



Nichols College

**Student Code of Conduct
2026-2027**

**Office of Community Standards
Policies and Procedures**

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Preamble & Purpose

Nichols College seeks to promote the pursuit of activities that contribute to the intellectual, ethical, and physical development of students while ensuring the safety and well-being of all members of the community. As an institution of higher education, Nichols College establishes policies of community standards and regulations for the use of its facilities with the approval of the Board of Trustees. Students are expected to conduct themselves with proper regard for the rights of others and for the College. All members of the Nichols community share a responsibility for maintaining an environment guided by mutual respect, integrity, and reason.

Membership in the Nichols College community is a privilege that carries responsibilities. Nichols College students are both citizens and members of the academic community, and therefore are expected to act in accordance with the standards outlined in this Student Code of Conduct. This document provides information regarding community standards, behavioral expectations, and the processes used by the Office of Residence Life & Community Standards to address alleged violations.

In seeking to encourage responsible behavior and student development, Nichols College places primary emphasis on self-discipline, counseling, and advisement. In circumstances where these approaches are not sufficient, the College will rely on the rules and procedures outlined in this Code. The College addresses conduct matters through an administrative process designed to be educational and developmental in nature, rather than through the traditional adversarial procedures of a court of law.

The Office of Residence Life & Community Standards supports the mission of Nichols College by providing a consistent, fair, and educational process that promotes student learning, personal responsibility, integrity, and accountability. The office works to balance the interests of individual students with the broader needs of the College community.

To support this mission, the Office of Community Standards:

- Develops, interprets, and enforces College policies and expectations for student behavior
- Provides a consistent, educational, developmental, and student-centered approach for resolving policy violations while promoting positive decision-making

Students are responsible for knowing the information, policies, and procedures outlined in this document. The Student Code of Conduct is not an exhaustive list of all College policies or applicable local, state, or federal laws. Nichols College reserves the right to make changes to this Code at any time. Updates will be communicated through official Nichols College email and posted on the [Community Standards Hub page](#).

While every effort is made to ensure the accuracy of the information provided, Nichols College provides this information for the convenience of the reader and reserves the right to make changes without prior notice.

Code of Conduct - Contact Information

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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.

Terminology and Definitions

Advisor: a member of the Nichols community, who may accompany a respondent or complainant for the purpose of support and guidance.

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

Charge: the alleged policy violation(s) being formally addressed with the student.

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

College Premises/Property: all land, buildings, facilities, and other property in the possession of or owned, leases, used, operated, or controlled by the College.

Complainant: student or student organization that reports or brings forward an alleged violation of a policy, procedure, or code of conduct.

Conduct Administrator: a College Official who is authorized to determine the appropriate resolution and outcome of an alleged violation of the Student Code of Conduct. Conduct Administrators are given the authority to investigate incidents, assess potential violations, determine finding/outcomes, and impose sanctions.

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

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

The College: is to reference Nichols College.

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

The Institution: to mean Nichols College.

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

Policy: the written regulations, standards, and community standards expectations.

Possession: physically holding or controlling the subject item or owning or controlling a room, vehicle, or other area where the item is present, knowingly or unknowingly.

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^[1] see Complainant footnote.

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 community standards 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 another 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, (B) the health and safety of any member of the academic community, or (C) conduct occurring off campus that may adversely affect the College community or its interests.

Conduct Authority

The Dean of Students serves as the College's Chief Conduct Officer and vests authority in designees to determine the conduct and appellate process and determine which Conduct Administrator 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 Administrator 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.

Institutional Action While Criminal Charges Are Pending

When a student is arrested, or is otherwise subject to criminal charges, the student may be accountable both to civil authorities and to the College for acts that violate the law and/or the College's Student Code of Conduct or other College policies. Disciplinary action at the College may proceed while criminal proceedings are pending and is not subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. In addition, the College may place a student on an interim suspension in certain circumstances if the College chooses to defer disciplinary action, pending the resolution of a criminal complaint.

Administrative Action

Nichols College tasks members of the Public Safety and Residential Life staff with maintaining environments conducive to living and learning. To this end, staff members may take immediate action in response to a given situation. The instructions of a staff member acting in the fulfillment of their duties are to be followed. Failure to follow 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: The College reserves the right to have College Officials enter and/or search rooms, buildings, suites, apartments, halls, or other areas where there is reasonable suspicion of policy violations, illegal activity, and/or unsafe situations. College Officials have the authority to confiscate any unauthorized items. Confiscated items, in many cases, will not be returned regardless of ownership. In addition, an Administrative Search Directive may be ordered by the Dean of Students or designee.

Cursory Search - When College authorities have reason to suspect that a violation of College policy is occurring or has occurred, they reserve the right to investigate the situation and

confiscate evidence of such violations. In addition, they may make a cursory search of the student's room, motor vehicle, and person, including refrigerators, closets, wardrobes, desks, and large bags or boxes. Material evidence such as alcoholic beverages and containers, drug paraphernalia, suspicious odors, disruptive behavior, or behavior which is suspect, will generally be considered the basis for such a search.

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 Residence Life & 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.

Students do not need to be present when inspections or searches occur.

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 Residence Life & 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 Rights Within the Code of Conduct

In exercising these rights, students are expected to maintain mature and responsible conduct and to comply with local, state, and federal laws, as well as College policies. No right described here shall be interpreted as permitting a student to infringe upon the rights of another member of the College community.

- The right to be informed of the Community Standards and expectations established through the Student Code of Conduct and College policies.
- The right to be presumed not responsible 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 Community Standards Process.*

- The right to be notified of a Referral to the Office of Residence Life & Community Standards and to be notified of any potential violations.
- The right to accept outcomes for Informal Resolutions or to request a Conduct Meeting.
- The right to receive notice of alleged violations at least two (2) business days prior to a formal hearing (Conduct Meeting or Conduct Hearing Board), unless waived by the student or modified by the College in matters involving the safety or well-being of the campus community.
- The right to review relevant incident reports and appropriately redacted materials, in accordance with FERPA, during the investigation and conduct meeting process, and prior to a Conduct Hearing Board or final decision.
- The right to be heard by a Conduct Hearing Board unless that right is waived during a Conduct Meeting or otherwise determined by the College based on the severity of the alleged violations.
- The right to accept or reject responsibility for alleged violations of the Student Code of Conduct.
- The right to request an appeal for outcomes of Conduct Meetings and Conduct Hearing Boards. For Informal Resolutions, only the assigned sanctions may be appealed unless the matter proceeds to a Conduct Meeting.
- The right to be notified of the outcome of the Community Standards Process.
- The right to benefit from an equitable process free from discrimination on the basis of race, color, religion, national origin, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity and expression, genetic information, disability, or military status.

Reporting an Incident

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

1. Report an Incident in Person

- Visit Public Safety, located on the lower level of the Daniels Auditorium (entrance on the left side of the building) or call 508-213-2298 report over the phone.
- Public Safety is available 24 hours a day, 7 days a week, 365 days a year.

2. Refer an incident to the Office of Residence Life & Community Standards Electronically

- By visiting Community Standards [Hub Page](#) to complete the [Incident Report Form](#).
- Email the Office of Residence Life & Community Standards at Community.Standards@nichols.edu
- *Note: The Office of Residence Life & Community Standards email is only checked during normal business hours 8:30am-4:30pm. Emergency information and/or incidents should not be emailed.*

3. Report an Incident of Sexual Misconduct, Title IX, or Discrimination Electronically

- By visiting Title IX and Sexual Misconduct Prevention and Response [Hub Page](#) to complete the [Title IX/Sexual Misconduct Reporting Form](#).

All incidents are referred to the Office of Community Standards^[2] for review and a determination will be made if a student's actions constitute any potential violations of the Student Code of Conduct. 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.

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.

I. Academic Honesty

- 1.a. Academic Dishonesty
- 1.b. Minor Plagiarism: (e.g., improper citation, paraphrasing without attribution)
- 1.c. Significant plagiarism: (e.g., full paragraphs copied, purchased content)
- 1.d. Unauthorized materials or aid during exams
- 1.e. Multiple submissions: Reusing prior work without faculty permission
- 1.d. AI misuse: Use of ChatGPT or AI without citation or faculty permission
- 1.e. Complicity in academic dishonesty: Knowingly allowing others to copy or submit your work

II. Alcohol

For policies and procedures, refer to the Nichols College Alcohol & Drug Policy.

- 2.a. Alcohol/drug related medical transport
- 2.b. Underage possession and/or consumption of alcohol

- 2.c. Underage in the presence of alcohol
- 2.d. Open container
- 2.e. Public intoxication
- 2.f. 21+ in a dry room
- 2.g. Providing alcohol to those underage
- 2.h. Providing means/location of alcohol to those underage
- 2.i. Hard alcohol
- 2.k. Exceeding alcohol limits
- 2.l. Drinking games/means to mass consumption
- 2.m. Failure to comply during an incident involving alcohol
- 2.n. Creation of materials that promote alcohol

III. Destruction of Property and Vandalism

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

IV. Disruptive Behavior

- 4.a. Behaving obscenely and/or indecent exposure in public
- 4.b. Disorderly conduct
- 4.c. Direct interference with a College Official or designated agent in the performance of their official duties
- 4.e. Disruptive gatherings/unauthorized party
- 4.f. Inappropriate behavior

- 4.g. Unauthorized demonstration
- 4.h. Disrupting the flow or movement of others
- 4.i. Substantial disruption of authorized activities
- 4.j. Solicitation and/or illegal posting on campus
- 4.k. Violations of the Acceptable Use of Information Technology Resources Policy

V. Drug Policy

For policies and procedures, refer to the Nichols College Alcohol & Drug Policy.

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

VI. Failure to Comply

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

- 6.a. Failure to comply with or attempts to circumvent a sanction(s) imposed by a College Official
- 6.b. Failure to comply with a written or verbal directive of a College Official or designated agent or interference with said directive
- 6.c. Refusal to produce identification or to properly identify oneself to a representative of Nichols College in pursuit of their official duties
- 6.d. Violation of Nichols College "No Trespass Order"
- 6.e. Violation of Nichols College "No Contact Directive"
- 6.f. Behavior that attempts to evade referral

VII. Fire and Life Safety

- 7.a. Arson
- 7.b. Causing the evacuation of a building

- 7.c. Unauthorized use or possession of explosive components, chemicals, etc., such as fireworks, explosives, gas or compressed air
- 7.d. Tampering with, improper use, or causing malfunction of fire/safety equipment or alarm systems
- 7.e. Creation of a fire hazard or other dangerous conditions
- 7.f. Smoking/vaping in any College-owned building, including residence halls and/or smoking within 25 feet of a building
- 7.g. Accessing unauthorized areas, including roofs
- 7.h. Providing a Nichols College issued key and/or identification card to another individual
- 7.i. Failure to report a lost/stolen key or identification card
- 7.j. Use of windows as entrances or exits to a building
- 7.k. Failure to evacuate during a fire alarm
- 7.l. Unauthorized possession, duplication, or use of any campus key or identification card
- 7.m. Failure to carry a Nichols College identification card
- 7.n. False reports of fire, bombs, or other life-threatening scenarios
- 7.o. Misuse or destruction with a skateboard, electronic board, or bicycle
- 7.p. Breaking and Entering
- 7.q. Trespassing or unauthorized presence/entry on campus or related properties, including residence halls
- 7.r. Assisting an individual with gaining unauthorized access to the campus, grounds, and/or facilities
- 7.s. Possession and/or use of a firearm
- 7.t. Assault with a weapon
- 7.u. Possession and/or use of a non-firearm weapon
- 7.v. Use of an object as a weapon

VIII. Injustice to Others

- 8.a. Murder and non-negligent manslaughter
- 8.b. Negligent manslaughter
- 8.c. Attempt to Murder

- 8.d. Assault on a College Official or designated agent
- 8.e. Aggravated Assault
- 8.f. Physical Assault
- 8.g. Physical Contact
- 8.h. Foul/abusive language or gestures to Nichols College official or designated agent
- 8.i. Threats of violence towards an individual
- 8.j. Intimidation or Harassment
- 8.k. Bullying
- 8.l. Verbal Abuse
- 8.m. Conduct which endangers the health and safety of an individual
- 8.n. Conduct that threatens or conduct that can be construed as threatening
- 8.o. Act of Intolerance
- 8.p. Hate Crimes
- 8.q. Violations of the Nichols College Hazing Policy
- 8.r. Violations of the Nichols College Discrimination, Harassment, and Retaliation policy.
- 8.s. Social Media Misuse

IX. Integrity

- 9.a. Tampering with or falsifying official records
- 9.b. Knowingly assisting in a violation of any provision of this code
- 9.d. Forgery or passing a worthless check or money order in payment of any financial obligation to College community
- 9.e. Forgery or unauthorized reproduction, use, or misrepresentation of another individual's signature, identity, or likeness.
- 9.f. Interference with an investigation or other procedures defined in this code
- 9.g. Unauthorized representation as a Nichols College employee, fellow student or Public Safety Officer or designated agent
- 9.h. Gambling/Bookmaking

- 9.i. Possession and/or use of false identification
- 9.j. Knowingly supplying false information to members of the Nichols College faculty, staff or administration in pursuit of their official duties
- 9.k. Conduct unbecoming of a Nichols College student
- 9.l. Sale or distribution of a false identification card, wristband, or other age or identity verification form
- 9.m. Violations of federal, state, and local laws

X. Motor Vehicle Policy

For policies and procedures, refer to the Nichols College Motor Vehicle Policy.

- 10.a. Operating under the influence
- 10.b. Driving recklessly and endangering others
- 10.c. Continued parking infractions
- 10.d. Violation of motor vehicle policies

XI. Residence Life & Housing Policy

- 11.a. Animals/pets in residence halls
- 11.b. Early/unauthorized arrival and/or entry to residence hall
- 11.c. Excessive Lockouts
- 11.d. Recreational/sports activities in residence halls
- 11.e. Improper checkout
- 11.f. Monuments to alcohol
- 11.g. Noise/quiet hours violation
- 11.h. Possession of prohibited items/materials
- 11.i. Propping a door to a residence hall
- 11.j. Allowing an authorized individual to reside in any Residence Hall space
- 11.k. Relocating lounge furniture/items to individual room
- 11.l. Removal of college owned property from residence hall
- 11.m. Room alterations
- 11.n. Significant interference with the normal residential life of others

- 11.o. Storing empty alcohol containers
- 11.p. Unauthorized room change
- 11.q. Exceeding occupancy levels
- 11.r. Violation of Nichols College health/safety regulations and directives
- 11.s. Violation of any other items identified in the “Residence Life Housing License Agreement”
- 11.t. Violating any terms of the Nichols College Guest Policy

XII. Sexual Misconduct

For policies and procedures, refer to the Sexual Misconduct Policy³¹.

- 12.a. Sexual Violence
- 12.b. Sexual Harassment
- 12.c. Sexual Exploitation
- 12.d. Stalking
- 12.e. Relationship Violence
- 12.f. Aiding or facilitating sexual misconduct
- 12.g. Retaliation-sexual misconduct

XIII. Theft

- 13.a. Robbery
- 13.b. Burglary
- 13.c. Sale of stolen property or merchandise
- 13.d. Identity Theft
- 13.e. The attempted or actual theft of property or service
- 13.f. Motor vehicle theft
- 13.g. Theft or attempted theft of College property
- 13.h. Possession of stolen property
- 13.i. Possession of College Property

XIV. Title IX

For policies and procedures, refer to the Title IX Policy.

- 14.a. Sexual Harassment
- 14.b. Sexual Assault
- 14.c. Domestic Violence
- 14.d. Dating Violence
- 14.e. Stalking

Community Standards Process and Procedures^[4]

Students are referred to the Office of Residence Life & Community Standards for alleged Student Code of Conduct Violations and College Policy Violations. The Office of Residence Life & 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 violations and commencing of the Community Standards Process. 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 Community Standards 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 student will be officially notified via email of a referral to the Office of Residence Life & Community Standards and if any violations of the Student Code of Conduct have been assessed. A Conduct Administrator will notify the respondent of any Conduct Process outcomes, decisions, and any accompanying sanctions in writing/via email.

Types of Resolutions

A. No Violation Assessment

Upon preliminary investigations, the Director of Residence Life and Community Standards may determine that the incident referral does not meet the full criteria of a violation of the Student Code of Conduct. In this circumstance, the student will be officially notified of the violations that could have been assessed and is provided with the opportunity for policy review.

B. Informal Resolution

Students are notified that a referral has been received by the Office of Community Standards. Based upon the information contained in the incident referral, the Director of Residence Life and Community Standards includes the violations that are assessed to the student. Sanctions are

rendered that are in line with the factors of Community Standards History, previously established baselines, and details from the incident itself.

Students are provided the opportunity to:

1. Accept the violations, outcomes, and sanctions⁵
2. Request/Appeal a Conduct Meeting

C. Conduct Meeting

A Conduct Meeting offers the opportunity to discuss the incident and responsibility for the violations and the sanctions. Conduct Meeting occur no sooner than two (2) business days from notification to the student, unless otherwise requested by the student in writing or revoked by the College for the sake of expediency in serious matters involving the safety or well-being of the College community. When a Conduct Meeting is initiated by a Conduct Administrator, the student is notified of a referral to the Office of Residence Life & Community Standards and potential violations.

The respondent will be asked about any involvement in the incident and

1. *Accept responsibility for the violations*
 - a. Sanctions will be rendered by the Conduct Administrator. Note, the respondent forfeits the right to appeal the finding of the Conduct Meeting but can request an appeal for sanctions.
2. *Reject responsibility for the violations*
 - a. The respondent is given an opportunity to provide information regarding the incident and violations.
 - b. A Conduct Administrator will then render a resolution if further information is not needed to render a decision.
 - c. A Conduct Administrator can reschedule a follow-up meeting to obtain further information.

In the event that a respondent fails to appear for a Conduct Meeting, the Conduct Administrator may hold the Conduct Meeting without the student's input or, at their discretion, may schedule a second Conduct Meeting and notify the respondent via email.

D. College Hearing 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. Conduct Hearing will occur no sooner than two (2) business days from notification to the student, unless otherwise requested by the student in writing or revoked by the College for the sake of expediency in serious matters involving the safety or well-being of the College community. 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. See the 'Advisors in Process' section for

more details. The Conduct Board will consider the information and use a preponderance of evidence to determine the finding. Sanctions will be assigned if there is a Responsible Finding. The respondent will be notified. The student has the right to request and appeal of the findings and the sanctions outcomes for a Conduct Hearing. See the Appeal Process of the Student Code of Conduct.

E. Hearing in Absentia^[5]

If a student fails to appear for a Conduct Meeting, Conduct Hearing, and/or Conduct Board, the Conduct Administrator 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. Any sanctions rendered are in affect at the time of the case closure.

Advisors in the Process

A student may choose to have an Advisor present for Conduct Hearings or Conduct Boards. An Advisor can be a member of staff, faculty, or any member of the College Community. Advisors are not allowed to be a parent/guardian or 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 Conduct Administrators while the hearing is in session.
- Not permitted to speak with or question the opposing party or any other involved individuals.
- Are permitted to be emotional support for the student and provide them with advice 1:1.

Parents/Guardians and Attorneys

Only procedural questions may be discussed with a family when a Community Standards matter is pending. All questions or concerns (written or verbal) from one or more individuals acting in the capacity of an attorney are referred to the Nichols College General Counsel. All substantive questions, concerns, or comments concerning student discipline, as well as any written correspondence, including the filing of an appeal, must come directly from the student(s) involved. Attorneys may not attend any student disciplinary meetings. Parents and Guardians are also prohibited from such meetings.

Standard of Proof

The standard, or basis, for findings refers to the standard of proof that is used to assess if a student has violated a College policy. The basis for findings used during Community Standards proceedings is a preponderance of the evidence or "more likely than not" standard.

Meeting Recording Policy

To maintain the integrity and privacy of the Community Standards process, conduct meetings are not recorded by the College, nor is recording permitted by students, advisors, or any other participants. Notes are taken by the conduct officer for documentation purposes in accordance with institutional policy. Any unauthorized audio or video recording of a conduct meeting is strictly prohibited and may result in additional conduct action. The College may choose to record a meeting if it is deemed necessary.

Community Standards Authorities

A. Dean of Students

The Dean of Students, in regard to Community Standards has the following roles and authorities including but not limited to:

- Determining the conduct and appeal process for certain cases, including assignment of Conduct Administrators to cases.
- Developing policies and procedural rules for cases of community standards that are consistent with the provisions of the Student Code of Conduct.
- Interpreting the Student Code of Conduct, including resolving questions related to the meaning, intent, or application of policies.
- Serving as the final decision-making authority in matters of student conduct, including the ability to uphold, modify, or overturn outcomes in accordance with established procedures.
- As an arbitrator of disputes within the student community in cases that do not involve violations of the Student Code of Conduct.
- Imposing interim measures when necessary to protect the safety, well-being, or integrity of the campus community, including but not limited to interim suspension, housing relocation, or restrictions on campus access.
- Ensuring the consistent and equitable implementation of sanctions across cases.
- Consolidating or separating cases involving multiple students or incidents when deemed appropriate for fairness and efficiency.
- 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.
- The Dean reserves the right to designate individuals as necessary to aid in the Student Code of Conduct process.
- Providing oversight, training, and guidance to Conduct Administrators and hearing bodies to ensure consistency, fairness, and adherence to institutional standards.
- Resolving cases administratively, including through agreements, informal resolutions, or alternative dispute resolution processes when appropriate and consistent with policy.
- Reviewing and addressing patterns of behavior, including escalating responses for repeated or concerning conduct.

- Maintaining oversight of student conduct records and reporting in accordance with institutional policy and applicable laws.
- Ensuring compliance with applicable federal, state, and local laws and regulations as they relate to student conduct processes.
- Collaborating with other institutional offices to ensure a coordinated response to student behavior concerns.
- Taking action in urgent or exigent circumstances when standard procedures cannot be followed due to time-sensitive safety concerns.

The Dean of Students serves as the College’s Chief Conduct Officer and retains ultimate authority over the administration of the Student Code of Conduct. The Dean may delegate responsibilities and decision-making authority to designated staff and bodies as outlined below. All actions taken under this structure are carried out in accordance with the Student Code of Conduct and established procedures.

B. Director of Residence Life & Community Standards

The Director of Residence Life & Community Standards serves as a designee of the Dean of Students and is responsible for the implementation, coordination, and administration of the Student Code of Conduct and related processes. Authority includes oversight of case management, assignment of Conduct Administrators, and participation in the appeals process as designated by the Dean of Students.

C. Conduct Administrator

Conduct Administrators serve as designees of the Dean of Students and/or the Director of Residence Life & Community Standards and are responsible for adjudicating community standards cases, including generating findings and assigning sanctions in accordance with the Student Code of Conduct.

Decisions made by Conduct Administrators are considered final unless an appeal is submitted and accepted in accordance with established procedures.^[6]

D. Conduct Board

The Conduct Board serves as a designee of the Dean of Students and consists of trained College administrators. The Board is responsible for adjudicating cases as assigned, including determining findings and sanctions in accordance with the Student Code of Conduct.

Decisions made by the Conduct Board are considered final unless an appeal is submitted and accepted in accordance with established procedures.^[7]

E. Appeal Officer

An Appeal Officer serves as a designee of the Dean of Students and is responsible for reviewing and deciding appeals of community standards cases in accordance with established procedures and grounds for appeal.

Decisions made by the Appeal Officer are final, with no further opportunity for appeal.

Misuse of the Community Standards Process

The Community Standards process is designed to ensure fair, respectful, and orderly resolution of alleged policy violations. Any action that disrupts, interferes with, or undermines this process is prohibited.

Prohibited behaviors may include, but are not limited to:

- Knowingly providing false, misleading, or incomplete information to college officials involved in the Community Standards process.
- Attempting to influence, pressure, or encourage another individual to provide false or misleading information.
- Interfering with or disrupting a Community Standards investigation or proceeding.
- Discouraging, intimidating, or retaliating against any individual for participating in, cooperating with, or providing information related to the Community Standards process.

These expectations apply before, during, and after any Community Standards proceeding.

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 Residence Life & 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 Community Standards Process, which will continue in an effort to find resolution regardless of a student's enrollment status.

Process of Appealing a Conduct Decision

Students may request an appeal of the outcome of conduct decisions by filing a Request to Appeal Form with The Office of Residence Life & Community Standards within five (5) business days of being notified of the results of the Conduct Meeting, Conduct Hearing or Conduct Board.^[8] A Request to Appeal Form can be found at:

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

Appeals will only consider one or more of the following purposes:

1. The Community Standards Process was not followed as detailed in these procedures.
2. New and significant information that was unknown at the time of the hearing and would have likely altered the outcome of the finding(s).
3. The sanction(s) imposed were not appropriate for the violation(s) of the College's community standards.

Note: A student who fails to appear for a scheduled Conduct Meeting, Conduct Hearing, or Conduct Board forfeits all right to an appeal.

Request for Appeal Review

The Office of Residence Life & Community Standards will review the Request to Appeal and will determine if the request is valid under the provisions listed above. Students may request an appeal of the outcome of conduct decisions by filing a Request to Appeal Form with the Office of Residence Life & Community Standards within five (5) business days of being notified of the results of the Conduct Meeting, Conduct Hearing or Conduct Board.

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 of the outcome of the request within five (5) business days of the request being received.

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

1. Uphold the decision and sanction (The appeal is dismissed and the original outcomes stand);
2. Reverse the decision and reduce the sanction;
3. Uphold the decision and increase the sanction;
4. Refer the matter to another Conduct Administrator if a procedural error occurred;
5. Refer the matter back to the original Conduct Administrator 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. Students are not able to appeal the decision of the Appeal Officer.

Student Status Pending Appeal

Except for sanctions that change student status (probation, suspension, expulsion etc.), any other sanctions assigned are deferred pending an outcome of appeal. The Dean of Students or designee 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.

Medical Amnesty

In cases of alcohol and/or drug emergency, the primary concern is the health, safety, and well-being of the individual(s) involved. Nichols College supports an environment that encourages students to help others who need assistance. Students are expected 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 Residence Life & 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 private check-in meeting with the Dean of Students or designee. As long as the student(s) comply with all directives, there will be no violations assessed related to the violation of possession or consumption of alcohol/drugs. Educational interventions may be assigned to support student learning and personal development.

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 assess violations to 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 and 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 could be held accountable 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.

Regardless of the dispatching party or origin of the call, the student is solely responsible for any fees associated with transportation, hospitalization, and treatment for any and all medical responses. Massachusetts General Law Chapter 15A, section 18 requires all students enrolled in 9 or more credits be covered by health and accident insurance. The College is not responsible for any health care expenses incurred.

Community Standards 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. 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.

Note: Some sanctions may affect College opportunities, including but not limited to Study Abroad, holding a class office role, or employment.

Interim Action

In certain circumstances, prior to initiation of the conduct process the Dean of Students or designee may take temporary action to protect the health, safety, or well-being of the Campus Community.

Interim Suspension: In certain circumstances, the Dean of Students or designee may suspend a student for a temporary period pending Community Standards proceedings prior to a Conduct Hearing, Conduct Board, or Investigation. This sanction is enforced with a No Trespass¹⁰ sanction.

When an interim suspension is imposed:

1. The student is required to leave campus immediately and is not allowed on campus until their Conduct Hearing.
2. 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.
3. Resident students are denied access to all Residence Halls for the duration of the Interim Suspension.

Other Interim Actions include, but are not limited to Housing Relocation, Removal from Housing, Suspension of Privileges, or other listed sanctions. All Interim Actions are in place until officially lifted by the Dean of Students or their designee.

Student Status Sanctions

Expulsion from Nichols College: The permanent separation of the student 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.

Deferred Expulsion from Nichols College: 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.

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 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^[9].

Deferred Suspension from Nichols College: 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.

Probation: A specified time period in which a student is put on official notice that further violations of the Student Code of Conduct may result in additional restrictions and/or increased student status sanctions.

Extension of Probation: An Extension of Probation is given when a student is found responsible for minor Code of Conduct violations while on a Probation status. The previous Probation end date is extended a minimum of 8 academic weeks.

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

Verbal Warning: An official verbal notification confirming that the student has violated the Student Code of Conduct and that future violations may result in more severe sanctions.

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, facilities 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.

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

Weekend Suspension: Under certain circumstances, the privilege to be on campus during weekends will be removed. Students will be informed of how many weekends 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 Restriction: The privilege of attending any Nichols College event is removed. This limits 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.

Deferred Social Restriction: Students given this sanction must understand that the privilege to attend Nichols events is in jeopardy of being revoked should there be continued Code of Conduct violations.

No Contact Directive: An order to cease and desist any intentional contact. 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. Intentional contact includes but is not limited to personal contact, telephone, email, texting, social media, or other electronic means. This directive prohibits third-party communication on behalf of the student via those methods.

Note: No Contact Directives are issued to all parties involved and may be imposed prior to initiation of the Conduct Process or assessed as a sanction upon the outcome of the process. A student who violates a No Contact Directive will be referred to the Office of Residence Life & Community Standards and will face additional action for violating the Student Code of Conduct.

Issuance of No Contact Directives:

- Students are encouraged to seek assistance from the Residence Life Staff, Public Safety, and/or the Office of Residence Life & Community Standards 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 Residence Life & Community Standards or designee to investigate the situation and determine the continuation of the directive.

Requests for Lifting No Contact Directives:

- Only the Dean of Students or designee 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 Residence Life & Community Standards at CommunityStandards@nichols.edu . The Dean of Students or designee will investigate the request and make the determination. All No Contact Directives remain in effect until directly specified as being lifted.

No Trespass Orders: A restriction preventing an individual from entering or remaining upon College-owned property. Violations will be subject to immediate arrest and criminal prosecution.

No Trespass All Campus: A full restriction from any and all properties of Nichols College. This includes the areas near the properties and facilities including, but not limited to lawns, walkways, athletic fields, and parking lots. This sanction is in place until officially lifted by the Director of Community Standards or designee.

No Trespass from Residence Halls: Student restriction from entering into any residence hall, including areas near any Nichols Residence Halls. This sanction is in place until officially lifted by the Director of Community Standards or designee.

No Trespassed from Specific Campus Location: In certain circumstances, a student may be restricted from entering a Campus building, certain location or property/grounds during a designated time period.

Housing

Housing Selection Points: Students found responsible for malicious damage, destruction, or vandalism within the residence halls, and/or who are placed on a disciplinary status of Deferred Removal from Housing or Suspension from the College, will have 50 points deducted from their individual housing selection priority number for the subsequent Housing Selection Process.

Deferred Housing Relocation: 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 their current residence hall room and/or residence hall building. This sanction may be a permanent relocation or a temporary relocation.

Deferred Removal from Housing: 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,

unless informed otherwise. 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. The privilege of living on campus is removed beginning twenty-four (24) hours after notification, unless informed otherwise.

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: Students are required to complete a substance use assessment and comply with all recommendations provided by Counseling Services. As part of this process, the student must sign a release of information.

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.

Monetary Sanctions

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

Restitution: Restitution may be assigned when a student is found responsible for damages associated with a Code of Conduct violation. This may include reimbursement to the College, an individual, and/or a student organization for labor costs and/or the value of property that was damaged, destroyed, consumed, or stolen. Restitution is not considered a fine, but a means of restoring loss. In certain cases, restitution may be fulfilled through community service in lieu of, or in addition to, monetary reimbursement.

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.

Athletics Notification: Nichols College reserves the right to notify the Athletics Leadership Team for significant conduct outcomes. As is permitted under FERPA Nichols College will notify Athletics for alcohol and drug conduct outcomes or any probation and above as deemed necessary. Students are encouraged to communicate with head coaches about the outcomes.

Educational Records

The written outcome of a Conduct Meeting, 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 Residence Life & Community

Standards 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 Community Standards 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 Residence Life & 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 Request to Review Education Records Form to the Office of Community Standards.

^[1] *In certain circumstances the term Complainant may also be used in place of the term Reporting Party*

^[2] Except for instances of Sexual Misconduct, Title IX, or Discrimination that are referred directly to the Title IX Coordinator

^[3] Utilized when complaints do not meet the requirements of the Nichols College Title IX Policy

^[4] Referrals which allege violations of the Nichols College Sexual Misconduct Policy or the Nichols College Title IX Sexual Harassment will proceed under the procedures outlined in those separate policies.

^[5] Cases which alleged violations of the Nichols College Sexual Misconduct Policy or the Nichols College Title IX Sexual Harassment may not be heard in absentia, but will proceed under the procedures outlined in those separate policies.

^[6] If an Appeal Process is not initiated

^[7] 8 If an Appeal Process is not initiated

^[8] Cases that are heard under the Nichols College Sexual Misconduct Policy or the Nichols College Title IX Sexual Harassment follow a different appeal process which is outlined in those separate policies.

^[9] See "No Trespass" in this Sanctions section for definition and parameters