, and thus, is prohibited. Individuals found entering or leaving a room/apartment through a window will be subject to misconduct charges and responsible for the cost of any damage that results from this action. Damaged or punctured screens or broken glass will result in residential damage charges assessed to a student's account.

VI. FEDERAL LAWS

VII. FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

The Family Education Rights and Privacy Act (FERPA), also referred to as the “Buckley Amendment” was designed to protect the privacy of students’ educational records. In accordance with the provisions of the FERPA (Section 438 of the General Education Provisions Act, 20 USC 1232g), New England College has adopted the regulations given below to protect the privacy rights of its students, including online/distance learners. Revisions and clarifications will be published as experience with the law and the Institution’s policy warrant.

The Office of Student Development will notify students of their FERPA rights upon entry to New England College and once a calendar year thereafter. Notifications will be sent to the student’s official College email address. In addition, the policy will be available on the College website. Printed copies of this statement are available upon request (accompanied by a self-addressed stamped envelope) to Office of Student Development, New England College, 98 Bridge Street, Henniker, New Hampshire 03242. Additional FERPA information can be found at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

With few exceptions, New England College has a policy of not disclosing any directory information without student consent to anyone outside the College. While disclosure is permitted by FERPA, the College is under no obligation to provide information, and will do so only on a selective basis. Our intention is to act in the best interest of students regarding their education, well-being and safety.

Students’ fundamental rights under FERPA include:

- The right to inspect and review their education records
- The right to have some control over the disclosure of information from their education records
- The right to request to amend inaccurate education records
- The right to be notified on an annual basis of College policies regarding FERPA, and
- The right to file complaints with the Department of Education regarding alleged failure of the College to comply with the act

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when they reach the age of 18 or attends an institution of higher learning. Records may be released to parents without a signed consent from the student or under certain exceptions. These include:

1. Health or safety emergency
2. Where the student has been found in violation of the institutions code of conduct relating to the use of alcohol or a controlled substance if the student is under the age of 21
3. By submission of evidence that the parents declare the student as a dependent on their most recent Federal Income Tax form

The release to parents of education records under any of these exceptions is a permissible release. Thus, under FERPA, an institution is not required to disclose information from the student's education records to any parent of a dependent student. It may, however, exercise its discretion to do so.

A. Type and Location of Educational Records; Officers Responsible

1. The principal educational record of each student is kept at the Registrar's Office. The Registrar or their representative is responsible for these records. Educational records include any records in the possession of a College employee, which are shared with or accessible to another individual. The records may be electronic, handwritten or in the form of print, film or some other medium.
2. Certain other offices, including but not limited to those listed below, maintain records related to students. Inquiries concerning those records should be made in writing to the area concerned with a copy to the Registrar's Office.
 - a. Academic Advising
 - b. Academic Affairs
 - c. Admission
 - d. Athletics
 - e. Disability Services
 - f. Financial Aid
 - g. Graduate and Professional Studies
 - h. Library
 - i. Residence Halls
 - j. Campus Safety
 - k. Pathways Academic Success Services Center
 - l. Registrar
 - m. Student Financial Services
 - n. Student Development
 - o. Wellness Center

B. Inspection and Review of Records

1. Any student may inspect and review their educational records upon written request to the appropriate department (as listed above). The department will comply as soon as possible; under the law this must be done within 45 days after the request has been made.
2. The student has the right to review and inspect all the documents in all of their files at the College except:
 - a. Confidential evaluations and letters of recommendation filed before January 1, 1975

- b. Evaluations and recommendations after that date if the student has waived their right to see them
- c. Financial records and statement of their parents
- d. Those documents classified by law as non-educational
- 3. If, after inspecting and reviewing their records, the student has any question about them, they may request an oral or written explanation and interpretation of them.
- 4. Certain student records are not included among “educational records” under FERPA regulations:
 - a. Private notes or records held by educational personnel and not accessible to or revealed to any other person – so-called “desk drawer notes” kept in the sole possession of a teacher or administrator – are not accessible to students.
 - b. Campus law enforcement records are not open to student review, provided that the institution’s safety personnel maintain their records separately from the other records, disclose their records only to law enforcement officials in the same jurisdiction and do not have access to the student’s other educational records.
 - c. Student medical or psychiatric records created and maintained solely for treatment purposes.
 - d. Records of students which relate exclusively to the students in their capacity as employees and which the institution makes or maintains in the normal course of business, are not open to student inspection.
 - e. Records containing information obtained after the student is no longer enrolled, such as post-transfer or alumni records, need not be shown to the former student.
 - f. Peer-graded assignments that have not been collected and recorded by a teacher are not considered “maintained by” an educational agency or institution, such that they are not “education records” covered by FERPA.

C. Correction of Record

- 1. If, after inspecting and reviewing their records, the student believes that any information contained in them is inaccurate or misleading, or violates their privacy or other rights, they may request in writing that the records be amended.
- 2. That office must reach a decision and inform the student of this decision in writing within 90-days of time after receipt of the request.
- 3. If the office refuses to amend the record in accordance with the student’s request, the student has the right to a hearing, or may place a statement in their record.
- 4. This hearing will be conducted by a committee appointed by the President, consisting of persons who do not have a direct interest in the outcome of the hearing.
- 5. The hearing will be held within a reasonable period of time after the student has made the request, and the student will be given notice of the date, place and time, reasonably in advance of the hearing.

6. The student will be afforded a full and fair opportunity to present evidence relevant to the issue raised and may be assisted by members of the College community.
7. The committee will make its decision in writing within a reasonable time period after the conclusion of the hearing.
8. The decision of the committee will be based solely upon the evidence presented at the hearing and will consist of a written statement given to all parties concerned, summarizing the evidence and stating the reasons for the decision.
9. If, as a result of the hearing, the committee supports the complaint of the student, the educational records of the student will be amended accordingly and the student will be so informed.
10. If the committee decides against amending the record, the student has the right to place in their records a statement commenting on the information in the record and/or stating their reasons for disagreeing with the decision.
11. This explanation will be maintained by the College as part of the education record of the student as long as those records are maintained; and whenever a copy of those records is sent to any party, the explanation will accompany them.

D. Disclosure of Information from Records

1. No office maintaining an educational record of a student will disclose any personally identifiable information from that record to anyone other than the student them self without the written consent of the student, except as provided below.
2. The records of the student will be disclosed without their written consent to academic and administrative officers within the College who have a legitimate educational interest in the information. "Legitimate educational interest," means the demonstrated need to know by those persons who act in the student's educational interest. This includes the following persons and their professional and clerical staffs acting under third instructions; the Dean or Director of the student's school, the Registrar, the Controller, the President and Vice-Presidents, the appropriate advising staff and/or academic standards committee, any faculty member or administrator to whom, or to whose office, the student has addressed an educational request, application or inquiry, for which the records are needed to prepare a reply.
3. School officials can include contractors, consultants, volunteers and other outside parties to whom an educational agency has outsourced institutional services that it would otherwise use employees to perform. The outside party must be under the direct control of the agency and must follow the same rules and laws as the agency.
4. The records of a student will be disclosed without their written consent to those federal and state government agencies and officials provided by law.
5. The records of a student will be disclosed without their written consent to any agency to which the student has applied for or from which they have received financial aid, or which has made decisions concerning eligibility, amount, conditions or enforcement of terms of such aid.

6. Education records or information from an education record that has been “DE identified” through the removal of all personally identifiable information. Personally identifiable information includes direct identifiers such as a social security number as well as indirect identifiers such as the name of the student’s parent or family member that would allow a reasonable person in the community to identify the student with reasonable certainty.
7. The records of a student will be disclosed without their written consent to certain educational agencies and institutions, as permitted by law.
8. The College reserves the right to furnish to parents or guardians of financially dependent students any information relating to such students’ academic and social status. The College will assume that an undergraduate student is financially independent unless the student informs the Office of Student Development otherwise.
9. The records of a student may be disclosed without their written consent to comply with a judicial order or subpoena. In these instances, the College will notify the student of this disclosure.
10. The records of a student will be disclosed without their written consent in a health or safety emergency, as provided by law.
11. Personally identifiable information within education records may be released to various auditors (federal, state and private) without prior consent.
12. Education records may be disclosed to the Attorney General in response to an ex parte court order as part of an investigation or prosecution related to potential terrorism in order to comply with the USA Patriot Act.
13. The following information related to a student is considered “directory information” and the College reserves the right to disclose it without the student’s consent unless the student informs the Office of Student Development in writing on forms available in the Office of Student Development that any or all such information about them self is not to be made public without their written permission:
 - a. full name
 - b. addresses (including home, local and email)
 - c. telephone numbers
 - d. date and place of birth
 - e. major field of study
 - f. participation in officially recognized activities and sports including weight and height of members of athletic teams
 - g. dates of attendance
 - h. degrees and awards received
 - i. most recent previous educational institution attended by the student
 - j. enrollment status (full- or part-time)
 - k. class (e.g. first-year, sophomore, junior, senior)
 - l. the title of their master’s project or doctoral dissertation
 - m. distinguished academic performance (e.g. Dean’s List)
14. An education record, without consent, can be returned to the party identified as the party that created the record. The regulations would also permit a state or local

educational entity to re-disclose education records without consent to the school district that provided the information.

15. To conform with the requirements of the Campus Sex Crimes Prevention Act, the regulations permit campus officials to release information they received from a state community notification program about a student registered as a sex offender in the State.

E. Right of Complaint

Students who believe that the College is not complying with the requirements of the Family Educational Rights and Privacy Act or the regulations issued by the Department of Education implementing that Act, may file complaints in writing with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

The full text of the Family Education Rights and Privacy Act as amended, and the full text of the final regulations of the U.S. Department of Education for the implementation of the Act, is available for inspection at the Office of Student Development.

Updated August 2014

VIII. CAMPUS SEX CRIMES PREVENTION ACT

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, became effective on October 28, 2002. Sex offenders, under the Campus Sex Crimes Prevention Act, must register with the state where an institution of higher education is located (even if they do not reside in the state) once they become enrolled or work at an institution of higher education. Changes in enrollment or employment status also must be made known to the state.

Individuals covered by the act include:

- An individual enrolled at an institution of higher education in the state on a full-time or part-time basis; or
- An individual that has any sort of full-time or part-time employment at an institution of higher education in the state, with or without compensation, for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year.

The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. In New Hampshire, convicted sex offenders must register with the New Hampshire Registration of Criminal Offenders maintained by the New Hampshire Department of Safety (Division of State Police). Information concerning offenders registered may be disclosed to any person requesting information on a specific individual in accordance with law. The New Hampshire Registration of Criminal Offenders can be accessed through the following web site www.egov.nh.gov/ns, or in person, at the New Hampshire State Police Sexual Offender Registration, 33 Hazen Drive, Concord, NH 03305 or by telephone at 603-271-6344.

IX. MISSING STUDENT NOTIFICATION POLICY

As an educational institution that provides on-campus student housing, New England College recognizes its responsibility to monitor the wellbeing of students residing on campus.

Accordingly, New England College has instituted a missing student notification policy adhering to Campus Safety and Security Reporting Requirements (Clery Act) by the Higher Education Opportunity Act (Public Law 110-315).

The New England College missing student notification policy requires that any individual who has information that a student has been missing for 24 hours must notify any one of the following; Residential Life staff, Vice President of Student Affairs, Dean of Students, Associate Dean of Student, and personnel in the Department of Campus Safety (58 Union Street, Tel. No. 603-428-2323). The Department of Campus Safety will work with campus offices, the reporting person and the student's acquaintances to gather all essential information about the student (description, clothes last worn, where student might be, etc). Appropriate campus staff will be notified to aid in the search for the student. If the above actions are unsuccessful in locating the student, or it is immediately apparent that the student may be endangered, the following personnel will meet to determine that the student is missing:

- Vice President of Student Affairs: 603-428-2241
- Dean of Students: 603-428-2241
- Director of Campus Safety: 603-428-2323- Henniker or 603-836-2112-Manchester
- Associate Dean of Students: 603-428-2303

No later than 24 hours after determining that a student is missing, the Department of Campus Safety will contact the appropriate law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation. The Vice President of Student Affairs or their designee will notify the *emergency contact person (for students 18 and over) or the parent/guardian (for students under the Age of 18) that the student is believed to be missing. For missing students 18 years of age or older who did not designate an individual to be contacted, the Vice President of Student Affairs or designee, will act in accordance with FERPA guidelines and College policy. The Department of Campus Safety will assist external authorities with these Investigations as requested.

Note: Students age 18 and above and emancipated minors will be given the opportunity during each semester registration period to designate an individual or individuals to be contacted by the College in case of emergency. For students under the age of 18 determined to be missing, the College will notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing. A list of emergency contact persons will be maintained at the Department of Campus Safety building and only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. An emergency contact designee will remain in effect until changed or revoked by the student.

*Emergency Contact Person: A confidential contact person to be notified in the case that a student is determined to be missing.

X. DRUG-FREE WORKPLACE POLICY

The following is a summary of penalties for Federal Drug Trafficking based on the Narcotics penalties and Enforcement Act of 1986.

The Drug-Free Workplace Act of 1988: The Drug-Free Workplace Act prohibits the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the workplace. Failure to comply with the College's policy and the Drug-Free Workplace Act will result in disciplinary action up to and including termination of employment.

Drug-Free Workplace Policy

Under the regulations of the Drug-Free Workplace Act of 1988, any individuals, including students, who are on the New England College payroll or working under a federal grant or contract, must notify their supervisor of a workplace-related criminal drug conviction within 10 days of the conviction.

In an effort to educate the New England College community and to comply with the requirements of The Drug Free Schools and Communities Act Amendments of 1989, the following information is provided as addenda to this policy statement:

- A summary of the health risks associated with the abuse of alcohol and illegal drugs
- Information on the low-risk and appropriate uses of alcohol
- A description of alcohol and other drug counseling, treatment and rehabilitation programs available to members of the College
- A summary of local, state and federal laws for the unlawful possession or distribution of illicit drugs and alcohol
- A summary of the College's expectations and sanctions regarding alcohol and other drug abuse for the following areas:
 - student
 - faculty and staff
 - social function policies

XI. NEW HAMPSHIRE STATE LAWS

Acts Prohibited

Controlled substance/drug use (RSA 318-B:2): New Hampshire has criminal penalties for the use of controlled substances or drugs with penalties varying with the type of drug. In general, narcotic drugs, addictive drugs and drugs with a high potential for abuse have heavier penalties. Controlled drugs include: barbiturates, amphetamines, tranquilizers, hallucinogens, opiates, cocaine, mescaline, psilocybin, D.M.T., narcotics, crack and all other drugs of a similar nature which are either outlawed outright or illegal when not prescribed by a physician or used other than how specifically prescribed.

Under state or federal law, persons convicted of controlled drug possession are ineligible for federal student grants and loans for up to one year after the first conviction, five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, 10 years after the second, and permanently after the third.

DWI (RSA 265:82)

Included among the penalties for the first conviction of driving under the influence of alcohol are a \$1000.00 fine and a loss of license for not less than 90 days. The legal B.A.C. for those 21 and over is .08; New Hampshire has a very strict .02 B.A.C. DWI law for any person under the age of 21 years; usual penalty may be up to a \$1000.00 fine, two years loss of license and an alcohol education course.

Facilitating/Hosting an Underage Drinking Party (RSA 644:18)

An underage drinking party is any gathering of five or more where at least one person is illegally possessing alcohol. This is a misdemeanor that could carry a fine up to \$1,200 and a jail sentence up to one year.

Hazing - New Hampshire State Law

Hazing in all forms, is a violation of good order and personal liberty and is prohibited. Effective on July 1, 1993, New Hampshire Law defines Student Hazing as: any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any acts, when:

1. Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person; and
2. Such act is a condition of initiation into, admission into, continued membership in, or association with any organization.

New Hampshire Law provides that a natural person is guilty of a Class B misdemeanor if such person:

1. Knowingly participates as an actor in any student hazing;

2. As a student, knowingly submits to hazing and fails to report such hazing to law enforcement or educational institution authorities; or
3. Is present at, or otherwise has direct knowledge of, any student hazing and fails to report such hazing to law enforcement or educational institution authorities.

Furthermore, the law also requires that an educational institution or an organization at or in conjunction with an educational institution is guilty of a misdemeanor if it:

1. Knowingly permits or condones student hazing; or
2. Knowingly or negligently fails to take reasonable measures within the scope of its authority to prevent student hazing; or
3. Fails to report to law enforcement authorities any hazing reported to it by others or of which it otherwise has knowledge.

Heroin

In presence of: New Hampshire makes it illegal to be in a place where heroin is kept and to be in the company of a person known to possess heroin. Sale and possession of drug paraphernalia is also illegal.

Minor in Possession of Alcohol (RSA 179:10)

New Hampshire law states that it is unlawful for any person under the age of 21 years to possess an alcoholic beverage. The usual penalty for first time violators is a \$150.00 fine (but the fine can be as high as \$500.00).

Second offense violators are usually fined \$250.00 and are placed on probation. A mandatory procedure followed by local and state police is that any minor found possessing alcohol will be arrested.

Internal Possession

A person under the age of 21 is guilty of a violation if they are intoxicated (any amount of alcohol in system) due to consumption of an alcoholic beverage. \$250 minimum for the first offense, \$500 minimum for subsequent offenses, possible additional penalties such as the loss of New Hampshire State Driver's License even if the violation does not occur while operating a vehicle.

Misrepresenting one's age or falsifying an identification to obtain alcoholic beverages (RSA 179:10-a): is punishable by a fine of \$2000.00 and/or a year in jail.

Occupancy Law (RSA 153:3)

Gatherings of 50 or more people in any building or tent are not permitted without a permit. This can result in a fine up to \$1,000.

Prohibited Sales

Sale or delivery of alcohol beverages to persons under 21 (RSA 179:5): New Hampshire law prohibits the sale or delivery of alcoholic beverages to persons under 21 with a fine of up to \$2000.00 and/or a year in jail.

Sexual Assault - New Hampshire State Law

The State of New Hampshire distinguishes between three (3) degrees of Sexual Assault:

RSA 632-A:2 AGGRAVATED FELONIOUS SEXUAL ASSAULT

1. A person is guilty of the felony of aggravated felonious sexual assault if the perpetrator engages in sexual penetration with another person under any of the following circumstances:
 - a. When the actor overcomes the victim through the actual application of physical violence or superior physical strength;
 - b. When the victim is physically helpless to resist;
 - c. When the actor coerces the victim to submit by threatening to use physical violence or superior physical strength on the victim, and the victim believes that the actor has the present ability to execute these threats;
 - d. When the actor coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim believes that the actor has the ability to execute these threats in the future;
 - e. When the victim submits under circumstances involving false imprisonment, kidnapping or extortion;
 - f. When the actor, without the prior knowledge or consent of a victim, administers or has knowledge of another person administering to the victim any intoxicating substance that mentally incapacitates the victim;
 - g. When the actor provides therapy, medical treatment or examination of the victim in a manner or for purposes which are not professionally recognized as ethical or acceptable;
 - h. When, except as between legally married spouses, the victim is mentally defective and the actor knows or has reason to know that the victim is mentally defective;
 - i. When the actor through concealment or by the element of surprise is able to cause sexual penetration with the victim before the victim has an adequate chance to flee or resist;
 - j. When, except as between legally married spouses, the victim is thirteen (13) years of age or older and under sixteen (16) years of age and:
 - i. The actor is a member of the same household as the victim or
 - ii. The actor is related by blood or affinity to the victim.
 - k. When, except as between legally married spouses, the victim is thirteen (13) years of age or older and under eighteen (18) years of age and the actor is in a position of authority over the victim and uses this authority to coerce the victim to submit or

- i. When the victim is less than thirteen (13) years of age.
- ii. A person is guilty of aggravated felonious sexual assault without penetration when the actor intentionally touches the genitalia of a person under the age of thirteen (13) under circumstances that can be reasonably construed as being for the purpose of sexual arousal or gratification.

RSA 632-A:3 FELONIOUS SEXUAL ASSAULT

2. A person is guilty of a class B felony:
 - a. When the actor subjects a person to sexual contact and causes serious personal injury to the victim under any of the circumstances named in RSA 632-A:2; or
 - b. When the actor engages in sexual penetration with a person other than his legal spouse who is thirteen (13) years of age or older and under sixteen (16) years of age; or
 - c. When the actor engages in sexual contact with a person other than his legal spouse who is under thirteen (13) years of age.

RSA 632-A:4 SEXUAL ASSAULT

3. A person is guilty of a misdemeanor if the actor subjects another person who is thirteen (13) years of age or older to sexual contact under any of the circumstances in RSA 632A:2.

Transporting Alcoholic Beverages (RSA 265:81-3 and RSA 265:81)

It is unlawful for any driver of a motor vehicle to transport, carry or possess any alcoholic beverage either open or with the original seal broken in the passenger area of the car. A penalty of up to \$1000 and loss of license can be expected for violation of this law.

Minor Transporting Alcoholic Beverages

It is unlawful for any driver, under the age of 21, except when accompanied by a parent, legal guardian or legal age spouse, to transport any liquor or beverage in any part of the vehicle. Violations may result in a 60 day suspension of license or right to drive.

XII. LOCAL LAWS

Henniker, New Hampshire

Henniker Town Noise Ordinance

This ordinance prohibits the following:

- Parties. Hosting a party which creates unreasonably loud noises caused by stereos, bands, musical instruments or guests at any time or place where the noise disturbs the quiet, comfort or repose of persons in any office, dwelling, hotel or private residence or of any person in the vicinity thereof or in any public place
- Radios, stereos, etc. The using, operating or permitting to be played, used or operated of any radio, receiving set, musical instrument, stereos or other machine or device for the producing or reproducing of sound in such a manner as to disturb the reasonable peace, quiet and comfort of the neighboring inhabitants or any time with louder volume than is necessary for the hearing of the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto
- Yelling, shouting, etc. Yelling or shouting on the public streets, at any time or place so as to unreasonable annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or any other type of residence, or of any persons in the vicinity thereof

Such acts committed between the hours of 9:00 PM and 6:00 AM Sunday through Thursday and between the hours of 11:00 PM and 6:00 AM on Friday and Saturday are considered a violation of this ordinance.

Violation of this ordinance will result in a fine of not more than four hundred dollars (\$400.00).

Henniker Town Open Container Ordinance

It is illegal for any person to possess an open container of any alcoholic beverage or consume any alcoholic beverage while on any public highway, sidewalk or common or upon and Town owned property in the Town of Henniker.

It is illegal for any person, while in any motor vehicle, to possess an open container of any alcoholic beverage or consume any alcoholic beverage while on any public highway, sidewalk or common or upon any Town owner property in the Town of Henniker.

Violation of this ordinance will result in a fine of not more than one hundred dollars (\$100.00).

Manchester, New Hampshire

Manchester City Ordinance 96.06 section (H)

(H) Smoke. Smoke any tobacco, tobacco related product, filter or other plant or weed except in such areas as are specifically designated for smoking by the Public Works Director, or his or her designee, subject to the provisions of state law and review by the Health Department. The

Commission may prescribe such terms and conditions as it deems appropriate to smoking to the designated area or areas. For the purposes of this section, “tobacco related product” means any product containing tobacco or nicotine, including but not limited to cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products, and electronic cigarettes; provided, however, that such term shall not include any product that has been approved by the U.S. Food and Drug Administration as a tobacco cessation product. This section shall apply to the Stanton Plaza, Victory, Veterans, Pulaski, and Bronstein Parks.

* Essentially, people are not allowed to smoke anything in the above city parks. Victory, Pulaski and Bronstein Parks are near campus buildings. Law enforcement officers will cite those who are in violation of this City Ordinance.

TITLE XXI, MOTOR VEHICLES, CHAPTER 265
RULES OF THE ROAD: Pedestrians' Rights and Duties
Section 265:35 - Pedestrian's Right of Way in Crosswalks

- I. When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger
- II. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.
- III. Paragraph I shall not apply under the conditions stated in RSA 265:36.
- IV. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

XIII. CAMPUS SAFETY

Campus Safety Department in Henniker

Union Street, 603-428-2323

The Department of Campus Safety operates 24 hours/seven days a week from the Campus Safety Building conveniently located on campus for student accessibility. Campus Safety personnel provide a variety of services, from issuing student ID cards and vehicle decals, campus traffic enforcement, night escorts, crime prevention practices and participation in emergency response procedures. Full-time Campus Safety officers attend a one-week training academy and are certified in CPR and First Aid. Campus Safety dispatchers, an integral part of Campus Safety, are a full-time connection to delivery of safety services to the College community.

General Information

The Department of Campus Safety operates from the Campus Safety Building located at 58 Union Street.

- Campus Safety officers help protect the lives and property of members of the NEC community
- Patrolling the campus 24 hours a day is a prime function of the Department of Campus Safety
- The Department helps enforce the College's code of conduct

The department consists of several full-time and part-time safety officers who work a schedule that provides maximum coverage during the busiest time periods and for social and special events such as concerts and dances.

The Department of Campus Safety maintains a close rapport with the College community, having earned a reputation for fairness and helpfulness. The College community has come to know that, in times of need, the Department of Campus Safety can be depended on for assistance.

The Department of Campus Safety is open 24 hours a day, seven days a week. In an emergency, you can contact a Campus Safety officer by dialing 428-2323. Emergency phones are placed at the residence halls and near busy locations (see below) that connect directly to 9-1-1.

Student Identification Cards

Student identification cards are provided to incoming first-year and transfer students at no cost and should be with the student while on campus. Students who lose their ID cards can have them replaced at the Campus Safety Office for a \$25 replacement fee which will be billed to the student's account (damaged or inoperative cards are replaced at no charge). Students can use their card for identification, access into residence halls, access into the Field House, using their meal plan, borrowing library books, student discounts and other New England College events.

Emergency Phones

- West Hall West Entrance
- Colby Complex (at Colby Hall) -outside of building – Colby 3 & 4
- Connor Hall North Entrance
- East Hall South Entrance
- River Lot at Exit
- Rowe House
- Sanborn Hall
- Union Hall
- Turf Field at Walkway
- Charter Walkway (lower level)
- Currier Lot
- Lyons Center (Front entrance)

Facilities Access

Students may access their residence hall with their student identification card. Students may request after-hours access to campus facilities from appropriate staff and faculty. When available, Campus Safety will grant access to those students as needed.

Lost and Found

The College's primary lost and found location is the Department of Campus Safety. Articles held at the Department of Campus Safety are stored for a semester. Unclaimed items will be regarded as abandoned after a semester and will be disposed of at the discretion of the Director of Campus Safety. This policy also includes bicycles.

Bicycles

Bicycles must be registered at Campus Safety, and that registration will be at no cost to the student or guest. Students and/or guests should contact Campus Safety with their bicycle's serial number and a brief description of the bicycle. Bicycles can be registered through the department's Operation ID program.

Bicycle registration is used to prevent theft and help with the recovery of stolen bicycles. Failure to register your bicycle will result in the bicycle being placed into Lost and Found and unclaimed bicycles will be regarded as abandoned after a semester and will be disposed of at the discretion of the Director of Campus Safety.

Operation ID

Students are strongly urged to participate in "Operation ID." It is recommended that students fill out an "Operation ID" form with serial numbers of valuable personal property (TVs, VCRs,

computers, stereos, etc.). The forms are available at the Campus Safety Building on Union Street. The completed form is then submitted to the Department of Campus Safety where it will be logged and filed.

Campus Safety Department in Manchester, New Hampshire

Persons employed as Campus Security Officers on the Manchester Campus are trained in CPR, active shooter response training, campus safety lockdown procedures, fire safety training, incident report writing, security patrol techniques, suspicious person investigations, drug and alcohol recognition, defensive driving techniques, victim notification practices, self-defense, first aid, on-scene medical applications, and alarming procedures for campus buildings and offices. These training courses are reviewed periodically to ensure that the campus security needs are being met. Campus Security Officers on the Manchester Campus report directly the Director of Campus Safety - Manchester.

Campus Security Officers at the Institute Art & Design at New England College are unarmed. Their primary focus is to assist students, faculty and staff members. Campus Security Officers are on duty 24 hours a day 7 day per week. They are responsible for ensuring that persons entering campus buildings are employees, students, and their families or invited guests. They are authorized to request identification from those individuals who they are unfamiliar with. Identification is required of all individuals arriving or leaving after the building is secured. Campus Security Officers have the authority to remove unauthorized persons from the premises. Students, faculty and staff members are required to wear a lanyard around their neck while on campus. This item, along with an ID card, are issued to every student, faculty and staff member. Campus Security Officers do not make arrests but are instructed to promptly contact the Manchester Police Department and the Director of Campus Safety if any illegal or criminal activity occurs.

The above-mentioned ID card is also used in concert with access panels which are located on the outside entrance of each building on the Manchester campus. All residential and academic buildings are protected with electronically locked security doors and proper procedures are followed to ensure limited access to secured areas. Exterior lighting is provided around the building and parking areas, and shrubs and hedges are kept low for safety reasons. Suspicious persons may be questioned or asked to leave by Campus Security Officers.

All members of the campus community are encouraged to report crimes or criminal activity to the Manchester Police by calling 603-668-8711 or 911 and the Campus Safety Department at 603-836-2112. Students living in college-sponsored housing should contact a Residential Life & Housing staff member for their residence hall or dial 911 should an emergency arise. The Resident Assistants, Resident Director and Area Coordinators are employees of the Institute of Art & Design at New England College and are trained in emergency procedures and regulations.

The Emergency Operations Plan (EOP) provides general guidance, organizational structure and specific direction on preparedness, response and communication disciplines. It is critical that students, faculty and staff members are prepared for unexpected events. The EOP outlines procedures for managing emergencies that may threaten the health and safety of the

campus community. The EOP manual is in every classroom in each academic building and in every dorm room in each residence hall on campus. Detailed instructions are provided for the following events: medical emergency, exposure to bodily substances, emergency evacuation plan, emergency evacuation of disabled individuals, fire, bomb threat, suspicious mail/package, hostage situation/active shooter, physical assault, sexual assault, violent incident on campus, weapon on campus, theft, harassment (racial/sexual/other), incidents involving substance abuse (overdose/under the influence) elevator breakdown or cable breakage, emergency procedures for power outages and sheltering in place.

Emergency Phone Numbers on Campus

Manchester Campus Safety Department:	603-836-2112
Manchester Campus Shuttle:	603-836-2112
Manchester Campus Safety Director:	603-836-2504
On Duty Area Coordinator (Residential Life):	603-722-9389
On Duty Resident Assistant – Lowell Hall:	603-785-2891
On Duty Resident Assistant – Institute Hall:	603-785-4512
On Duty Resident Assistant – The Hampshire:	603-361-0384
Manchester Police Department:	603-668-8711 (non-emergency)
Manchester Police Department:	911 (emergency)
Manchester Fire Department:	603-669-2256 (non-emergency)
Manchester Fire Department:	911 (emergency)

Lost and Found Procedures

2. Item is cataloged and tagged by the Campus Safety Department.
3. Item is inspected to locate possible information as to owner of item.
4. If a name is located, the Campus Safety Department will attempt to contact the owner of the item either by phone or email. Item is then placed in a secure locked cabinet or safe, (depending on the value of the item). Items will remain in these areas until claimed at the end of the semester.
5. If a person has come to Lost and Found and his/her missing item is not there, he/she may complete a Lost Report. The Lost Report will be used to cross-reference and match any items that have been delayed in reaching Lost and Found. The Campus Security Department will make contact and have the person identify, and in most cases, must show ID for all items being claimed.

Bicycles

1. Bicycles should be stored in designated areas or inside the student's dorm room, not in public areas of the residence halls. The only outdoor bicycle rack on campus is located at Fuller Hall.
2. Never lock bicycles anywhere that blocks a means of egress during emergencies.

Identification Cards

1. Students, faculty and staff members are required to wear a lanyard around their neck while on campus.
2. This item, along with an ID card, are issued to every student, faculty and staff member.
3. The ID card is also used with access panels which are located on the outside entrance of each building on the Manchester campus. All residential and academic buildings are protected with electronically locked security doors and proper procedures are followed to ensure limited access to secured areas.
4. All ID cards are issued by the Student Affairs Office located at 153 Concord Street.

XIV. PARKING INFORMATION

Henniker, New Hampshire

Campus Safety officers patrol the College parking lots on a regular basis to check for signs of vandalism, look for suspicious people and offer escorts to students. For more information about parking see the motor vehicle code in this section of this handbook.

Parking Appeals

The New England College Parking Appeals Committee was established to make decisions on parking violation appeals submitted by members of the campus community. The committee is composed of a group of students representing the various make-up of the College community. When possible, representation on the committee includes first-year students, upper-class students, commuter students, students with and without vehicles and a non-campus safety faculty/staff member. The purpose of the committee is to provide fair, consistent decisions on parking violation appeals, based on the College policies and regulations.

Motor Vehicle Code

Please read and abide by the following policies and procedures regulating parking and traffic on the New England College campus. Failure to abide by the regulations shall result in fines, booting, towing and revocation of parking privileges and/or disciplinary action. Parking decals are \$125.00 for Residential and Commuter Parking. Graduate Commuter decals are \$75.00. Questions should be directed to the Campus Safety Office, 603-428-2323.

Motor Vehicle Rules and Regulations

1. Traffic policies are in place:
 - A. To ensure a safe flow of motor vehicles and pedestrian traffic on campus
 - B. To provide orderly parking for students, employees and guests of New England College
 - C. To ensure emergency access at all times to all buildings and areas on campus

2. Motor Vehicle Registration

In order to be legally parked on New England College Property, all students', employees', Visitors' and Guests' vehicles must be registered through the Department of Campus Safety.

- A. Decal/Permit registration is available through the Lead Dispatcher at the Department of Campus Safety 8 AM to 4 PM, Monday-Friday.
- B. Temporary parking permit registration is available at any time through the Department of Campus Safety Dispatch.

- C. All motor vehicles must have a valid state registration and inspection. Any vehicle failing to meet the above requirements will be removed from College property until safe motor vehicle requirements are met.
- D. Guests leaving their vehicles on campus must obtain a temporary parking permit which must be properly displayed on the rear view mirror. Failure to do so shall result in ticketing, tow or boot. Temporary permits are available through the Department of Campus Safety 24 hours a day.
- E. All vehicles must properly display a New England College current parking decal and/or permit and park in designated areas determined by decal/permit status. F. Parking decal/permits are valid only through current academic year.
- G. Parking is limited. As a result, registration is available on a first-come, first-serve basis.
- H. Registration information is mailed to the students during the summer through Student Financial Services and is available during academic registration and throughout the academic year at Campus Safety Dispatch located in the Campus Safety Building located on Union Street.
- I. Parking is made available on campus for commuter students. Vehicle registration is available during academic registration and throughout the academic year at Campus Safety Dispatch located in the Campus Safety Building.
- J. A waiting list will be developed if demand exceeds parking availability. As spaces becomes available, students on the waiting list will be contacted.
- K. Handicapped parking permits are issued through your home state. Please contact the Director of Disability Services for special parking accommodations.
- L. Vehicles that cause damage to the college property or leaking fluids may be banned from campus property until such defect is repaired. Charges related to the clean-up and/or repair will be billed to the student's account.

3. Traffic Regulations

- A. Students, employees and visitors are expected to comply with New Hampshire Motor Vehicle laws and New England College traffic regulations when operating a motorized vehicle on campus.
- B. Driving on walkways, fire lanes, lawns or any areas not designated as a roadway is prohibited. Motorcycles are allowed access only on roadways and are prohibited from using walkways, trails, fields and ski trails. Off-road vehicles are not allowed on campus. Fire lane/emergency access use is restricted to emergency vehicles, maintenance vehicles or special use with permission of the Department of Campus Safety.
- C. The maximum speed limit on College property is 10 miles per hour.
- D. Pedestrians shall be allowed the right of way at all times.
- E. Vehicle operators must comply with ALL traffic and parking signs and/or the directions of Campus Safety officers.
- F. Reckless or endangering operation of a motor vehicle or bicycle is prohibited. Violators may receive fines and/or disciplinary action. Violators may also have their

campus parking and driving privileges revoked, and the case may be remanded to the local police.

- G. Traffic and parking tickets may be issued in person, attached to the vehicle or mailed to the registrant.

4. Parking Regulations

- A. The following shall constitute NO PARKING ZONES:

- campus roads, grassy areas, walkways
- parking within 15 feet of any hydrant
- fire lanes or fire exits
- all loading, delivery and service areas
- all parking spaces designated handicapped parking without a permit
- all building entrances
- non-designated parking areas, lots and spaces

- B. All "no parking" areas designated by signs, barriers, decal status, regulations or common sense.

- C. Visitors may park only in designated areas. Visitors will be directed to proper parking areas upon registration at the Department of Campus Safety.

- D. Vehicles with handicapped license plates may park in handicapped parking spaces. Unauthorized vehicles in handicapped spaces are subject to be ticketed/towed at the owner's expense.

- E. Overnight parking is allowed in designated lots. See "Lot Assignments" for further information.

5. Parking Assignments

- A. New England College is a "walking campus." All members of the campus community cannot be guaranteed convenient, easy access parking. Everyone must park in a legal parking space, as outlined by these regulations, and walk to their destination.

- B. New England College parking is limited.

- C. Students, employees, visitors, and guests are allowed to park in designated areas only, determined by their decal/ permit status. Violators are subject to ticket, tow, and/or boot.

- D. Misuse of New England College decals/permits will result in disciplinary action.

- E. The following are the New England College lots and corresponding assignments:

- West Lot- Residential and Commuter decal parking, overnight parking allowed
- River Lot- Residential and Commuter decal parking, overnight parking allowed
- Simon Center Lot- Commuters, Faculty/Staff, No Overnight Parking
- Center for Educational Intervention (CEI) Lot - faculty/staff, NO overnight Parking
- Currier Parking Lot – Commuter, faculty/staff parking, NO overnight parking

- Administration Building Lot - faculty/staff and Admission visitors, NO overnight Parking
- Preston Theatre Lot- Commuter decal parking, NO overnight parking
- Lower Union Lot – Residential decal parking, overnight parking allowed
- Lewin Lot- Health Center parking only, NO overnight parking
- Spaulding Lot - faculty/staff parking, NO overnight parking
- Field House Lot - commuter, faculty/staff, NO overnight parking
- Gilmore Lot – Gilmore Staff Only, NO overnight parking
- Sanborn Lot – Residential decal parking, overnight parking allowed
- Rowe Lot – Residential decal parking, overnight parking allowed
- Rear Arena Lot - faculty/staff, NO overnight parking
- Art Annex Lot - faculty/staff, NO overnight parking
- Quad Lot – Residential decal, overnight parking allowed
- Charter Rear Lot – Residential decal; faculty/staff, overnight parking allowed
- Charter Side Lot - faculty/staff parking, overnight parking allowed
- Tower Lot - faculty/staff, NO overnight parking
- Union Lot – Residential decal, overnight parking allowed
- Davis House Lot - faculty/staff, no overnight parking
- Handicapped parking spaces are located throughout campus for permitted vehicles only

Students who live in Rowe and Sanborn will have both commuter and residential privileges. The students in those residence halls will be able to park in the residential lots and the commuter lots (Center for Educational Innovation “CEI” and Currier lot). First year students park in residential West Lot if they live in Colby, West, East, Charter, Connor, Union, Fitch, Bridge, or Lewin.

Guests of New England College will be directed to an appropriate parking area upon receiving a parking permit from the Department of Campus Safety. The Campus Safety building is located at 58 Union Street. Campus Safety has the authority to make exceptions or changes in lot assignments as necessary for campus events, maintenance needs, etc.

6. Overnight Parking

Lots designated as "NO Overnight Parking" must be empty between 3:00 a.m-7:00 a.m. All vehicles parked in such a lot after 3:00 a.m., and before necessary building openings, will be ticketed and towed at owner's expense.

7. Vacation Parking

Parking on campus is not allowed during vacation periods unless special arrangements are made in advance with the Department of Campus Safety. Please contact Campus Safety at 603-428-2323 before leaving a vehicle on campus during your absence. Failure to do so may result in ticketing/towing of the vehicle.

8. Snow and Sand Removal

- A. Snow and sand removal procedures and plowing/sweeping times will be posted throughout the campus before plowing/sweeping with as much notice as possible. Plowing/sanding schedules can be accessed 24 hours per day by dialing 603-4282323. Registrants must move their vehicle from the parking lot prior to the scheduled time. Vehicles remaining at the time of plowing/sweeping will be ticketed and towed at the owner's expense.
- B. Commuter parking lots must be emptied when the College closes due to inclement weather to allow for snow removal. If stranded on campus, please ask a Campus Safety Officer for an overnight parking space.
- C. You should make prior arrangements to have your vehicle moved in the event plowing occurs in your absence.

9. Accidents

- A. Accidents occurring on campus must be immediately reported to the Department of Campus Safety.
- B. Accidents involving personal injury, or more than \$1,000.00 in property damage, must also be reported to the Henniker Police Department.

10. Fines and Penalties

- A. The individual registrant must assume responsibility for any tickets, fines or fees issued through the Department of Campus Safety. B. Violations and corresponding ticket fines:
 - Parked in faculty/staff Space--\$20
 - No student parking--\$20
 - Not a legal space--\$20
 - Loading/delivery--\$20
 - Blocking dumpster--\$50
 - No parking decal--\$20
 - No parking area--\$20
 - Parked in walkway--\$50
 - Handicapped parking--\$50
 - Careless/reckless driving--\$50
 - Impeding snow/sand removal--\$20 – without tow
 - Impeding snow/sand removal--fee noted by tow company
 - Overnight parking \$20
 - Habitual offender--\$50
 - Parking in fire lane/driveway--\$50
 - Blocking fire hydrant--\$50
 - Vehicle booting--\$50 (in addition to any other applicable fines)
 - Additional vehicle towing--fee designated by tow company

- Other--\$20

11. Towing and Booting

- A. The Department of Campus Safety has the authority to remove any vehicle from College property and/or boot any vehicle parked on College property that is in violation of any NEC traffic/parking regulations.
- B. Owners of towed or booted vehicles will be responsible for all expenses, associated fines and/or storage fees.
- C. New England College is not responsible for expenses or repairs incurred when a vehicle is towed and/or booted.
- D. New England College reserves the right to enter any vehicle on campus for life safety reasons.
- E. Student owners of towed or booted vehicles must get a student decal. Failure to do so will result in the vehicle being banned from campus until a decal being purchased.

12. Repeat Offenders

- A. Repeated violations could constitute grounds for banning a vehicle from College property. Anyone with four or more violations is considered a habitual offender. Habitual offenders are subject to disciplinary action by the College.
- B. Anyone with five or more violations will be required to make a meeting with a parking administrator within one week of the fifth violation. Failure to make the meeting will result in the vehicle being immediately banned from campus.
- C. Any vehicle banned from College property and found on campus will be towed off campus at the owner's expense.
- D. Failure to comply with this policy may result in further disciplinary action.

13. Payment of Fines

- A. Parking and driving fines must be paid within seven days after the ticket is issued. Parking and tow fines must be paid at the New England College Student Financial Services Office.
- B. Boot fines cannot be appealed.
- C. Cost associated with disposal of any abandoned vehicle will be billed to the owner.

14. Appeals

- A. Ticket appeals must be made within five business days of the date the ticket was issued. An appeal form is available at the Department of Campus Safety.
- B. The Parking Appeals Committee or, in some cases, the Appeal Administrator will hear the appeal and make a decision.

Manchester, New Hampshire

Campus Parking Rules & Regulations

Parking rules and regulations are in effect throughout the year to include summer housing, Pre-College Summer Program, MFA/MAAE Residency Programs, all conference and scheduled events, all scheduled breaks, weekends and holidays. Campus parking lots are patrolled by Campus Security Officers as well as the Manchester Police Department.

- To park on the Manchester campus a student/employee vehicle must display a valid Parking Sticker. Parking Stickers are available at the Campus Safety Department, 156 Hanover Street or 88 Lowell Street.
- Vehicles without a valid Parking Sticker that accumulate THREE (3) or more tickets will be towed, without notice, at the owner's expense.
- Parking lots are open from 5:30 a.m. to 11:30 p.m. every day of the week.
- The registered owner of the vehicle will be held responsible for parking violations in which their vehicle is involved, regardless of who parked the vehicle at the time of the violation.
- It is the responsibility of the registered owner to advise all those who park their vehicle in campus parking lots of all Campus Parking Rules and Regulations.
- Handicap Parking:
 - To park in a designated handicap parking space, a permit issued by the State Motor Vehicle Department must be displayed.
 - The Campus Safety Department will notify the Manchester Police Department if this type of violation takes place.
 - This violation carries a State of New Hampshire fine of \$250.00 if the parking ticket is issued by the Manchester Police Department.

Visitors Parking

- Visitors needing to park on the Manchester Campus must obtain a Visitor Pass from the Campus Safety Department or from a Campus Security Officer.
 - Visitor permits are to be hung from the mirror (with the date of expiration) clearly visible through the windshield.
 - It is the responsibility of the student/employee to inform their visitor of all Campus Parking Rules and Regulations.
- Any student or employee who needs a temporary “Reserved Parking” space or any other special parking accommodation must make their request directly to the Director of Safety for approval. Until approval is received, no “Reserved Parking” or other special parking privileges are allowed.

Towing

The tow fee for vehicles found to be in violation of the Campus Parking Rules and Regulations is \$125.00. The Institute of Art & Design at New England College uses the Duval Towing Company for vehicle removal. Their phone number is (603) 627-1403. The address of their storage lot is 237 Mast Road, Goffstown New Hampshire 03045.

- Any vehicle parking on campus property that has received THREE (3) or more tickets for "Parking without a Valid Sticker" will be placed on a tow list and subject to towing, without notice, at the owner's expense.
- Any vehicle belonging to a student whose privilege to park a vehicle on campus has been revoked will be towed immediately, without notice, at the owner's expense, if seen on campus property.
- NEC is not responsible for any damages incurred from Duval Towing while they are performing the removal.

Towing Without Notice and At the Owner's Expense

- The following are reasons why this will happen:
 - Blocking the entrance/exit of a campus parking lot or walkway.
 - Blocking a dumpster.
 - Blocking access to a fire hydrant.
 - Parked in a designated "Reserved" parking space.
 - Parked in a fire lane.
 - Parked in an area that prohibits or hinders the safe passage of emergency vehicles.
 - Parked in areas restricted by clearly marked gates, barricades, traffic cones or chains.
 - Parked in a campus parking lot between the hours of 11:30 p.m. and 5:30 a.m. without proper notification.

Disabled Vehicles Left Over Night

- Disabled vehicles, left over night in a campus parking lot, are only permitted under the following circumstances:
 - The owner must notify the Campus Safety Department by calling 603-836-2112.

Snow and Storm Cleanup Emergencies

At any time, New England College officials can designate a Snow and/or Storm Cleanup Emergency. These events can be any time throughout a 24-hour period and can run for consecutive days.

- Campus wide notifications will be made before these measures will be undertaken.
- Failure to comply with these emergency directives will result in vehicles being towed without notice and at the owner's expense.

XV. PERSONAL SAFETY INFORMATION

Your involvement is essential to the prevention of crime on campus. Disinterest and complacency are prime contributors to the success of criminals. The burden of crime prevention rests not only with the Department of Campus Safety but also with each member of the New England College community. Campus safety is everybody's business. Campus Safety Officers cannot be everywhere at once, consequently, they depend on you to recognize and report suspicious and criminal activities. The extent of your cooperation greatly influences the Campus Safety Officers' effectiveness in combating crime. Doing your part means:

Being aware of your vulnerability and following the suggestions outlined in this booklet to protect yourself and your property.

Being alert for suspicious or criminal activity and conditions that may represent a hazard to the College community.

Getting involved by becoming more security conscious and by reporting all incidents of criminal activity, no matter how insignificant, to the Department of Campus Safety. Remember that unreported crime cannot be solved. By not reporting crimes you allow the perpetrators the opportunity to commit additional and perhaps more serious crimes. Many times, solving a crime depends upon how accurately and promptly the incident is reported. Therefore, when reporting an incident, it is important that you be able to provide as much of the following information as possible:

- Nature of the incident
- When the incident occurred
- Where the incident occurred
- Person(s) involved (names, sex, race, age, height, hairstyle/color, scars, glasses, clothing)
- Direction and method of travel
- Vehicles involved (color, type, make, model, license plate number and state, decals)
- Description of stolen property, serial number, brand name, model numbers and value

Athletic Facilities

Avoid using the athletic facilities alone, especially after dark or during off hours.

Use the "buddy system". Work out with a friend and make arrangements to go to and from the gym together.

Confine your running, walking, and jogging to the daylight hours and to well-traveled areas.

Avoid bringing cash, wallets, watches, or other valuables to the athletic facilities.

Keep your locker locked when unattended. This includes those times when you leave briefly to shower, visit the trainer, or use the equipment room. Most of the thefts at athletic facilities are from unlocked lockers.

Avoid showering if you are alone in the locker room.

If you encounter an intruder inside the locker room:

- Scream for help
- Keep out of the intruder's way and do not attempt to apprehend or prevent the intruder from leaving
- Formulate a description of the intruder in your mind
- Notify the Department of Campus Safety immediately

Timely Warning

Timely Warnings are periodic warning notices that appear in the campus newspaper and posters that are distributed in key locations on campus when the College community needs to be advised about a public safety matter.

Driving

Although Campus Safety Officers do frequent patrols of the parking lots to check for any signs of vandalism or suspicious people, you should keep the following in mind:

- Don't pick up hitchhikers
- Avoid stopping in poorly lighted, out-of-the-way places
- If your vehicle breaks down after dark, signal for assistance by raising your hood and by tying a white handkerchief to the radio antenna or door handle. Stay inside your vehicle with the windows closed and the doors locked. If a roadside Samaritan stops, roll down your window just enough to talk and ask them to call the police. If the person appears to be a threat, sound your horn and flash your lights until they leave
- If you are followed into your driveway or parking lot, stay locked inside your vehicle until you can identify the occupants of the vehicle. Again, if threatened sound your horn until you attract attention or the vehicle leaves
- When parking at night, choose well-lighted areas. Before getting out of your vehicle, check for people loitering
- Lock your vehicle whenever it is unattended
- Before entering your vehicle always check the interior, paying attention to the floor and back seat

Henniker Law Enforcement

The Department of Campus Safety works hand in hand with local law enforcement agencies. All major crime reports are filed with the appropriate agency and followed up with joint investigations. Arrests on campus are similarly made by the appropriate agency with the cooperation and assistance of the Department of Campus Safety.

Local law enforcement agencies include:

- Henniker Police Department 603-428-3213

- Attorney General 603-271-3658
- New Hampshire State Police 603-271-3636
- Merrimack County Sheriff's Department 603-225-5451
- New Hampshire State Liquor Commission 603-271-3755
- Henniker Rescue Squad 603-225-3355
- Henniker Fire Department 603-225-3355

Manchester Law Enforcement

The Manchester Police Department provides presentations on the Manchester campus twice during each academic year. These presentations are designed to heighten the student's awareness of crime and its prevention. Before the New Student Orientation process, the Manchester Police Department provides the Resident Life Staff (Resident Assistants & Area Coordinators) with the following training information:

- How to avoid becoming a crime victim
- Procedures for reporting any criminal activity or emergency
- Personal safety when living in a city
- Crime prevention
- Basic personal safety techniques and tips
- Situational awareness while walking in an urban setting
- Neighborhood watch programs

Personal Property

One of the attractive things about New England College is its relatively safe environment. Even so, it is prudent to remember that no matter where you are or whom you are with, you can be a victim of a crime. The federal government requires all U.S. Colleges to provide safety information to their students. The following information was prepared to help you avoid dangerous situations that could lead to a crime, to help you protect yourself and your property and to help you contribute to a safe, pleasant environment.

Residence Halls

Each evening, Campus Safety officers make foot patrols in and around the residence halls and other campus buildings. Campus Safety officers work closely with the Residential Life Staff to prevent problems before they occur. All of the residence halls are closed, exterior doors locked and entrance prohibited when New England College is not in full session (e.g. holidays and vacations.) Students who must remain on campus during recess periods should contact Residential Life and Housing to make arrangements.

- Keep the doors and windows to your residence locked at all times
- Never sleep in an unlocked room
- Don't put your name and address on key rings

- If you lose the keys to your residence, have the locks changed. On-campus residents should notify Residential Life and Housing to or the Department of Campus Safety
- Don't study in poorly lighted or secluded areas
- If you receive obscene or harassing telephone calls or calls with no one on the line, hang up immediately and notify the Department of Campus Safety
- If you find that your room has been entered, don't go inside. Notify the Department of Campus Safety. If you are already inside, don't touch anything as you may disturb evidence important to an investigation
- If you are awakened by an intruder inside your room, try to avoid a confrontation. The person may be armed or may arm them self with something in the room. If the intruder poses an immediate threat, get out of the room. If the intruder doesn't pose an immediate threat, common sense may dictate pretending you are asleep
- If you see a suspicious person or vehicle on campus, immediately contact the Department of Campus Safety. Try to get the license plate number, state and a description of the vehicle
- Propping open doors to residence halls or other College buildings is a violation of College policy. Defective locks on windows and doors should be reported
- Avoid bringing large amounts of cash or other valuables to campus
- Keep items of value out of sight
- Never share the combination to your room
- When leaving for vacations, store valuables such as stereos and televisions out of sight
- Check with your family insurance agent to determine if your property is covered under your parents' homeowner's insurance. If not, you should consider purchasing renters' insurance. The College does not insure for loss of or damage to students' possessions

Walking

The Department of Campus Safety encourages students, faculty and staff members to use the Escort Service. The Escort Service provides safe transportation between locations on campus for any member of the College community. For an escort, call 603-428-2323.

- Avoid traveling alone after dark
- Walk on well-lighted, regularly traveled walks and pathways. Avoid short cuts and keep away from shrubbery, bushes, alleyways and other areas where an assailant might be lurking
- Don't hitchhike or accept rides from casual acquaintances or strangers
- Report lights that are out and any other hazardous conditions to the Department of Campus Safety
- When walking to your vehicle, have your keys in hand
- When being dropped off at your residence by taxi or another vehicle, ask the driver to wait until you get inside before they leave
- If threatened by an approaching vehicle, run in the opposite direction. The vehicle will have to turn around before it can follow

- If you think you are being followed, cross the street. If necessary, keep crossing back and forth. If you are pursued, draw attention to yourself and run to a lighted business or residence, enlist the aid of a passerby, flag down a passing motorist or, as a last resort, break a window in a residence or pull a fire alarm. Do anything that might attract attention or summon assistance. In these types of situations yelling "Fire" may be more effective than yelling for help

If you find yourself confronted by an assailant, you must remember that while screaming and struggling may in some instances frighten off the assailant, in other instances such actions may further antagonize the assailant and bring forth a more violent reaction. Above all, keep your head and assess the situation before choosing your course of action. Whether or not the assailant is armed or has made threats against your life will obviously be a determining factor in your decision. The key word in this type of situation is survival. Use common sense and intuition.

XVI. STUDENT FINANCIAL INFORMATION

Student Financial Services

Administration Building, 603-428-2226, sfs@nec.edu

The Office of Student Financial Services provides financial aid counseling and student account assistance to students and parents from the time of initial inquiry until completion of undergraduate studies. To apply for financial aid, file the FAFSA each year by the NEC priority deadline of March 1. Outstanding financial aid requirements, 1098T tax forms, invoices and student account information are available online through MYNEC at mynec.nec.edu.

Payment Responsibilities and Financial Aid

Arrangements for the payment of NEC tuition and fees must be made prior to the start of each term. By enrolling in a course(s), you agree to pay all charges incurred. If you are subsequently unable to obtain any portion of the financial aid which you intended to use for payment, you understand that you are not absolved of personal responsibility for payment, and NEC will seek payment from you directly. This includes, but is not limited to, (1) federal financial aid (loans and/or grants) being declined or the actual award being insufficient to cover all costs noted above; (2) any third party payment arrangements (including but not limited to corporate tuition assistance, military tuition assistance, Veterans Administration benefits, scholarships) do not occur for any reason or are insufficient to cover all costs noted above; or (3) in the event that any arranged credit card or ACH payment declines. You agree to abide by the rules and standards of New England College

Billing: You agree to view and pay your student account prior to the start of the term. NEC uses electronic billing as its official billing method. Student accounts may be accessed online through the MyNEC portal.

Collections: You agree that you shall be individually liable for all fees and expenses of, for and incidental to the collection of all amounts due; this shall include, without limitation, reasonable collection fees incurred with third party agencies, and reasonable attorney and paralegal fees and other costs incurred in litigation, mediation, arbitration and bankruptcy proceedings, including appeals. Delinquent accounts may be reported to one or more of the national credit bureaus.

Withholding of Official Records: No official documents of completion of individual courses or degrees will be awarded by the NEC Registrar until outstanding payment is received in full. If at any time you have questions about your account, please contact the Student Financial Services Office. Financial holds will prevent requesting transcripts, participating in commencement, registering for future courses, and a diploma.

Updating your Contact Information

It is your responsibility to keep your address and phone number up to date in MyNEC so that NEC can communicate with you. Email communication will be sent to your @nec.edu

student email address. Financial notifications are sent electronically and you agree to regularly check your student email address for important notifications.

Course Withdrawal Policy

Automatic Withdrawal

It is extremely important that you begin to actively participate in your classes immediately to achieve academic success. Students must participate in class by logging in a minimum of two (2) times before 11:59 p.m. EST on the Sunday of the first week of the session. Failure to do so will demonstrate nonparticipation, and you will be automatically withdrawn. If you do not complete an academic action in each class prior to 11:59 p.m. EST on the Sunday of Week 3, you will be removed from that course. If you were using financial aid to help pay your tuition costs and were removed from class due to non-participation, you will not be eligible to receive financial aid.

Voluntary Withdrawal

If you are a new student, to withdraw prior to the start of your first class you must contact your admissions advisor. Once class begins, during Week 1, both new and returning students must withdraw by using the MyNEC online portal found at MyNEC.nec.edu. Once at the website, select the link titled "Enter Secure Area to Access Student and Faculty Services" to log in to your MyNEC account. During Weeks 2 and after, if you are an undergraduate student, to withdraw from class you must contact Academic Advising at advising2@nec.edu. If you are a graduate and professional studies student, you must contact Student Services at StudentServices_GPS@nec.edu.

Failure to receive proper materials or for technology to properly perform does not excuse you from this withdrawal policy. You are responsible for maintaining written evidence of all drops/withdrawals. Failure to attend classes or verbal notification to instructors does not constitute an official drop or withdrawal.

Tuition refunds will be calculated based on withdrawal dates as follows, fees are non-refundable:

100% Online, Undergraduate Programs:

Week 1	100% By Sunday at 11:59 PM EST
Week 2	75% By Sunday at 11:59 PM EST
Week 3 & after	No Refund

School of Graduation and Professional Students and Executive Programs:

Week 1	80% By Sunday at 11:59 PM EST
Week 2	50% By Sunday at 11:59 PM EST
Week 3 & after	No Refund

Undergraduate, Residential Programs Fall and Spring terms:

Week 1	75% By Sunday at 11:59 PM EST
Week 2	65% By Sunday at 11:59 PM EST

Week 3	55% By Sunday at 11:59 PM EST
Week 4	40% By Sunday at 11:59 PM EST
Week 5 & after	No Refund

Undergraduate, Residential Programs Summer and Winter terms:

Week 1	80% By Sunday at 11:59 PM EST
Week 2	50% By Sunday at 11:59 PM EST
Week 3 & after	No Refund

Late Payment Fees

All overdue accounts of 30 days or more are subject to a late payment fee and finance charges. The late payment fee is \$200 and the finance charge is assessed at a periodic rate of 1.5% per month, equivalent to 19.56% annually.

Payment Due Dates

Payment due dates are as follows:

Returning Deposit:	May 1, refundable through July 1
UG	July 15
Fall:	
UG	December 15
Spring:	
All other semesters:	Payment is due the Friday before a term begins

Tuition Protection Plan

We recommend the Tuition Protection Insurance Plan which expands the scope of our current refund policy by offering reimbursement for tuition, housing and other fees no matter when during the semester for a medical withdrawal. Learn more www.gradguard.com/tuition/nec or call 1-866-724-4384. Insurance must be purchased prior to the first day of classes. Coverage extends through the end of that semester.

Financial Aid

Administration Building, 603-428-2226

The Office of Student Financial Services provides counseling and assistance to students and parents from the time of initial inquiry until completion of undergraduate studies. To apply for financial aid, submit the Free Application for Federal Student Aid each year at fafsa.ed.gov. The FAFSA is available October 1 of each year. Outstanding financial aid requirements and financial aid award details are available on MYNEC. General financial aid information is available at nec.edu/admissions/financial-aid.

Financial Aid Disbursements

Financial Aid funds are disbursed to a student's billing account within approximately two to four weeks of the start of the semester and only when all outstanding requirements are complete and processed. Refund requests for excess financial aid funds are processed within approximately 14 days of the request or receipt of funds. For Refunds: Choose your preferred refund method in your MYNEC account. Choose from direct deposit, reloadable debit card or mailed check. If you do not make an election, the default is a mailed check. Click 'Student Services & Financial Aid', 'Online Account', 'Manage Refunds'.

Textbooks

New and used textbooks, as well as digital and rental options are available at the NEC Online Bookstore. Visit nec.ecampus.com more information. Textbooks should be purchased by the first week of classes. If you have an approved loan in excess of your tuition bill and if you have chosen YES on your Credit Authorization form to use funds for other expenses, you will have a book voucher available at the Online Bookstore approximately two weeks prior to and during the first week of a semester. Book vouchers appear when you checkout and can be used to purchase or rent textbooks from nec.ecampus.com.

Parent Emergency Loan Fund & New England Society Loan Fund

Student Financial Services, Administration Building

Phone: 603-428-2226

Any student with a valid ID may borrow up to \$60 through the Office of Student Financial Services from the loan funds for a period of two weeks. These loans are short term and must be repaid within the two-week timeframe to enable other students to use the service. A student may be denied future loans if prior loans are not repaid in a timely manner.

XVII. STUDENT RIGHTS

Rights of New England College students are the same as the rights of any other citizen, except where otherwise indicated. There are certain responsibilities that are assumed by each student when they become a member of the New England College community. Individual rights, in some cases, however, may not supersede the rights of others within the College community.

Right to Pursue Learning

The right to pursue learning in and out of the classroom.

Right of Expression

The right to express views in a responsible manner.

Right to Due Process

The right in major level conduct matters to receive notification of policy violations, date and location of hearing, opportunity to participate in a fair hearing, and right to appeal matters of judgment of academic performance and personal conduct.

Right to Federally Mandated Information

The right to information that is in compliance with federally mandated reporting requirements of Colleges. This includes information required through the Annual Security Report, Campus Crime Statistics, Drug Free Schools and Community Act of 1989 and Campus Sex Crimes Prevention Act.

Right to Participate in Student Governance

Students have the right to participate in institutional governance and policy formulation. The Student Senate is the student governing body of the College operating under a constitution approved by the President and responsible to the President. It is an advisory body only, since all its acts must receive the approval of the College President, before they become operative. The President, by law, is the only person authorized to make such changes since the President is charged legally with overseeing the entire operation of the College.

Right to Non-Discrimination

Every student has the right to pursue their educational interests in an environment free from discrimination and harassment and where personal dignity and respect are valued. Violators of these codes of conduct will be subject to appropriate disciplinary action. It is the policy of New England College, in accordance with federal and state laws and regulations, not to discriminate on the basis of race, color, religion, sex, national origin, gender identity and expression, sexual orientation, age, veteran's status or disability in any of its programs and activities. Inquiries, grievances and requests for more information concerning this policy should be addressed to the Vice President of Student Affairs.

XVIII. STUDENTS' RIGHT TO KNOW (CLERY)

Security and Crime Statistics

The New England College Department of Campus Safety is a capable, professional department that serves students' needs and helps ensure a safe, secure environment. If you would like more information about safety at New England College, please contact the Director of Campus Safety at 603-428-2323. The following statistics are reported criminal acts required (and defined) by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime

The Statistics Act (Clery Act) is under the authority of the Office of Postsecondary Education of the U.S. Dept. of Education. (For additional information, go to <http://ope.ed.gov/security>.) Please be aware that these statistics reflect incidents that have been reported to the Campus Safety Department during the 2014/15/16 calendar years. The department of Campus Safety at New England College will investigate any questionable behavior that comes to their attention. However, it is important to note that some victims prefer not to report incidents to Campus Safety but choose to confide in other confidential sources. As required by the Federal Campus Safety and Security Act of 1991, a statistical report on campus crime at New England College is available upon request. The time period covered by these statistics is January 1 through December 31 for the year(s) listed.

Victims or witnesses to a crime are encouraged to file a report of the incident. Reports can be filed on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics by contacting the Department of Campus Safety or the Office of Student Development. Reports are kept in a secure location in those two offices. Names of victims or witnesses are not disclosed in the crime report.

