

Student Code of Conduct

Policies and Procedures

2018-2019



Nichols College

Learn. Lead. Succeed.

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Preamble

Nichols College seeks to promote the pursuit of activities that contribute to the intellectual, ethical and physical development of the individual student as well as ensuring the safety of persons engaging in those pursuits. In accordance with its responsibilities as an institution of higher education and upon the approval and acceptance by the President of the College, Nichols College establishes policies of student conduct and regulations for the use of its facilities. Therefore, it is expected that students will conduct their affairs with proper regard for the rights of others and of the College. All members of the College community share a responsibility for maintaining an environment where actions are guided by mutual respect, integrity and reason. Nichols College students are both citizens and members of the academic community. As citizens, students enjoy the same freedom of speech, peaceful assembly and right of petition that other citizens enjoy.

In seeking to encourage and support responsible behavior, Nichols College places reliance upon self-discipline, counseling and advisement. In certain circumstances where these preferred means fail, Nichols College must rely upon the rules and procedures described in this Code. In the enforcement of this code, Nichols College functions in an administrative manner and does not follow the traditional common law adversarial method of a court of law.

NOTICE: The reader should take notice that while every effort is made to ensure the accuracy of the information provided herein, Nichols College reserves the right to

make changes at any time without prior notice. The College provides the information herein solely for the convenience of the reader, and, to the extent permissible by law, expressly disclaims any liability which may otherwise be incurred.

Nichols College students are responsible for knowing the information, policies and procedures outlined in this document. The College reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check the MyNichols Portal for the updated versions of all policies and procedures. The Student Code of Conduct is not an exhaustive list of the College's policies and procedures, nor an exhaustive overview of applicable local, state, and/or federal laws.

Nichols College Mission Statement

Within a supportive community, Nichols College transforms today's students into tomorrow's leaders through dynamic, career-focused business and professional education.

To support its mission, Nichols College

- Offers an experiential business curriculum with a strong liberal arts foundation, as well as diverse co-curricular opportunities.
- Integrates into the student experience programs and activities that cultivate and enhance professional skills and readiness.

- Develops the communication and critical thinking abilities, the ethical and cultural perspectives, and the necessary teamwork skills that are required of leaders in a global economy.

Institutional Core Values

Leadership: Nichols distinctively integrates, empowers, and influences all students, faculty, and staff, with the capacity to learn, lead, and succeed.

Integrity: Nichols is ethically driven and community minded while fostering trust, civility, and respect.

Initiative: Nichols empowers students, faculty, and staff to take action and actively seek opportunities to better themselves and their community.

Accountability: Nichols creates a foundation of social responsibility to foster individuals who recognize how their actions affect others and the surrounding community.

Excellence: The unique Nichols experience takes place in a dynamic environment in which personal and community excellence is developed and enhanced.

Collaboration: Nichols promotes an environment of teamwork and idea sharing, with the belief that community members who work together produce the best results.

Diversity: Nichols respects and values individual differences and is committed to

an inclusive and welcoming environment where all can succeed and thrive.

The Office of Community Standards

Contact Information

Director of Community Standards: Jessica Ryan

Community Standards Coordinator: Steven Mailloux

Campus Location: Student Life Suite, third floor of the Fels Student Center

Phone: 508-213-2027

Email: Community.Standards@nichols.edu

Mission Statement

The Office of Community Standards at Nichols College supports the College's mission by providing a consistent, fair, and educational process that promotes student learning, development, personal responsibility, integrity, and accountability. We are committed to an educational and developmental process that balances the interests of individual students and the College Community.

To support its mission, The Office of Community Standards

- Develops, provides, interprets, and enforces College policies and expectations for student behavior
- Intervenes in student behavior, taking an educational and

developmental approach to nurture positive student behavior

- Provides a consistent, educational, and student-centered approach for resolving violations, focusing on student development to guide positive decision making

Official College Communication

Email is the official communication of Nichols College. It is the policy of the College that official communication occurs via the Nichols College email system. Students are responsible for monitoring their Nichols College email regularly as important information is disseminated by that means.

Definitions

Business Days/hours: to mean Monday through Friday 8:30am-4:30pm

The College: is to reference Nichols College

College Official: any employee or designee who performs assigned administrative responsibilities on behalf of Nichols College

The Community: is to mean Nichols College, students, faculty, and staff

Conduct Officer: A College Official who is authorized to determine the appropriate

resolution and outcome of an alleged violation of the Student Code of Conduct. Conduct Officers are given the authority to investigate incidents, establish charges of violations, decide on a finding, and impose sanctions.

Designee: an individual that is given full authority, rights, and responsibilities by Nichols College

Finding: The outcome/decision of a Conduct Hearing resulting in a student either being responsible or not responsible for a violation of the Student Code of Conduct

The Institution: to mean Nichols College

Jurisdiction: The right, authority, or extent to administer the Student Code of Conduct and Student Conduct Process in response to student behavior

Policy: the written regulations, standards, and student conduct expectations

Preponderance of evidence: the standard of proof that is utilized to determine responsibility for violations of the Student Code of Conduct. The superiority in weight of information that is more convincing. In other words, what is more likely than not to be correct.

Reporting Party: an individual or group, including Nichols College who report an incident or act that allegedly violates a policy, procedure, or code of conduct

Respondent: a student or student organization allegedly in violation of a policy, procedure, or code of conduct

Sanctions: penalties imposed by a Conduct Officer in response to violation(s) of the Student Code of Conduct meant to direct and address appropriate behavior and Community Standards

Student: any person(s) notified of acceptance, admitted, or enrolled in any course or program offered by the College

Student Organization: an association or group of persons that have complied with formal requirements and are recognized by Nichols College

Applicability of the Code

Jurisdiction

Nichols College extends conduct jurisdiction to all behavior by any person(s) admitted or enrolled in any course or program offered by the College. Additionally, the Student Code of Conduct applies to individuals who have been notified of acceptance to Nichols College. It extends to any recognized student organization, which is responsible for compliance with College policy, rules and regulations. The Student Code of Conduct is established to promote student conduct that does not adversely affect the educational mission of the College.

The Student Code of Conduct may be applied in cases of conduct:

- Occurring on campus or properties leased by the College
- Involving College related personal property
- Occurring during participation or attendance of any College-related activity
- Occurring online, via email or other electronic medium. *Students should be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. While the College does not regularly search for this information, it may take action as necessary when such information is brought to the attention of a College official.*
- In which the College has a clear and distinct interest as an academic institution regardless of where the conduct occurs and which threatens (A) any educational process or legitimate function of the College or (B) the health and safety of any member of the academic community

Conduct Authority

The Dean of Students or designee shall determine the conduct and appellate process and determine which Conduct Officer shall be authorized to hear each case.

The Dean of Students shall develop policies for administering the conduct system and procedural rules for facilitating hearings that are consistent with the provisions of the Student Code of Conduct.

Decisions made by the Conduct Officer shall be final, pending the normal appeal process.

The Dean of Students may be designated as arbitrator of disputes within the student community in cases that do not involve a violation of the Student Code of Conduct.

The Dean of Students or designee has the discretion and authority to modify the Student Code of Conduct policies and procedures at any time or as required by law. Once changes are posted, they are considered active and in effect.

Administrative Action

Members of the Public Safety and Housing and Residential Life staffs are charged with maintaining environments conducive to living and learning. Staff members may take immediate action in response to a given situation. The instructions of a staff member acting in the fulfillment of his or her duties are to be followed. Failure to heed these instructions is a serious breach of the Nichols College Student Code of Conduct and will result in a referral to the Office of Community Standards.

Administrative Search: In the event that College Officials have reason to suspect that a violation of the Student Code of Conduct is occurring, the College reserves the right to investigate and confiscate any pertinent items. In addition, an administrative search may be ordered by the Dean of Students or designee where a full search is conducted beyond plain view.

Routine Entry or Inspection: College Officials reserve the right to enter all campus premises on a regular basis in order to address and ensure the health and safety of individuals. The Office of Community Standards reserves the right to assign violations of the Student Code of Conduct to individuals, regardless of the fact that the violation is observed during a routine entry or inspection.

Violations of the Law

Alleged violations of federal, state and local laws may be investigated and addressed under the Student Code of Conduct. The College reserves the right to initiate conduct investigations regardless of the possibility of a criminal case. The Office of Community Standards may, at its discretion, delay conduct investigations in cases where a criminal case is pending.

Nichols College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint.

Interim suspensions are imposed until a hearing can be held. **The suspended student may request a meeting with the Dean of Students to show cause why the interim suspension should be lifted.** This meeting may resolve the allegation, or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed or perceived. The College may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the College will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed.

Student Bill of Rights

In exercising these rights, students are expected to maintain mature attitudes and must bear the responsibility to act in accordance with local, state, and federal laws, as well as those of the College. No right specified here is meant to be construed as enabling students to infringe upon the individual rights of another member of the community.

- The right to be presumed innocent until determined to be in violation of the Student Code of Conduct
Note: Certain circumstances might require the College to impose

sanctions or restrictions pending a hearing or outcome of the Student Conduct Process

- The right to be notified of allegations at least three (3) business days in advance of a formal hearing (Conduct Hearing, Conduct Board, Title IX Investigation Team) unless waived by the student or revoked by the College for the sake of expediency in serious matters involving the safety or well-being of the College community. In certain circumstances additional infractions may be revealed as the Student Conduct Process progresses. The College reserves the right to charge a student with new violations regardless of violations noted in the original notification.
- The right to be heard at a Conduct Hearing unless the right is waived by a student during a Conduct Conference (depending upon the severity of the charges and the discretion of the appropriate College officials, particularly the Dean of Students).
- The right to accept or reject responsibility for alleged violations of the Student Code of Conduct.
- The right to Request an Appeal based on criteria outlined in the Appeal Process.
- The right to be notified of outcomes of the Student Conduct Process.

Reporting an Incident

The following is a list of ways to report an incident:

1. Students may report an incident to Resident Assistants, Graduate Resident Directors, or Area Coordinators.
2. Public Safety is available 24 hours a day, 7 days a week for students to report incidents. Students can call 508-213-2298 or stop by the Public Safety Department located in South Hall.
3. To report an incident of Sexual Misconduct or Discrimination, students can go to <http://go.nichols.edu/policies>

All incidents are referred to the Office of Community Standards for review and a determination will be made if a student's actions constitute any potential violations of the Student Code of Conduct.

Individuals who wish to report an incident directly to the Office of Community Standards should email the Office of Community Standards at Community.Standards@nichols.edu.

Though anonymous complaints/reports are permitted, doing so may limit the Office of Community Standards' ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Community Standards. There is no time limit on

reporting a violation of the Student Code of Conduct; however, the longer an individual waits to report an incident, the harder it becomes for College Officials to obtain information and make determinations regarding any alleged violations.

Note: The Office of Community Standards email is only checked during normal business hours Mon-Fri, 8:30am-4:30pm. **Emergency information and/or incidents should not be emailed.**

Student Code of Conduct Violations

Nichols College considers the behavior described in the following sub-sections as inappropriate for the College community and in opposition to the institutional mission and core values set forth in this document. Violations include those activities which directly and significantly interfere with Nichols College's: (1) primary educational responsibility of ensuring the opportunity of all members of the community to attain their educational objectives; or (2) its subsidiary responsibilities protecting the health and safety of persons in the campus community, maintaining and protecting property, providing living accommodations and other services. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in the Conduct Sanctions section of this code.

1. Academics

Violations of the Nichols College Academic Dishonesty Policy will be handled by the faculty and the Senior Vice President of Academic Affairs. Academic Affairs, at its discretion reserves the right to refer a student to the Office of Community Standards. Please see the Academic Honesty Policy.

a. Academic dishonesty

2. Acceptable Use Policy

See the Acceptable Use of Information Technology Resources Policy. In addition, other Student Code of Conduct violations may apply.

- a. **Illegal use of network and/or computers**
- b. **Violation of the Acceptable Use of Information Technology Resources**
- c. **Abuse of equipment**
- d. **Unauthorized use of routers**

3. Alcohol

a. Alcohol/drug related medical

The health and safety of students is of utmost importance. Should a student need to be transported for intoxication, the student will meet with the Dean of Students or designee. Reporting students involved are covered under the Medical Amnesty Policy and will not be referred to the Office of Community Standards.

b. Underage possession and/or consumption of alcohol

An individual under the age of twenty-one (21) is not permitted to consume and/or possess alcoholic beverages anywhere on the Nichols College Campus.

c. Underage in the presence of alcohol

An individual under the age of twenty-one (21) is prohibited from being in the presence of alcoholic beverages.

d. Open container

Individuals regardless of age are prohibited from drinking and/or possessing open or previously opened alcohol containers in any public area of the campus, including hallways, stairwells, bathrooms, lounges, lobbies, campus grounds, athletic fields/buildings, academic buildings, and dining hall. Alcohol placed in another container is considered an open container.

e. Public intoxication

Defined as any behavior resulting from the over-consumption of alcohol and/or drug which causes a disturbance, is dangerous to the individual, others, and/or property or in any way requires the attention of College Officials.

f. Non-alcohol drinking games

Games and activities in which the primary/original purpose is to promote binge drinking are prohibited.

g. 21+ in a dry room

Alcohol is not permitted at any time in a residence hall room, suite, or apartment if all assigned residents are not of the legal drinking age of twenty-one (21). An individual over the age of twenty-one (21) carries the responsibility of only consuming/possessing alcohol in rooms that are deemed "wet" by all assigned residents being over the age of twenty-one (21).

h. Providing alcohol to those underage

Individuals over the age of twenty-one (21) are prohibited from knowingly or intentionally supplying/giving alcohol to a person under the age of twenty-one (21) or for failing to restrict access to alcohol.

i. Providing means/location of alcohol to those underage

Residents over the age of twenty-one (21) are not permitted to allow individuals under the age of twenty-one (21) to possess and/or consume alcohol in the residence hall room, suite or apartment to which they are assigned. In other words, residents will not allow individuals under the age of twenty-one (21) to possess and/or consume alcohol in their assigned room.

j. Hard alcohol

Defined as any liquid containing 15% or 30 proof alcohol or above

k. Exceeding alcohol limits

Students who are twenty-one (21) years of age or older may have in their possession no more than the following amounts at any time. Students may not have both the limit of beer/malt or wine permitted.

- 1 case of beer (30, 12 oz cans) or (24, 12 oz bottles) of malt beverage

OR

Up to 5 liters of wine

l. Drinking games/means to mass consumption

Games and activities in which the sole purpose/origin is to promote heavy alcohol consumption or the possession and/or use of items that encourage heavy alcohol consumption are prohibited regardless of age

m. Failure to comply during an incident involving alcohol

The refusal to act in accordance with requests or directions of a College Official during the performance of duties. This includes but is not limited to, refusing to provide identification, giving false information, disrespectful, foul/abusive language or gestures, refusing to leave the scene of an incident when directed, and general noncooperation.

n. Dry campus state of emergency

During certain weather-related and emergency events, the College will declare a Dry Campus State of

Emergency. In such an event, students are strictly prohibited from consuming alcohol regardless of age. The College believes that as citizens of Nichols and of Dudley, MA, we have a responsibility to local Emergency Services to not utilize already sparse, valuable resources. Communication to the College community will be officially dispersed via email from an authorized College Official.

4. Destruction of Property

Acts of destruction against the property of Nichols College or others is prohibited. Furthermore, no student shall engage or assist in the behavior that causes damage to personal, Community or College property. These prohibitions apply to intentional or reckless behavior.

- a. **Causing water or fire damage to College property**
- b. **Causing physical damage to the buildings or furnishings of the College**
- c. **Misuse, destruction, or defacement of Nichols property**
- d. **Misuse, destruction, defacement of library material or other academic material**
- e. **Misuse, destruction, or defacement of another's property**
- f. **Littering**
- g. **Tampering with and/or removing windows or screens**

5. Discrimination, Harassment, and Retaliation

Please see the Nichols College Policy Against Discrimination, Harassment, and Retaliation for full policy. For the purpose of defining the following Student Code of Conduct violations, protected characteristics shall mean the following, but not limited to gender/sex, gender identity/expression, race, color, religion or religious creed, sexual orientation, national origin, ancestry, disability or handicap, age, genetics, marital status, veteran status, or any other category protected by law.

- a. **Harassment**
Harassment that is based on an individual's protected characteristics (listed above) will not be tolerated.
- b. **Discrimination**
Discrimination is the unfair, unfavorable, or inequitable treatment of a person or "class" of people based on protected characteristics. Nichols College is committed to fostering an environment of mutual respect among its community.
- c. **Retaliation**
The College will not tolerate members of its community taking adverse actions towards anyone who alleges discrimination or

harassment or against any individual for cooperating with an investigation or Student Conduct Process.

6. Disruptive Behavior

Disruptive behavior is defined as any action that causes substantial interference or disruption of the College community or operations.

- a. **Behaving obscenely and/or indecent exposure in public**
- b. **Disorderly conduct**
Any action that infringes on the freedom and activities of others or any action that is disruptive to others
- c. **Direct interference with a College Official or designated agent in the performance of his/her official duties**
- d. **Exceeding occupancy levels**
- e. **Disruptive gatherings/unauthorized party**
- f. **Inappropriate behavior**
- g. **Unauthorized demonstration**
Including causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property
- h. **Disrupting the flow or movement of others**
- i. **Substantial disruption of authorized activities**

7. Drug Policy

Reference the full Nichols College Drug Policy.

Nichols College prohibits the possession, use, consumption, manufacture, sale or distribution of drugs and/or paraphernalia. Specific violations include, but are not limited to:

- a. **Distribution, sale or intent to sell drugs legal or illegal**
- b. **Improper use of prescription drugs**
- c. **Possession and/or consumption of drugs other than marijuana**
- d. **Possession and/or consumption of marijuana**
- e. **Possession and/or use of drug paraphernalia**
- f. **In the presence of marijuana use**

8. Failure to Comply

Generally defined as a refusal to act in accordance with requests, directions, or requirements

- a. **Failure to comply with or attempts to circumvent a sanction(s) imposed by a College Official**
- b. **Failure to comply with a written or verbal directive of a College Official or designated agent or interference with said directive**
- c. **Refusal to produce identification or to properly identify oneself to a representative of Nichols College in pursuit of their official duties**
- d. **Violation of Nichols College "No Trespass Order"**
Nichols College reserves the right to invoke orders to individuals

preventing entrance onto the Campus.

- e. **Violation of Nichols College "No Contact Directive"**
- f. **Behavior that attempts to evade referral**

An attempt to hide, flee an incident, exit windows, and/or refusal to come forward

9. Fire and Life Safety

- a. **Arson**
The malicious burning or attempt to burn, with or without the intent to defraud
- b. **Causing the evacuation of a building**
- c. **Unauthorized use or possession of explosive components, chemicals, etc., such as fireworks, explosives, gas or compressed air**
- d. **Tampering with, improper use, or causing malfunction of fire/safety equipment or alarm systems**
- e. **Creation of a fire hazard or other dangerous conditions**
- f. **Smoking in buildings, including residence halls and/or smoking within 25 feet of any College-owned building**
- g. **Getting on roofs**
- h. **Providing a Nichols College issued key and/or identification card to another individual**
- i. **Failure to report a lost/stolen key or identification card**

- j. **Use of windows as entrances or exits to a building**

- k. **Failure to evacuate during a fire alarm**

10. Guest Policy

See Guest Policy

11. Hate Crimes

According to Massachusetts State Police and Law Enforcement, a hate crime is "any criminal act to which a bias motive is evident as a contributing factor. The Reporting Act covers bias on account of race, religion, ethnicity, handicap, gender, or sexual orientation. Hate crimes can be reported only by law enforcement agencies." Hate Crimes may include but are not limited to murder, sex offenses, aggravated and simple assault, theft, arson or any other crimes that involve bodily injury to a person.

12. Hazing

The Nichols College Hazing Policy in accordance with the Massachusetts Legislature Section 17-Section 19 can be found in the full Nichols College Hazing Policy. Nichols College will not tolerate any instance of hazing among students. Hazing is defined as any intentional or unintentional action taken or situation created to produce mental or physical discomfort, embarrassment, harassment, or ridicule for the purpose of initiation, ritual, tradition, admission or as a perceived condition of continued membership.

The expressed or implied consent of an individual is not viewed as a defense. Failing to intervene, prevent, or report may also violate this policy.

Such activities and situations include, but are not limited to:

- Any activity that causes or requires an individual to violate the Student Code of Conduct.
- Any activity requiring the consumption of food, liquid, alcohol, drugs, or other substance.
- Any physical activity such as extended deprivation of sleep, forced calisthenics, exposure to weather, extended confinement or isolation, exercise or other activity that subjects an individual to a risk of harm or that adversely affects the mental or physical health or safety.
- Any activity that intimidates and threatens an individual with ostracism, that subjects an individual to mental stress, embarrassment, shame or humiliation, or that adversely affects the mental health and/or dignity.
- Any type of physical or mental brutality including, but not limited to whipping, beating, striking, branding, or placing a harmful substance on the body.

13. Injustice to Others

a. **Murder and non-negligent manslaughter**

The willful killing of one human being by another

b. **Negligent manslaughter**

The killing of another person through recklessness

c. **Attempt to Murder**

d. **Assault on a College Official or designated agent**

e. **Aggravated Assault**

The unlawful attack on an individual for the purpose of inflicting severe bodily injury usually involving a weapon

f. **Physical Assault**

Individuals who can be identified as the aggressor during a physical altercation will be placed on "interim suspension" (see interim suspension in the Code Sanctions list and the Interim Suspension section of this code) College officials reserve the right to place any student involved in a physical assault on "interim suspension"; also referred to as a simple assault.

g. **Foul/abusive language or gestures to Nichols College official or designated agent**

h. **Threats of violence towards an individual**

Intentionally placing a person(s) in reasonable fear of imminent physical harm; also referred to as

i. Intimidation or Harassment

Conduct which creates a hostile or offensive environment. Implied threats or acts that cause a reasonable fear of harm.

j. Bullying

Defined as the continual use of written, verbal, or electronic communication, physical act or gesture directed at an individual or group that causes the following, but not limited to:

- physical harm and/or damage to personal property
- places the person(s) in reasonable fear of harm to self or property
- creates a hostile, threatening, intimidating, humiliating, or abusive environment or situation

k. Verbal Abuse

The excessive use of language to undermine, control, or humiliate an individual

l. Conduct which endangers the health and safety of an individual

m. Conduct that threatens or conduct that can be construed as threatening

n. Act of Intolerance

Defined as *any act directed against a person or a group which has the effect of creating an offensive, demeaning, intimidating, or hostile environment for the person or group targeted as well as others in the college community.* Acts of Intolerance may be based on a person's race, gender, sexual

orientation, religion, national origin, age, disability, ethnicity or social/political affiliation.

14. Integrity

a. Tampering with or falsifying official records

b. Knowingly assisting in a violation of any provision of this code

c. Giving false reports of fire or other dangerous conditions

d. Forgery or passing a worthless check or money order in payment of any financial obligation to College community

e. Interference with an investigation or other procedures defined in this code

f. Unauthorized representation as a Nichols College employee, fellow student or Public Safety Officer or designated agent

g. Gambling/Bookmaking

Gambling for money or other items of value is prohibited by the state of Massachusetts and thus is not permitted on Nichols College property. Prohibited activity includes but is not limited to: Betting, bookmaking, wagering, and/or selling pools, the wagering of any allotted monetary amount in any sporting event, card game, or other event; the use of technology, space, or supplies provided by the College; affecting the outcome of any institution-sponsored event for wagering purposes; or involving

oneself in any illegal raffle or lottery. Any student involved in this behavior risks criminal prosecution and Student Conduct Sanctions.

- h. Possession and/or use of false identification**
- i. Knowingly supplying false information to members of the Nichols College faculty, staff or administration in pursuit of their official duties**
- j. Conduct unbecoming of a Nichols College student**

15. Motor Vehicle Policy

All student vehicles MUST be registered with Public Safety and have a valid Nichols College parking decal permanently affixed following the specific location instructions that accompany the decal. Public Safety is charged with enforcing all rules and regulations pertaining to parking on College properties. Visit the full Nichols College Motor Vehicle Policy.

- a. Operating under the influence**
- b. Driving recklessly and endangering others**
- c. Continued parking violations**
Parking on the Campus is limited and a privilege. Students who obtain 5 parking tickets in one academic year will be referred to the Office of Community Standards and could lose parking privileges. Note: Guest Vehicles will be ticketed and become the

responsibility of the student host. The following parking violations are enforced by Public Safety:

- No Valid Parking Decal Displayed
 - Parked in Wrong Lot
 - Parked in a No Parking Zone
 - Parked on Sidewalk or Grass
 - Parked in Reserved Area/Space
 - Blocking Parked Cars/Dumpsters
 - Parked in Fire Lane
 - Blocking Emergency Entrance/Exit
 - Parked in a Handicapped Space
- d. Violation of motor vehicle policies**
Vehicles must only be driven on roadways. No vehicle is to be driven on sidewalks, walkways, grass, or through designated "no vehicles allowed" areas.
 - e. Failure to move a parked motor vehicle**
In the event of a snow emergency, resident and commuter students should refer to official campus notifications sent to their primary Nichols email account. Included in this communication will be any emergency parking regulations. Students should be sure to follow these regulations carefully in order to make the emergency go as smoothly as possible. Nichols College reserves the right to tow any vehicles that have not been

moved as detailed in the notification.

16. Residence Life Policy

Reference the full Residence Life/Hall Policy for further details.

- a. **Animals/pets in residence halls**
Fish are the only pets allowed in student rooms. There is a 10-gallon limitation on tank size. All other pets are not allowed in residence halls. Repeat violations could result in dismissal.
- b. **Disposal of items out of windows**
- c. **Early/unauthorized arrival and/or entry to residence hall**
- d. **Excessive Lockouts**
- e. **Hall sports**
Due to possible injury to a bystander or damage to the facilities hall sports of any kind are not permitted
- f. **Improper checkout (see section T of the Housing License Agreement)**
- g. **Monuments to alcohol**
The use of alcohol, paraphernalia, boxes, or containers as decorations
- h. **Noise/Quiet Hours Violation**
- i. **Possession of prohibited items/materials**
- j. **Propping a door to a residence hall**
- l. **Removal of college owned property from residence hall**
- m. **Room alterations**
- n. **Significant interference with the normal residential life of others**

- o. **Solicitation and/or illegal posting in the residence halls**
- p. **Storing empty alcohol containers**
Storing of empty alcohol bottles or cans is not permitted and must be disposed of immediately and properly.
- q. **Unauthorized room change**
- r. **Violation of Nichols College health/safety regulations**
- s. **Violation of any other items identified in the "Residence Life Housing License Agreement**
- t. **Failure to comply with a Health and Safety Directive**

17. Sexual Misconduct

For policies and procedures, refer to the Nichols College Sexual Misconduct Policy

- a. **Sexual Violence**
Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.
- b. **Sexual Harassment**
Creating an intimidating, hostile, or demeaning environment by unwelcome action, verbal expression, usually repeated or persistent, or series of actions or expressions that have either the intent, or are reasonably perceived as having the effect either by being sexual in nature or by focusing on a person's gender, sexual orientation, gender identity, or gender expression.

- c. **Sexual Exploitation**
An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage or any other non-legitimate purpose
- d. **Stalking**
A course of conduct involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to alarm or place that individual in fear of harm or injury, including physical, emotional, or psychological harm.
- e. **Relationship Violence**
Relationship violence is any intentionally violent or controlling behavior by a person who is currently or was previously in a relationship with the victim. Relationship violence includes actual or threatened physical injury, sexual assault, psychological abuse, economic control, and/or progressive social isolation.
- f. **Aiding or facilitating sexual misconduct**
Promoting or encouraging the commission of any behavior prohibited under the Nichols College Sexual Misconduct Policy.
- g. **Retaliation-sexual misconduct**
Acting or attempting to retaliate or seek retribution against a Reporting Party, Respondent, or any individual

or group of individuals involved in the investigation and/or resolution of an allegation of sexual misconduct.

18. **Skateboarding/electronic boards and bicycling**

Such activity should not damage College property or interfere with the mobility of individuals. Skateboarding and bicycling are not permitted on any campus benches, ledges, monuments, curbs, or railings. Should any manner of these activities impose on the campus community, a college official reserves the right to request an individual to cease the activity. Nichols College holds no liability for any injury. Individuals may be liable for damage to Nichols College property caused by these activities. Due to significant risk of fire and overall safety concerns, the use, possession, and/or storage of electronic skateboards including self-balancing boards/scooters/hover boards is prohibited on the Nichols College Campus. This includes all Nichols College residence halls, athletic fields/buildings, academic buildings, dining hall, any administrative campus building, and campus grounds.

19. Theft

Theft is generally defined as the unauthorized taking or removal of personal property, College property, or public/private property, whether intentional or accidental. All state law definitions of theft are applicable.

a. Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of force.

b. Burglary

Unauthorized entry of a structure with intent to commit a crime.

c. Sale of stolen property or merchandise

Any attempt to sell property belonging to another individual is prohibited.

d. Identity Theft

The use or acquisition of a person's private identifying information.

e. The attempted or actual theft of property or service

f. Motor vehicle theft

The taking of a motor vehicle without permission.

g. Theft or attempted theft of College property

h. Possession of stolen property

Being in possession of stolen property regardless of knowledge is not permitted.

i. Possession of College Property

Being in possession of property belonging to the College

20. Unauthorized Access

The misuse of access privileges to the Nichols College campus, grounds and/or facilities. This includes entry or use of buildings, vehicles, and athletic fields.

a. Breaking and Entering

b. Trespassing or unauthorized presence/entry on campus or related properties, including residence halls

c. Assisting an individual with gaining unauthorized access to the campus, grounds, and/or facilities

21. Violations of federal, state, and local laws

Alleged violations of federal, state and local laws may be investigated and addressed under the Student Code of Conduct. The College reserves the right to initiate conduct investigations regardless of the possibility of a criminal case. The Office of Community Standards may, at its discretion, delay conduct investigations in cases where a criminal case is pending.

Nichols College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. Interim suspensions are imposed until a hearing can be held. **The suspended student may request a meeting with the Dean of Students to show cause why the interim suspension should be lifted.** This meeting may resolve the allegation, or may be held to determine if the interim

suspension should be continued. The interim suspension may be continued if a danger to the community is posed and the College may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the College will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed.

22. Weapons and Firearms

Weapons prohibited on campus include but are not limited to firearms, ammunition, knives over 8 inches in length, BB, air-soft or pellet guns, bows, arrows, slingshots, paintball guns, machetes, pepper spray (mace), nun chucks, throwing stars, or taser/stun guns of any voltage. Toy weapons, including NERF, and those that look like real weapons are similarly prohibited.

- a. **Possession and/or use of a firearm**
- b. **Assault with a weapon**
- c. **Possession and/or use of a non-firearm weapon**
- d. **Use of an object as a weapon**

Student Conduct Process

For Non-Sexual Misconduct or Harassment Cases

Students are referred to the Office of Community Standards for alleged Student Code of Conduct Policy violations. The Office of Community Standards will determine if a student's actions constitute any potential violations of the Student Code of Conduct. Note that preliminary investigations may be needed to determine violations of the code prior to notification of charges. Depending on the severity of the incident and accompanying violations, the College reserves the right to utilize specific conduct case resolutions. If a respondent fails or refuses to participate in the Student Conduct Process, the process will be conducted and the decision made without the benefit of the respondent's input. In this instance, the respondent forfeits the right to appeal. Note: the Student Code of Conduct Process is not a part of the legal system, is not a court of law, and is not governed by the same procedures found in criminal or civil proceedings.

A. Step 1: Notice of Alleged Violation

A student will be officially notified via email of a referral to the Office of Community Standards and if any violations of the Student Code of Conduct have been assessed. The Community Standards Coordinator or designee will schedule a Conduct Conference with the student.

B. Step 2: Conduct Conference

1. The Conduct Officer will explain the alleged violations and the Student Conduct Process

2. The respondent will be asked about any involvement in the incident and
 - i. *Accept responsibility for the violations*
-Sanctions will be rendered by the Conduct Officer.
Note, the respondent forfeits the right to appeal the finding of the Conduct Conference, but is able to request an appeal for sanctions.
 - ii. *Reject responsibility for the violations*
 - a) The respondent is given an opportunity to provide information regarding the charges.
 - b) A Conduct Officer will then administer a resolution if further information is not needed to render a decision.
 - c) A Conduct Officer can reschedule a follow-up meeting to obtain further information.

In the event that a respondent fails to appear for a Conduct Conference, the Conduct Officer will schedule a second Conduct Conference and notify the respondent via email.

C. Conduct Hearing

A Conduct Hearing will occur after three (3) business days from notification to the student, unless otherwise requested by the student in writing. At the hearing, the respondent will have the opportunity to provide information pertaining to the incident and the alleged violations. The Conduct Officer will consider the information and use a preponderance of evidence to determine the finding following the Conduct Hearing. Sanctions will be

assigned and the respondent will be notified. The student has the right to appeal the findings and the sanctions outcomes for a Conduct Hearing. See the Appeal Process on page 31 of the Student Code of Conduct.

D. Conduct Board

The College reserves the right to invoke the use of a Conduct Board for major violations of the Student Code of Conduct. A Conduct Board consists of up to five College Administrators including Faculty and Staff. Similar to a Conduct Hearing, the respondent will have the opportunity to provide information/witnesses pertaining to the incident and the alleged violations. A respondent has the right to bring in an Advisor to the Conduct Board Hearing. However, the College reserves the right to set forth policies on Advisor involvement. The Conduct Board will consider the information and use a preponderance of information to determine the finding. Sanctions will be assigned and the respondent will be notified. The student has the right to appeal the findings and the sanctions outcomes for a Conduct Hearing. See the Appeal Process on page 31 of the Student Code of Conduct.

E. Hearing in Absentia

If a student fails to respond to the request to appear for a Conduct Conference, Conduct Hearing, and/or Conduct Board, the Conduct Officer will go forward with a review of the incident and determine an

outcome and possible sanctions in the student's absence. In this case, the student forfeits the right to appeal.

F. Notice of Decision

The Conduct Officer will notify the respondent of the decision and any accompanying sanctions in writing/via email.

Advisors in the Process

A student may choose to have an Advisor present for Conduct Hearings or Conduct Boards. An Advisor can be a parent/guardian, a member of the College Community, or other individual as long as the individual is not legal counsel. Note: Title IX Investigations do not limit the choice of Advisor. The student must speak on their own behalf. The Advisor is not permitted to participate in the hearing; rather they will lend personal support to the student.

Advisors are:

- Not permitted to address the hearing officers while the hearing is in session.
- Not permitted to speak with or question the opposing party or any other involved individuals.

Student Conduct Authorities

A. Dean of Students

The Dean of Students, in regards to Student Conduct has the following

roles and authorities including but not limited to:

1. Determining the conduct and appeal process for certain cases, including assignment of Conduct Administrators to cases.
2. Developing policies and procedural rules for cases of student conduct that are consistent with the provisions of the Student Code of Conduct.
3. As an arbitrator of disputes within the student community in cases that do not involve violations of the Student Code of Conduct.
4. In the absence of a formal specified procedure or policy, the directives of the Dean of Students will have the full force of procedure/policy.
5. The Dean reserves the right to designate individuals as necessary to aid in the Student Code of Conduct process.

B. Director of Community Standards

The Director of Community Standards serves as a designee of the Dean of Students and is responsible for the implementation and coordination of the Student Code of Conduct and Process. Authority is extended to the Appeals Process.

C. Community Standards Coordinator

The Community Standards Coordinator serves as a designee of the Dean of Students and the Director of Community Standards and as a primary Conduct Officer responsible for outcomes of the Student Conduct Process.

D. Conduct Officer

Conduct Officers serve as designees of the Dean of Students and Director of Community Standards and are responsible for generating findings and sanctions in student conduct cases. Decisions made by a Conduct Officer are final, pending the Appeal Process.

E. Conduct Board

The Conduct Board serves as a designee of the Dean of Students and consists of College Administrators. Board decisions are final, pending the Appeal Process.

F. Appeal Officer

An Appeal Officer serves as a designee of the Dean of Students and is responsible for deciding appealed Student Conduct cases. Decisions made by the Appeal Officer are final with no chance to appeal further.

Student Withdrawal during the Student Code of Conduct Process

A student who withdraws from Nichols College after a complaint has been referred to the Office of Community

Standards but before the Student Code of Conduct Process can be completed may or may not be allowed to re-enroll at another point in time. The determination will be made depending on the outcome of the Student Conduct Process, which will continue in an effort to find resolution regardless of a student's enrollment status.

Process of Appealing a Conduct Decision

for Non-Sexual Misconduct or Harassment

Students may request an appeal of the outcome of conduct decisions by filing a Request to Appeal Form with The Office of Community Standards within twenty-four (24) business hours of being notified of the results of the Conduct Conference, Conduct Hearing or Conduct Board. A Request to Appeal Form can be found at:

https://publicdocs.maxient.com/reportingform.php?NicholsCollege&layout_id=10

Students may request an appeal for the following reasons ONLY:

1. The Student Conduct Process was not followed.
2. New and significant information has become available which could alter the original outcome.
3. The sanctions given were inconsistent with the Student Code of Conduct policies.

Note: A student who fails to appear for a scheduled Conduct Conference, Conduct

Hearing, or Conduct Board forfeits all right to an appeal.

Request for Appeal Review

The Office of Community Standards will review the Request to Appeal and will determine if the request is valid under the provisions listed above. In the event that a Request to Appeal is not granted by the Office of Community Standards, the original decision and sanctions are upheld and go into effect once the respondent is notified. The respondent will be notified via email the outcome of the request within twenty-four (24) business hours of the request being received.

Request for Appeal Granted

If the Request to Appeal is granted, a student will have three (3) business days to submit a Statement of Appeal to the Office of Community Standards. The Statement of Appeal must provide a rationale for the appeal that specifically addresses the reason for appeal. Upon receiving the statement, the Office of Community Standards will designate an Appeals Officer based on the following:

Original Conduct Officer	Appeals Officer
Area Coordinator/Grad Assistant	Director of Community Standards or designee
Community Standards Coordinator	Director of Community Standards
Director of Community Standards	Dean of Students or Designee
Other College Official	Dean of Students or Designee

The appeal officer will review the Statement of Appeal, review other pertinent information, and take one of the following actions:

- a. Uphold the decision and sanction (The appeal is dismissed and the original outcomes stand)
- b. Reverse the decision and reduce the sanction
- c. Uphold the decision and increase the sanction
- d. Refer the matter to another hearing officer if a procedural error occurred
- e. Refer the matter back to the original hearing officer on the grounds of new relevant information

The appeal officer is not charged with re-evaluating the truthfulness or relevance of the facts presented in the original hearing, but rather will evaluate the process, sanctions, and decisions. The purpose of an appeal process is to foster checks and balances in the conduct process. The decision of the appeal officer is final.

Student Status Pending Appeal

Except for sanctions that change student status (probation, suspension, expulsion etc.), any other sanctions assigned are held in abeyance pending an outcome of appeal. The Dean of Students reserves the right to allow or restrict student participation in classes, athletics, other activities, or specific locations during the appeals process. Nichols College reserves the right to temporarily remove a student from

housing and/or the College pending conduct outcomes where the presence of the respondent may constitute a real and/or potential danger or disruption to the College community.

Interim Suspension

In certain circumstances, the Dean of Students or designee may suspend a student for a temporary period pending a Conduct Hearing, Conduct Board, or Title IX Investigation.

When an interim suspension is imposed:

- a. The student is required to leave campus immediately and is not allowed on campus until their Conduct Hearing.
- b. The student will not be permitted to participate in any Nichols College events including social events on/off campus, Athletic games and practices during the suspension time-frame.
- c. Resident students are denied access to all Residence Halls for the duration of the interim suspension.
- d. This sanction is enforced with a No Trespass sanction. See Code Sanctions section of this Student Code of Conduct.

The College reserves the right to expedite or amend the Student Conduct Process for students placed on interim suspension.

Medical Amnesty

In cases of alcohol and/or drug emergency, the primary concern is the health and safety of the individual(s) involved. Nichols College supports an environment that encourages students to help others who need assistance. Students are strongly encouraged to call for medical assistance (508-213-2298) for themselves or for another student who they observe to be or feel is dangerously intoxicated/under the influence of drugs. This policy encourages students to take responsible action when another student is at risk due to the consumption of alcohol and/or drugs.

Note: If a student calls on behalf of another student the reporting student is required to remain with the student experiencing the emergency until medical assistance arrives.

Reporting students involved and the student requiring medical attention for an alcohol or drug related emergency will not be referred to the Office of Community Standards and will not face Student Code of Conduct violations for possession and/or consumption of drug/alcohol. This policy only applies to students who directly seek emergency medical assistance.

The student requiring medical assistance will have a confidential check-in meeting with the Dean of Students or designee. As long as the student(s) comply with all directives, there will be no charges brought

forth related to the violation of possession or consumption of alcohol/drugs.

The Medical Amnesty Policy is not intended to shield or protect those students who repeatedly violate the Student Code of Conduct. When repeated instances of drug or alcohol emergencies occur, the College reserves the right to charge a student(s) on a case-by-case basis regardless of the manner in which the incident was reported. Medical Amnesty applies only to alcohol or drug-related emergencies but does not apply to other Student Code of Conduct Violations such as but not limited to assault, property damage, or distribution of substances. If other violations occur, then a student(s)/organization will face charges for the Student Code of Conduct violations. The use or abuse of alcohol or drugs is not considered a mitigating circumstance for any other violations of the Student Code of Conduct.

Student Conduct Sanctions

One or more of the following sanctions may be imposed upon a student for any single violation of the Student Code of Conduct. In the event that a student is found responsible for multiple violations resulting from a single action, a combination of sanctions may be imposed. Repeated violations will result in increased sanctions. Sanctions will be proportionate to the severity of the violation and based upon the cumulative conduct history of the student.

All sanctions are effective immediately upon notification or upon the completion of the appeal process.

Student Status Sanctions

Interim Suspension: In certain circumstances, the Dean of Students or designee may suspend a student for a temporary period pending student conduct proceedings prior to a Conduct Hearing, Conduct Board, or Title IX Investigation. A student under interim suspension is required to leave campus immediately and is not allowed on campus until a Conduct Hearing. This sanction is enforced with a No Trespass sanction.

Expulsion from Nichols College: The permanent separation from Nichols College. The student is permanently barred from enrolling as a student, completing class credits, being present on college property or at college-sponsored events. This sanction is enforced with a No Trespass sanction.

Expulsion from Nichols College Held in Abeyance: Students given this sanction must understand that they are in jeopardy of being expelled from the College. Should additional code of conduct violations occur, the Expulsion from Nichols College sanction will immediately take effect.

Probation: A specified time period where the student is put on official notice that further violations of the Student Code of Conduct may result in increased student status sanctions.

Extension of Probation: If a student is already on Probation and is found responsible for a minor Code of Conduct violation, the previous Probation end date is extended.

Suspension from Nichols College:

Separation from Nichols College for a specified period of time, after which the student is eligible to return. The student is required to vacate the campus within 24 hours of notification of the action. During the suspension period the student is banned from enrolling as a student, completing class credits, being present on college property or at college-sponsored events. This sanction is enforced with a No Trespass sanction.

Suspension from Nichols College Held in Abeyance: Students given this sanction must understand that they are in jeopardy of being suspended from the College. Should additional code of conduct violations occur, the Suspension from Nichols College sanction will immediately take effect.

Written Warning: An official written notification confirming that the student has violated the Student Code of Conduct and that future violations may result in a more severe sanction.

Restrictions

Guest Restriction: Resident students are prohibited from hosting any guest during the sanction time period.

Loss of Privileges: Restriction of a student's privileges including, but not limited to loss or restriction of computer use, parking, and/or participation of College-sponsored events.

Loss of Parking Privileges: When this sanction is given, the issuance of a student's parking decal is revoked for a determined length of time. That student can no longer park any vehicle on campus.

Loss of Parking Privileges Held in Abeyance: Students given this sanction must understand that the privilege to park on campus is in jeopardy of being revoked for continued parking violations and/or violations of the Motor Vehicle Policy.

No Contact Directive: This directive is issued when there is reason to believe that an order would be in the best interest of all parties and the community for maintaining peace and safety. This directive prohibits communication between or among designated students. (See the No Contact Directives section of this document)

No Trespassed from Nichols College: This order is issued to prevent an individual from entering upon any Nichols College property. Violations will be subject to immediate arrest and criminal prosecution.

No Trespassed from Residence Halls: Students are restricted from entering into any residence hall during the sanction time period.

No Trespassed from Specific Campus Location: In certain circumstances, a

student may be restricted from entering a Campus building or property/grounds during the sanction time period.

Weekend Suspension: Under certain circumstances, the privilege to be on campus during weekends will be removed. Students will be informed of how many weekends he/she/they will need to leave campus. The student must be off campus by Friday at 9:00pm until Sunday at 5:00pm. Under this sanction a student is not authorized to attend any Nichols College events including social events on/off campus, Athletic games and practices during the suspension time-frame.

Social Probation: A restriction of a student's access to the campus for academic reasons only. These reasons include, but are not limited to classes, library, faculty or advisor meetings, or class credit programs. Presence in other areas of campus is not permitted.

Housing

Housing Lottery Points: In cases where a student is found to be responsible for malicious damage, destruction, or vandalism within the residence halls an additional 1000 points will be added to a student's personal lottery number for the upcoming Housing Lottery Process. This sanction can be assigned in conjunction with a Removal from Housing Held in Abeyance as a sanction.

Housing Relocation Held in Abeyance: A student is put on official notice that further violations of the Code of Conduct could result in a Housing Relocation where a

student is administratively moved to another Housing Assignment.

Housing Relocation: Under certain circumstances, a student will be sanctioned to change his/her current residence hall room and/or residence hall building. This sanction may be a permanent relocation or a temporary relocation.

Removal from Housing Held in Abeyance: Students given this sanction must understand that they are in jeopardy of being removed from housing. Should additional Code of Conduct violations occur, the Removal from Housing sanction will immediately take effect.

Removal from Housing: The separation of the student from the residence halls for a period of time. The privilege of living on campus is removed beginning twenty-four (24) hours after notification. The student is No Trespassed from any residence hall during the Removal from Housing time period.

Permanent Loss of Housing: The ability for a student to enroll as a Residential Student is revoked for the remainder of the student's academic career at Nichols College. This sanction is accompanied by a No Trespass Order from Residence Halls, which is in effect indefinitely.

Educational

Educational: Requiring a student to complete a specific educational requirement directly related to the Student Code of Conduct violation. The purpose of

the educational sanction is to foster student learning and personal development.

In-Person Assessment: This sanction requires the student to complete a substance-abuse assessment and follow-through with the recommendations of Mental Health Services.

Letter of Apology: Submittal of a letter of apology to a complainant or other appropriate individual(s) and/or groups. Students should understand one's actions and the impact it has on others and the community.

Punitive Sanctions

Fine: A monetary assessment to a student's account that is not connected to damage and/or loss.

Restitution: A student may be required to reimburse the College, appropriate individual(s), and/or student organization for damages associated with a Code of Conduct violation. This is not a fine but, rather, a monetary assessment to a student's account for repayment of labor costs and/or the value of the property destroyed, damaged, consumed, or stolen.

Parent/Guardian Notification

Parental/Guardian Notification: Nichols College reserves the right to notify parents/guardians for significant conduct outcomes. As is permitted under FERPA (Family Education Rights Privacy Act) Nichols College will notify parents/guardians for alcohol and drug

conduct outcomes. Students are encouraged to communicate with parents/guardians about the outcomes.

Failure to Complete Sanctions

All students are expected to comply with conduct sanctions. Failure to follow the directive of an imposed sanction by a specified timeframe or deadline may result in additional or increased sanctions. A student will be charged a \$50.00 fine for failure to complete a sanction by the specified deadline and a new deadline will be assigned.

No Contact Directives

No Contact Directives are issued by the Director of Community Standards, Community Standards Coordinator, Office of Community Standards, or designee when there is reason to believe that an order would be in the best interest of all parties and the community for maintaining peace and safety. This directive prohibits communication between or among designated students.

Note: No Contact Directives are issued to all parties involved and may be imposed prior to a Conduct Hearing or be a sanction as a result of a hearing.

No contact includes but is not limited to:

- Any conventional or non-conventional means of contact which includes in person, by

telephone, email, text message, or other electronic means of communication

- Third party communication via the aforementioned methods on behalf of the student

A student who violates a No Contact Directive will be referred to the Office of Community Standards and will face charges for violating the Student Code of Conduct.

Issuance of No Contact Directives

Students are encouraged to seek assistance from the Residence Life Staff or Public Safety if they are experiencing an emergency situation involving another student. A No Contact Directive can be issued if deemed necessary by a College Administrator on a temporary basis. The individuals receiving the No Contact Directive will be required to meet with the Office of Community Standards or designee to investigate the situation and determine the continued imposition of the directive.

Requests for Lifting No Contact Directives

Only the Director of Community Standards has the authority to lift a No Contact Directive. Individuals who wish to request that their No Contact Directive is lifted need to email the Office of Community Standards at Community.Standards@nichols.edu. The Director of Community Standards or

designee will investigate the request and make the determination. All No Contact Directives remain in effect until directly specified as being lifted.

Educational Records

The written outcome of a Conduct Conference, Conduct Hearing, or Conduct Board is part of the respondent student's education record and shall be subject to the Family Educational Rights and Privacy Act (FERPA). A student's file shall be retained by the Office of Student Life for a period of seven (7) years from the date of the student's graduation or withdrawal from the institution unless: 1) the case resulted in an expulsion, in which case the file will be kept indefinitely or 2) the case involved a Title IX incident, in which case the file will be retained in accordance with federal, state, or local law.

Family Educational Rights and Privacy Act

Educational records are generally protected from disclosure under FERPA. However, students should be aware that other colleges or universities may require a student to provide access to a record concerning student conduct pending transfer of the student. Similarly, prospective landlords, employers, etc. may require a student to provide access to their educational records as part of employment applications.

Process for Records Requests

The Office of Community Standards will not release any part of a student's educational record without written consent from the student except to Nichols College Officials and/or offices. Students wishing to obtain educational record components need to submit a Records Request Form to the Office of Community Standards.



Nichols College Alcohol Policy

Effective Date: August 28, 2015

Last Revised: August 16, 2018

The Office of Community Standards in collaboration with the Office of Residence Life works to foster a living and learning community conducive to student success. The following guidelines are designed to promote that goal and to promote responsible decision making in terms of alcohol use. It is the responsibility of each member of the Nichols College Community to understand and comply with these guidelines.

Section I: Massachusetts State Law

Nichols College maintains an alcohol policy consistent with the Commonwealth of Massachusetts General Laws:

Chapter 138, Section 34A "Any person under twenty-one years of age who purchases or attempts to purchase alcoholic beverages or alcohol, or makes arrangements with any person to purchase or in any way procure such beverages, or who willfully misrepresents his age, or in any way alters, defaces or otherwise falsifies his identification offered as proof of age, with the intent of purchasing alcoholic beverages, either for his own use or for the use of any other person shall be punished by a fine of three hundred dollars and whoever knowingly makes a false statement as to the age of a person who is under twenty-one years of age in order to procure a sale or delivery of such beverages or alcohol to such person under twenty-one years of age, either for the use of the person under twenty-one years of age or for the use of some other person, and whoever induces a person under twenty-one years of age to make a false statement as to his age in order to procure a sale or delivery of such beverages or alcohol to such person under twenty-one years of age, shall be punished by a fine of three hundred dollars. A conviction of a violation of this section shall be reported forthwith to the registrar of motor vehicles by the court. Upon receipt of such notice the registrar shall thereupon suspend for 180 days the defendant's license or right to operate a motor vehicle."

Chapter 138, Section 34 "For the purpose of this section the word "furnish" shall mean to knowingly or intentionally supply, give, or provide to or allow a person under 21 years of age except for the children and grandchildren of the person being charged to possess alcoholic beverages on premises or property owned or controlled by the person charged."

Section II: Town of Dudley Bi-Law Regarding Alcohol

ARTICLE 22, Section 1 No person shall consume intoxicating beverages on Town owned property or in Town owned buildings or have in his possession in such places an open bottle, can or container containing any such beverage unless a special permit is secured from the Board of Selectmen. Anyone violating this by-law shall be subject to a fine of twenty-five (\$25.00) dollars and may be subject to arrest without a warrant by a police officer.

Section III: Definitions

The following terms shall mean:

Alcohol or Alcoholic Beverage: any liquid intended for human consumption as a beverage that contains any of a class of chemical compounds having the general formula ROH, where R represents an alkyl group and –OH a hydroxyl group

Consumption: to take into the human body

Dry Room: a room in which not all residents are over the age of twenty-one (21)

Possession: the knowing or intentional possession of a controlled substance or alcoholic beverage, or having direct control over the substance or beverage

Presence: in the vicinity or location

Underage: any individual who is under the age of twenty-one (21)

Section IV: Nichols College Alcohol Policy Violations

Nichols College Officials reserve the right to instruct residents of a room to dispose of any alcohol that is found during an incident where a possible violation of the Alcohol Policy has occurred.

a. Alcohol/drug related medical

The health and safety of students is of utmost importance. Should a student need to be transported for intoxication, the student will meet with the Dean of Students or designee. Reporting students involved are covered under the Medical Amnesty Policy in this document and will not be referred to the Office of Community Standards.

c. Underage in the presence of alcohol

An individual under the age of twenty-one is prohibited from being in the presence of alcoholic beverages.

g. 21+ in a dry room

Alcohol is not permitted at any time in a residence hall room, suite, or apartment if all assigned residents are not of the legal drinking age of twenty-one (21). An individual over the age of twenty-one (21) carries the responsibility of only consuming/possessing alcohol in rooms that are deemed "wet" by all assigned residents being over the age of twenty-one (21).

Minor Alcohol Policy Violations

Minor alcohol violations are categorized by the following criteria including but not limited to; beer and wine only, up to the stated max amount (see exceeding alcohol limits in this policy), and all parties are fully cooperative. Nichols College strives to empower students to make positive choices regarding alcohol consumption.

b. Underage in possession and/or consumption of alcohol

An individual under the age of twenty-one (21) is not permitted to consume and/or possess alcoholic beverages anywhere on the Nichols College Campus.

d. Open container

Individuals regardless of age are prohibited from drinking and/or possessing open or previously opened alcohol containers in any public area of the campus, including hallways, stairwells, bathrooms, lounges, lobbies, campus grounds, athletic fields/buildings, academic buildings, and dining hall. Alcohol placed in another container is considered an open container. The College reserves the right to inspect containers. The owner will be subject to sanctions outlined in this alcohol policy.

e. Public intoxication

Defined as any behavior resulting from the over-consumption of alcohol and/or drug which causes a disturbance, is dangerous to the individual, others, and/or property or in any way requires the attention of College Officials.

f. Non-alcohol drinking games

Games and activities in which the primary/original purpose is to promote binge drinking are prohibited. An example of such an activity is water pong.

Major Alcohol Policy Violations

Major alcohol violations are categorized by the following criteria including but not limited to; providing alcohol, means/ location to those underage, hard liquor, possessing over the stated max amounts of alcohol (see exceeding alcohol limits in this policy), or individuals not cooperative throughout the process.

h. Providing alcohol to those underage*

Individuals over the age of twenty-one (21) are prohibited from knowingly or intentionally supplying/giving alcohol to a person under the age of twenty-one (21), or for failing to restrict access to alcohol.

i. Providing means/location of alcohol to those underage*

Residents over the age of twenty-one (21) are not permitted to allow individuals under the age of twenty-one (21) to possess and/or consume alcohol in the residence hall

room, suite or apartment to which they are assigned. In other words, residents will not allow individuals under the age of twenty-one (21) to possess and/or consume alcohol in their assigned room.

j. Hard alcohol

Defined as any liquid containing 15% or 30 proof alcohol or above is prohibited, regardless of age.

k. Exceeding alcohol limits

Students who are twenty-one (21) years of age or older may have in their possession no more than the following amounts at any time. Students may not have both the limit of beer/malt or wine permitted.

- 1 case of beer (30, 12 oz cans) or (24, 12 oz bottles) of malt beverage
OR
- Up to 5 liters of wine

l. Drinking games/ Means to mass consumption

Games and activities in which the sole purpose/origin is to promote heavy alcohol consumption or the possession and/or use of items that encourage heavy alcohol consumption are prohibited, regardless of age. An example of a means to mass consumption includes, but is not limited to beer funnels, etc.

m. Failure to comply during an incident involving alcohol

The refusal to act in accordance with requests or directions of a College Official during the performance of duties. This includes but is not limited to, refusing to provide identification, giving false information, disrespectful, foul/abusive language or gestures, refusing to leave the scene of an incident when directed, and general noncooperation.

n. Dry campus state of emergency

During certain weather-related and emergency events, the College will declare a Dry Campus State of Emergency. In such an event, students are strictly prohibited from consuming alcohol regardless of age. The College believes that as citizens of Nichols and of Dudley, MA, we have a responsibility to local Emergency Services to not utilize already sparse, valuable resources. Communication to the College community will be officially dispersed via email from an authorized College Official.

Section V: Minimum Sanctions

For definitions of sanctions please see Code Sanctions of the Student Code of Conduct.

Alcohol violations are cumulative throughout the student's time at Nichols College. Sanctions are assessed based on the number of times a student was found responsible for an alcohol violation.

Minimum Sanctions for 3.c. Underage in the Presence of Alcohol and 3.g. 21+ in a Dry Room

First Violation

- Written Warning

Second Violation

- Written Warning

Third Violation

- Written Warning
- Parent/Guardian Notification

Fourth Violation

- Probation (8 weeks)
- Parent/Guardian Notification

Fifth Violation

- Probation (16 weeks)
- Educational Course
- \$50.00 Fine
- Parent/Guardian Notification

Minimum Sanctions for Minor Alcohol Policy Violations

First Violation

- Written Warning

Second Violation

- Probation (16 academic weeks=the equivalent of 1 semester)
- Educational
- \$50 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Third Violation

- Probation (1 calendar year)
- In-Person Assessment
- 3 consecutive Weekend Suspensions
- \$100 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Fourth Violation

(Over 1 year from previous alcohol violation)

- Probation (indefinitely)
- 4 consecutive Weekend Suspensions
- \$150 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

(Within 1 year from previous alcohol violation)

- Removal from Housing (1 semester)
- No Trespassed from the Residence Halls
- Parent/Guardian Notification

Fifth Violation

- Suspension from Nichols College
- Parent/Guardian Notification

Minimum Sanctions for Major Alcohol Policy Violations

*The following sanctions are added to minor violation sanctions outlined above:

First Violation

- 2 consecutive Weekend Suspensions
- \$50.00 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Second Violation

- Probation (1 calendar year)
- 4 consecutive Weekend Suspensions
- In-Person Assessment
- \$50.00 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Third Violation

- Removal from Housing Held in Abeyance
- 6 consecutive Weekend Suspensions
- \$50.00 Fine (assessed to the Student's Account)
- Parental/Guardian Notification

Fourth Violation

- Removal from Housing (indefinitely)
- No Trespassed from the Residence Halls
- Parent/Guardian Notification

Minimum sanctions for 3.h. Providing Alcohol to those Underage

First Violation

- Probation (16 weeks)
- Removal from Housing Held in Abeyance
- Parent/Guardian Notification

Second Violation

- Probation (1 calendar year)
- Removal from Housing
- No Trespassed from the Residence Halls
- Parent/Guardian Notification

Minimum sanctions for 3.i. Providing Means/Location of Alcohol to those Underage

First Violation

- Written Warning
- **Housing Relocation Held in Abeyance**
- Parent/Guardian Notification

Second Violation

- Probation (16 weeks)
- **Housing Relocation**
- Removal from Housing Held in Abeyance
- Parent/Guardian Notification

Third Violation

- **Probation (1 calendar year)**
- **Removal from Housing**
- **No Trespassed from Residence Halls**
- **Parent/Guardian Notification**



Nichols College Drug Policy

Effective Date: August 28, 2015

Last Revised: August 16, 2018

Use, possession, or distribution of narcotic or dangerous drugs as defined by state and federal laws is expressly forbidden. The College strives to maintain a drug-free campus where the physical and mental health of the student enables growth and development. To that end, Residence Life staff and Public Safety personnel are responsible for reporting evidence of such activity to the proper authorities for appropriate action. It is the responsibility of each member of the Nichols College Community to understand and comply with these guidelines.

Section I: Town of Dudley Bi-Law Regarding Marijuana or Tetrahydrocannabinol

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public. This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, § 21, or by non-criminal disposition pursuant to G.L. c. 40, § 21D, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this by-law shall be three hundred dollars (\$300) for each offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.

Students are subject to a citation from Dudley Police should an individual be found in violation of the above bi-law. Please note that while possession of under an ounce of marijuana for individuals over the age of twenty-one (21) has been legalized in Massachusetts, it is a violation of Nichols College Policy to be in possession of any amount of marijuana. In addition, the state constitutional amendment authorizing individuals over the age of 21 to recreationally use marijuana does not change this prohibition or authorize a student to use marijuana even use for medical purposes. Federal law, including the Drug Free Schools Act, continues to prohibit marijuana. Thus marijuana use, even if in compliance with Massachusetts State Law, is prohibited on campus.

Section II: Definitions

The following terms shall mean:

Consumption: to take into the human body

Controlled Substance: a drug or chemical whose manufacture, possession, or use is regulated by the government.

Drug: any stimulant, intoxicant, chemical compound, depressant, or combination that affects the central nervous system and is used to induce an altered state. This includes items that are otherwise lawful and lawfully available. (Example, prescription drugs or household products)

Drug Paraphernalia: equipment, products and/or materials of any kind which are used, intended for use, or designed for use while inhaling, injecting, ingesting, or otherwise introducing into the human body a controlled substance. Also to include items used in growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, or weighing.

Manufacture: the production, preparation, compounding, conversion, or processing of a drug or controlled substance

Possession: the knowing or intentional possession of a controlled substance or alcoholic beverage, or having direct control over the substance or beverage

Presence: in the vicinity or location

Section III: Medical Marijuana

Although the Commonwealth of Massachusetts passed state legislation allowing the use of marijuana for medicinal purposes, Nichols College does not allow the use or possession of marijuana on campus, at any location, event, or College-sponsored activity. Nichols College complies with the Federal Drug Free Schools and Communities Act by prohibiting the use of controlled substances, including marijuana. Therefore, the possession or use of marijuana on its campus, for any reason, is a violation of Student Code of Conduct. See Medical Marijuana Policy for full details.

Section IV: Charges and Sanctions

For definitions of sanctions please see the Code Sanctions section of the Student Code of Conduct . Drug violations are cumulative throughout the student's time at Nichols College. Sanctions are assessed based on the number of times a student was found responsible for a drug violation.

Note: Parent(s) and/or Legal Guardian(s) will be notified of all drug offenses.

Minor Drug Policy Violations and Sanctions

7.f. In the presence of marijuana

Students who are found to be in a room or location where marijuana use is occurring will be held liable for violating the Nichols College Drug Policy.

First Violation

- Written Warning
- Parent/Guardian Notification

Second Violation

- Probation (16 academic weeks=the equivalent of 1 semester)
- Educational
- \$100 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Third Violation

- Probation (1 calendar year)
- Removal from Housing Held in Abeyance or Social Probation
- \$150 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Fourth Violation

- Suspension from Nichols College
- Parent/Guardian Notification

7.e. Possession and/or use of drug paraphernalia

Possession and/or use of drug paraphernalia (as defined above in the definitions section in this policy) is not permitted. Items are confiscated and destroyed by Residence Life Staff.

First Violation

- Written Warning

- Educational
- \$100 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Second Violation

- Probation (16 Academic Weeks=the equivalent of 1 semester)
- In-Person Assessment
- \$150 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Third Violation

- Probation (1 calendar year)
- Removal from Housing Held in Abeyance or Social Probation
- \$200 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Fourth Violation

- Suspension from Nichols College
- Parent/Guardian Notification

7.d. Possession and/or consumption of marijuana

First Violation

- Probation (16 Academic Weeks=the equivalent of 1 semester)
- Educational
- \$100 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Second Violation

- Probation (1 calendar year)
- In-Person Assessment
- Removal from Housing Held in Abeyance or Social Probation
- \$150 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Third Violation

- Suspension from Nichols College Held in Abeyance
- In-Person Assessment
- Removal from Housing
- Parent/Guardian Notification

Fourth Violation

- Suspension from Nichols College
- Parent/Guardian Notification

Major Drug Policy Violations and Sanctions

7.c. Possession and/or consumption of drugs other than marijuana

First Violation

- Probation (1 calendar year)
- Removal from Housing Held in Abeyance or Social Probation
- Educational
- \$200 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Second Violation

- Suspension from Nichols College Held in Abeyance
- In-Person Assessment
- Removal from Housing Held in Abeyance or Social Probation
- \$250 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Third Violation

- Suspension from Nichols College
- Parent/Guardian Notification

7.b. Improper use of prescription drugs

First Violation

- Probation (1 calendar year)
- Educational
- Removal from Housing Held in Abeyance or Social Probation
- \$200 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Second Violation

- Suspension from Nichols College Held in Abeyance
- In-Person Assessment
- Removal from Housing Held in Abeyance or Social Probation
- \$250 Fine (assessed to the Student's Account)
- Parent/Guardian Notification

Third Violation

- Suspension from Nichols College
- Parent/Guardian Notification

7.a. Distribution, sale, or intent to sell drugs legal or illegal

First Violation

- Up to Expulsion from Nichols College
- Parent/Guardian Notification



Nichols College Guest Policy

Effective Date: August 28, 2015

Date Last Revised: New Policy

Nichols College affords its students the opportunity to have guests on campus and the privilege to allow guests in a room/suite/apartment as long as the roommate's right to access, privacy and freedom to study and sleep free from disturbance are respected.

Nichols College defines "guests" in the following manner:

Student Host - A **current** Nichols College student that resides in one of our residence halls.

Building Guest - A building guest is someone who is a **current** Nichols College Student who does not live in the building in which their host resides; this **includes current** Nichols College commuter students.

Visiting Guest - A non-student guest to Nichols College

- After the hours of 7pm, the Visiting Guest must be at least 16 years of age, no matter what the relationship to the Nichols College Student Host. (Example: child, sibling, cousin, significant other, etc.)
- Please note that alumni from Nichols College are considered Visiting Guests

At all times, ALL guests (Building and Visiting), must be in the presence of their Student Host. Each Student Host is responsible for the conduct of their guest, and will be subject to charges from the Student Code of Conduct. Both Building Guests and Visiting Guests are expected to comply with all Nichols College policies. Failure of the Student Host to escort their guest will result in a violation of the Student Code of Conduct for the Student Host, and may result in the removal of the Visiting Guest from Nichols College Campus and/or removal from the Residence Hall for a Building Guest.

Overnight Visiting Guests

Overnight Visiting Guests are not permitted to stay more than 2 consecutive nights at Nichols College within a 7 day period, and no more than 5 nights per calendar month, unless given special permission from The Office of Residence Life. All overnight Visiting Guests must be at least 16 years of age. A Student Host may only have up to TWO Overnight Visiting Guests at one time, unless given special permission from the Office of Residence Life.

The Student Host of the Overnight Visiting Guests must complete the online Overnight Guest Pass Form, found here https://publicdocs.maxient.com/reportingform.php?NicholsCollege&layout_id=8 (or the Nichols College Student Life webpage.) Once the Guest Pass is completed, the Student Host must print out the Guest Pass, and the Visiting Guest must have the Guest Pass on their person during their entire visit to Nichols College. If the Overnight Visiting Guest will be bringing their vehicle to campus they must bring the printed Guest Pass to Public Safety to receive the appropriate parking pass.

Overnight passes are needed if a Visiting Guest is staying past 11pm on any given night. Failure to obtain a Guest Pass will result in removal from campus for the Visiting Guest and a violation of the Student Code of Conduct for the Student Host.

The Office of Residence Life reserves the right to limit Overnight Visiting Guests throughout the academic year. For example, special events, 24 hour quiet hours, Homecoming, etc... Students will be made aware of these changes in advance via their Nichols College email.

Possible Sanctions

Students found responsible for violating the Nichols College Guest Policy are subject to the following sanctions:

Student Status Sanctions: Written Warning to Removal from Housing Held in Abeyance.

Restriction Sanctions: Guest Restriction

Weekend Suspension



Nichols College Hazing Policy

Effective Date: August 28, 2015

Date Last Revised: New Policy

Nichols College will not tolerate any instance of hazing among students. Hazing is defined as any intentional or unintentional action taken or situation created to produce mental or physical discomfort, embarrassment, harassment, or ridicule for the purpose of initiation, ritual, tradition, admission or as a perceived condition of continued membership. The expressed or implied consent of an individual is not viewed as a defense. Failing to intervene, prevent, or report may also violate this policy.

Such activities and situations include, but are not limited to:

- Any activity that causes or requires an individual to violate the Student Code of Conduct
- Any activity requiring the consumption of food, liquid, alcohol, drugs, or other substance
- Any physical activity such as extended deprivation of sleep, forced calisthenics, exposure to weather, extended confinement or isolation, exercise or other activity that subjects an individual to a risk of harm or that adversely affects the mental or physical health or safety.
- Any activity that intimidates and threatens an individual with ostracism that subjects an individual to mental stress, embarrassment, shame or humiliation, or that adversely affects the mental health and/or dignity.
- Any type of physical or mental brutality including, but not limited to whipping, beating, striking, branding, or placing a harmful substance on the body.

In rigorously supporting the law with respect to the potential problem of hazing, all students are required to sign a statement of knowledge and compliance at the time of their registration for the new academic year. Incidents of hazing should be reported to the Dean of Students or the Public Safety Office. Elected student leaders of clubs, activities, classes, student residences, and sports teams will receive additional guidance and instruction from the Office of Student Services as deemed appropriate to ensure strict compliance with the spirit as well as the letter of the law.

The Nichols College Hazing Policy is in accordance with The Commonwealth of Massachusetts in 1985 and 1987 legislation. "Chapter 269 of the General Laws is hereby amended by adding the following three sections:

- **Section 17.** Whoever is a principle organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or by both such fine and imprisonment.
 - The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include:
 - whipping
 - beating
 - branding
 - forced calisthenics
 - exposure to the weather
 - forced consumption of any food, liquor, beverage, drug or other substance,
 - any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person
 - any other activity which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation
 - Notwithstanding any other provision of this section to the contrary, content shall not be available as a defense to any prosecution under this action.
- **Section 18.** Whoever knows that another person is the victim of hazing as defined in such section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.
- **Section 19.** Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this

section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

- Each such group, team or organization shall distribute a copy of this section and said sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.
- Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.
- Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the Student Handbook for similar means of communicating the institution's policies to its students. The board of regents and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

Possible Sanctions

Students found responsible for violating the Nichols College Hazing Policy are subject to sanctions ranging from Probation to Expulsion from Nichols College.



Nichols College Student Lock-out Policy

Effective Date: August 28, 2015
Date Last Revised: March 16, 2018

Students must keep their doors locked at all times. Students who are locked out of their room should contact their Resident Assistant, Public Safety or a member of the Professional Staff (Area Coordinator-AC/Graduate Resident Director-GRD) and request assistance. During the hours when Resident Assistants are on duty, (Sunday –Thursday 8pm-12am, Friday-Saturday 8pm-1am) Public Safety will attempt to contact a Resident Assistant (RA) and request assistance for the student. *The RA will verify the identity of the requesting student and unlock the student's assigned room. During hours when Residence Life is not on duty or unreachable, Public Safety will provide access. In all cases Public Safety and Residence Life Staff will record the student's name, ID, key code, date and time of the request so an accurate count can be maintained.*

Lock-out Charges:

The lock out charges will be applied to the student's billing account at the end of each month. See below for the billing structure for Lock-out Charges per academic year:

- 1st Lock Out-** No Charge; student must produce key to Residence Life or Public Safety Staff
- 2nd Lock Out-** No Charge; student must produce key to Residence Life or Public Safety Staff
- 3rd Lock Out-** \$25 Charge; student must produce key to Residence Life or Public Safety Staff
- 4th Lock Out-** \$50 Charge; student must produce key to Residence Life or Public Safety Staff
- 5th Lock Out-** \$75 Charge; student must produce key to Residence Life or Public Safety Staff, student will face a Student Code of Conduct Violation for excessive lockouts.

After the 5th Lock out for the academic year, the charge will continue to rise by \$25. Please note once the first two "free/no charge" lockouts are used in an academic year, these will NOT be repeated. For example, the 6th lockout will be a fee of \$100 as well as possible Conduct Code Charges. Excessive Lockouts (defined as 5 lockouts or more) will result in violation of the Student Code of Conduct.

Nichols College Key/Student ID Policy:

At Nichols College the safety of our community members and visitors is a top priority. The loss or theft of a key or Nichols College Student ID is considered a security risk, as anyone who finds it is then able to access buildings or rooms. Therefore, lost keys and Student IDs should be reported to Public Safety or Residence Life Staff immediately. For the safety of all campus community members, a lost key/ID will always result in a lock change or new ID print. If the ID is reported lost/stolen after the Office of Residence Life hours (Monday-Friday 8:30am-4:30pm), then a temporary ID will be given to the student from the Office of Public Safety. The student will be responsible for any charges accrued during core changes or ID reprint. Failure to report a lost/stolen key or ID will result in a referral to the Office of Community Standards for the following including, but not limited to:

9.i. Failure to report a lost/stolen key or identification card

Billing Charges

The residential student initial cost for lock changes and ID replacement is as follows:

Shamie/Olsen/South/North/Center/Budleigh/Winston- \$43.00

Remillard/Kuppenheimer- \$95.00

Copper Beech I &II- \$103.00

Lost ID Charge- \$25.00

Lost Temporary ID Charge- \$25.00

***Note additional charges may occur based on circumstance, ie. time of day, condition of lock, etc. ***

Immediately after the lock change has been completed a member of the Residence Life Staff will contact the student and roommates to pick up their new key, charges will be placed on a student's account on a monthly basis. The resident of the room/suite/apartment who lost the key will be billed and is responsible for all related charges.

Possible Sanctions

Students found responsible for excessive lockouts are subject to sanctions ranging from Written Warning to Removal from Housing Held in Abeyance.



Nichols College

Learn. Lead. Succeed.

Nichols College Motor Vehicle Policy

Effective Date: August 24, 2017
Date Last Revised: June 27, 2018

I. Preamble

All vehicles MUST be registered with Public Safety and have a valid Nichols College parking decal permanently affixed to the vehicle following specific location instructions. Any vehicles not displaying a valid Nichols College parking decal or valid temporary parking pass are not authorized to park on the Nichols College Campus. Individuals are responsible for following the guidelines outlined within this Motor Vehicle Policy. Public Safety is charged with enforcing all rules and regulations pertaining to parking on College Properties.

II. Automobile Registration

A. Decal Registration

Registration for a parking decal must be completed with the Department of Public Safety prior to parking on campus. Nichols College Public Safety issues parking decals on a first come first serve basis. Parking on Nichols College is limited to the amount of parking spaces available. If no Parking spaces are available and a parking decal cannot be issued, the student's application will be placed on a waiting list until a parking decal becomes available. Vehicles must be removed from Nichols College parking lots until issuance of a parking decal.

Nichols College Community Members can access all necessary parking forms from the MyNichols Portal, search for Public Safety or follow the provided link here:

<https://my.nichols.edu/supportservices/Pages/PublicSafety.aspx>

Necessary forms needed for registration are:

- Nichols College Permission of Use Form
- A copy of the vehicles registration
- Massachusetts Non-Resident Driver Statement Form (when applicable)
The Non-Resident Driver Statement Form can be obtained at Nichols College Public Safety and also from the Massachusetts Registry of Motor Vehicles. The Non-resident form can be submitted to Nichols College Public Safety and will be mailed out on the student's behalf to the necessary locations per the Massachusetts Motor Vehicle Law. Any form incorrectly filled out will be denied and the applicant will be notified by Nichols College E-mail to resubmit a completed form.

All parking decals from previous years must be removed. Current Parking decals must be permanently affixed to the vehicles front windshield by rearview mirror. Failure to display a current parking decal while on campus will result in a parking citation.

Vehicles not registered, improperly registered, or without proper license plates, are not allowed on campus and may be towed without warning from campus. Owner of the vehicle will be subject to all fees associated with the towing company (see Towing Policy; Section VIII).

Changes in the license plate number of any registered vehicle must be reported to the Department of Public Safety immediately. Undergraduate students may register and maintain only **ONE** vehicle on campus. Should a permanent change of vehicle be necessary during the academic year, parking forms must be submitted to the Department of Public Safety for the new vehicle as well as return of the initial parking decal for previous vehicle. Once all necessary forms are submitted and previous parking decal returned, a new parking decal will be issued to the new vehicle at no additional charge. If the old parking decal cannot be produced and is found on another vehicle at a later date, students will be referred to the Office of Community Standards.

For any questions concerning the automobile registration process please contact Public Safety Parking Officer at Parking@Nichols.edu contact number 1-508-213-2107

B. Employee Motor Vehicle Registration.

New or current Nichols College Employees should stop into the Department of Public Safety during business hours Monday-Friday 8:00am-4:00pm to receive their employee parking decal. All necessary forms can be obtained at Public Safety and submitted by

the Employee. Only one vehicle registered to an employee can be parked on the Nichols College Campus at any given time. If multiple vehicles are found on campus they may be subject to ticketing and towing at the owner's expense (see Towing Policy; Section VIII).

C. Authorized Handicap Parking

The Department of Public Safety does not issue handicap passes/decals/or placards. Only valid handicap placards issued from the state in which the operator is licensed in or the vehicle is registered in can be used to utilize handicap parking spaces.

There are multiple handicap parking spaces available in various parking lots on campus. Any vehicle found parking in a handicap parking space not displaying an authorized handicap placard will be subject to ticketing and towing at the owner's expense (see Towing Policy; Section VIII).

D. Visitor Parking Registration

All vehicles operated by a visitor of the campus, must obtain a temporary parking pass from the Department of Public Safety. Public Safety is located in the Daniels Auditorium lower level, next to Parking Lot G.

- Student host's must accompany their guest into Public Safety to receive their temporary parking pass. If the student's guest is remaining overnight, an Overnight Guest Registration Form must be submitted and shown to Public Safety prior to issuance of temporary parking pass. The following link is provided for the online guest registration form:
<http://www.nichols.edu/student-life/housing-and-dining>
- Faculty/staff must notify Public Safety prior to their visitor arriving on campus at Publicsafety@nichols.edu. The visitor's name and vehicle information must be submitted i.e. make, model, license plate number, and which department they are visiting and length of time of visit.

Public Safety will inform the visitor where they are authorized to park on campus and the authorized length of time the vehicle can remain on campus as the temporary parking pass is issued. All visitor's must have their temporary parking pass displayed hanging from the vehicles rear view mirror clearly visible facing forward at all times while parked on Nichols College Campus. Any vehicle found not displaying a temporary parking pass or not issued a Nichols College Parking Decal will be subject to ticketing and towing at owner's expense.

III. Authorized Parking Lot Areas

Parking lots on campus are broken down into 4 categories: Undergraduate Resident parking, Senior Resident parking, Commuter/ Evening/Graduate parking, and Faculty/Staff parking. Parking decals are color coded to correspond with the color coded decals affixed to the entrance sign of each parking lot.

Students on official business or employed in any Nichols College office are expected to park their vehicles in the parking lot their parking decal allows them to park in.

Students must then walk to their office. This policy is in effect year-round.

A parking space at Nichols College is defined as an area where two white lines delineate the edges of a space for a vehicle to park in with no other lines or markings between the white lines other than spaces listed for specific parking i.e. Handicap, loading/unloading, reserved, or fire lane.

A. Undergraduate Residential Students

Undergraduate Resident parking decals are only authorized to park in the following parking lots:

Lot E: Located adjacent to South Hall and Kuppenheimer Hall.

Lot F: Located adjacent to Remillard Hall continuing down roadway to Athletics Center on left.

Lot G: Located Behind Budleigh hall and next to Center and North Hall.

Lot M: Located Behind Remillard Hall and Lot F, overlooking the softball field.

Lot N: Located behind Kuppenheimer Hall next to Rugby field.

Lot P: Located directly behind Winston hall on North end of campus.

B. Senior Residential Students

Any student living on the Nichols College Campus who has accumulated enough credits to be considered a senior by record with the Registrar's office, may apply to receive a Senior Residential parking decal. **Any vehicle not displaying the correct Senior Parking Decal will receive a parking violation for parking in the wrong lot (see Parking Violations; Section V).** Senior Resident parking decals are only authorized to park in the following parking lots:

Lot A: located directly behind Copper Beach II next to Shamie Hall

Lot E: Located adjacent to South Hall and Kuppenheimer Hall.

Lot F: Located adjacent to Remillard Hall continuing down roadway to Athletics Center on left.

Lot G: Located Behind Budleigh hall and next to Center and North Hall.

Lot M: Located Behind Remillard Hall and Lot F, overlooking the softball field.

Lot N: Located behind Kuppenheimer Hall next to Rugby field.

Lot P: Located directly behind Winston hall on North end of campus.

C. Commuter/ Evening/Graduate Students

Commuter/Evening Graduate parking decals are only authorized to park in the following parking lots:

Lot B: Lower lot located off of Healy road behind Conrad Hall.

Lot lower C: Located directly behind Conrad Hall off of Healy road continuing behind the Library.

Lot J: Located adjacent to the Athletic Center.

D. Faculty & Staff

Faculty & Staff members of Nichols College will be issued Employee parking decals to display on their vehicles. Employee parking decals are only authorized to park in the following parking lots:

Lot B: Lower lot located off of Healy road behind Conrad Hall.

Lot Upper & Lower C: Located directly behind Conrad Hall off of Healy

Lot D: Located directly behind Admission building from Center Road.

Lot I: Located directly behind Currier Center and the Town of Dudley Congregational Church.

Lot J: Located adjacent to the Athletic Center.

E. Prohibited Parking Areas

There is no parking allowed in the following areas:

- On any roadways around College buildings. These are considered fire lanes and are for the use of emergency vehicles only.
- On any roadway/access way to campus athletic fields (i.e. Vendetti field North and south access way, Soccer field access way, and Tennis court access way).
- On any service roads or in loading zones.

Parking on Center road is not allowed. Parking enforcement on town roadways is the responsibility of the Dudley Police Department.

IV. Parking Lot Closures

A. Parking Lots Closure for Events.

The Department of Public Safety coordinates all parking accommodations for events being held on the Nichols College Campus. Some events will require certain parking lots to be closed to facilitate the event. Nichols College Public Safety or designee will notify all Nichols College community members of parking lot closures for events via Nichols College E-mail. The listed dates and times of each parking lot closure will be provided as well as alternative parking options. ***All community members of Nichols College are responsible for adhering to any parking lot closure sent out by Nichols College Public Safety or designee. Failure to comply with any parking lot closure will subject the vehicle to ticketing and towing at owner's expense (See Towing Policy; Section VIII).***

B. Snow Removal Procedures and Emergency Parking Lot Closures

Handling snow and ice emergencies is a major undertaking and requires cooperation from the entire campus community. In order to most effectively clear the parking lots located on the Nichols College Campus of snow; faculty, staff, and students will be notified by e-mail of lot closures and times/dates. It is the responsibility of each member of the Nichols College community to understand which parking lots will be closed during any snowstorm or other emergency.

Please take the following general steps when parking your vehicle in the required lot:

1. Park your vehicle only in an area designated for parking during these conditions. Do not park in fire lanes, in short-term parking areas or any unauthorized areas around campus buildings.
2. Please park in an area, close to other cars that may be in the lot. The Facilities Management staff can clear lots more effectively if vehicles are not scattered throughout the lot.
3. We recommend that you keep a snow shovel in your vehicle. Student are responsible for shoveling out their own vehicle. Although snow shovels can be borrowed from the Department of Public Safety in exchange for a Nichols College ID card, there may not be enough shovels for everyone during peak demand times, therefore, we ask that you return the snow shovels promptly.

Vehicles not removed from a parking lot that has been closed for snow removal are subject to ticketing and towing at the owner's expense.

V. Parking Violations

The following is a list of parking violations and penalties. Multiple violations may result in several fines.

Failure to display valid parking pass/ Temp pass	\$50.00
Parked in wrong lot	\$15.00
Failure to park in single parking space	\$15.00
Parked in No Parking Zone	\$15.00
Parked on Sidewalk or Grass	\$15.00
Parked in Reserved area/Space	\$15.00
Exceeding Time Limit of Loading/Unloading Zone	\$25.00
Blocking Parked Cars or Dumpster	\$15.00
Parked in Fire Lane	\$20.00
Blocking Emergency Entrance/Exit	\$20.00
Parked in Handicapped Space	\$100.00
Other (specify)	\$15.00
Banned from Campus Parking	\$50.00

VI. Student Code of Conduct Process for Motor Vehicle Policy

All student vehicles MUST be registered with Public Safety and have a valid Nichols College parking decal permanently affixed following the specific location instructions that accompany the decal. Public Safety is charged with enforcing all rules and regulations pertaining to parking on College properties. Student's in violation of the Motor Vehicle Policy are subject to referral to the Office of Community Standards and could face the following charges from the Student Code of Conduct:

- f. Operating under the influence**
- g. Driving recklessly and endangering others**
- h. Continued parking violations**

Parking on the campus is limited and a privilege. Students who obtain 5 parking violations in one academic year (August 1 to July 31 of the following year) will be referred to the Office of Community Standards and could lose parking privileges. Note: Guest Vehicles will be ticketed and become the responsibility of the student host.

Five Violations

- Written Warning*

Ten Violations

- Student Status Probation (8 academic weeks)
- Loss of Parking Privileges Held in Abeyance (remainder of academic year)
- Parent/Guardian Notification

Fifteen Violations

- Student Status Probation (16 academic weeks)
- Parent/Guardian Notification
- Loss of Parking Privileges (16 academic weeks)

*Once 5 parking tickets have been received by Student Financial Services, a Parent/Guardian notice is sent to the address on file by Student Financial Services. This is separate from the Student Conduct Process.

After a student has been found responsible for fifteen continued parking violations, the privilege to maintain and park a motor vehicle on the Nichols College Campus will be revoked. Individuals will surrender the issued parking decal to Public Safety and must remove the vehicle from campus. The cost of the decal will not be refunded. **The vehicle is subject to be towed if found parked in the Nichols College Campus at the owner's expense.** Upon the completion of the Loss of Parking Privileges sanction, a student will need to reapply for a new parking decal. **Issuance of a new decal is based on availability and a student may be placed on a wait list.**

Upon the issuance of the sixteenth (16th) parking violation on the Nichols College Campus to a vehicle in an academic year, the vehicle will be towed immediately at the owner's expense regardless of the Student Conduct Process, status or Parking Appeal Board Process. (See Towing Policy; Section VIII)

i. Violation of motor vehicle policies

Students who violate any items outlined in this Motor Vehicle Policy are subject to referral to the Office of Community Standards and Student Code of Conduct charges may be assessed.

j. Failure to move a parked motor vehicle

Students who do not follow regulations for adhering to any parking lot closure in addition to ticketing and/or towing may be referred to the Office of Community Standards.

VII. Enforcement of Employee Violations of the Motor Vehicle Policy

All Faculty and Staff are responsible for payment of all fines that are not granted an appeal. Payment of fines should be paid upon receipt or within thirty (30) days of issuance. If an appeal is made and rejected, payment is due thirty (30) days after notice of the rejection. In an effort to enforce Nichols College policy as it pertains to Parking Violations, department managers are notified and made aware that if employees do not pay their outstanding parking violations the money owed will come directly out of the employee's department budget and a notice will be copied to the President's office and added to the employee's personnel file.

VIII. Towing Policy

Any Motor Vehicle parked in violation of Nichols College parking regulations is subject to towing if deemed necessary by the Department of Public Safety. All charges for towing and storage are the responsibility of the owner of the registered vehicle towed. Nichols College assumes no responsibility for damages to the vehicle whether during towing or storage. It is the responsibility of the owner/operator to contact the towing company and make proper payment to recover their vehicle.

Vehicles will be subject to towing for the following:

- Any vehicle that receives more than fifteen (15) parking violations in an academic year will be immediately towed.
- Vehicles not displaying a valid license plate.
- Failure to remove a disabled/inoperable vehicle that is parked on Nichols College Campus after a primary request is issued.
- Vehicles obstructing fire lanes or other emergency access ways.
- Vehicles found parked on any sidewalk, walkway, crosswalk, or grass area.
- Vehicles parked within 10ft of a fire hydrant.
- Vehicles blocking entry and exit points of parking lots.
- Vehicles parked in handicap spaces not displaying a valid handicap placard
- Vehicles parked along any College roadways.
- Motor vehicles determined to be abandoned on Nichols College Property.
- Vehicles required to be moved for construction, maintenance, or snow removal procedure (24-hour advanced notice will be provided except for emergency situations).
- Vehicles impeding pedestrian or vehicular traffic or creating safety hazards.
- Any vehicle found not parked in a designated valid parking space.

- Any vehicle parked over 20 minutes in designated loading/unloading spaces.
- Failure to comply with removing vehicle from a closed parking lot on Nichols College. *Notification made via Nichols College E-mail of lot closure prior to date closed.*
- Vehicles parked in front of/or the moving of, a barricade temporarily or permanently erected.
- Vehicles parked in front of a gateway, entrance, or other open area impeding Nichols College functions.
- Vehicles parked in reserved spaces- *signage identifies these spaces on campus.*
- Vehicles parked in no parking zones- *solid white lines with cross striping designate no parking zones on Nichols College.*
- Vehicles parked in front of/or the moving of, a barricade temporarily or permanently erected.
- Any vehicle parked displaying an expired Nichols College issued parking decal.
- Any vehicle parked in a parking lot not designated for their displayed Nichols College parking decal. - *signage entering parking lots identify Resident, Commuter, and Faculty/Staff parking allowed.*

All fees for towing and storage of towed vehicle will be at the vehicle owner's expense. Nichols College does not assume any responsibility for charges set by the towing contractor. All payments must be arranged directly with the towing contractor and not Nichols College.

Nichols College Public Safety will notify listed owner/operator of towed vehicle by Nichols College E-mail notification system when a vehicle has been towed off campus. Information on the towing contractor will be included.

Information of all vehicles towed from Nichols College will be forwarded to the Dudley Police Department.

Nichols College Public Safety cannot provide transportation to the towing company; it is the responsibility of the owner or operator of the vehicle to find adequate transportation to the towing company.

IX. Parking/Traffic Appeals Procedure

A. Appeals

Any parking violation ticket issued may have an appeal submitted to the Department of Public Safety within fifteen (15) days of the date the initial parking violation ticket was issued. All appeals must be submitted to Public Safety using the correct Parking Appeal Form which can be obtained in the lobby of Public Safety. The original or copy of the original ticket must be attached to the Parking Appeal Form for the violation in which you are appealing.

B. Appeal Board Process

The Parking Appeal Board consists of three representatives from the following: Public Safety, Student Government Association, and a Nichols College Employee.

The board is read each appeal form statement and the information given on the parking violation ticket. The Parking Appeal Board will then discuss the facts disclosed by the appeal form and attached ticket(s) and arrive at a verdict on the outcome of the appeal.

Once the Appeal Board decide the outcome of the appeal, it is final. The Public Safety Parking Supervisor will notify each person who filed an appeal of the outcome of their appeal via Nichols College E-mail system. The Parking Supervisor cannot change the decision of the appeal once the Parking Appeal Board has concluded.

The decision of the Parking Appeal Board is final.

X. Billing for Violations

Parking violations are billed through the Department of Student Financial Services. No appeals for violations may be taken by Student Financial Services. All appeals must be submitted to the Department of Public Safety according to the procedure outlined in this hand-book as well as on each Parking Violation ticket.

XI. Additional Parking Guidelines

A. Damage or Theft to Vehicle

Nichols College shall not be responsible for any loss or damage to a vehicle, its accessories, or its contents by reason of theft, accident, fire, or otherwise while on the Nichols College Campus. The responsibility for a vehicle, its accessories, and contents while on campus, shall at all times reside with the owner and/or operator of the vehicle. Owners should take precautions such as always locking valuables and vehicles and activating anti-theft devices. Owners also should ensure that they have appropriate insurance coverage for this purpose.

B. Vehicle Maintenance

All forms of vehicle maintenance are prohibited by students or employees on campus (i.e. oil changes). Any vehicle found inoperable or abandoned cannot remain on campus; vehicles will be subject to towing. (see Towing Policy; Section VIII)

C. Abandonment

Nichols College may seek criminal complaints on vehicles left on campus in violation of Massachusetts Motor Vehicle Law, Chapter 90, section 22B.

D. Vacation Periods

The Parking Policy is in effect throughout the entire academic year and citations are consistently issued in accordance with this policy. During semester breaks, students may leave their vehicles on campus. Students will be informed of designated parking areas via the College E-mail system. Vehicles left outside of the designated parking lot may be towed at the owner's expense. Motor vehicles are left at the students' own risk. There will be no storage of vehicles on the Nichols College Campus during the summer months. Violators will be subject to ticketing and towing at their expense and may incur additional storage fees imposed by the tow company.

E. Motorcycles, Scooters, and Mopeds

Motorcycles, scooters and moped operators must abide by all traffic and parking regulations in accordance with Massachusetts state law and Nichols College Motor Vehicle Policy. Operators must use campus roads and must park in appropriate parking lots. These vehicles are not allowed on the grass areas, in buildings, or under building overhangs. A helmet must be worn at all times pursuant to Massachusetts State Law.

XII. Motor Vehicle Assistance

Public Safety does not offer disabled vehicle assistance. Officers do not have access to jumper cables/car jump boxes in order to jumpstart car batteries. The Public Safety vehicles will not be utilized to assist in jumpstarting a disabled motor vehicle.



Nichols College

Learn. Lead. Succeed.

Office of Residence Life/Hall Policies

Effective Date: August 2, 2015

Last Revised: January 11, 2018

Nichols College Residence Life Mission:

We strive to create a vibrant, inclusive residential community experience that fosters intrinsic leadership, personal growth, and appreciation and respect for all.

To support its mission, Residence Life

- *Creates a safe and welcoming environment*
- *Offers opportunities and resources for student success*
- *Provides programming and events to support the overall well-being and holistic development of our students*
- *Cultivates and maintains a caring, competent, diverse and well trained staff*

Students residing in the Nichols College residence halls are held by the policies and procedures of the Student Code of Conduct as well as the terms and conditions of the Housing License Agreement. Possible Student Code of Conduct Violations are listed at the end of each section in this policy. These violation lists are not exhaustive and the Offices of Community Standards and Residence Life reserve the right to apply violations not listed.

Access to the Residence Halls/Rooms

For the safety and security of all individuals living in the residence halls, all halls are locked 24 hours a day by a computer-controlled card-entry system. Access is granted by a personal identification card that is programmed to only open the building the student is assigned to. All resident students have access to the lobbies of the Copper Beeches only in order to access vending machines and Becker Market.

Lost ID cards or room keys need to be reported to the Residence Life Staff or Public Safety immediately. Failure to report a lost/stolen key or ID will result in a referral to the Office of Community Standards for the following including, but not limited to:

9.i. Failure to report a lost/stolen key or identification card

The residential student initial cost for lock changes and ID replacement is as follows:

Shamie/Olsen/North/Center/Budleigh/Winston- \$43.00

Remillard/Kuppenheimer- \$95.00

Copper Beech I & II- \$103.00

Lost ID Charge- \$25.00

Lost Temporary ID Charge- \$25.00

***Note additional charges may occur based on circumstance, ie. time of day, condition of lock, etc. ***

Any student who provides another individual with their identification card will be referred to the Office of Community Standards for: **9.h. Providing a Nichols College issued key and/or identification card to another individual**

Students found to be in possession of a Nichols College ID of another individual will be referred for violating the Student Code of Conduct, specifically:

14.h. Possession and/or use of false identification

16.d. Excessive Lockouts

Excessive lockouts is defined as 5 lockouts or more within an academic year. See the Nichols College Lockout Policy for full details.

16.j. Propping a door to a residence hall

Individuals who prop doors to the residence hall open jeopardize security. An alarm will sound at the door and at Public Safety if one of the outside doors is kept open for longer than is reasonable for entry.

ADA/Special Housing Accommodations

In compliance with Section 504 of the Federal Rehabilitation Act of 1971 and the Americans with Disabilities Act of 1990, Nichols students who are requesting accommodations of any kind must first be registered with the Director of Health Services or the Director of Advising Services. All information received regarding requests for an accommodation is confidential. First year students are requested to have all of the information completed and submitted the Health Services or the Advising Office by April 1st. Currently enrolled students seeking housing for the next academic year must fulfill all of these requirements and submit all paperwork by April 1st. Incoming first year/transfer residents must fulfill all of the requirement and submit all paperwork by June 1st. Every effort will be made to accommodate late applicants. Accommodations are provided for the student with the disability, not for a group including the student with a disability. The determination that the request for accommodations qualifies will be made by the Office of Residence Life in conjunction with the Director of Advising and the Director of Health Services. A Request for Accommodations Form must be obtained by emailing Residence Life at reslife@nichols.edu. It must be completed in full and the supporting documentation must be in writing from an appropriate provider (physician, psychologist, psychiatrist, etc.) who is not a relative. All documentation must clearly support the need for the requested accommodation(s). Responses, in written form will be sent once a decision has been made.

Alcohol and Drugs within the Residence Halls

Residents living within the residence halls must abide by the Nichols College Alcohol Policy. Alcohol is allowed only in rooms if the entire room/suite/apartment of assigned residents and guests are of legal drinking age (21 years of age or older). The possession of hard liquor is prohibited regardless of age. Possession or use of any alcoholic beverage in common areas by any student or guest is also prohibited. Please refer to the Nichols College Alcohol Policy for further explanation and sanctions. The illegal use or possession of drugs including, but not limited to barbiturates, narcotics, marijuana, or any other controlled substance is strictly prohibited under Commonwealth Laws and College policy. Refer to the Nichols College Drug Policy for further explanations, charges, and sanctions.

The storing of empty alcohol containers is not permitted and must be disposed of immediately and properly. **16.p. Storing empty alcohol containers**

The use of alcohol paraphernalia, boxes, parts of boxes, or containers as decorations is not permitted regardless of age: **16.g. Monuments to alcohol**

Animals/Pets

Fish are the only pets allowed in student rooms. There is a 10-gallon limitation on tank size. All other animals are not allowed in residence halls. Repeat violations could result in removal from housing. **16.a. Animals/pets in residence halls**

Custodial Services

Eagle Cleaning is responsible for the normal cleaning and upkeep of common areas of the residence halls. Any excessive mess is the responsibility of the involved parties. In the event that Eagle Cleaning is called to clean an excessive mess, a charge to the residents of the building will be assessed.

Damage

Damage occurring in a residence hall will be repaired by Facilities Management. In the event that the student who is responsible for the damage cannot be identified, the cost of repair will be assessed to the building, floor or group of residents (at the discretion of Residence Life) and divided by the number of residents. The destruction of property is not tolerated. Individuals will be referred to the Office of Community Standards and face the following possible charges including, but not limited to:

- 4.a. Causing water or fire damage to college property**
- 4.b. Causing physical damage to the buildings or furnishings of the College**
- 4.c. Misuse, destruction, or defacement of Nichols property**
- 4.d. Misuse, destruction, defacement of library material or other academic material**
- 4.e. Misuse, destruction, or defacement of another's property**

4.f. Littering

4.g. Tampering with and/or removing windows or screens

Damage to resident room/suite/ apartment

Damage to College owned property and/or furniture is not permitted. If damage to College owned property and/or furniture is found the student(s) will be charged for the repair and/or replacement of the item. In addition, the student(s) may be relocated while repairs are addressed by Facilities Management. Continual damage will result in a referral for violating the Student Code of Conduct and could result in sanctions ranging from permanent Housing Relocation to Removal from Housing.

Damage to personal property

The College will make every reasonable effort to protect the personal property of residents, but will not be liable for articles lost, stolen, or damaged by fire, water, heat, and/or other natural disasters. (STUDENTS SHOULD RECORD THE MAKE, MODEL AND SERIAL NUMBERS OF IMPORTANT ITEMS, CONSIDER THE PURCHASE OF INSURANCE TO COVER LOSS OF OR DAMAGE TO PERSONAL PROPERTY, OR THE EXTENSION OF PARENTS' INSURANCE FOR THIS PURPOSE.) Nichols College will not be responsible for damages due to power surges caused by individual room overloads or otherwise. Students must provide their own U.L. approved fuse-type multi-plug surge protector.

Disruptive behavior

Disruptive behavior is defined as any action that causes substantial interference or disruption of the College community or operations. The following are not permitted in the residence halls and could result in a referral to the Office of Community Standards.

6.a. Behaving obscenely and/or indecent exposure in public

6.b. Disorderly conduct

6.c. Direct interference with a College Official or designated agent in the performance of his/her official duties

6.d. Exceeding occupancy levels

6.e. Disruptive gatherings/unauthorized party

6.f. Inappropriate behavior

6.g. Unauthorized demonstration

6.h. Disrupting the flow or movement of others

6.i. Substantial disruption of authorized activities

14.j. Conduct unbecoming of a Nichols College student

16.n. Significant interference with the normal residential life of others

Emergency Contact & Missing Person Contact

Any student residing in the residence halls must supply the Office of Student Life with the correct and accurate contact information for one individual who can be contacted in the event

of an emergency and one individual who can be contacted in the event the student is considered a missing person. Both contacts must be kept updated and current with the Office of Student Life. (See Missing Persons for more information)

Fire Safety in the Residence Halls

The safety of the entire building community relies heavily on residents themselves to abide by the policies set forth through the Student Code of Conduct and this Residence Life Policy. The following is not an exhaustive list for prohibitions.

The Use of Open Flames is Not Permitted:

- Arson
- Any source of an open flame
- Blowtorches
- Candles
- Incense

The Following Hazardous Appliances are Not Permitted:

- Air conditioners (including portable air conditioners)
- Any open element appliance (Toaster Ovens/Toasters) *allowed in the Copper Beeches ONLY
- Barbeque Grills
- Fireworks, Explosives Components, Chemicals, Gas, Compressed Air
- Halogen Lamps* Including inside Lava Lamps
- Microwaves over 700 watts (max of one microwave per room)
- Non-UL Listed Appliances, non-UL listed surge protectors
- Oversized fridges (max of two fridges equaling no more than 5 cubic feet per room)
- Space heaters
- Humidifier/Dehumidifier over 5 gallons

The following unsafe hazards/actions are not permitted:

- Causing the malicious evacuation of a building
- Excessive decorations (tapestries, posters, or wall coverings (not more than 25% of each wall in a room may be covered)
- Improper disposal of lighted smoking devices
- Operationally compromising fire sprinkler systems by the presence of tape, hanging materials or items
- Overloaded electrical outlets, power strips, extension cords
- Refusal to evacuate a building during a fire alarm
- Smoking in buildings and/or within 25 feet of a building. This includes the use of e-cigarettes, hookahs, and vaping paraphernalia.
- Tampering or covering smoke detectors

- Tampering with fire safety equipment or alarms
- Anything hanging from/attached to the ceiling or light fixtures including, but not limited to tapestries or decorations

Individuals partaking or possessing in any the above will be referred to the Office of Community Standards for the following possible violations, including, but not limited to:

4.a. Causing water or fire damage to college property

9.a. Arson

9.b. Causing the evacuation of a building

9.c. Unauthorized use or possession of explosive components, chemicals, etc., such as fireworks, explosives, gas or compressed air

9.d. Tampering with, improper use, or causing malfunction of fire/safety equipment or alarm systems

9.e. Creation of a fire hazard or other dangerous conditions

9.f. Smoking in buildings, including residence halls and/or smoking within 25 feet of any College-owned building

9.j. Failure to evacuate during a fire alarm

16.i. Possession of prohibited items/materials

16.r. Violation of Nichols College health/safety regulations

Guests

Nichols College affords its resident students the opportunity to have guests on campus and the privilege to allow guests in a room/suite/apartment as long as the roommate's right to access, privacy and freedom to study and sleep free from disturbance are respected. Each Student Host is responsible for the conduct of their guest, and will be subject to charges from the Student Code of Conduct. Both Building Guests and Visiting Guests are expected to comply with all Nichols College policies. Overnight passes are needed if a Visiting Guest is staying past 11pm on any given night. Failure to obtain a Guest Pass will result in removal from campus for the Visiting Guest and a violation of the Student Code of Conduct for the Student Host. Visiting Guests are not permitted to stay more than 2 consecutive nights at Nichols College within a 7 day period, and no more than 5 nights per calendar month. Refer to the Nichols College Guest Policy for the full terms.

Hall Sports

Due to possible injury to a bystander or damage to the facilities hall sports of any kind are not permitted. This includes the use of sports equipment or engaging in contact activities. The use of rollerblades, skateboards, bikes, or scooters is prohibited within the residence halls. Students engaging in this behavior are subject to referral.

16.e. Hall Sports and/or 18. Skateboarding and Bicycling

Health and Safety Inspections

Residents are responsible for the cleanliness of their respective rooms/suites/apartments. Safety is of the utmost importance to the Office of Residence Life and each resident has a responsibility to assist in the safety of their assigned space. Health and Safety Inspections will be completed every 4-5 weeks by the Office of Residence Life staff to ensure that living conditions meet community standards. Students are not required to be present for the Health and Safety Inspections. Students will be given 48 hours notice of the date and timeframe of the inspections.

Upon completion of the inspection, the room/suite/apartment will receive a receipt of the findings of the inspections. If a room/suite/apartment receives a notice that they FAILED the inspection, the Office of Residence Life staff will give the student(s) 24 hours to rectify the situation and will return to re-inspect.

If upon re-inspection the issue is not resolved the student(s) will be charged \$50 and be referred to the Office of Community Standards for the following possible violations, including but not limited to:

16.r Violation of Nichols College health/safety regulations

8.a Failure to comply with or attempts to circumvent a sanction(s) imposed by a College Official

8.b Failure to respond to the directive of a College Official or designated agent or interference with said directive

16.t. Failure to comply with a Health and Safety Directive

In the event that during inspection, a room is found to be in violation of the Student Code of Conduct or the Housing License Agreement, the residents of the room will be referred to the Office of Community Standards for violating the Student Code of Conduct.

If damage to College owned property and/or furniture is found during a Health and Safety Inspection, the student(s) will be charged for the repair and/or replacement of the item. In addition, the student(s) may be relocated while repairs are addressed by Facilities Management. Continual failure of Health and Safety Inspections will result in a referral for violating the Student Code of Conduct habitually and could result in sanctions ranging from permanent Housing Relocation to Removal from Housing.

Holiday Decorations

As a matter of safety no live greenery or wreaths are permitted anywhere in the residence halls. Under no circumstance should decorations be attached or suspended from fire safety devices or equipment, or from the ceiling. Only UL listed string lights are permitted. No artificial tree or greenery greater than 3ft. is permitted in the residence halls.

Lofts

The use of lofted beds constructed by residents is not permitted. Cinderblocks are prohibited. Only College-issued lofts are allowed.

Missing Persons

Per the Missing Person Policy of the Higher Education Act all students are required to fill out an up-to-date missing person contact of their choosing with the Office of Student Life. Students must provide this information via the online check-in process available on the Nichols College Housing Portal. The College will use this information in cases where a person is reported missing. Once a person is reported missing, their missing person contact will be notified within the first twenty-four (24) hours. All Missing Person Reports that are made to the Department of Public Safety will be investigated in conjunction with the local Police Department. See Missing Person Protocol Policy for more information.

Noise/Quiet Hours

Residence halls should be reasonably quiet at all times and Courtesy Hours are in effect twenty-four (24) hours a day. Quiet hours are in effect Sunday-Thursday 11pm-9am and Friday and Saturday 1am-10am. The Office of Residence Life reserves the right to enforce or change quiet hours. Students are encouraged to address any noise that may be disruptive. Air horns/megaphones are not allowed. Students unable to abide by the Quiet Hours Policy will be referred for **16.h. Noise/Quiet Hours Violation**

Occupancy/Disruptive Gatherings

Residents are welcome to host guests into their rooms in adherence with the Nichols College Guest Policy. However, for safety concerns, the Office of Residence Life limits the number of individuals allowed in a room/suite/apartment. The max number of occupants allowed is double the occupancy of the room plus one. For example, a double room is allowed to have three guests. Additional occupants is viewed as disruptive and the residents of the room will be referred to the Office of Community Standards for the following, including, but not limited to: **6.e. Disruptive gatherings/unauthorized party** and **6.d. Exceeding occupancy levels**

Openings/Closings

Failure to follow the procedures for checking out of rooms during the closings of the residence halls will result in the referral of the student for violating the Student Code of Conduct specifically the charge of **16.f. Improper checkout**. A fine of \$100.00 will be assessed to a student's account.

Early Arrivals/Late Departures

Any student arriving before or after the official move-in/out dates and times without prior written permission from the Office of Residence Life will be subject to a \$50 per day charge assessed to the student's account. The student will be referred to the Office of Community Standards for violating the following including, but not limited to:

8.b Failure to respond to the directive of a College Official or designated agent or interference with said directive

16.c. Early/unauthorized arrival and/or entry to residence hall

Students permitted to reside on campus during closing periods are required to sign and abide by the Early Arrival/Departure Housing Agreement.

Prohibited Items

Any items that violate the Student Code of Conduct or the Housing License Agreement may be confiscated. The following list is not exhaustive and this Residence Life Policy may contain other items throughout. The student will be referred to the Office of Community Standards for violating the charge of: **16.i. Possession of prohibited items/materials**

Air conditioners (including portable air conditioners)	Holiday Decorations (No live greenery or artificial greenery over 3 ft.)
Additional Door Locks	Hoverboards/Electronic Scooters
Animals	Kegeators
Antennas/satellites	Lofts (except those provided)
Barbeque Grills	Megaphones/air horns
Bars	Metal Darts and Boards
Blowtorches	Microwaves over 700 watts (max of one per room)
Candles	Non-UL Listed Appliances
Car batteries	Non-UL listed surge protectors
Ceiling fans	Oil Lamps
Chemicals	Open element appliance (Toaster Ovens/Toasters) *Except in CBs
Compressed Air	Oversized fridges (no more than 5 cubic feet per room, max of two fridges)
Explosives Components	Routers
Firearms/weapons	Shot Glasses
Fireworks	Space heaters
Gas	Waterbed
Halogen Lamps* inc. inside Lava lamps	
Humidifier/De-Humidifier (greater than 5 gallons)	

Residential Lounges

All lounge furnishings/items are to remain in the designated lounge space at all times. Residents found with lounge furniture/items in their room will be directed to remove the item and referred to the Office of Community Standards for the following, but not limited to:

16.k. Relocating lounge furniture/items to individual room

16.l. Removal of College owned property from residence hall

19.i. Possession of College Property

Right of Privacy

Students are guaranteed the reasonable privacy of their room and belongings. However, under specific guidelines rooms may be entered and inspected by Nichols College officials. These guidelines include, but are not limited to, cases of emergency, need for repairs, health and safety inspections, and when reasonable suspicion exists to indicate that a violation of College policies, Federal, State or local laws may be taking place in the room.

Roofs

No student is permitted on the roofs, balconies, ledges or overhangs of the residence halls at any time. Students who do not abide by this will be referred to the Office of Community Standards. Residents of the room, through which access is gained, may be held liable. For the following including but not limited to: **9.g. Getting on roofs**

Room Alterations

Occupants are not allowed to paint, alter, or remodel any furnishings or student room/public area in the residence hall. The use of nails and screws is strictly prohibited. Damage charges will be assessed to the residents concerned. The Office of Residence Life reserves the right to relocate residents for the duration of the repair to the room and to refer for Student Conduct violations.

Room Furnishings

Each resident student is furnished with a bed, desk, wardrobe, wastebasket and recycling bin. All furniture must remain in the original student's room. The College will not remove any furniture from a student's room. Students are responsible for all furniture issued to them at the beginning of the Fall/Spring semester. Students **must not** bring any furniture off campus that is the property of Nichols College. College furnishings may not be removed from students' rooms nor moved from one hall to another. No furniture/items from lounges may be moved to

students' rooms. Penalties for moving such furnishings may include fines and/or student conduct proceedings. Upon moving in, each student is required to sign a room inventory form indicating receipt of the room key and conditions of room and furnishings. Students terminating residency must clear their departure with Residence Life / Area Coordinator before checking out. Upon checkout, the occupant(s) of the room will be charged if inspection by College staff reveals damage or uncleanliness beyond normal wear to the room and/or its furnishings. At any time, if individual responsibility for damage, loss, or defacement cannot be determined, charges may be assessed equally to floor residents for damage to their floor facilities or to all hall residents for damage to hall facilities.

Personal property left behind by residents following checkout and contract termination is considered abandoned. The resident shall be charged for any costs incurred by moving or removing property from their room, floor, hall or college property/parking lots.

1. Vandalism /Property Damage: Theft of, damage to, misuse of, or unauthorized possession of property of the College, other public property, or personal property of another could result in dismissal from the residence halls. All damages, vandalism either purposefully or through negligence, will be charged to the student(s) involved.
2. Repairs: **RESIDENTS ARE NOT PERMITTED TO MAKE THEIR OWN REPAIRS OR TO INSTALL FIXTURES, WHICH INCLUDES MOUNTED WALL BRACKETS FOR TELEVISIONS.**

Any large/heavy/difficult to move items remaining in the room after student check-out that were not originally supplied by the College will be removed and the student(s) will be charged a minimum of \$100.00. Other items left behind will constitute as excessive trash, be disposed of, and the student(s) charged \$100.00. The Office of Residence Life reserves the right to donate or dispose of personal items left behind.

Room Changes

A student wishing to change rooms should first discuss the matter with the Resident Assistant or Area Coordinator. Room change requests are only approved by the Assistant Director of Residence Life. Students who move without authorization or move prior to obtaining permission will be referred to the Office of Community Standards and will result in sanctions.

16.q. Unauthorized room change

Room Vacancies

The office of Residence Life reserves the right to:

- a. Fill any vacancy in a resident room
- b. Consolidate students who are without roommates

- c. Refer students to the Office of Community Standards for failure to comply with a request to prepare for a roommate or for engaging in conduct that dissuades or intimidates other students from moving into a room

Sexual Misconduct

Rape, sexual assault, and sexual abuse, whether committed by a stranger, friend, or steady/casual dating partner, are criminal offenses subject to prosecution under the law. (Please see the Nichols College Sexual Misconduct Policy in the Student Code of Conduct for complete policy guidelines.)

Solicitation/Illegal Posting

Nichols College does not authorize the use of its property or resources to support commercial/personal financial gain. Door to door solicitation is not permitted without the prior approval of the Director of Residence Life or designee. Student Code of Conduct violation: **16.o. Solicitation and/ or illegal posting in the residence halls**

Telephones

All residence halls are equipped with a telephone in a common location for local and emergency calls.

Trash Rooms/Locations of Trash and Recycle Bins

Large bins are located throughout the residence halls for both recycle and trash needs. These bins are the property of Nichols College Facilities Management and are to remain in the designated locations and not in personal student rooms. Violators will be assessed and fee and referred to the Office of Community Standards.

Weapons and Firearms

Weapons prohibited on campus include but are not limited to firearms, ammunition, knives over 8 inches in length, BB, air-soft or pellet guns, bows, arrows, slingshots, paintball guns, machetes, pepper spray (mace), nun chucks, throwing stars, or taser/stun guns of any voltage. Toy weapons, including NERF, and those that look like real weapons are similarly prohibited. Individuals in possession of any of these items will be referred to the Office of Community Standards for the following, including but not limited to:

22.a Possession and/or use of a firearm

22.c. Possession and/or use of a non-firearm weapon

Windows

Screens and windows are not to be removed and no item is to be thrown from a window. The use of windows for entering or exiting rooms is strictly forbidden. Violations will be referred to the Office of Community Standards.

9.i. Use of windows as entrances or exits to a building

16.d. Disposal of items out of windows

Wireless Internet Connection

Each residence hall is equipped with wireless connection to the internet. The use of personal routers is not allowed. Should a student experience trouble with the internet, the Nichols College Help desk can be reached at 508-213-2206. Use of the Campus network is subject to the terms set forth in the Acceptable Use of Information Technology Resources