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\*730.08 rescinded and replaced by [System Policies 562.06 and 562.07](#) on February 6, 2018.

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# COMMUNITY COLLEGE SYSTEM OF NEW HAMPSHIRE

Section: 700 – Student Affairs	Subject: 720 Student Activities
Policy: Student Activities	Date Approved: March 18, 2008
Policy #: 720.01	Date of Last Amendment: December 21, 2010
Approved: Richard A. Gustafson, Chancellor	Effective Date: January 1, 2011

## **720.01 STUDENT ACTIVITIES**

1. The College administration, at its sole discretion, may recognize student groups, clubs and organizations if:
  - a. A faculty/staff advisor is selected who will advise the group in organization and in the exercise of responsibility.
  - b. The Student Governing Board has approved a statement of purpose, criteria for membership and rules of procedure and policies for the effective operation of the group. A list of officers shall be provided to the college administration.
  - c. An established group shall be open to all students without regard to race, sex, color, marital status, sexual orientation, political affiliation, creed, national origin, age, handicap, or religion, except for religious qualifications which may be required by organizations whose aims are primarily sectarian. (According to all State and Federal Laws).
  - d. Established groups are free to examine and to discuss all questions of interest to them and to express their opinions. They shall be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution or any other organization. At the same time, it must be made clear that in their public expression, students or student organizations in their public expressions speak only for themselves. Activities shall be planned and conducted with the awareness that CCSNH is a public institution.
  - e. With the approval of the faculty/staff advisor and President of the institution, they invite and hear speakers of the students' own choice. It shall be made clear to all concerned that sponsorship of guest speakers does not imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

Section: 700 – Student Affairs

Subject: 720 Student Activities

Policy: Student Organizations/ Advisors

Date Approved: November 17, 2009

Policy #: 720.02

Date of Last Amendment: December 21, 2010

Approved: Richard A. Gustafson, Chancellor

Effective Date: January 1, 2011

## **720.02 STUDENT ORGANIZATIONS/ ADVISORS**

The CCSNH System colleges support student life and encourage faculty/staff involvement in student clubs, organizations, functions and activities, both as participants and advisors on a voluntary basis. Student organizations and sponsored events provide a learning laboratory for leadership experience and opportunities to explore and pursue interests outside of the classroom. Advisors are available to help students reach these goals while allowing students the freedom and space to grow and develop skills.

### 1. ADVISOR RESPONSIBILITIES:

Advisors for student organizations have the following responsibilities:

- Serves as role model for the organization;
- Meets with organization officers on a regular basis;
- Assists in the planning and attends programs when possible;
- Assists in goal setting;
- Assists with budget and fiscal issues, including budget requests and fiscal oversight;
- Obtains liability waivers for activities as required;
- Assists in the development of by-laws;
- Keeps students informed of institutional policies, practices, and mission;
- Assists in the continued development of the organization;
- Assists in officer transitions.
- Acts as a liaison between the organization and faculty and administration

### 2. ADVISOR RESPONSIBILITIES AT STUDENT EVENTS

Advisors at student events have the following responsibilities:

- Serves as a role model during the event
- Assists in the planning of the event and ensures that the event is planned in accordance with college policies and procedures;
- Obtains liability waivers for activities as required;
- Is present at the event and, with the event planners/sponsors, manages any problems that may arise;

- As a representative of the college, ensures that the event reflects the values and mission of the college.

### 3. ADVISORS AS VOLUNTEERS

Organization and event advising is generally voluntary. The college/organization does not provide financial remuneration, except for those expenses reasonably incurred in the normal course of fulfilling one’s responsibilities to the organization. In certain circumstances, staff may be eligible for an adjustment to work schedule (i.e., flexible schedule), with the approval of a supervisor.

### 4. OTHER

- Liability: The CCSNH carries liability insurance to cover employees and volunteers involved in college-approved activities.
- If the advisor is aware of student(s) engaging in activities that are in violation of college policies, the advisor is obliged to inform the students of such violations. If the student(s) continue to engage in such activities the advisor may dismiss the student(s) from the activity and/or refer the student(s) subsequently to the college’s Judicial Committee. The student(s) will be responsible for any costs, including transportation, incurred as a result of the dismissal. In instances where a law has been violated the advisor may be obliged to contact local authorities.
- If renting a vehicle is part of a student activity, the organization should purchase the additional Collision Damage Waiver protection.

Section: 700 – Student Affairs	Subject: 720 Student Activities
Policy: Expenditures for Student Activities	Approved: December 21, 2010
Policy #: 720.03	Date of Last Amendment: December 21, 2010
Approved: Richard A. Gustafson, Chancellor	Effective Date: January 1, 2011

### **720.03 EXPENDITURES FOR STUDENT ACTIVITIES**

The Comprehensive Student Services Fee may have two components: A Student Activities portion and an Administrative portion. Each campus determines the portion of the Comprehensive Student Services Fee that will be allocated to each, with the approval of the Finance Committee and Board of Trustees.

The Student Activities portion of the fee must be placed in a dedicated account and be used to support such college recognized activities as clubs, organizations, intramural and club sports, entertainment and scholarships.

The Administrative portion of the fee must be placed in a dedicated account designated for the support of Student and Academic Affairs. Prohibited uses would include: professional development and/or travel/lodging/meal reimbursement for faculty or staff, marketing, and furniture purchases.

Other fees or revenue such as bookstore commissions and vending commissions are deposited into other operating accounts for use by the college administration.

1. Purchases and other expenditures from the Student Activity account must follow the purchasing policies and procedures of CCSNH.
2. Each college must have a clear approval process for the expenditure of student funds, including requests, allocations, dollar amount limits, restrictions, reimbursements, required documentation, and timelines. Each college will have appropriate forms to reflect the above requirements.
3. Expenditure of funds from student accounts must be authorized by a minimum of three signatures, one of which must be the President or Treasurer of the Student Senate or the President or Treasurer of the club/organization. The second must be the VPSA or the Director of Student Life, who ascertains the appropriateness of the expenditure. The third must be the college CFO, or his/her designee. Signators are responsible for assuring that expenditures are in compliance with policy. Each college will set up procedures for the authorization of expenditures in the event of emergencies or prolonged absence of one or more of the signators (summer, e.g.).
4. With proper authorization, Student Activity account funds may be used for “gifts” to the college for items other than programs or activities—furniture, TV’s, sound systems, etc.
5. Student Activity funds may not be used to make direct donations to individuals, charitable organizations, political parties or candidates, or to support attendance at political events. However, Student Activity funds may be used to cover any initial costs associated with fundraising efforts which support charitable or political causes (purchasing raffle items, e.g.). Those funds must be repaid to the Student Activity fund upon completion of the fundraising activities, however. (Student Activity funds may be used for individual scholarships as provided in 720.03)
6. Allocations of funds, as described in number 720.03.3 above, should complement and not supplant institutional funds. Such expenditures should be shared between the Student Activities account fund and college funds.
7. Student Activity funds may not be moved into other college accounts unrelated to Student Affairs programs and activities.

8. No recognized student organization is permitted to hold an off-campus bank account.
9. Expenditure of funds from student activity accounts must be done willingly and without undue influence or coercion.

Section: 700 – Student Affairs	Subject: 720 Student Activities
Policy: Expenditures for Ceremonies and Events	Approved: December 21, 2010
Policy #: 720.04	Date of Last Amendment: April 20, 2011
Approved: Richard A. Gustafson, Chancellor	Effective Date: April 20, 2011

**720.04 EXPENDITURES FOR CEREMONIES AND EVENTS**

(Also referenced in finance Section 421.09)

1. Departments or programs may hold special ceremonies (such as the pinning ceremony for the Nursing Department) provided they are approved by the President or his/her designee. A fee determined by the students may be charged to cover the full or partial cost of such events.
2. The College may use college funds to cover the full or partial cost of departmental or program recognition events.
3. Student Activities funds may be used to support student focused college-wide social or student recognition events.
4. College funds are used to support such events as commencement, convocation, orientation and the hosting of community groups or events. Such events may include college faculty, staff and guests.

Section: 700 – Student Affairs	Subject: 720 Student Activities
Policy: Student Expression/Communication	Date Approved: March 18, 2008
Policy #: 720.05	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**720.05 STUDENT EXPRESSION/COMMUNICATION**

Student publications must establish and maintain an atmosphere of free and responsible discussion.

1. Each student publication shall be authorized by the administration and shall have an advisor whose role is to assist students.
2. Student publications shall be free of censorship, but editors and managers shall avoid articles, words, or phrases of indecency, libel, undocumented allegations, attack on personal integrity, and the techniques of harassment and innuendo. Violation of this code will be handled under the institution's disciplinary rules.
1. Institutions which publish and finance student publications shall make clear on the editorial page that the opinions expressed are not necessarily those of the institution or student body.

Section: 700 – Student Affairs	Subject: 720 Student Activities
Policy: Athletics	Date Approved: March 18, 2008
Policy #: 720.06	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**720.06 ATHLETICS**

Athletics is a desirable student activity in that it can fulfill the student need for physical fitness, the use of leisure time, and other objectives stated in the Board's Student Activity Policy. Individual and collective intramural, club and intercollegiate athletic activities for both men and women are therefore highly encouraged. Providing athletic opportunities for all students should be considered a key component in fulfilling the college's mission to support and maintain extracurricular activities that complement a student's classroom education.

Section: 700 – Student Affairs

Subject: 730 Student Rights and Prohibitions

Policy: Student Hazing

Date Approved: March 18, 2008

Policy #: 730.01

Date of Last Amendment: March 18, 2008

Approved: Richard A. Gustafson, Chancellor

Effective Date: March 18, 2008

## **730.01 STUDENT HAZING**

### 1. Purpose and Scope

As institutions within the Community College System of N.H., the CCSNH Colleges hereby recognize the dangers inherent in student hazing, condemns the practice, and place students and staff on notice that hazing must be treated as a criminal offense and reported to the police, and will subject those who participate in it to college disciplinary procedures as well.

### 2. Definitions

For the purpose of this policy, the following terms shall have the meanings ascribed to them below:

Hazing means any act directed toward any full-time or part-time student, or any coercion or intimidation of a student to act, participate in, or submit to any act which is likely or would be reasonably perceived as likely to cause physical or psychological injury to any person and is a condition of initiation, admission, or continued membership in the college, or any fraternity, sorority, club, or other college or college-affiliated or sanctioned organization.

### 3. Prohibitions and Obligations

Hazing is a Class B misdemeanor in the State's Criminal Code, for any person who knowingly submits, and any person who has direct knowledge of it and fails to report it to the school authorities and the police.

- a. It is also a Class B misdemeanor for the college or any fraternity, sorority, club or other college-affiliated organization to knowingly or negligently fail to take reasonable measures within the scope of its authority to prevent it, or fails to report it to the police. Express or implied consent of the victim is not a defense to the crime of hazing.
- b. No college student, official, or employee shall participate in hazing.
- c. No college student, official, or employee shall knowingly submit to hazing without reporting it as soon as practicable to the Vice President of Student Affairs,

Campus Security/Safety and to the police.

- d. Any college student, official, or employee having direct knowledge of hazing occurring in connection with the college or any college-affiliated organization shall forthwith report it to the Vice President of Students/Campus Police and to the police.
- e. Any college official, or employee present at the scene of any hazing shall take all reasonable steps within the scope of his/her authority, and any college student, official or employee present at the scene of any hazing shall report it to the Vice-President of Students/Campus Police and to the police, without delay.
- f. Anyone in the college community who has knowledge or reasonably suspects that an act of hazing will occur shall forthwith report it to the college authorities and to the police.
- g. Copies of this policy shall be made a part of the official student handbook and the college personnel policies, and posted conspicuously on college bulletin boards at various locations on campus.

Section: 700 – Student Affairs	Subject: 730 Student Rights and Prohibitions
Policy: Alcohol Policy - Students	Date Approved: March 18, 2008
Policy #: 730.02	Date of Last Amendment: June 19, 2012
Approved: Ross Gittell, Chancellor	Effective Date: June 19, 2012

**730.02 ALCOHOL POLICY - STUDENTS**

(See Facilities Section 562.02 – Alcohol Policy: College Facilities)

- 1. The CCSNH supports the Drug Free Schools and Communities Act Amendment of 1989, P.L. 101-226, and complies with this and all Federal, State and local laws pertaining to controlled substances, including alcohol.
- 2. The CCSNH recognizes alcohol abuse as a deterrent to the mission of the Colleges. The abuse of alcohol imposes consequences on the individual, the members of the College community and the community as a whole. To address alcohol consumption at the CCSNH, all Colleges in the CCSNH shall provide educational programs on the abuse of alcohol and other drugs and provide referral for assistance for students who seek it. Colleges are encouraged to establish campus-wide committees to assist in development of these programs in response to particular campus needs and identification of referral resources in their respective service regions.

3. Alcohol is not permitted on CCSNH property, including any of the Colleges, academic centers, leased facilities except as specifically allowed by CCSNH policy and laws governing the acquisition, distribution, possession or consumption of alcohol. The sale or distribution of alcoholic beverages is regulated by the laws of the State of New Hampshire, and local or county ordinances. The acquisition, distribution, possession or consumption of alcohol by members of the CCSNH community must be in compliance with all local, state and federal laws.
4. Except as prohibited by law, and provided that all conditions of any Federal, State and/or local law, regulation or code are met, students over the age of 21 and not otherwise lawfully barred from the use of alcohol, may possess or consume beer or wine only within the privacy of their residential housing unit provided no persons under the legal drinking age are present and students conform to the Student Code of Conduct. Open containers of alcohol are prohibited in any common areas in and around residential housing. Students of legal drinking age on a College sponsored trip may consume alcohol subject to the rules regarding intoxication in the Student Code of Conduct.
5. Students should be aware that the ability to possess and consume alcohol on CCSNH property is a privilege and that alcohol must be used responsibly. Primary responsibility for knowing and abiding by the provisions of components of the CCSNH Alcohol Policy and all relevant laws rests with each individual. Failure to abide by the terms of this Alcohol Policy and/or all provisions of the Student Code of Conduct, including rules regarding intoxication, may result in disciplinary action under CCSNH and College Judicial Policy. Guests of legal drinking age who consume alcohol on CCSNH property are the responsibility of the College resident inviting them and the guests behavior or violations will become those of the resident and subject to the Student Code of Conduct. Guests may be subject to removal from campus if intoxicated or if behaving in a manner that would constitute a disruption. At any time, as determined by the amount of noise, numbers of people and traffic patterns, the CCSNH Colleges reserve the right to suspend the ability to possess or consume alcohol within any given area.
6. No person may sell, furnish or give alcohol to any person under the legal drinking age or to anyone who is visibly intoxicated, even if that person is over the age of 21.
7. Alcoholic beverages will not be permitted at student organization sponsored events without approval from the President. Requests for approval must be made in writing at least 45 days prior to the event. Those who grant approval for alcohol consumption must keep a written record of all such approval.
8. Food and non-alcoholic drinks must be available at all functions involving the distribution of alcoholic beverages

9. No purchase of alcoholic beverages is allowed from any student funds under the jurisdiction of the CCSNH Board of Trustees. All events at which alcohol is served must comply with the CCSNH Alcohol Policy: College Facilities, including but not limited to the requirement that a third party licensed vendor be retained for serving alcohol.

Section: 700 – Student Affairs	Subject: 730 Student Rights and Prohibitions
Policy: Drugs and Narcotics	Date Approved: March 18, 2008
Policy #: 730.03	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**730.03 DRUGS AND NARCOTICS**

The use, possession or distribution of unprescribed drugs and narcotics, including marijuana, by students is not allowed on campus and will result in suspension or dismissal from the college. Any college student trafficking in drugs shall be subject to civil action. The policy of the college will be to cooperate fully with law enforcement officials in the proper exercise of their duty. This policy is based on Federal and State of New Hampshire laws pertaining to the use of drugs.

Section: 700 – Student Affairs	Subject: 730 Student Rights and Prohibitions
Policy: Title IX & Sexual Harassment	Date Approved: March 18, 2008
Policy #: 730.04	Date of Last Amendment: October 12, 2020
Approved: Richard A. Gustafson, Chancellor	Effective Date: October 12, 2020

**730.04 TITLE IX POLICY AND SEXUAL HARASSMENT FORMAL GRIEVANCE PROCEDURES**

**I. Policy Statement**

CCSNH and its Colleges are committed to creating and maintaining a positive and productive learning environment. In furtherance of this objective, CCSNH prohibits discrimination in the administration of its education programs and activities based on sex including conduct that constitutes sexual harassment. CCSNH also prohibits retaliation against anyone who is involved in the making or reporting of a complaint or investigation or hearing of a formal complaint of sexual harassment.

## II. Purpose of Policy and Formal Grievance Procedures

The purpose of this policy and the formal grievance procedures is to establish and communicate to all students and employees:

- The type of conduct, *i.e.*, sexual harassment and retaliation, that is prohibited by this policy;
- The responsibility of Title IX coordinators to treat reports of sexual harassment seriously and to respond quickly, impartially, and appropriately to such reports;
- The responsibility of employees to notify the Title IX coordinator of any reports of sexual harassment; and
- The formal grievance procedures that will apply to formal complaints of sexual harassment.

## III. Scope of Policy and Jurisdiction

This policy applies to and protects any person participating in or attempting to participate in the education program or activity of any CCSNH college. This policy applies to all college programs and activities including all locations within the United States, events, or circumstances over which the college exercises substantial control over both, the respondent and the context in which the sexual harassment occurs, whether such programs or activities occur on-campus or off-campus. CCSNH Human Resources Policy 323.01 also prohibits sexual harassment and retaliation and will govern investigations of reports where an employee is the complainant and/or respondent.

## IV. Definitions

- a. **Title IX Coordinator:** The employee designated by the college to coordinate its efforts to comply with Title IX responsibilities.
- b. **Campus Security Authorities** under the Clery Act include all residence directors, residence assistants, coaches, student club organization advisors and any other person who has significant responsibility for student and campus activities.
- c. **Advisor:** A person who is available to a complainant or respondent to advise a complainant or respondent throughout the grievance process. An advisor may also provide information or referrals to on-campus and off-campus resources. An advisor may be an employee of CCSNH or another person chosen by the complainant or respondent.
- d. **Confidential Resource:** An individual affiliated with a recognized crisis center, who is available to confidentially support or provide information to those who have experienced domestic violence, sexual assault, or sexual harassment. As explained more fully in section VII below, free and confidential support services

are available across the state to anyone that has been impacted by domestic and sexual violence or stalking. Services are open and affirming to all, and a person does not need to be in crisis to call.

- e. **Investigator:** The person(s) designated by the college to conduct investigations of formal complaints of sexual harassment as defined by this policy. The investigation shall be limited to the allegations set forth in the formal complaint. The investigator is responsible for preparing an investigation report which fairly summarizes all relevant information and the sources of such information gathered during the investigation.
  
- f. **Disciplinary Officer:** The person designated by the college to determine what if any sanctions will be imposed on a respondent who has been found responsible for sexual harassment in violation of this policy.
  
- g. **Hearing Officer:** The person (or persons where a college utilizes a panel of hearing officers) designated by the college to conduct live hearings on formal complaints following completion of an investigation report to determine whether it is more likely than not that the respondent is responsible for alleged conduct which constitutes a violation of this policy.
  
- h. **Appeal Officer:** The person designated by the college to review and decide appeals of the determination made by the hearing officer (or panel) and/or disciplinary officer.
  
- i. **Healthcare Providers** includes any campus-based healthcare provider or tele-mental health provider, or any physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity.
  
- j. **Supportive measures** are actions taken by the college to restore or preserve equal access to education programs without unreasonably burdening any individual or the college, including measures designed to protect the safety of all parties. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures.
  
- k. **Formal complaint** means a written complaint filed by a complainant, or otherwise reported by a complainant to and signed by the Title IX Coordinator, alleging sexual harassment against a respondent, in which the complainant requests that the college investigate the report of sexual harassment.
  
- l. **Retaliation** is any adverse action related to participation in an education program taken against a person because a person has filed a report or participated in any in the formal complaint, investigation or hearing process related to sexual harassment. Charging an individual with a code of conduct violation for making a

materially false statement in bad faith during a grievance proceeding does not constitute retaliation prohibited by this policy. A determination regarding responsibility, alone, however, is not sufficient to conclude that any party made a materially false statement in bad faith.

**m. Sexual harassment** includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect: 1) any instance of *quid pro quo* harassment by an employee of CCSNH; 2) any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; and 3) any instance of **sexual violence**, which includes **sexual assault** (as defined in the Clery Act), **domestic violence, dating violence**, or **stalking** as defined in the Violence Against Women Act (VAWA).

**i. Sexual Assault as defined in the Clery Act** includes any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes forcible regardless of gender. There are four types of forcible sex offenses:

1. **Rape** is the sexual penetration, no matter how slight, of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape regardless of gender.
2. **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
3. **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
4. **Statutory Rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent.

**ii. Domestic violence, dating violence and stalking are defined by VAWA** as:

1. **Domestic Violence** is a felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with, or has cohabitated

with, the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

2. **Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
  3. **Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.
- n. **Consent** as used in this policy is an affirmative decision to engage in mutually acceptable sexual activity given by clear actions or words. It is an informed decision made freely, willingly, and actively by all parties. Consent is knowing and voluntary. Consent is active, not passive. Accordingly, silence or absence of resistance cannot be interpreted as consent. Consent can be given by words or actions so long as those words or actions may be reasonably understood to give permission regarding sexual activity. Individuals cannot give consent if they are incapacitated due to alcohol or legal or illegal drugs, or under the age of 16.

## V. **How to Report Sexual Harassment – General Provisions**

- a. Any person may report sexual harassment without regard to whether the person reporting is the person alleged to be the victim of conduct that could constitute sexual harassment.
- b. Reports to the Title IX coordinator may be made in person or by calling [Each College shall insert the Name of College Title IX Coordinator at Phone Number or in writing by email to Email Address or mail to Mail Address].
- c. Reports may also be made to any other college employee. Upon receiving a report of sexual harassment, all CCSNH employees are required to notify the Title IX Coordinator. Additionally, all individuals who are designated Campus Security Authorities under the Clery Act are required to notify the Title IX Coordinator upon receiving a report of sexual harassment.
- d. When a report of sexual harassment is received, the Title IX Coordinator will provide written information about college processes and supportive measures. Supportive measures may be implemented whether or not a formal complaint is filed.

- e. All reports of sexual harassment shall be maintained by the college as confidential except as may be permitted by FERPA regulations, 99 CFR part 99, or as required by law, or to carry out the purposes of Title IX, 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

## **VI. How to Report Sexual Violence – Specific Provisions**

- a. A report of sexual harassment, which also constitutes sexual violence, may be submitted to the Title IX coordinator or police (either with state police or local law enforcement).
  - i. Reports to the Title IX Coordinator may be made in person or by calling [Each College shall insert the Name of College Title IX Coordinator at Phone Number or in writing by email to Email Address or mail to Mail Address].
  - ii. Reports to police that occur on or near the college campus may be made by calling [Each College shall insert the Name of Law Enforcement Agency(ies) at Phone Number].
- b. When a report of sexual violence is received by the Title IX coordinator, the reporting party will be given written information about college processes, supportive measures and support services and will also be informed of the right to file a formal complaint with the Title IX coordinator and a criminal complaint with the police.
- c. All college employees and Campus Security Authorities (except for healthcare providers acting in their professional capacity as a healthcare provider) who receive reports of sexual violence are expected to notify the college's Title IX coordinator of the report.

## **VII. Amnesty**

To encourage reporting of sexual violence and remove barriers to making a report, an individual who makes a good faith report of sexual violence that was directed at them or another person will not be subject to disciplinary action for a conduct or policy violation that is related to and revealed in the sexual violence report or investigation, unless the college determines that the violation was serious and/or placed the health or safety of others at risk. Amnesty does not preclude or prevent action by police or other legal authorities. This amnesty provision shall also apply to student clubs and organizations making a report of sexual violence.

## **VIII. How to Get Confidential Help or Support**

- a. Confidential help and support is available from [Each College shall insert the Name of Local Crisis Center(s)], a New Hampshire Domestic and Sexual Violence Crisis Center. Through the crisis center free and confidential support services are available to anyone who has been impacted by domestic or sexual violence center or stalking. Services are open and affirming to all, and an

individual does not need to be in crisis to call. Immediate confidential help is also available by calling:

- i. New Hampshire 24-hour Domestic Violence Helpline: 1-866-644-3574
- ii. New Hampshire 24-hour Sexual Assault Hotline: 1-800-277-5570
- iii. National 24-hour Sexual Assault Hotline: 1-800-656-4673

Conversations with crisis center and crisis line volunteers and advisors (confidential resources) are protected under NH confidentiality statute 173C. This means that information shared during these conversations cannot be disclosed without written consent. The only exception to confidentiality is in the case of abuse of a child or abuse of an incapacitated adult.

- b. The confidential resource will assist with information and referrals to medical and counseling resources and provide additional assistance as appropriate such as the name and location of the nearest medical facility where an individual may request that a medical forensic exam be administered by a trained sexual violence forensic health care provider, including information on transportation options and information on reimbursement of travel costs, if any.
- c. The confidential resource is not an employee of the Community College System of New Hampshire but provided through the New Hampshire Coalition Against Domestic and Sexual Violence, the primary provider of crisis intervention services for survivors of domestic violence and sexual assault.
- d. The confidential resource is someone who can receive reports confidentially and unless asked by the person seeking assistance, the confidential resource will not report anything to the police or the Title IX coordinator.
- e. The confidential resource can provide emotional support and information or referrals to on-campus and off-campus resources. They can also accompany a reporting party to meetings with Title IX coordinator, investigation interviews, discipline processes, or hearings.
- f. The college will never request access to records made or maintained by a confidential resource or records of a healthcare provider, which are made and maintained in connection with the provision of treatment to the party, unless the college obtains the patient's voluntary, written consent to do so for the grievance process under this policy.

#### **IX. How to Get Help If You Have Been Accused of Sexual Violence**

- a. A respondent accused of sexual violence may seek support by contacting campus tele-mental health provider or campus mental healthcare provider.
- b. The college will never request access to records made or maintained by a healthcare provider acting or assisting in that capacity and which are made and maintained in connection with the provision of treatment to the party, unless the college obtains that party's voluntary, written consent to do so for the grievance process under this policy.

#### **X. Formal Grievance Procedures: Formal Complaint, Notice, Investigation, Hearing, and Appeal Process**

- a. **Formal complaint** A report may be filed in person, by mail, or electronic mail, by using the contact information listed by the college for the Title IX Coordinator. When a report filed in writing by a complainant, it shall not be treated as a formal complaint unless the complainant also requests that the college investigate the report of sexual harassment. Similarly, when a Title IX coordinator receives an oral report of sexual harassment from a complainant, the report will not be treated as a formal complaint unless the complainant also requests that the college investigate the report of sexual harassment. Such a complaint and the request to investigate the report of sexual harassment must be reviewed and approved by the complainant prior to the Title IX Coordinator signing the written complaint. In such cases, the Title IX Coordinator is not a complainant or otherwise a party in the proceedings.
- i. The Title IX Coordinator shall take no further action on a formal complaint under this policy if the allegations contained within the formal complaint 1) would not constitute sexual harassment as defined in this policy, 2) did not occur in the college's education program or activity, or 3) did not occur against a person within the United States
  - ii. The Title IX Coordinator may take no further action on the complaint under this policy if at any time during the investigation or hearing: 1) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, 2) the respondent is no longer enrolled or employed by the college, or 3) specific circumstances prevent the college from gathering evidence sufficient to reach a determination as to the form complaint or allegations therein.
  - iii. The Title IX Coordinator's decision to take no further action shall be communicated in writing to the complainant. A complainant may appeal such determination as set forth in section h below.
- b. **Notice** Upon receiving or signing a formal complaint of sexual harassment, the Title IX coordinator shall issue a written notice to both parties. The notice shall include:
- i. an overview of the allegations with sufficient details including the identities of the parties, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known,
  - ii. the name, if known, of the investigator assigned to investigate the formal complaint and that the investigator will contact the complainant and respondent to schedule interviews,
  - iii. a statement that the fact that a formal complaint has been filed creates no presumption that the respondent has committed the alleged conduct and the respondent will not be held responsible for the conduct until a determination regarding responsibility is made at the conclusion of the grievance process,
  - iv. a statement that the parties have the right to an advisor of choice, who may be, but is not required to be, attorney, and who may advise each party during the investigation and throughout the grievance process,

- v. a statement that the parties and their respective advisors may review evidence gathered during the investigation prior to the hearing, and
- vi. the range of sanctions that may be imposed upon a respondent who is found responsible following a hearing.

The written notice must also inform the parties of provisions in the student code of conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process and the prohibition against retaliation.

- c. **Emergency Removal** In certain circumstances, a college President, or a designee, may issue an order for emergency removal of a student from campus prior to a hearing. Emergency removal may be imposed only 1) to ensure the safety and well-being of an individual related to the allegations of sexual harassment; or 2) to ensure the normal operations of the college. Notification of the imposition of emergency removal must be communicated to the respondent and the Title IX Coordinator as soon as is practical. The respondent shall have an opportunity to challenge the decision immediately by filing a request for a video hearing before a hearing officer. The respondent shall comply with the emergency removal order until the order is vacated or otherwise lifted.
  
- d. **Investigation** All reports of sexual harassment prohibited by this policy will be investigated as expeditiously as possible (usually within 60 days), with reasonable thoroughness and particular care to preserve the confidentiality of all persons involved.
  - i. All students and employees who are contacted by an investigator are expected to be truthful, forthcoming and cooperative in connection with the investigation.
  - ii. The investigator's report shall fairly summarize all relevant information and the sources of such information gathered during the investigation and shall be submitted to the Title IX coordinator.
  - iii. Upon receipt of the report, the Title IX coordinator shall notify both parties in writing. Each party and their chosen advisor may review the report and submit in writing within 10 days any additional information that is relevant for inclusion in the final report. The final report will be made available prior to a hearing.
  - iv. The investigation shall be limited to the allegations in the formal complaint.
  
- e. **Hearing Process** Within 30 days of receiving the investigation report, the Title IX coordinator shall schedule a live hearing before the hearing officer (or panel) to take place no sooner than 10 days after the final investigation report is made available to the parties.
  - i. At the request of either party, the live hearing will be scheduled to occur via video conference. A record of the hearing will be made either by audio or audiovisual recording, or transcript.

- ii. **Advisor** If a party does not have an advisor present at the hearing, an advisor must be assigned by the Title IX coordinator to assist the party during the hearing.
- iii. **Questioning**
  - 1. At the live hearing, each party's advisor must be permitted to ask the other party and any witnesses all relevant questions and follow-up questions including those questions challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the party's advisor and never by a party personally.
  - 2. If a party or witness does not submit to cross-examination at the hearing, the hearing officer (or panel) must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The determination regarding responsibility, however, cannot be drawn based solely on a party's or witness' absence from the hearing or refusal to answer cross-examination or other questions.
  - 3. Only relevant questions shall be permitted. Before a complainant, respondent, or witness answers a question, it must first be determined whether the question is relevant and explain any decision to exclude the question as not relevant.
  - 4. Questions and evidence of either party's character or character trait is not admissible to prove that on a particular occasion that party acted in accordance with the character or trait.
  - 5. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the response committed the conduct alleged by the complainant, or the questions and evidence concern specific incidents complainant's prior sexual behavior with respondent and are offered to prove consent.
  - 6. Questions or evidence that constitute or seek disclosure of, information protected under a legally recognized privilege, are not allowed unless the person holding such privilege has waived the privilege.
- iv. **Standard of Proof** The hearing officer's (or panel's) determination of the respondent's responsibility shall be made on the basis of whether it is more likely than not that the respondent committed the alleged conduct and thereby violated this policy.
- v. **Determination** The hearing officer (or panel) shall issue a written determination regarding responsibility, the written determination must include:

1. Identification of the allegations potentially constituting sexual harassment as defined in this policy;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility, including any notification to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding application of this policy to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility.
6. Prior to issuance of the decision to the parties, the determination shall be promptly forwarded to the college vice president of student affairs, or other designated disciplinary officer for a determination of sanctions.

**f. Sanctions**

- i. Upon determining that the respondent committed the alleged conduct and thereby violated this policy, the college vice president of student affairs, or other designated disciplinary officer, may impose one or more of the following sanctions:

1. WARNING - a notice in writing to the student that the student is violating or has violated institutional regulations;
2. PROBATION - a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found during the period of probation to be violating any institutional regulations;
3. LOSS OF PRIVILEGES – denial of specified privileges for a designated period of time (e.g., social probation, vehicular privileges, deactivation of a group, limited access to facilities, Persona Non Grata);
4. LOSS OF CONTACT – restriction prohibiting an individual from harassing, threatening, accosting, or even approaching or contacting a specified individual;
5. FINES – previously established and published fines may be imposed;
6. RESTITUTION - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement;
7. RESIDENCE HALL/CAMPUS HOUSING SUSPENSION – separation from the residence halls/campus housing for a definite period of time, after which the student, group, or organization is eligible to return. Conditions for readmission will be specified;
8. RESIDENCE HALL/CAMPUS HOUSING EXPULSION – permanent separation from the residence halls/campus housing;
9. CLASS/ COLLEGE SUSPENSION – separation from class(es) or the college for a definite period of time, after which the student, group, or organization is eligible to return. Conditions for readmission will be specified;
10. COLLEGE DISMISSAL/EXPULSION – permanent separation from all CCSNH colleges which may include loss of campus visitation privileges.

11. EDUCATIONAL OR SERVICE SANCTIONS – imposed in addition to or in lieu of the above sanctions; examples of such sanctions include but are not limited to work assignments, service to the college, written letter of apology, mandatory meetings with a college official. Such sanctions require the approval of any person(s) whose participation is required for the completion of the sanction(s).

- ii. In imposing sanctions, the following goals must be considered and balanced: 1) engaging students in taking responsibility for their conduct, 2) repairing harm caused by the conduct, and 3) rebuilding trust with the individuals directly impacted and the college community.
- iii. A written statement of, and rationale for, any disciplinary sanctions the college imposes on the respondent.
- iv. A written statement of, and rationale for, any remedies designed to restore or preserve equal access to the college's education program or activity provided by the college to the complainant. The Title IX Coordinator is responsible for effective implementation of any remedies.

g. **Notice of Decision** The Title IX coordinator must provide the written determination to the parties simultaneously and not less than 7 business days after the determination of responsibility. The notice of decision must also include an explanation of the college's procedures and permissible bases for the complainant and the respondent to appeal and notice that the determination becomes final either on the date that the college provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

h. **Appeal Process**

- i. Either party may appeal the determination by filing a written appeal to the Title IX coordinator within 5 business days of being informed of the determination. Grounds for appeal shall be limited to:
  - 1. Procedural irregularity that affected the outcome of the matter;
  - 2. New evidence that was not reasonably available at the time of the determination regarding responsibility was made that could have affected the outcome of the matter;
  - 3. The Title IX officer, investigator or hearing officer had a conflict of interest or bias that affected the outcome of the matter.
  - 4. Inappropriate gravity of the sanction in relation to the conduct.
- ii. The other party shall be notified in writing when an appeal is filed.
- iii. Both parties shall be provided a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
- iv. The appeals officer shall issue a written decision describing the result of the appeal and rationale for the result.
- v. The appeals officer's decision shall be provided simultaneously to both parties.

- vi. If the appeals officer determines that the appeal falls within the limited grounds and the outcome may have been affected, the matter will be remanded within 10 days for a new hearing or other appropriate proceeding depending upon the nature of the grounds for the appeal. If the grounds for the appeal is inappropriate gravity of the sanctions in relation to the conduct, the proceeding shall be limited to a hearing before the disciplinary officer on the appropriateness of the sanction.

**XI. Sexual Harassment Education: Awareness, Prevention and Response**

- a. Training for Title IX Coordinators, Investigators, and Decision-makers Involved in the Grievance Process – Each employee who participates in the implementation of the college’s grievance process under this policy including Vice Presidents of Student Affairs, Title IX Coordinators, investigators, hearings officers, campus safety officers, human resources officers, advisors for parties, appeals officers, and disciplinary officers, shall have training in handling sexual harassment reports and complaints and the grievance and disciplinary process. The training shall be provided annually and shall include, but not be limited to:
  - i. Information on working with and interviewing persons subjected to sexual misconduct.
  - ii. Information on conduct that constitutes sexual harassment including sexual violence.
  - iii. Information on consent and the role drugs and alcohol may play in an individual’s ability to consent.
  - iv. The effects of trauma, including any neurobiological impact on a person.
  - v. Cultural competence training regarding how sexual misconduct may impact individuals differently depending on factors that contribute to an individual’s cultural background, including but not limited to national origin, sex, ethnicity, religion, gender identity, gender expression, and sexual orientation.
  - vi. Ways to communicate sensitively and compassionately with a reporting party of sexual misconduct including but not limited to an awareness of responding to a reporting party with consideration of that party’s cultural background and providing services to or assisting in locating services for the reporting party. Ways to communicate sensitively with a responding party including an awareness of the emotional impact of being wrongly accused.
  - vii. Training and information regarding how dating violence, domestic violence, sexual assault, and stalking may impact students with developmental or intellectual disabilities.
  - viii. Materials for all training programs must be made publicly available on the college’s website.
- b. Awareness, Prevention and Response Programming for All Students and Employees -- The college with guidance from its Title IX Coordinator, local law enforcement, and the rape crisis center or domestic violence center, shall provide mandatory sexual misconduct primary prevention and awareness programming for all students and employees of the college, which shall include:

- i. An explanation of consent as it applies to sexual activity and sexual relationships.
- ii. The role drugs and alcohol play in an individual's ability to consent.
- iii. Information on options relating to the reporting of an incident of sexual harassment generally and sexual violence specifically under this policy and the effects of each option, and the methods to report an incident of sexual violence including confidential and anonymous disclosure.
- iv. Information on the college's procedures for resolving sexual harassment including sexual violence complaints, and the range of sanctions the college may impose on students and employees found responsible for a violation.
- v. The name, contact information, and role of the confidential resource.
- vi. Strategies for bystander intervention and risk reduction.
- vii. Opportunities for ongoing sexual misconduct prevention and awareness campaigns and programming.

Section: 700 – Student Affairs	Subject: 730 Student Rights and Prohibitions
Policy: Barred and Expulsion	Date Approved: March 18, 2008
Policy #: 730.05	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**730.05 BARRED AND EXPULSION**

Any person barred and/or expelled from one CCSNH college campus for violence or threats of violence shall be prohibited from attending any other CCSNH college campus and/or satellite campus. The barred and/or expelled person shall be notified in writing of this policy.

Procedure: Submit names and copy of official notification letter of any student classified under this policy to the Chancellor's Office. Names will then be shared with the Vice President of Student Affairs at all campuses.

Section: 700 – Student Affairs	Subject: 730 Student Rights and Prohibitions
Policy: Student Code of Conduct & Judicial Process	Date Approved: March 18, 2008
Policy #: 730.06	Date of Last Amendment: August 31, 2020
Approved: Ross Gittell, Chancellor	Effective Date: August 31, 2020

**730.06 STUDENT CODE OF CONDUCT AND JUDICIAL PROCESS**

**I. INTRODUCTION**

## A. Policy Statement

A student's continuance at any college in the Community College System depends not only upon his or her academic performance but also on his or her conduct. A college's jurisdiction and discipline shall be limited to conduct which adversely affects the college community and/or the pursuit of its objectives, whether on or off the college premises. The goals of the colleges' judicial systems are to:

- Develop, disseminate, interpret, and enforce campus regulations;
- Protect the relative rights of all students;
- Adjudicate student behavioral problems in an effective, equitable, and educational manner;
- Facilitate and encourage respect for campus governance; and
- Enable students to learn from their experiences, to foresee consequences of behavior, and to avoid behaviors that would violate ethical and moral standards.

The mission of the colleges' judicial systems shall be educational in emphasis. In the administration of discipline, however, it is imperative that a proper balance exist between concern for the individual involved in an infraction and concern for the college community. In doing so, the good of the college community normally takes precedence.

## B. Definitions

**College Official** – Refers to any person employed by any CCSNH college performing assigned administrative and/or other professional responsibilities.

**College Premises** – Refers to all land, buildings, facilities, and other property in the possession of, or owned, used or controlled by any CCSNH college (including adjacent streets and sidewalks).

**Complainant** – Refers to any person who has filed a report or complaint alleging that a student has engaged in conduct that violates the Student Code of Conduct.

**Faculty** – Refers to any person hired by CCSNH colleges to conduct educational activities.

**Judicial Advisor** – Refers to the college official(s) appointed by a CCSNH college to coordinate and monitor the judicial process. The judicial advisor's role will include but not be limited to monitoring the judicial bodies and proceedings; advising judicial bodies and students on the applicable judicial process; reviewing requests for judicial appeals; and maintaining judicial proceedings records.

**Judicial Body** – Refers to any college official or committee authorized to determine whether

a student has violated the Student Code of Conduct and to impose sanctions.

**Judicial Committee** – Refers to the appellate body appointed by a CCSNH college that is authorized to consider an appeal arising from a judicial body's determination that a student has violated the Student Code of Conduct and/or the sanctions imposed by such judicial body.

**Respondent** – Refers to a student against whom a complaint alleging violation of the Student Code of Conduct has been filed.

## II. STUDENT CODE OF CONDUCT

### A. Scope

The student code of conduct applies to any person registered, accepted or enrolled in any course or program offered by any CCSNH college including those who are not officially enrolled for a particular term but who have a continuing relationship with the colleges. The colleges' jurisdiction and discipline shall be limited to violations of the Student Code of Conduct. The Student Code of Conduct prohibits activities that directly and significantly interfere with the colleges' (1) primary educational responsibility of ensuring the opportunity of all members of the community to attain their educational objectives; or (2) subsidiary responsibilities of protecting the health and safety of persons in the campus community, maintaining and protecting property, keeping records, providing living accommodations and other services, and sponsoring non-classroom activities such as lectures, concerts, athletic events, and social functions, whether the violation occurs on or off the college premises or inside or outside of the classroom. Such conduct or attempted conduct is forbidden.

### B. General Infractions

1. Violation of published college policies, rules, or regulations;
2. Violation of federal, state, or local law;
3. Use, possession, sale, or distribution of narcotic or other controlled substances or purported controlled substances except as expressly permitted by law and college regulations;
4. Public intoxication or the use, possession, sale, or distribution of alcoholic beverages, except as expressly permitted by the law and college regulations;
5. Possession of firearms, explosives, other weapons, or dangerous chemicals on college premises (including in vehicles) except as authorized by the college;

### C. Academic Misconduct

1. Acts of dishonesty including but not limited to the following:
  - a. **Cheating**, which includes, but is not limited to: (1) use of any unauthorized assistance from other persons or technologies in taking quizzes, tests, or

examinations or in the preparation and completion of class assignments; (2) dependence upon the aid of resources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of college faculty, staff, or students; or (4) knowingly providing unauthorized assistance of any kind to another for the purpose of providing unfair advantage to the recipient in the completion of course assessments/assignments (sometimes known as **facilitation**);

b. **Plagiarism**, passing off the work of another as one's own, which includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in providing term papers or other academic materials via direct sale, barter, or other means.

2. **Grading Authority:** Authority over individual assignment or course grades is reserved to instructors. Therefore, a student who commits an act of academic misconduct may also be subject to academic consequences at the discretion of the instructor in the course. This can result in, but is not limited to, the student failing the course. A student who wishes to file a Grade Appeal should refer to CCSNH Academic Affairs Policy 670.04.

#### **D. Disruption of College Operations**

1. Furnishing false information to any college official, faculty or staff member;
2. Forgery, alteration, or misuse of any college document, record, or instrument of identification;
3. Tampering with the election process or financial management of any college recognized student organization;
4. Disruption or obstruction of any authorized college activity or of any authorized non-college activity; or unauthorized occupancy of any college facility;
5. Failure to comply with directions of college officials, campus security personnel, or public law enforcement officers acting in performance of their duties, including failure to identify oneself to these persons when requested to do so;
6. Participation in a campus demonstration that disrupts the normal operations of the institution and/or infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area;
7. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on college premises or at functions sponsored by or participated in by the colleges.
8. Abuse of the Judicial System, including but not limited to:

- a. Failure to obey the summons of a judicial body or judicial committee;
  - b. Falsification, distortion, or misrepresentation of information before a judicial body or judicial committee;
  - c. Disruption or interference with the orderly conduct of a judicial proceeding;
  - d. Attempting to discourage an individual's proper participation in or use of the judicial system;
  - e. Attempting to influence the impartiality of a member of a judicial body or judicial committee through threat, intimidation, or bribery prior to and/or during the course of the judicial proceeding;
  - f. Failure to comply with the sanction(s) imposed under the Student Code of Conduct;
  - g. Influencing or attempting to influence another person to commit an abuse of the judicial system;
  - h. Aiding or abetting in the violation of the Student Code of Conduct.
9. Disruptive student behavior in a classroom or other learning environment (to include both on and off campus locations), which disrupts the educational process as defined by the instructor. Disruptive student behavior also includes engaging in threatening, intimidating, or other inappropriate behavior toward the instructor or classmates outside of class.

## **E. Health & Safety Offenses**

1. Unauthorized possession, duplication, or use of keys or key cards to any college premises or unauthorized entry to or use of college premises;
2. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored or supervised functions; Reckless or dangerous operation of a motor vehicle on campus which endangers persons or property.

## **F. Offenses Involving Others**

1. Physical or verbal abuse that threatens or endangers the health, well-being, or safety of any member or guest of the CCSNH community and includes verbal abuse that is sufficiently serious to deny or limit the victim's ability to participate in or benefit from the college's educational programs;
2. Threats of harm or injury, either stated or implied, addressed directly to any member or guest of the CCSNH community or posted in an electronic medium so as to leave no doubt as to the intended target;

3. Acts of intimidation or coercion, whether stated or implied;
4. Offenses of domestic violence, dating violence and sexual assault;
5. Acts of harassment and/or retaliation, including discriminatory harassment, directed toward any member or guest of the CCSNH community. Discriminatory harassment refers to the verbal or physical conduct that denigrates or shows hostility toward an individual on the basis of race, color, gender, sexual identity or expression, national origin, religion, age, physical or mental disability, and sexual orientation; or because of opposition to discrimination or participation in the discrimination complaint process. Retaliation is any adverse action related to participation in an education program taken against a person because a person has filed a report or participated in any in the filing of an incident report or complaint, investigation or hearing process related to student conduct.;
6. Hazing, which is defined in NH RSA 631:7 as “any act directed toward a student, or any coercion or intimidation of a student to act or to participate in or submit to any act, when: (1) Such act is likely or would be perceived by a reasonable person as likely to cause physical or psychological injury to any person; and (2) Such act is a condition of initiation into, admission into, continued membership in or association with any organization;” and under this Code of Conduct includes acts that endanger the mental or physical health or safety of a student, or that destroy or remove public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization;

### **G. Offenses Involving Property**

1. Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or other personal or public property;
2. Theft or other abuse of technological resources, including but not limited to:
  - a. Unauthorized entry into electronic files, to use, read, or change the contents, or for any other purpose;
  - b. Unauthorized transfer of electronic files or copyrighted software programs;
  - c. Unauthorized use of another individual's identification and password or key card;
  - d. Use of technological resources that interferes with the work of another student, faculty member, or college official;
  - e. Use of technological resources to send, publish, or display obscene, pornographic, threatening, or abusive messages;
  - f. Use of technological resources to receive; browse, store or view obscene or pornographic materials for other than college-approved research;
  - g. Use of technological resources for criminal activity;
  - h. Use of technological resources to interfere with operation of the college computing system.

## **H. Student Social Compact**

As members of this campus community, we face a serious public health situation that requires a new level of awareness and caution in our daily lives. As a caring community, we understand that our health and safety depend on how well we take care of ourselves and each other. As a member of this community I promise to responsibly protect my health and the health of others. I make these efforts to help prevent the spread of COVID-19 and other risks to our community's health and to best preserve the learning opportunities available to me as a student at this college.

The virus that causes COVID-19 is highly contagious. It is possible to develop and contract COVID-19, even when individuals follow all of the safety precautions recommended by the Centers for Disease Control (CDC), the State of New Hampshire, and the College. NH's community colleges are following coronavirus guidelines issued by the CDC, the NH Department of Health and Human Services (DHHS), and other reliable resources to reduce the spread of infection. However, by engaging in on- or off-campus activities, students, faculty and staff can never be completely shielded from all risks of exposure or illness caused by COVID-19 or other infections.

Maintaining college instructional and service activities is dependent upon how well ALL members of our college community adhere to public health recommendations and expectations. Significant changes in the trajectory of the virus may result in changes to instructional and campus operational plans. It is in all of our best interests to do our part to mitigate the spread of COVID-19. To protect myself and others, and preserve the opportunity of learning in this campus setting, I understand that as a member of the CCSNH community I will be expected to:

### **PROTECT MYSELF**

1. Monitor for the symptoms of COVID-19 and report as directed by the college and to a medical professional if I experience fever, cough, shortness of breath or other symptoms identified by public health authorities
2. Wash my hands often with soap and water or use effective hand sanitizer
3. Maintain appropriate physical distancing, especially in indoor settings
4. Protect myself from viral respiratory infections by means that may include obtaining a flu shot as recommended by NH public health authorities
5. Follow all other recommendations of public health officials in the State of New Hampshire

### **PROTECT OTHERS**

1. Stay home if feeling ill, or after exposure to someone who is ill or is suspected or confirmed positive for COVID-19
2. Wear an appropriate face covering and other protective gear as directed by the college

3. Be positive, sensitive and helpful to anyone around me who may be troubled or struggling
4. Recognize that others may have health conditions or relevant family circumstances that are private and respect their needs for personal and community precautions
5. Understand that individuals can have COVID-19 yet be asymptomatic and therefore an unknown carrier of the virus

#### PROTECT MY COLLEGE COMMUNITY

1. Keep clothing, belongings, personal spaces and shared common spaces clean
2. Carefully observe instructional signs and follow directions
3. Inform the designated COVID-19 Contact Person at my college if I have a positive test or am experiencing symptoms associated with COVID-19
4. Participate as requested in testing and contact tracing to preserve the wellness of the community
5. Recognize that COVID-19 does not stop at campus boundaries and be aware that my behavior outside campus can create risks for my on-campus community
6. Behave with compassion and understand that we are all doing the best we can in unprecedented circumstances – share concerns rather than anger or blame

#### PROTECT MY SURROUNDING COMMUNITY

1. Complete required precautions prior to arrival on campus, or if I have had to leave the state
2. Self-isolate in accordance with NH DHHS guidelines if I test positive for COVID-19
3. Quarantine in accordance with NH DHHS guidelines if I am identified as having been in close contact of a suspected or confirmed case for COVID-19 or fall under the travel restrictions for COVID-19
4. Practice safe physical distancing when participating in the community outside of the campus
5. Pay attention to and observe local and state directives
6. Remember that not everyone is affected equally by COVID-19 and by complying with COVID-19 health guidelines, I will help those who are most vulnerable to stay safe
7. This virus does not discriminate, and neither will I – no person or group of people is responsible for this virus and I will not blame the presence of COVID-19 on anyone in my community

This Social Compact is part of the Student Code of Conduct adopted for the 2020-21 academic year.

### **III. VIOLATION OF CIVIL/CRIMINAL LAW AND COLLEGES' CODE OF CONDUCT**

1. If a student is charged with a violation of the Student Code of Conduct that also constitutes a violation of a criminal statute, disciplinary proceedings may still be instituted against a student prior to, simultaneously with, or following civil or criminal proceedings off-campus.
2. When a student is charged by federal, state, or local authorities with a violation of law, the college will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a CCSNH college judicial body, however, the college may advise off-campus authorities of the existence of the proceeding and of the internal handling of such matters within the college community. College officials, faculty and staff will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators.

### **IV. SANCTIONS AND DISCIPLINARY PROCEEDINGS**

#### **A. Sanction Definitions**

1. **WARNING** - a notice in writing to the student that the student is violating or has violated institutional regulations;
2. **PROBATION** - a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found during the period of probation to be violating any institutional regulations;
3. **LOSS OF PRIVILEGES** – denial of specified privileges for a designated period of time (e.g., social probation, vehicular privileges, deactivation of a group, limited access to facilities, *Persona Non Grata*);
4. **LOSS OF CONTACT** – restriction prohibiting an individual from harassing, threatening, accosting, or even approaching or contacting a specified individual;
5. **FINES** – previously established and published fines may be imposed;
6. **RESTITUTION** - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement;
7. **RESIDENCE HALL SUSPENSION** – separation from the residence halls for a definite period of time, after which the student, group, or organization is eligible to return. Conditions for readmission will be specified;
8. **RESIDENCE HALL EXPULSION** – permanent separation from the residence halls;
9. **CLASS/ COLLEGE SUSPENSION** – separation from class(es) or the college for a definite period of time, after which the student, group, or organization is eligible to return. Conditions

for readmission will be specified;

10. COLLEGE DISMISSAL/EXPULSION – permanent separation from all CCSNH colleges which may include loss of campus visitation privileges.

11. EDUCATIONAL OR SERVICE SANCTIONS – imposed in addition to or in lieu of the above sanctions; examples of such sanctions include but are not limited to work assignments, service to the college, written letter of apology, mandatory meetings with a college official. Such sanctions require the approval of any person(s) whose participation is required for the completion of the sanction(s).

12. INTERIM SANCTIONS - In certain circumstances, the President or Vice Presidents of the college, or a designee, may impose a sanction prior to the hearing before a judicial body. Interim sanctions may be imposed only a) to ensure the safety and well-being of members of the college community or preservation of college property; b) to ensure the student's own physical or emotional safety and well-being; or c) to ensure the normal operations of the college. Notification of the imposition of Interim Sanctions must be communicated to the Judicial Advisor as soon as is practical, as well as to the appropriate Vice President (if the Vice President did not originate the imposition of sanctions).

## **B. STUDENT DISCIPLINARY PROCEEDINGS**

### **Training**

1. All individuals involved in conducting disciplinary proceedings and appeals shall receive annual training on the student code of conduct, investigations and the hearing process which shall include training on how to conduct an investigation and hearing process that protects the safety and welfare of victims and promotes accountability.

### **Filing a Complaint**

1. Any person who witnesses or learns of a violation of the Student Code of Conduct may bring a complaint forward to the appropriate Judicial Body by filing an incident report.

2. Incident report forms may be obtained from the Academic or Student Affairs Offices, as well as from the Judicial Advisor. In addition, forms may be made available through Campus Security or Residential Life (where available) or on the college web site. Information in the incident report should include but not be limited to the following:

- a. Reporting person's name, address, phone, and student identification number (contact information and ID number shall not be released to the Respondent without written permission of the person reporting the incident);
- b. Date, time, and location of incident;
- c. Person(s) involved in the incident;

- d. Victim(s) or damages involved in the incident;
- e. Complete narrative description of the incident;
- f. Names of witnesses to the incident;
- g. Any other information deemed appropriate.

### **Investigation and Resolution of Complaint by Judicial Body**

1. The fact that a complaint has been filed creates no presumption that the Respondent has committed the alleged offense.
2. The complaint will be referred to the appropriate Judicial Body, which will investigate (or request a formal investigation by an impartial investigator) and hear all complaints and may a) dispose of the complaint as unfounded; b) mediate an informal resolution; or c) issue (or recommend to be issued) sanctions as described in Section IV above.
3. The Respondent and the Complainant, where applicable, have the right to be assisted by an advocate of their choice. An advocate, however, is not permitted to speak or to participate directly in any investigation or hearing before the Judicial Body.
4. A time shall be set for an initial hearing before the Judicial Body not less than one (1) business day after nor more than five (5) business days after the Respondent has been notified. At the initial hearing, the Judicial Body may receive evidence from the Complainant and the Respondent regarding any interim sanctions and shall determine whether a) the complaint should be disposed without further investigation and a report issued setting forth the findings and the sanctions, if any, to be imposed; b) mediation is appropriate; or c) a formal investigation is required. In the event a formal investigation is required, the Judicial Body will accept the findings of the investigator(s) and provide a report of the findings to Respondent.
5. Whether the investigation is completed by the Judicial Body or an impartial investigator, all findings will be based on a preponderance of the evidence; *i.e.*, evidence that would lead a reasonable person to believe that it was more likely than not that the Respondent committed the alleged offense.
6. If the investigator's report contains a finding that the Respondent committed the alleged offense, a time shall be set for a sanctions hearing before the Judicial Body to be held not less than one (1) day nor more than ten (10) days after the investigation report is issued.

### **C. STUDENT DISCIPLINARY APPEALS**

#### **Filing an Appeal and Preliminary Appellate Process**

1. A Respondent may appeal a disciplinary action by filing a written appeal with the Judicial Advisor within five (5) business days of being informed of the sanction being imposed. The

imposed sanction remains in effect during the appeal process. The written appeal must indicate the grounds for reversing the sanction. Grounds for appeal shall be limited to:

- a. the original hearing/investigation was not conducted fairly and in conformity with prescribed procedures (see B above);
- b. new and relevant evidence, sufficient to alter the decision, has been revealed that was not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing; or
- c. inappropriate gravity of the sanction in relation to the offense.

2. The Judicial Advisor has three (3) business days from the receipt of the appeal to determine whether the basis set forth in the appeal falls within the grounds allowed for appeal and to inform the appealing student in writing. If, the Judicial Advisor determines that the case does not fall within the grounds allowed for appeal, then the previous adjudication stands. If the Judicial Advisor determines that the case does fall within the grounds allowed for appeal, the Judicial Advisor may:

- a. Meet with the Judicial Body who issued the original disciplinary action to discuss a possible modification or rescission, as appropriate. If a decision to modify or rescind is not reached, the appeal will be forwarded immediately to the Judicial Committee or
- b. Immediately forward the appeal to the Judicial Committee for consideration;

3. All preliminary processing of appeals will be concluded within five (5) business days unless the Judicial Advisor determines that there are specific articulated extenuating circumstances (e.g., absence of key parties) that require an extension.

4. The Judicial Advisor will provide notification of the outcome of the preliminary processing of the appeal in writing within three (3) business days of the decision to the Respondent and, as applicable, the Complainant, and any administrative offices involved.

#### **D. MEMBERSHIP OF THE JUDICIAL COMMITTEE**

1. A chairperson and an alternate chairperson who will be appointed by each college president or his/her designee.

2. A total of four (4) voting members, elected as follows:

- a. Two (2) faculty or staff selected by college president or other appropriate college official(s).
- b. Two (2) students selected by the Student Senate or other appropriate student group. If the college has residence halls, one (1) of the students shall be from the residence halls.

3. A total of four (4) alternate voting members may be selected as follows:

- a. Two (2) faculty or staff selected by the college president or other appropriate college official(s).
- b. Two (2) students selected by the Student Senate or other appropriate student group

4. The advisor to the Judicial Committee will be the Judicial Advisor who will be appointed by the Vice President of Student Affairs.

## **E. JUDICIAL COMMITTEE APPEAL HEARINGS**

1. A minimum of three (3) members (including the Chair) shall constitute a quorum to conduct a hearing. If three appointed members are not available due to recusals or for other reasons, additional members shall be selected by the Judicial Advisor pursuant to the methodology set forth in paragraph 2 b below.

2. During the summer or vacations, a meeting may be called and members will be selected as follows:

a. Regular members will serve, if available, or

b. In the event sufficient regular members are not available, the Judicial Advisor will appoint additional members as necessary to reach a quorum and in such a manner as to reflect the original representation of the committee.

3. If the complaint has been brought by a member of the Judicial Committee or the Vice President of Student Affairs, he/she shall recuse him/herself from the Committee's deliberations and voting.

4. Hearings shall be conducted by the Judicial Committee according to the following guidelines:

a. The parties shall receive written advance notification informing them of the allegations set forth in the complaint, the time, date and place of the hearing.

b. The Respondent may remain silent or submit only a written statement or response to the complaint.

c. Hearings normally shall be conducted in private. Admission to the hearing of any person not directly involved with the proceedings shall be at the discretion of the chairperson of the Judicial Committee.

d. When more than one individual is charged with the same violation, each Respondent shall have the right to an individual hearing. Otherwise, the cases may be heard jointly.

ef. The Complainant and the Respondent have the right to be assisted by an advocate they choose. The Complainant and/or the Respondent, however, are each responsible for presenting his or her own case and, therefore, advocates are not permitted to speak or to participate directly in any hearing before the Judicial Committee.

f. The Complainant, the Respondent and the Judicial Committee shall have the right to call witnesses. They also have the right to present pertinent records, exhibits, and written statements for consideration by the Judicial Committee. All questioning of the Complainant, the Respondent, and witnesses will be conducted by the Judicial Committee.

g. In certain cases, when a complaint has been brought by an individual who is either unable or unwilling to present the case, the college may appoint a representative to present the case. In these instances, a member of the Judicial Body or the impartial investigator will consult with the Judicial Committee to determine the appropriateness of serving in this role.

h. All procedural questions are subject to final decision by the chairperson of the Judicial Committee.

i. After the hearing, the Judicial Committee shall determine based upon the evidence presented at the hearing (by majority vote) whether the Respondent Student has violated the Student Code of Conduct. The chairperson will vote only in the event of a tie.

j. The Judicial Committee's determination shall be made on the basis of whether it is more likely than not that the Respondent committed the alleged offense and thereby violated the Student Code of Conduct.

k. The Judicial Committee will issue a report of its findings and sanctions to be imposed to the Judicial Advisor within three (3) business days of the completion of its hearings on the matter.

l. The Judicial Advisor will provide written notification of findings and sanctions to the Complainant and the Respondent Student, and administrative offices on a need-to-know basis. The original will be maintained with the college's judicial records.

5. The Judicial Advisor shall be responsible for making a record of the hearing. There shall be a single record (whether written minutes, audiotape or other record) of all hearings before the Judicial Committee. The record shall be the property of the college, and may only be reviewed by the parties or college official upon providing a written request to the Judicial Advisor.

6. Except in the case of a student charged with failing to obey the summons of the Judicial Committee, Judicial Body or college official, no student may be found to have violated the Student Code of Conduct solely because the student failed to appear before the Judicial Body or Judicial Committee. In all cases, the evidence in support of the charges shall be presented and considered.

7. The decision of the Judicial Committee is final and is not subject to further appeal.

## **V. STUDENT RIGHTS**

### **A. Students in the Classroom**

The classroom environment should encourage free discussion, inquiry and expression. Student performance must be evaluated on the basis of academic performance. At the same time, students are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

Students are responsible for learning the content and maintaining academic standards for

any course of study, but in so doing, they have the right to take substantiated exception to the data or views presented in class, and they are responsible for learning the content of any course of study for which they are enrolled.

Information about the personal views, beliefs, and political associations of students which instructors, advisors and counselors learn in their course of work should be considered confidential.

## B. Student Freedom Off-Campus

Students are both citizens and members of an academic community with rights of freedom of speech, peaceful assembly and petition. Administrative officials and faculty members should not employ institutional powers to inhibit the intellectual and personal development of students as promoted through the exercise of citizenship rights on and off campus.

Where activities of students off-campus result in the violation of law and interrogation by investigators, the colleges should:

1. Not duplicate the function of general laws until the college's interests as an academic community are distinctly and clearly involved;
2. Not subject the student to a greater penalty than would normally be imposed if the off-campus violation incidentally violates an institution regulation;
3. Take appropriate action independent of community pressure.

## C. Freedom of Association

Students should be free to organize and join associations to promote their common interests. Affiliations with an external organization should not of itself disqualify a student organization from institutional recognition. Student organizations must submit a statement of purpose, criteria for membership, rules of procedures, and a current list of officers. Campus organizations should be open to all students without respect to race, creed or origin, except for religious qualifications which may be required by organizations whose aims are primarily sectarian.

## D. Freedom of Inquiry and Expression

Students and student organizations shall be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. At the same time, it should be made clear that in their public expressions or demonstrations students or student organizations speak only for themselves and not for the college, CCSNH, its board of trustees or employees.

Students should be allowed to invite and to hear any person of their own choosing. Those routine procedures required by a college before a guest speaker is invited to appear on campus should be designed only to ensure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities should

not be used as a device of censorship. It should be made clear to the academic and larger community that presence of guest speakers does not necessarily imply approval or endorsement of the views expressed either by the sponsoring group or by the college.

#### E. Student Participation in College Government

The student body should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The role of student government and both its general and specific responsibilities should be made explicit and the actions of student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.

#### F. Student Publications

College authorities, in consultation with students and faculty, have a responsibility to provide written clarification of the role of the student publications, the standards to be used in their development, and the limitations on external control of their operation. Editorial freedom entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, unsubstantiated allegations and attacks on personal integrity, and the techniques of harassment and innuendo.

#### G. Establishing Student Conduct Standards

##### 1. Conduct

In developing responsible student conduct and disciplinary procedures, the CCSNH and its colleges should:

- a. Establish and communicate, through publication, those standards of behavior which are considered essential to the educational objective and community life.
- b. Initiate disciplinary proceedings only for violations of standards of conduct formulated or published.
- c. Formulate and communicate disciplinary procedures, including the student's right to appeal a decision.

##### 2. Investigation of Student Conduct

###### a. Search & Seizure

CCSNH regards the right of privacy as an essential freedom. Occupied premises, assigned lockers, privately owned automobiles or any other personal property owned or controlled by a student may not be searched without consent of the student except in the circumstances noted below.

Before a search is conducted, school officials will have reasonable grounds to believe that the search will turn up evidence that the student has violated, or is violating, either the law or school rules. All searches will be reasonable and justified from their inception and reasonable in scope:

- Residential Life health and safety inspections, Thanksgiving Break Closings,

Winter Break Closings and Spring Break closings to insure the health, cleanliness, safety and maintenance of the Residence Halls. During inspections, if a policy violation comes to the attention of the staff (ex. candle), it may be addressed judicially.

- Routine inspections, emergency repairs, and/or routine maintenance. Such activities do not normally include searches, but are for the purpose of inspection, maintenance and repair.
- Entries authorized in advance by the President or Vice President of Student Affairs (or designee) in writing based upon reasonable information that such entry is necessary for the purpose of detecting and removing items, including but not limited to, weapons or other contraband which violate a law or a school rule or pose a threat to the health and safety of students, faculty, staff or guests. The scope of any search conducted pursuant to this authorization shall extend no further than is necessary to secure and remove the item(s).
- Entries and searches authorized by law. Entries and searches conducted by duly and authorized law enforcement officials under circumstances authorized by law.
- Entry may be made to ensure the health and safety of occupants. Examples include, but are not limited to, fire or alarm evacuations, smell of smoke or burning items, and concern for non-responsive occupants.
- Appropriate staff may enter if there is a reasonable belief that evidence exists that a violation of a college policy is taking place. Efforts will be made to seek compliance from the residents of the space before this type of entry is made.

## **VI. STUDENT RIGHTS – GRIEVANCE PROCEDURES**

Any student who feels that his/her rights have been violated may file a grievance following the procedure below. In the case of a grievance alleging discrimination based on race, color, religion, national or ethnic origin, age, sex, sexual orientation, marital status, disability, gender identity or expression, genetic information, or veteran status, the student may also report the conduct to the college's Affirmative Action or Equity Officer and/or Title IX Coordinator. In the case of a grievance alleging discrimination, the college may also initiate an investigation and take appropriate steps including, but not limited to, referring the matter to the appropriate College Official for disciplinary action.

A. Prior to filing a grievance, the student is encouraged to meet with the individual who has allegedly violated his or her rights, e.g., instructor, staff member, or student, to resolve the issue informally.

B. If the issue cannot be resolved by pursuing the process in step A, or the individual elects not to resolve the matter informally as prescribed in step A, a formal grievance in writing must be submitted to:

- The Vice President of Academic Affairs for grievances related to the instructional process (see college catalog or student handbook for separate process for Grade

Change/Grade Appeal), or:

- The Vice President of Student Affairs for grievances not related to the instructional process

The grievance must be submitted within two weeks of the date the grievant knew or reasonably should have known, of the alleged violation. The grievance shall specify the right claimed to have been violated and state briefly the underlying facts.

C. The Vice President of Academic Affairs (VPAA) or Student Affairs (VPSA), or designee, will meet with the individual alleged to have violated the student's rights. The VPAA/VPSA, or designee, may attempt to resolve the issue informally at this stage. If resolution is not possible and the VPAA/VPSA or designee determines that the grievance alleges facts which if true constitute a violation of the student's rights and has been timely filed, the matter will be forwarded to the Judicial Advisor who convene the Judicial Committee within two weeks of the receipt of the formal grievance. If the VPAA/VPSA or designee determines that the grievance does not state a violation of the student's rights or is untimely, the VPAA/VPSA will provide a written explanation to the student and the matter will be considered resolved at that point.

Section: 700 – Student Affairs	Subject: 730 Student Rights and Prohibitions
Policy: Statement of Non-Discrimination	Date Approved: March 18, 2008
Policy #: 730.07	Date of Last Amendment: September 15, 2015
Approved: Richard A. Gustafson, Chancellor	Effective Date: September 15, 2015

### **730.07 STATEMENT OF NON-DISCRIMINATION**

The Community College System of NH does not discriminate in the administration of its admissions and educational programs, activities, or employment practices on the basis of race, color, religion, national or ethnic origin, age, sex, sexual orientation, marital status, disability, gender identity or expression, genetic information, or veteran status. This statement is a reflection of the mission of the Community College System of NH and the Colleges and refers to, but is not limited to, the provisions of the following laws:

- Title VI and VII of the Civil Rights Act of 1964
- The Age Discrimination Act of 1967
- Title IX of the Education Amendment of 1972
- Section 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act of 1975
- Section 402 of the Vietnam Era Veteran's Readjustment Assistance Act of 1974
- NH Law Against Discrimination (RSA 354-A)

Inquiries regarding discrimination may be directed to the CCSNH Title IX Coordinator, 26 College Drive, Concord, NH 03301, (603) 230-3500 and/or the College Title IX Coordinator(s) designated at each campus. Inquiries may also be directed to the US Department of

Education, Office of Civil Rights, Region 1, 1875 JFK Federal Building, Boston, MA 02203, (617) 565-1340; the NH Commission for Human Rights, 2 Chenell Drive, Concord, NH 03301, (603) 271-2767; and/or the Equal Employment Opportunity Commission, JFK Federal Building, Boston, MA 02203, (617) 565-3200.

Section: 700 – Student Affairs	Subject: 730 Student Rights and Prohibitions
Policy: Timely Warning & Emergency Notification	Date Approved: September 9, 2015
Policy #: 730.09	Date of Last Amendment: September 9, 2015
Approved: Ross Gittell, Chancellor	Effective Date: September 9, 2015

## **730.09 TIMELY WARNING & EMERGENCY NOTIFICATION POLICY**

### **I. Policy Statement**

Timely Warnings and Emergency Notifications will notify members of the College community of potential threats against which they can take preventive measures.

### **II. Policy Purpose**

In compliance with the Higher Education Opportunity Act (HEOA) of 2008, and the Jeanne Clery Act, 20 U.S.C. 1092(f), the purpose of this policy is to set forth the procedures by which the CCSNH will provide emergency notification or timely warning to the College community in the event that a significant emergency or dangerous situation is reported that poses an immediate, imminent, or impending threat to members of the College community; or a crime or incident is reported that poses a threat to members of the College community.

### **III. Scope of Policy**

Timely warnings will be issued in response to reported crimes committed either on campus or, in some cases, off campus that, in the judgment of the College, constitute a serious or continuing threat to members of the College community.

Timely Warnings are disseminated for the following FBI Uniform Crime Report/National Incident Based Reporting System Classifications: arson, criminal homicide, sex offenses (forcible rape, forcible sodomy, sexual assault with an object, forcible fondling, incest, and statutory rape), robbery, aggravated assault, burglary, and hate crimes. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case, and the information known to the CCSNH. For example, if an aggravated assault occurs between two students who have a disagreement, there may be no ongoing threat to other members of the College community; therefore, a Timely Warning would not be disseminated.

Emergency notifications will be issued in response to a significant emergency or a dangerous situation, either on campus or, in some cases, off campus that, in the judgment of the College, constitute an immediate, imminent, or impending threat to the health or safety of members of the College community.

#### **IV. Timely Warning Protocol**

The issuing of a timely warning notice must be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

In an effort to provide timely notice to the College community, and in the event of a serious incident which may pose a threat to members of the College community, an email Timely Warning is sent to all students, faculty and staff.

Updates to the College community about any particular case resulting in a Timely Warning may be distributed via email, may be posted on the College website, or may be shared with local news media.

The College may not provide Timely Warnings about those crimes reported to a pastoral or professional counselor.

All crime reports requiring a decision to issue a Timely Warning shall be documented on a Timely Notice Determination Form detailing why the College did or did not issue a Timely Warning.

The College must maintain a record of each Timely Notice Determination Form for seven (7) years from the date the form was completed.

#### **V. Emergency Notification Protocol**

Emergency notification is issued immediately upon confirmation that a dangerous situation or emergency exists or threatens.

- Alert System- Email, text messages and voice mail messages (where appropriate) are automatically generated.
- Website Updates- information will be posted to the College's website

The Emergency Management Group, or select members of management are responsible for determining the deployment of the Alert system for use in disseminating emergency notification/information. **The College President or designee will issue all Emergency Alerts.**

#### **VI. Timing, Content, and Decision Criteria for a Campus Timely Warning or Emergency Notification**

##### **A. Timely Warning**

- The warning should be issued as soon as the pertinent information is available because the intent of a campus timely warning is to alert the campus community of

continuing threats, especially concerning safety, thereby enabling community members to protect themselves.

- The warning should include all information that would promote safety. Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim and to protect.

**B. Emergency Notification:**

- A statement as to what the emergency or dangerous situation is, in specific terms;
- A statement providing direction as to what actions the receiver of the message should take to ensure their own safety;
- A statement as to where or when additional information may be obtained.

Section: 700 – Student Affairs	Subject: 740 Admission of Students
Policy: Domicile and Tuition Rate	Date Approved: March 18, 2008
Policy #: 740.01	Date of Last Amendment: August 24, 2020
Approved: Richard A. Gustafson, Chancellor	Effective Date: August 24, 2020

**740.01 DOMICILE AND TUITION RATE**

1. All students attending colleges in the CCSNH in any capacity shall be charged tuition at a rate to be determined by their domicile. Those domiciled within the State of New Hampshire shall pay the in-state rate. Those domiciled elsewhere shall pay the out-of-state rate.

2. Domicile, Emancipated Person, and Parent Defined:

"Domicile" denotes a person's true, fixed and permanent home and place of habitation. It is the place where he/she intends to remain and to which he/she expects to return when he/she leaves without intending to establish a new domicile elsewhere.

No person shall be deemed to be "emancipated" unless his/her parent has entirely surrendered the right to the care, custody and earnings of such person and unless his/her parent is no longer under any legal obligation to support or maintain such person or, having supported and maintained such person even though under no legal obligation to do so, has ceased to support or maintain such person. Emancipation shall not be found unless all such tests are met.

The term "parent" shall mean the individual or individuals names on the unemancipated person's birth certificate; or a legal guardian or legal custodian of the unemancipated

person provided that there are no circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an in-state student on such unemancipated person; or an individual who can claim the unemancipated person as a dependent on the previous year's IRS 1040 tax return.  
(amended 6/17/08)

3. Domicile: Conditions for Eligibility

- a. No unemancipated person shall be eligible for in-state tuition unless his/her parent shall have established domicile in this state.
- b. The domicile of an unemancipated person is that of his/her parents, or if his/her parents are separated or divorced, that of the parent who has custody of him/her.
- c. The domicile of an unemancipated person who has no parents is that of his/her guardian or other legal custodian, unless it appears that such guardianship or custodianship was created for the purpose of establishing an in-state status.
- d. The domicile of any person who first enters the system from the domicile of his/her parent, as defined in subparagraph 3 above, is that of his/her parent until he/she abandons such domicile, and acquires a new domicile.
- e. The domicile of any person who first enters the system from a domicile other than New Hampshire is such a domicile until he/she abandons such domicile and, for purposes other than that of his/her education, acquires a new domicile.
- f. Attendance at the Colleges or at any other educational institution in this State in itself shall not be evidence of intention establish or establishment of a domicile in this State.
- g. No person shall be eligible for in-state tuition status unless he/she establishes that his/her residence in New Hampshire is for some purpose other than the temporary or primary one of obtaining an education.
- h. International Students (as defined in 740.05) throughout their Duration Status, are not eligible for in-state or New England Regional tuition rates for day courses at any time while enrolled at a CCSNH college.

4. Domicile – Exception for Military Personnel

A member of the active duty Armed Forces of the United States stationed in this state under military orders, or stationed in a contiguous state but temporarily living in New Hampshire, shall be entitled to classification for himself/herself, spouse and dependent children as in-state for tuition purposes so long as said orders remain in effect and residence in New Hampshire is continued.

Furthermore, military personnel who are residents of another state but choose New Hampshire as their residence within 90 days of being discharged from the military will be

considered New Hampshire residents and charged in-state tuition. (amended 6/17/08)

5. Domicile – Evidence of Proof

All evidence relevant to determining domicile may be considered, but the following shall, in any case, be relevant, without limiting in any way such other information as the applicant may wish to submit or the college Admissions Office may wish to require:

- a. Payment or non-payment of any tax levied by the State or any political subdivision on a person's residence or domicile thereon.
- b. Residence reported on any federal or state tax return.
- c. Registration of one's automobile.
- d. State issuing one's driver license.
- e. Receipt of support in whole or in part from parents who are resident or domiciled outside the State of New Hampshire.
- f. Voting residence.
- g. Claim by any non-resident parent that the applicant is a dependent for tax or any other financial purpose.
- h. Regular departure by an applicant from the State of New Hampshire during recesses or vacations from the colleges.
- i. The filing of any claim for benefits under any policy of insurance or any federal, state, or local benefit legislation based on residence or domicile outside the State of New Hampshire.
- j. Status in some other state which would qualify a person for in-state tuition in that state.

6. Emancipation – Conditions for Eligibility

No person shall be deemed to be emancipated unless his/her parent, as defined in subparagraph 1. above has entirely surrendered the right to the care, custody and earnings of such person and unless his/her parent is no longer under any legal obligation to support or maintain such person or, having supported and maintained such person even though under no legal obligation to do so, has ceased to support or maintain such person. Emancipation shall not be found unless all such tests are met.

7. Emancipation – Evidence of Proof

The following shall be evidence of emancipation, but shall not be exclusive, and other

evidence may be submitted by an applicant and/or demanded by the college's Admissions Office:

- a. Lack of financial support of the person by the parent;
- b. Lack of contribution to the parent of any earnings or other income received by the person;
- c. Failure of the parent to claim the person as a dependent on his/her income or other tax returns;
- d. Establishment by the person of a domicile separate and apart from that of the parent;
- e. Failure of the person to return to the home of the parent during vacations and other recesses from school.

Section: 700 – Student Affairs	Subject: 740 Admission of Students
Policy: Determination of In-State Status	Date Approved: March 18, 2008
Policy #: 740.02	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

### **740.02 DETERMINATION OF IN-STATE STATUS**

1. Each applicant for in-state status for tuition purposes shall submit an application on forms to be prescribed by the college Admissions Office which shall include a sworn statement certifying that the applicant is legally domiciled within the State of New Hampshire. The application shall also include such additional information as the Admissions Office may require in support of the affidavit of domicile. At its discretion, the Admissions Office may require resubmission of an application form from any in-state student prior to the commencement of each semester the student plans to attend the College.
2. A student shall be classified as in-state or out-of-state for tuition purposes at the time of his/her first admission to the system. In the first instance the college Admissions Office will make the decision based upon information furnished by the Student's application and other relevant and available information.
3. Any student who is aggrieved by the decision of the college Admissions Office classifying him/her as an out-of-state student for tuition purposes may appeal in writing to the President of the appropriate institution or his/her designee. The student shall have the right to present to the President or his/her designee such additional evidence as he/she may deem appropriate in processing his/her appeal, and shall have the right to appear in person and be heard.

4. In all cases of application for in-state status for tuition purposes, the burden of proof shall be on the applicant. At the applicant's request, the Admissions Officer shall state the reason or reasons for his/her decision in writing.

Section: 700 – Student Affairs	Subject: 740 Admission of Students
Policy: Change in Status	Date Approved: March 18, 2008
Policy #: 740.03	Date of Last Amendment: June 17, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

### **740.03 CHANGE IN STATUS**

1. Any student who has, on his/her first admission to the system, been classified as out-of-state for tuition purposes, may apply to the college Admissions Office for a change of status on or before September 1 for the subsequent Fall semester, on or before January 1 for the subsequent Spring semester, and on or before June 1 for the subsequent summer term. (amended 6/17/08)
2. In the event the college Admissions Office possesses facts or information indicating that a student's status should be changed from in-state to out-of-state, the student shall be informed in writing of the change of status. The student may appeal the decision of the college Admissions Office as hereinabove set forth. No such change made by the Admissions Office after the commencement of any semester shall be effective until the beginning of the next semester.
3. No changes approved during a semester shall be effective until the beginning of the following semester. However, if a change of status from out-of-state to in-state has been denied by the Admissions Office prior to the commencement of a semester, and the decision is reversed through appeal during the semester, the student's status shall be effective as of the commencement of the semester in which the appeal was made.

Section: 700 – Student Affairs	Subject: 740 Admission of Students
Policy: Waiver	Date Approved: March 18, 2008
Policy #: 740.04	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

### **740.04 WAIVER**

Nothing contained in 740.01 – 740.03 shall preclude the college Admissions Office from waiving

any requirement hereof under special circumstances in individual cases.

Section: 700 – Student Affairs	Subject: 740 Admission of Students
Policy: International Students Admissions	Approved: March 18, 2008
Policy #: 740.05	Date of Last Amendment: May 17, 2011
Approved: Richard A. Gustafson, Chancellor	Effective Date: September 1, 2011

### **740.05 INTERNATIONAL STUDENT ADMISSIONS**

International Student is a student who is in the United States as a non-immigrant with a temporary visa such as the F-1 Student Visa. The term does not include students who are foreign-born but hold a Lawful Permanent Resident (LPR) status. LPR status is legally permitted to live and work in the United States permanently. Other eligible noncitizens given LPR status include but are not limited to: Refugees, Victims of Human Trafficking, and Persons Granted Asylum.

Admission of International Students and College/Program Access Criteria Access to programs is determined by the following factors:

1. Capacity: Programs with limited capacity may give preference to qualified New Hampshire residents and veterans.
2. The CCSNH colleges will consider for admission those persons who hold:
  - a. An appropriate and valid visa;
  - b. Application. A completed application must be submitted to the specific college's Office of Admission.
  - c. Credentials. Submit original or certified true copies of all certificates and grade reports received upon completion of secondary and postsecondary work. These credentials must include a list of the subjects which were studied, the minimum passing grade and maximum possible grade in each subject and the grade which was earned in each subject. If these credentials are not in English, they must be accompanied by English translations.
  - d. Language Proficiency. Proficiency in English is required. Applicants whose native language is not English must submit one of the following:
    - (1) TOEFL (Test of English as a Foreign Language) or an equivalent assessment instrument such as the MTELP (Michigan Test of English Language Proficiency) as used by NHTI

TOEFL Scores: A minimum score of 500 on the paper and

pencil test; or 173 on the computer based test; or 61 on the Internet-based test is required.

- (2) Transferable English Composition Course: Must be completed at a U.S. college or university with a minimum grade of "C".
- (3) Graduation plus documentation from an English speaking high school.

### 3. Insurance

International students are required to show evidence of major medical insurance coverage upon registration. Insurance coverage provided through parental plans may be utilized when applicable.

### 4. Financial Verification

Before admission, an applicant must demonstrate economic self-sufficiency. Applicants are required to submit a \$100 non-refundable International Admissions fee, and an up-to-date financial support statement from a sponsor and a bank that testifies to the sponsor's willingness and capacity of supporting the student while enrolled.

An International Exchange Student may be admitted according to the terms of the agreement signed with the sending institution/agency in coordination with CCSNH International Student Admissions policies and procedures.

Upon completion of the steps listed above, applicants will receive a letter of acceptance and a Form I-20 (Certificate of Eligibility). The Form I-20 is required by the U.S. Citizenship and Immigration Services (USCIS) in the Department of Homeland Security (DHS) for entry into the U.S. on a Student Visa.

International students are requested to file this application at least ninety (90) days in advance of the expected entrance date.

### 5. Financial Assistance

International students are required to demonstrate financial resources for tuition, fees and living expenses. Students in good academic standing may receive some financial assistance as approved by the President, subject to State and Federal guidelines.

- a. Limited scholarship assistance for international students may be available as approved by the President and the Board of Trustees.
- a. On-campus employment. International students holding a F-1 Visa may apply for consideration for on-campus student employment. Eligibility does not guarantee employment.

Section: 700 – Student Affairs	Subject: 740 Admission of Students
Policy: Home-Schooled Students	Date Approved: October 21, 2008
Policy #: 740.06	Date of Last Amendment: October 21, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: October 21, 2008

**740.06 ADMISSIONS – HOME SCHOOLED STUDENTS**

The Community College System of New Hampshire (CCSNH) encourages applications from students who are home-schooled. While the nature of home schooling is inherently unique to each student, the Colleges require appropriate documentation to determine admission. Applicants are expected to meet the same general and specific admission requirements (or their equivalent) as other applicants and to document the academic work they have accomplished. Documents to be submitted may include the following:

1. A letter or other documentation from the student’s local school district stating that the student has completed a home school program at the high school level.
2. A list of courses taken and grades earned and/or portfolio of work accomplished.
3. GED or other testing, if applicable.

Section: 700 – Student Affairs	Subject: 750 Financial Aid
Policy: Financial Aid	Date Approved: March 18, 2008
Policy #: 750.01	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**750.01 FINANCIAL AID**

It is the responsibility of the System Financial Aid Director in collaboration with the college Financial Aid Directors to develop and administer policies to ensure compliance with federal and other regulations governing the acquisition, disbursement and reporting of all financial aid funds. To this end, the System Director and college Directors will create the necessary written and/or electronic documents and forms to implement a standardized process, wherever feasible, in carrying out this charge. Furthermore, it is expected that the System Director and college Directors will ensure that these standardized processes are consistently reflected in the System’s computer integrated software system (Banner). And, finally, other college offices such as Registrar, Bursar, Admissions, etc. will collaborate in this charge, as necessary.

Section: 700 – Student Affairs	Subject: 750 Financial Aid
Policy: Philosophy	Date Approved: March 18, 2008
Policy #: 750.02	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**750.02 PHILOSOPHY OF FINANCIAL AID**

1. Academically marginal students with the potential for success should be provided with an opportunity to receive financial assistance.
2. Financial assistance programs should focus on recruitment and retention (i.e. financial assistance should be integrated into and throughout the admissions process, and all students who have demonstrated success should not have to withdraw because of the lack of funds).
3. Financial assistance programs should aggressively seek out and identify all potential sources of financial aid for students.
4. Financial aid should be creatively and flexibility packaged to match the needs of students with all available resources.
5. Sources of aid should be developed vigorously and continuously.
6. Uses of financial aid by the student should be broadened as much as possible.
7. Financial assistance programs should be developed to support program-specific areas.
8. Financial assistance programs should advocate for student financial needs.
9. Clarify role and purpose of financial aid as part of student success.

Section: 700 – Student Affairs	Subject: 750 Financial Aid
Policy: Purpose	Date Approved: March 18, 2008
Policy #: 750.03	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**750.03 PURPOSE OF FINANCIAL AID**

The purpose of the College Financial Aid programs is to provide monetary assistance to

matriculated students who could not attend without such help.

1. Each institution shall establish and publish realistic student budgets reflecting costs of tuition, fees, books and supplies, room and board, transportation, and other education-related expenses.
2. The primary responsibility for financing an education rests with the student and his/her parents, and they are expected to contribute according to their means.
3. Financial Aid should be offered only after an objective determination is made of family resources, and these resources are judged to be insufficient to meet expenses. The amount of aid will not exceed the remaining need.
4. Financial need shall be determined by a methodology authorized by the Federal Office of Student Financial Assistance.

Section: 700 – Student Affairs	Subject: 750 Financial Aid
Policy: NH Vocational-Technical Education Loan Fund	Date Approved: March 18, 2008
Policy #: 750.04	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

#### **750.04 NH VOCATIONAL-TECHNICAL EDUCATION LOAN FUND**

The Board of Trustees establishes the following rules and regulations for the operation of the Loan Fund for the CCSNH colleges.

The purpose of this loan fund is to provide financial assistance to needy students who are preparing for or are matriculated and attending any of the CCSNH colleges.

1. Maximum amount of loan per student per academic year: \$1000.
2. Eligible Courses: Only credit courses or courses listed as prerequisite for courses required in a program.
3. Eligible Programs: Any program to which one must matriculate and from which one receives a certificate, professional certificate, diploma (LPN) or degree upon completion.
4. Attendance/eligibility: A student must be in good standing at the institution and not be in default of repayment of another student loan or owe a refund on a Title IV grant.
5. All loans bear interest at the rate of five percent (5%) per year on the unpaid balance of the loan. Interest shall begin to accrue six (6) months after the first of the month following graduation or withdrawal from the institution.

6. The total amount of the principal plus interest as indicated on a Promissory Note is due in accordance with the schedule established by the Community College System of N.H. based upon the amount borrowed. Repayment shall be at the rate of \$30 per month including interest until the entire amount including principal and interest is paid in full. The first payment shall be due seven (7) months after the first of the month following graduation or withdrawal from the institution.
7. The right is reserved to pay the entire indebtedness or any part thereof without penalty or premium at any time. In the event of partial prepayment, interest on the remaining principal shall be recalculated and a new repayment schedule issued with the next monthly billing.
8. Notwithstanding the above, installments shall not be due nor shall interest accrue during:
  - a. Any time period in which the maker is carrying, at any accredited institution of higher education, a minimum of six credits or
  - b. Any time, for a period not to exceed three (3) years, in which the maker is on full time active duty as a member of the Armed Forces of the United States or is in service as a volunteer under the Peace Corps Act.

The deferments provided for in this paragraph shall apply only to those makers who notify the holder, in writing, and provide satisfactory evidence to the holder, that the provisions of this paragraph apply to them and that they wish to invoke said provisions.

Section: 700 – Student Affairs	Subject: 750 Financial Aid
Policy: New England Regional Student Program	Date Approved: March 18, 2008
Policy #: 750.05	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**750.05 NEW ENGLAND REGIONAL STUDENT PROGRAM**

The program is sponsored by the New England Board of Higher Education. It permits the enrollment of out-of-state New England Residents in selected programs at reduced tuition rates under two eligibility categories:

1. The uniqueness rule: When a study program is not offered at an in-state institution, a qualified student may apply for enrollment at an out-of-state institution offering that program under the Regional Student Program.
2. The Proximity Rule: When a study program is offered under the Regional Student Program at both an in-state and an out-of-state institution and the mileage from the students' legal residence to the out-of-state institution is less than the mileage to the home state institution, or if the out-of-state institution is more accessible via major

highways, the student is eligible for Regional Student Program status in any program listed by the institution in the NERSP catalog. Financial need of an applicant is not an appropriate basis for determining eligibility.

The only programs open under the New England Regional Student Program in any academic year are those listed in the NERSP (Apple Book) catalog for that particular year.

Each participating institution determines which of its program will be available under NERSP.

Withdrawal of programs: If an institution decides to withdraw a program from the NERSP (but will continue to offer the program), two years advance notice is required in writing prior to the annual spring meeting of NERSP representatives. Students currently enrolled as NERSP students in programs subsequently withdrawn from the NERSP should be allowed to complete that program as NERSP students.

Admissions Preference/Priority: Applicants for admission under the NERSP shall be accorded preference among out-of-state applicants.

Transfer students: Both internal and external transfer students are accepted in NERSP. In both cases the student is eligible for NERSP tuition charges from the first semester he/she is enrolled in the program. If a student transfers out of a NERSP program but remains in the institution, that student is charged out-of-state tuition from the first semester of enrollment in the new program.

Students applying to the NERSP are to be notified of their tuition status upon acceptance as a NERSP student to the institution/program. It is the student's own responsibility to request NERSP status from the institution when he/she applies. The institution has no obligation to inform the student of the NERSP and no obligation to give retroactive tuition reduction.

Tuition charges: Any student enrolled under the NERSP will be charged 50% more than current in-state day tuition rate.

Section: 700 – Student Affairs	Subject: 750 Financial Aid
Policy: Student Records	Date Approved: March 18, 2008
Policy #: 750.06	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

### **750.06 STUDENT RECORDS**

All records shall be maintained in accordance with the Family Education Right and Privacy Act

(Federal Act No. 93-380) and shall be kept in fireproof files.

Section: 700 – Student Affairs	Subject: 760 Health and Safety
Policy: Immunization Policy	Date Approved: March 18, 2008
Policy #: 760.01	Date of Last Amendment: November 17, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: January 1, 2010

### **760.01 IMMUNIZATION POLICY**

Students, regardless of age, who are accepted into a CCSNH program requiring participation in a clinic, practicum, internship, co-op, or field experience, or students who participate in inter-collegiate athletics or reside in a residence hall, must present documented proof of immunization against measles, mumps, rubella, tuberculin skin infection and tetanus before participation or residence can be approved. Individual colleges may include additional groups or constituencies at their discretion. Records will be maintained by the department requiring immunization documentation, or by another office or individual deemed appropriate by the college. Documentation standards are as follows:

1. Students shall be considered immune to measles, mumps, and rubella (MMR) only if they have:
  - a. Documentation of immunization with 2 doses of live vaccine after 12 months of age;
  - b. Laboratory confirmation of immune titers for measles, mumps and rubella; or
  - c. Had one rubella, provided the student was born prior to 1957.
2. Students shall be considered immune to measles or rubella, instead of MMR if they have:
  - a. Had the disease confirmed by an office record of a doctor;
  - b. Been born before 1957 and therefore considered immune;
  - c. Laboratory confirmation of an immune titer;
  - d. Been immunized with 2 doses of live vaccine after 12 months of age; or
  - e. Been subject to the more stringent requirements of a clinic or practicum site.
3. Students shall be considered immune to mumps instead of MMR only if they have:
  - a. Had disease confirmed by an office record;
  - b. Been immunized with one dose of vaccine after 12 months of age; or

- c. Been subject to the more stringent requirements of a clinic or practicum site.
4. Students shall be considered immune to rubella instead of MMR only if they have:
  - a. Laboratory confirmation of an immune titer;
  - b. Been immunized with one dose of vaccine after 12 months of age; or
  - c. Been subject to the more stringent requirements of a clinic or practicum site.
5. Students shall be considered immune to tetanus only if they have received tetanus-diphtheria booster within the last 10 years.
6. Students entering the medical field shall be considered immune to hepatitis B series only if they have been immunized with 3 doses of hepatitis B, according to the following schedule:
  - a. After being given the first dose, the student shall receive a second dose no later than one month after the first; and
  - b. After being given the second dose, the student shall receive a third dose no later than six months after the second.
7. Students shall be considered immune to tuberculin skin infection only if they have:
  - a. Proof of a negative Purified Protein Derivative (PPD) within the last year;
  - b. A positive PPD established by an x-ray with negative results within the last year;  
or
  - c. Been subject to modification for clinic or practicum site.
8. The documented date of immunization for both measles and rubella shall include the day, month, and year. However, only month and year shall suffice as long as the month and year show that the immunization was given at least 13 months from month of birth. If only the year of immunization is provided, the date given shall be 2 years from the year of birth.
9. Exceptions to this policy shall be granted for good cause by the college President. Good cause shall include, but not be limited to, medical contra-indications or other reasons beyond the control of the student.
10. Requests for waiver shall be submitted in writing to the president of the college. The president shall determine if the application shall be granted or denied within 10 working days of its receipt.

Section: 700 – Student Affairs

Subject: 760 Health and Safety

Policy: HIV Policy  
(Human Immunodeficiency Virus)

Date Approved: March 18, 2008

Policy #: 760.02

Date of Last Amendment: Nov. 18, 2008

Approved: Richard A. Gustafson, Chancellor

Effective Date: November 18, 2008

## **760.02 HIV (HUMAN IMMUNODEFICIENCY VIRUS) POLICY**

The CCSNH will offer its students diagnosed with AIDS (Acquired Immune Deficiency Syndrome) or as HIV (Human Immunodeficiency Virus) positive the same opportunities and benefits offered to other students in accordance with Center for Disease Control (CDC) guidelines and appropriate laws. These include access to educational programs, advisement and counseling services, and financial aid. Except where course work or external placement requires involvement with body fluids, no special policies, procedures or rules will be imposed on students diagnosed with AIDS or as HIV positive that will limit or restrict the student's participation in college activities or programs. Students are advised, however, that certain allied health programs may have policies in addition to those listed below in order to comply with rules established by clinical sites.

This policy is subject to applicable laws, including the Americans with Disabilities Act and the Rehabilitation Act of 1973, as amended.

1. Neither a diagnosis of AIDS nor a positive HIV antibody test will be part of the initial admission decision for students applying to a college in the CCSNH, nor will college in the CCSNH require screening of students for antibody to AIDS/HIV. Programs providing clinical experiences should be guided by the CDC and OSHA guidelines.
2. Students with AIDS or a positive HIV antibody test will not be restricted from access to college facilities and common areas.
3. Students diagnosed with AIDS/HIV may seek reasonable accommodation in order to remain enrolled, provided the student works with the Disabilities Coordinator on the campus and provides appropriate medical documentation.
4. AIDS/HIV test results may not be released under any circumstances except with specific written authorization by the student. No person, group, agency, insurer, employer, or institution may be provided any information related to the AIDS/HIV status of a student without the prior written consent of the individual, unless otherwise required by law.
  - a. Legal liability –. The obligation of the college to protect the confidentiality of information is governed by all pertinent federal laws and HIPPA rules and regulations.

- b. Public health reporting requirements – The Student Health Services will comply with all public health reporting requirements to the local public health authorities.
- c. Secondary lists or records – Neither health officers nor administrators should keep secondary lists or logs identifying individuals tested for antibodies to AIDS/HIV or known to be AIDS/HIV infected, unless required to do so by federal or state law.

Section: 700 – Student Affairs	Subject: 760 Health and Safety
Policy: Unattended Children On Campus	Date Approved: March 18, 2008
Policy #: 760.03	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**760.03 UNATTENDED CHILDREN ON CAMPUS**

It is the policy of the CCSNH to provide a friendly and safe campus while maintaining a learning environment for students and a disruption-free workplace for employees. Children are welcome to accompany adults to their appointments at a CCSNH college; however, children should not be left unattended anywhere on the college campus, including the grounds and parking facilities. Individuals under the age of 16 who are not registered in a class must at all times be under the supervision of an adult who is at least 18 years old. The college faculty and staff are not responsible for the care and supervision of unattended children.

In addition, children who are not registered for classes are not permitted in classrooms and/or laboratories, even if the parent/guardian is registered in the class. Parents/guardians are advised that students under the age of 16 who are enrolled in a class are not the responsibility of college employees, other than during designated class time or while doing class related activities on the campus..

If a child is left unattended the college will attempt to locate the parent/guardian and return the unattended child. If the parent/guardian cannot be located, the college will contact local law enforcement or the State Division for Children, Youth and Families.

The only exceptions to the above policy are prearranged tours, field trips, and college coordinated or sponsored programs for children.

Section: 700 – Student Affairs	Subject: 760 Health and Safety
Policy: Children In The Workplace	Date Approved: March 18, 2008
Policy #: 760.04	Date of Last Amendment: March 18, 2008
Approved: Richard A. Gustafson, Chancellor	Effective Date: March 18, 2008

**760.04 CHILDREN IN THE WORKPLACE**

It is the policy of the CCSNH to provide a friendly, safe and disruption-free workplace for employees. Therefore, employees are prohibited from bringing children under the age of 16 into the workplace, except as part of a formal educational program (job shadowing, e.g.).

In addition, employees are prohibited from leaving children who are family members unattended in any other area of the facility (cafeteria, library, etc., e.g.). (See also: Unattended Children on Campus Policy). If a child is left unattended an attempt will be made to locate the parent/guardian and return the unattended child. If the parent/guardian cannot be located, the college will contact local law enforcement or the State Division for Children, Youth and Families.