



**NORTHEAST  
MARITIME INSTITUTE**  
COLLEGE OF MARITIME SCIENCE

# **STUDENT HANDBOOK**

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## **Definitions**

**College** – Northeast Maritime Institute, College of Maritime Science

**NMI** – Northeast Maritime Institute

**CAO** – Chief Academic Officer

**DOS** – Dean of Students

**Academic Review Committee** - Consists of the Chief Academic Officer, Dean of Students and applicable

**Faculty Advisor** - an official of the college who assists students in pursuing his/her educational goals.

**Information technology** - includes but is not limited to desktop computers, laptops, workstations, network servers, mainframe computers, software, digital information and voice, video and data networks, including official College pages on social networking sites.

## **Compliance Statements and Notifications**

Under the Student Right to Know and Campus Security Act, colleges and universities produce statistics and/or information on the following subjects: (1) retention and graduation rates; (2) financial assistance available to students; (3) crime statistics on campus; and (4) other institutional information, including cost of attendance, accreditation information, services available to students with disabilities, and withdrawal/refund policies. Information relating to the items contained in this last subparagraph may be available generally in this Handbook, or through online resources on the Northeast Maritime Institute College of Maritime Science (“NMI” or “College”) website. The following describes information and resources available to students seeking to access such information:

### **Campus Sex Crimes Prevention Act**

In compliance with the Campus Sex Crimes Prevention Act of 2000, members of the Northeast Maritime Institute community can visit the following website maintained by the Massachusetts Executive Office of Public Safety and Security for information concerning registered sex offenders:  
<http://www.mass.gov/eopss/agencies/sorb/>.

### **Drug-Free Schools and Campuses Act**

The Drug Free Schools and Campuses Act of 1989 requires the College to provide information to students about the health risks and legal consequences of substance abuse. This information, as well as the College’s alcohol and drug policies, is outlined in the student conduct code section of this Handbook.

### **Graduation and Retention Rates**

Graduation and retention rate data will be available from the Registrar’s Office after August 2016.

### **Higher Education Opportunity Act (HEOA)**

The Higher Education Opportunity Act of 2008 (HEOA) contains federal reporting and disclosure requirements. This information is available on our website.

## **Campus Safety**

In accordance with the Student Right--to-Know Act, a town safety report is available upon request from the Town of Fairhaven Police Department of Public Safety. A campus safety report will be made available in the Registrar's Office.

## **Non-Discrimination Statement**

Northeast Maritime Institute admits students of any sex, race, color, marital status, sexual orientation, gender identity, veteran's status, political ideology, religion, age, national origin or ancestry, disability or handicap, to all the rights, privileges, programs and activities generally accorded or made available to students of the College. NMI does not discriminate on the basis of sex, race, color, marital status, sexual orientation, gender identity, veteran's status, political ideology, religion, age, national origin or ancestry, disability or handicap in administration of its educational policies, admissions policies, employment policies, scholarship and loan programs, athletic programs, or other College-administered programs. Applicants for admission or employment, students, employees, or referrals of applicants for admission, or employment with questions or complaints about compliance with Title VI and Title VII of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1968, Title I and Title II of the Civil Rights Act of 1991, the Equal Pay Act of 1963, Executive Order 11246 (1965), and Title IX of the Education Amendments of 1972, should contact the Director of Human Resources.

## **Family Educational Rights and Privacy Act (FERPA) Annual Notice**

The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Northeast Maritime Institute receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the school decides not to amend the record as requested, the school will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide written consent before the college discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The college discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by Northeast Maritime Institute in an administrative, supervisory, academic, research, or support staff position (including security personnel and health staff); a person serving on NMI's Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the college who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from

education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for NMI.

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

**Family Policy Compliance Office, U.S. Department of Education  
400 Maryland Avenue, SW, Washington, DC 20202**

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student:

- To other school officials, including teachers, within the Northeast Maritime Institute whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or state and local educational authorities, such as a state postsecondary authority that is responsible for supervising the college's state-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of federal or state-supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36.

(§99.31(a)(10))

- Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
- To parents of a student regarding the student’s violation of any federal, state, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a) (15)).

**If you have any questions or concerns about this notification, contact the FERPA Compliance Officer for Northeast Maritime Institute.**

## **Academic Program**

The curriculum is pre-determined for most students each semester and consists of general education and maritime courses. The academic year consists of two academic semesters of approximately fifteen weeks each and either a Sea Term or a Cooperative Program during the summer months. The academic program is contained within a five-day week, exclusive of holidays, with classroom periods of either 60 or 90 minutes running from 0800 to 1700. Some sessions are all day, such as lifeboat training, firefighting, or sessions on the Sailing Vessel Fritha, and will be programmed into each cohort’s schedule appropriately.

## **Academic Standards**

### **Grading Standards**

A+	4.0	P(Pass)	---
A	4.0	I (Incomplete)	---
A-	3.7	W (Withdrawal)	---
B+	3.3	WC (Withdraw Credit Attempted)	---
B	3.0	AU (Audit)	---
B-	2.7		
C+	2.3		
C	2.0		
C-	1.7		
D+	1.3		
D	1.0		
D-	0.7		
F	0.0		

Students will be awarded a single, alphabetical grade certified by the instructor within the reporting deadline published on the academic calendar.

## **Grade Appeals**

Students questioning an awarded grade must follow the Grade Appeal Process outlined in this handbook.

Grade changes must be submitted in writing to the Registrar by the instructor within two weeks after the start of the term immediately following the term in which the grade was given. An extension of the two week period may only be allowed upon special arrangement by the instructor and the Chief Academic Officer.

## **Absence Due to Religious Beliefs**

Any NMI student who cannot attend class or take an exam, study or fulfill work requirements on a particular day, due to their religious beliefs shall be excused from such obligations. The student shall be provided with an opportunity to make up such exam(s), study or work requirements provided, unless such make-up exam(s) or work creates an unreasonable burden upon the Institute. The student shall not be charged for such make-up opportunities, nor may he/she be subjected to adverse or prejudicial effects for availing him/herself of the provisions of Massachusetts state law.

## **Class Attendance**

All students are expected to attend every scheduled class session. Attendance requirements, as well as the impact of attendance on grading, are determined by the U.S. Coast Guard or faculty member and specified in the syllabus for each course. Faculty are required to take attendance for all courses. Unexcused absences may be reported to the appropriate academic dean.

## **Absences from Class or Examinations**

Unless there are serious reasons for absence on the day of an examination or quiz, a grade of zero may be awarded for missed work caused by an unexcused absence. However a faculty member may excuse a student from an examination, project, assignment, or quiz for reasons beyond the student's control. At NMI, the student is responsible for effectively managing health issues, especially as they relate to classes (e.g., determining whether to attend class, to complete assignments, being present for quizzes, examinations, etc.). Under no circumstances is a health provider able to excuse a student for medical reasons; only the faculty member has the authority to excuse or not excuse the student from class or class assignments. Faculty will have a particular course's absentee and assignment make up policy in place at the beginning of the semester (via the course syllabus) so the student understands fully what is expected with regard to class attendance and what to do in situations where the student is unable to attend class. Students are responsible for knowing and adhering to attendance/absence policies in each of their classes. The student should contact a faculty member immediately concerning an absence and maintain an open line of communication with the faculty member concerning the student's absence from class.

- If a faculty member considers it necessary to seek verification from a health care provider (e.g., the Student's independent medical provider), then the faculty member should address the request to the student and the student must consent to having the health care provider disclose information as to the student's treatment.
- In situations where an outside health provider determines that the student's health is severely compromised (e.g., in need of immediate medical treatment or other recommended activities to alleviate symptoms/contagion) or when the student must otherwise be absent from class for more than three days, the student should inform the appropriate faculty of the absence. On occasion, the Office of the Chief Academic Officer will advise professors that a student has notified the College that he or she will be absent for a specific period of time. This notification is provided as a courtesy and does not constitute a verification or excuse (unless it is determined that the student's condition constitutes a health or safety emergency, in which case the Office of the Chief Academic Officer reserves discretion to restrict a student from attending class). When able to return to class or campus, the student will work with the necessary faculty and/or follow



the procedure/guidelines outlined in the faculty member's syllabus for making up missed work.

## **Released Time**

A student participating in a College-sponsored event has the right to be excused without penalty provided the student makes up the required work in the fashion mutually agreed upon by the instructor and the student. Students participating in such College-sponsored events will be allowed to make up any exams, tests, or quizzes they miss in a course when they are involved in a scheduled event provided that participating students, or the faculty moderator, inform all relevant instructors in writing at the beginning of the semester, or as soon thereafter as possible, once scheduling is confirmed.

## **Reporting Deaths, Emergencies, or Illnesses**

### **Deaths**

Students who experience a death in their immediate family are asked to notify the Office of the Chief Academic Officer. The office, in turn, will notify others, as appropriate. If possible, a representative from the College may attend the visiting hours or funeral, and students have the option of sharing funeral arrangements with faculty and staff through a broadcast e-mail message.

### **Emergencies**

Students who experience a personal or family emergency are asked to notify their advisor and the Office of the Chief Academic Officer, especially if the emergency requires the student to leave campus or not attend classes for a short period of time (e.g., two days or more). While the primary reason for this is to provide any support possible to the affected student, a secondary reason is for the student's well-being and safety. For example, a student who is not on campus can then be accounted for during an emergency.

### **Notifying Professors/Instructors**

The Office of the Chief Academic Officer will notify the student's Advisor and Faculty, as appropriate, of situations involving deaths, family or personal emergencies, or illnesses. However, **in all situations, students themselves are responsible for notifying their professors if they will miss class**, unless the situation is so extraordinary as to make it impossible for the student to do this. Contact information for professors is provided on all course syllabi, as well as online. Professors are responsible for their classes, and students must make the necessary arrangements for missed class time and assignments directly with their professors.

### **Academic Appeals Process**

The following procedures shall be followed for appeal of an academic dismissal.

- The Registrar will notify the student of dismissal by mail and email which will contain information regarding the student's right to appeal and the procedures to follow;
- A Student who wishes to appeal shall submit a letter to the Chief Academic Officer (CAO) explaining his/her reasons for appeal;
- The student shall meet with the CAO and the Dean of Students to discuss the reasons for dismissal and reasons for appeal;
- The student shall be informed in writing of the final decision of the appeal;
- The CAO shall arrange for student support services if reinstated and deemed appropriate;

- If a student is not satisfied with the CAO's decision, he/she may appeal to the Office of the President.

### **Adding or Dropping Classes**

All registered students may be permitted to adjust their schedules for electives only during the first seven (7) calendar days of the fall or spring semester providing the course has seats available and any prerequisites have been met. Once the course has completed its first class meeting, students must obtain the written permission of the course instructor or, if the instructor cannot be contacted, the CAO, to enroll the student into a new course or formally drop from a current course.

Please note: As the Associate in Nautical Science Degree program is highly structured, any decision to drop a course should be considered seriously as it may require a student to move to a later cohort or delay the ability to complete a summer sea semester. The student is responsible for obtaining any missing course materials and work.

### **Auditing a Course**

A student may register to audit a course with the permission of the course instructor. No grade and no credit will be given. The Request to Audit form is available at the office of the Registrar. Attendance requirements for audit students shall conform to the instructor's policy for the class as a whole, unless other arrangements are made between the auditing student and the instructor. Participation in the course is by agreement between the student and the instructor.

The student or the instructor has the choice to request the agreement be in writing. Upon satisfactory attendance and fulfillment of the agreement between the student and instructor, a status of "AU" will be recorded; no credit will be awarded. A status of "Q" will be recorded at the end of the course should the attendance and/or agreement not be fulfilled. The student may officially withdraw from the audited course according to the withdrawal policy. Change of status in a course from audit to credit may be made only during the "add" period. Change of status in a course from credit to audit may be made only during the first ten weeks of classes subject to the above mentioned requirements: by permission of and in agreement with the instructor.

A course taken for audit does not count toward a student's full-time status unless the student is required to audit the course with the approval of the Office of the Chief Academic Officer. A prerequisite cannot be satisfied by an audit. Students are required to pay all tuition and fees. Financial aid does not cover the cost of audited classes.

### **Course Withdrawal**

A student may officially withdraw from a course by obtaining a "Change of Schedule" form from the Registrar's Office and securing the signatures of their advisor and the course instructor. The student is responsible for submitting the completed form to the Registrar's Office. Refer to the Academic Calendar for specific dates to submit forms for withdrawal without a record and withdrawal with a grade of "W." The date of a withdrawal will also affect refunds and possibly the student's graduation date, scholarships and class year designation. A student may not withdraw from the same course more than once. It is the student's responsibility to ensure all deadlines are met. An instructor may initiate the withdrawal of a student from a course with the Chief Academic Officer if the student is not meeting attendance requirements.

### **Academic Evaluation**

Faculty have several tools in addition to the semester grading to measure a student's progress towards successful completion of a course. A member of the faculty may opt to use a mid-term review as a means of informing a student that he or she is not performing at a level necessary to pass the course. The faculty member disseminates the information to the student, to their academic advisor and the Chief Academic Officer.

## **Course Failures**

A student must receive a passing grade (D- or better) to receive credit for a course. A student who fails a course has three options:

- Repeat the failed course on campus. The repeated course grade and credit hours will be used in calculating the term quality point average of the term in which the course is repeated. The CGPA (Cumulative Grade Point Average) will include the repeated grades and credit hours only;
- Retain the failed grade without repeating the course, if his or her CGPA and total course completions are sufficient for graduation. Note: This option does not apply in the case of required courses;
- Repeat the failed course, or equivalent, at another accredited institution. A minimum grade of 'C' (2.00) will be required for the course to be deemed successfully completed. Transfer grades will not be used in computing the CGPA (see "Transfer Credits" section).
- Students will not be able to begin their Sea Term session until the failing grade has been rectified.

## **Incomplete**

At the student's request, an instructor may agree to award an incomplete grade 'I' at the end of an academic term if the student has failed to meet a course requirement due to illness or other reasons beyond his or her control. Students are authorized a maximum of two weeks into the following semester to rectify a grade of incomplete for academic courses; this period may be extended for the summer Sea Term sessions. If the incomplete is not rectified within that period, the incomplete is automatically converted to a failure ('F').

An extended period to submit a final grade may be allowed by the instructor upon approval of the Chief Academic Officer. The instructor shall submit a recommended grade to the Registrar within 48 hours of the extended period allowed above.

## **Repeated Courses**

In the event that a student's CGPA is 2.0 or above but he/she has a class with a final grade below a C- (70-72.4), the student must repeat that class and obtain a grade of C- or above in order to satisfy the requirements of the AAS in Nautical Science degree program

## **Academic Review**

Grades are reviewed by the Chief Academic Officer at mid-semester (or sooner if a need arises) and at the end of each semester. Students whose CGPA falls below 2.0 will be reviewed by the Academic Review Committee using the following process:

- the student will be notified in writing by the Registrar's office with a copy sent to the CAO and Dean of students, advisor and applicable faculty;
- the student will meet with the Academic Review Committee; to discuss the causes for failing grades and create an academic plan which will provide support and accountability for the student that includes goals, tasks to be completed, and a timeline for improvement;
- student may request that their advisor be present;
- the student will be placed on Academic Review if CGPA is between 1.51 and 1.99 and receive a letter from the Registrar's office;

- the student will be placed on Academic Probation if their grades are between 1.0 and 1.50 and receive a letter from the Registrar's office;
- at a date set by the Academic Review Committee, (mid-semester or end of semester), the committee will meet to determine if goals have been met, tasks completed and improvement has been made;
- a student who does not raise their CGPA to 2.0 or above after two semesters will receive Academic Dismissal and receive a letter from the Registrar's office;
- a student whose CGPA falls below 1.0 and has little possibility of raising it to 1.5 by the end of the semester will receive Academic Dismissal and a letter from the Registrar's office;
- a student who is dismissed may go through the Academic Appeals Process, return on Academic Probation after one year, or choose the New Beginning Option after two years.

### **Academic Standing**

To be in good Academic Standing, a student must maintain a CGPA of 2.0. A student's academic standing is determined by the CGPA required meeting minimum academic standards based on the student's credit count of courses successfully completed at NMI.

### **Academic Probation**

A student is placed on Academic Probation if his/her CGPA falls below a 1.5. Students have two semesters of attendance to raise their CGPA to a level in order to be removed from Academic Probation. Students on Academic Probation will be notified in writing by the Registrar's Office and are required to meet with their academic advisor every semester before registering for classes in order to create a plan including tutoring, strategic course selection, and other changes in study habits.

### **Academic Dismissal**

A student whose CGPA falls below 1.0 and has little possibility of raising it to 1.5 by the end of the semester will receive Academic Dismissal and a letter from the Registrar's office. A student who remains on Academic Probation for two semesters of attendance will be dismissed for one calendar year. Students will be notified in writing by the Registrar's Office and may utilize the Academic Appeals Procedure described in above. After one year of inactive status, a student may return and will be placed on Academic Probation. After two years of inactive status, the student may choose to take advantage of the New Beginning Option.

### **Withdrawal from the College**

A student may withdraw from the College for non-medical reasons through the Office of the Registrar. A completed withdrawal form, with required signatures, must be submitted to the Registrar's Office by the last class day of the semester. No application for withdrawal will be accepted or processed after final exams have begun for the academic term. The student must satisfy any outstanding obligations with the Bursar's Office. If the withdrawal is approved, a letter grade of "W" will be recorded for all courses taken during said semester. Withdrawal forms are available in the Registrar's Office.

### **New Beginning Option**

The New Beginning Option permits a fresh start to a student who has not been enrolled at the College for at least two years and has re-enrolled on Academic Probation, has a grade point average below 2.0, or has been academically dismissed. A student may exercise the New Beginning Option only once. Original grades and CGPA will remain on the transcript, but all future calculations of CGPA will include only

courses taken after readmission. Prior courses taken at NMI (before the two-year break) will be evaluated according to the current transfer credit policy. Courses meeting the transfer credit policy will be counted as transfer credit. The transcript will identify the selection of this option. The student who wishes to re-enroll under this option may obtain an application and requirements of the New Beginning Option from the Registrar's Office. A student must be registered in order to elect the New Beginning Option.

## **Final Examinations**

Every course offered for credit requires a final examination as part of the course's curriculum. No final examination may be given at any time or place other than those published in the examination schedule, except when directed or approved by the CAO. Missing a final examination may result in a zero (0) for the examination, unless the student proves, within 24 hours of the examination, to his/her instructor that the absence was excusable. Decision as to the adequacy of the justification for missing a final examination rests with the instructor and/or the CAO.

## **Immigration**

Institutions of higher education in the Commonwealth of Massachusetts are required to notify the U.S. Citizenship and Immigration Services (USCIS) immediately of the name and last known address of any international student requiring a student visa whenever such student does not enroll, enrolls for less than full-time, withdraws or graduates from the institution. The public institutions of higher education shall forward copies of any such USCIS notifications to the Board of Higher Education.

## **Community Service**

Accepted applicants are required to provide thirty (30) hours of community service per each spring and fall semester in order to fulfill this component of the graduation requirements. At NMI we "Honor the Mariner" and will teach our students to honor their communities by giving back some of their own time. All community service documentation must be submitted for each semester during the duration of the program to the student's advisor and Director of the Nautical Science Department. Any student not completing these requirements may file an extension to complete community service. This will only be accepted in extreme circumstances and degrees will be held until requirement is fulfilled.

## **Grade Appeal Process**

The grade appeal policy is designed to resolve a student's specific concerns with regard to a final course grade. If such a concern exists, the student is encouraged to initiate this process, mindful that no adverse consequences will result from making an informal or formal appeal. If a student feels that a final course grade is inappropriate, the student must make an appointment with the faculty member to discuss the matter informally. The appointment must be requested within the first two weeks of the academic semester following the semester for which the grade was given. Every effort will be made to resolve the student's concerns informally.

If the student's concerns are not resolved through the informal appeal policy, the student may pursue the formal appeal process by meeting with the Chief Academic Officer. The burden of proof is on the student to show that a grade is inappropriate. The formal appeal must be initiated within two weeks after the conclusion of the informal process. The formal process commences when the student submits in writing a description of the basis for the grievance, including any corroborating materials, to the Chief Academic Officer. The Chief Academic Officer will promptly notify the instructor of the formal appeal. Within two weeks of said notification, the instructor must provide the Chief Academic Officer a written response to the grade appeal. The Chief Academic Officer will then make an assessment as to the validity of the student's grievance and provide a written copy of any recommendations to both the instructor and the student.

Whatever the recommendation of the Chief Academic Officer, it remains the sole prerogative of the instructor to change the grade given. Exceptions to the policy time limits of both the informal and formal appeal processes may be permitted if the Chief Academic Officer determines that clear and compelling

extenuating circumstances have occurred. Additionally, the Chief Academic Officer may utilize any of the following:

**Letter of Caution:** In certain cases the CAO will write a cautionary letter of warning to a student and their advisor. Letters of caution do not constitute reportable discipline.

**Restricted Status:** A student who is placed on Restricted Status may have their academic privileges restricted for a limited time. They may serve their restricted status either on or off campus. Restricted Status does not constitute a form of reportable discipline.

**Disciplinary Probation:** A student who is placed on Disciplinary Probation will be notified by letter of the terms of probation. At the end of the probationary period, the student's advisor and the CAO will review the record of the student's behavior. Failure to abide by the terms of probation may result in dismissal from the College.

**Suspension:** A student who is suspended from school is not permitted to attend any academic or extra-curricular functions for the duration of the suspension. A suspended student is not to visit the campus or an off-campus school event for the duration of the suspension.

**Dismissal:** As a last resort the College may decide that NMI is not the appropriate place for a student. Dismissal action is taken with great care and consideration for both the student and the school community.

## Transfer Credits

Transfer credits will be approved at the discretion of the Chief Academic Officer and Registrar with the advice of the appropriate instructor. The evaluation of any request will include:

- a review based on a course description from an accredited institution where the course was taken;
- a grade of "C" or better with an official transcript showing the grade;
- a request for transfer submitted to the Chief Academic Officer and Registrar;
- the student must be in good academic standing at NMI at the time of the request;
- no more than 50% of the general education classes will be transferred from another college.

## Immunization

Under 105 CMR 220.600 "Immunization Requirements for Postsecondary Students," in order to be registered at an institution of higher learning, every (1) full-time undergraduate or graduate student and (2) every full-time or part-time undergraduate or graduate student in a program must present a physician's certificate that such student has received the following immunizations:

**Hepatitis B** vaccine three doses are required for all full-time freshmen. The accepted schedule for HepB is dose #2 is 4 weeks after the first and the 3rd dose is 5 months after the #2. A pediatric 2 dose HepB is acceptable upon proper documentation of the type of dose, and dates given.

**MMR:** Beginning September 1, 2011, 2 doses of live measles, mumps and rubella vaccine will be required for all full-time freshmen. These doses must be given at least four weeks apart beginning at or after 12 months of age.

**Varicella:** Beginning on September 1, 2011, 2 doses of live varicella vaccine will be required for full-time freshmen; these 2 doses must be given at least four weeks apart beginning at or after 12 months of age.

**Tdap:** Beginning on September 1, 2011, a single dose of Tdap will be required for full-time freshmen, if it has been more than five years since the last dose of Td. If it has been less than 5 years since the last dose of Td, Tdap will not be required, but may be administered according to the judgment of a physician, nurse practitioner or physician assistant.

The requirements of 105 CMR 220.600, shall not apply where:

- the student provides written documentation that he or she meets the standards for medical or religious exemption set forth in M.G.L.c.76, §15C;
- the student provides appropriate documentation, including a copy of a school immunization record, indicating receipt of the required immunizations; or
- in the case of measles, mumps, rubella, and hepatitis, the student presents laboratory evidence of immunity.

Students may be registered on the condition that the required immunizations are obtained within 30 days of registration. You may obtain the vaccination record from your high school, personal physician or military records. If you are unable to obtain your record, you may be re-immunized or may obtain blood work to prove immunization. Failure to provide the required immunization records may prevent you from receiving your grades, registering for classes, adding or dropping a class, or receiving your transcripts.

Note: A blood test (called a titer) can be used as proof of immunity to the required immunizations. Most insurances do not cover the cost of these lab tests.

### **Student Health Insurance Requirement**

Massachusetts state law requires that all full and 3/4 time students have health insurance coverage that meets or exceeds the minimum standards as set forth in Massachusetts Law C.15A, s.18. State Law requires all registered students attest to comparable coverage or to enroll in a student health insurance plan.

Coverage under a Health Benefit Plan is comparable if:

- The Health Benefit Plan provides the student throughout the school year reasonably comprehensive coverage of health services, including preventative and primary care, emergency services, surgical services, hospitalization benefits, ambulatory patient services, mental health services, and prescription drugs; and
- The services covered under the Health Benefit Plan, including all required services are reasonably accessible to the student in the area where the student attends school.

Students who have comparable coverage may submit a waiver form. Please note the following students are not eligible to waiver coverage:

- Students determined to be receiving services by the Health Safety Net or students in MassHealth Limited or the Children's Medical Security Program;
- Students with coverage from insurance carriers outside of the U.S. and coverage by foreign National Health Service Programs, unless the student is studying in a foreign country and the student's insurance provides coverage in that location; and
- Students with a Health Benefit Plan that provides coverage through a closed network of providers, not reasonably accessible in the area where the student attends school, for all but emergency services.

Students will be required to submit an enrollment waiver or enroll in an appropriate Student Health Insurance Plan before the start of the semester.

Any Student who fails to submit the appropriate form will be placed on registration hold. If you do not have a Health Benefit Plan with comparable coverage and would like information regarding student health insurance plans that are available to you please contact:

**Human Resources Department**  
**508-992-4025 Ext. 317**  
[humanresources@northeastmaritime.com](mailto:humanresources@northeastmaritime.com)

## **Intent to Graduate**

All students must file the Intent to Graduate/ Degree form with the Registrar. Submit completed forms to the Registrar's Office relevant to the semester in which they expect to complete their requirements. It is the student's responsibility to originate this request and failure to do so may delay his/her graduation. The responsibility for satisfying requirements rests with the student. The Intent to Graduate form is available through the Registrar's Office.

## **Criteria for Eligibility to Graduate**

Application for graduation must have been filed no later than the date indicated on the academic calendar.

## **Community Service**

All community service documentation must be submitted for each semester during the duration of the program to the Director of the Nautical Science Department. Any student not completing these requirements may file an extension to complete community service. This will only be accepted in extreme circumstances and degrees will be held until requirement is fulfilled.

## **Course Completion**

Students are required to successfully complete all Core Courses and 83 credits within the program including two (2) elective courses with a Grade Point Average of at least a 2.0 to graduate.

## **Orientation**

Students will attend a two-day orientation during which conduct and behavior and the consequences for not following these standards will be discussed. Students will receive identification cards which should be carried at all times. Although uniforms are not required, dress code for regular classes will be discussed, as well as appropriate attire for special classes such as lifeboat and firefighter training. Students will be given a tour of the facilities, the town, their class schedule, and be introduced to instructors.

## **Dress Code**

Our students represent the College in the community and therefore clean and neat clothing and appearance is the general expectation of students at NMI. School polo shirts and khakis are the usual attire. On occasion, students shall be required to wear a jacket/blazer and tie or dress/skirt. Clothing, jewelry, piercings, headgear or hairstyles that are distracting or offensive to college staff, faculty or administration do not convey a professional image and shall not be worn. Garments meant as underwear or sleepwear will not be worn as outer garments. Gang attire, baggy or sagging pants, shirts with messages that are offensive, advertise alcohol or drugs are considered inappropriate. Students may be dismissed from any classroom or experiential activity for violation of the dress code. Activities missed due to dress code violations are made up at the discretion of the course faculty and may result in a zero.



## **Identification Cards**

All members of NMI's community are required to carry their NMI photo identification card at all times. Upon the request of NMI officials, students must display their identification card. Misuse of any identification (altering, defacing, falsifying, etc.) will be documented and referred for disciplinary action. Minimum sanctions for a first-time offense include a \$25 fine and warning. Lost identification cards are to be reported during normal business hours to the Registrar's Office. The fee for reissuance of an identification card is \$10.00.

## **Photography/Videography Policy**

NMI is located on private property. As such, any professional photographers or videographers, or any non-professional individuals or groups who are not members of the College community may only obtain photos/video off of the property of NMI. Academic-based or College-sponsored and approved photography and videography involving members of the College community is generally allowed, so long as the photographer/videographer has permission of the individual subject(s), or when the photographing/videotaping is of a crowd or audience at an open public event where such photography/videography is not otherwise prohibited or restricted. College-initiated videography, including, but not limited to, recording video and/or audio recording of lectures and demonstrations is approved under this policy. Nothing in this policy shall be construed to minimize or limit the rights that students have to control the disclosure of directory information, as set forth more fully in the Family Educational Rights and Privacy Act (FERPA) Annual Notice. NMI reserves the right to prohibit or stop any photography or videography that is disruptive, intrusive, or not in compliance with College policy or the law.

## **Parental Notification Policy**

As set forth more fully in this Handbook, the right of access to information in a student's educational, behavioral, or health-related records is governed by state and federal law, as well as institutional policy. In line with the policies set forth elsewhere in this Handbook, the College adheres to the following notification procedures in the following instances:

### **Grades**

Grades are made available electronically and directly to students through their NMI Portal Account. Grades are not provided to parents or guardians; however, the student can complete a written authorization to release such information through the Office of the Registrar.

### **Health/Psychological Records**

In general, health providers are prohibited from sharing a student's medical or psychological counseling records, including confirmation of a visit, absent the express consent of the student. Students may sign a form permitting release of information, but this too is restricted to individual incidences of treatment or care. NMI may notify the parent(s) or legal guardian(s) of a student in connection with an injury or medical condition requiring a medical transport to the hospital, or when deemed necessary to protect the health or the safety of the student and/or other individuals. This notification, including the timing of the notification, is done on a case-by-case basis and strictly at the discretion of the College. The College will always encourage students to contact parents or guardians themselves in the case of medical transports or emergencies.

### **Personal Property Insurance**

NMI is not responsible for students' personal property located on College premises. Students are strongly encouraged to have personal property insurance for their belongings. This may be available and covered under applicable homeowners' insurance policies or it is available as separate insurance coverage from many providers. Students and parents should check current policies for coverage and consider additional

coverage if necessary.

## **Inclement Weather Notification**

The default position in the event of inclement weather is that classes and all other activities will continue as scheduled, and cancellations or delays will be kept to an absolute minimum. Students, faculty, and staff should plan in advance accordingly. In the event of extraordinary inclement weather conditions that affect the normal operations of the College, the information regarding the changes will be disseminated in two ways:

1. Phone call/text message from the College; and/or
2. Posting on the College's website, [www.northeastmaritime.org](http://www.northeastmaritime.org) and on its Facebook page, [www.facebook.com/Northeast.Maritime.Institute](http://www.facebook.com/Northeast.Maritime.Institute).

Faculty members shall communicate with their students regarding making up missed class time.

## **Right to Privacy**

Students' Right to Privacy is of the utmost importance to Northeast Maritime Institute. The College follows the requirements set forth by the Family Educational Rights and Privacy Act (FERPA). See that section under Compliance Statements and Notifications at the beginning of this Handbook for more details.

In addition, the College provides other student privacy protections, including: No student shall install or use any device for listening to, observing, photographing, recording, amplifying, transmitting, or broadcasting sounds or events occurring in any place where the individual or group involved has a reasonable expectation of being free from unwanted surveillance, eavesdropping, recording, or observation, unless the student has first obtained the consent of all persons involved.

## **Release of Educational Records**

Personally identifiable information may be released under certain circumstances, as provided by law. These include but are not limited to the following:

- College personnel may have limited access to student records for legitimate educational or administrative purposes.
- Confidential student records may be released pursuant to a court subpoena. However, the Registrar shall use professional judgment in determining which information to release and shall so notify the student in writing prior to releasing the requested information.
- Medical and counseling records are different from educational records, and access is more limited. Such records will not be released without the student's prior consent except as provided by law.
- Information regarding the student, including educational records, may be released to parents of students who are claimed as dependents on their income tax returns.
- A log or record will be kept for all students documenting release of that student's records. No entry in the record need be made if access is provided by federal or state law.
- The College may refuse to release transcripts for such reasons as unpaid financial obligations.
- The College may refuse to release any personally identifiable information, the disclosure of which may constitute an unwarranted invasion of personal privacy.
- Students seeking additional information regarding their rights under the Family Educational Rights and Privacy Act should contact the Registrar's Office.

## **Student Directory Information**

NMI has designated certain types of information as "directory information." This includes the student's name, home town, earned degrees or certificates, and academic honors. Students may restrict release of this information, if they wish, and this data will not be released except as authorized by law. Requests to restrict the release of directory information shall be made in writing to the Registrar. The College assumes that failure of any student to do so indicates approval for release of the information indicated above.

Notwithstanding the College's definition of directory information, the Department of Defense, pursuant to the Omnibus Consolidated Appropriations Act of 1998, identifies the following student information as directory information: Student names, addresses, and telephone listings; and if known, student ages, levels of education, major. If an eligible student chooses not to exercise his/her aforementioned right to refuse to permit the College to designate some or all of those types of information about the student as directory information, the College will release to the Department of Defense, or an agency thereof, that student information which the Department of Defense has designated as directory information. This may result in the non-consensual release of student's personally identifiable information by the College to the Department of Defense. When student information is released pursuant to the Department of Defense request, notice of the request and release of student information in accordance therewith, will be posted in a conspicuous location in the NMI Registrar's Office for the period of one academic year. All requests for student directory information shall be made in writing to the Registrar who shall review the request for compliance with all state and federal laws and regulations. The College will not release any student information over the phone or to persons making inquiry in person.

## **Payment Policies**

Registration and confirmation of class assignments are not complete until financial clearance is received, indicating full payment or partial payment in accordance with a signed payment plan. In the event that the student fails to attend class or leaves the school for any reason, the student must formally withdraw through the Registrar's Office. Failure to complete this withdrawal process will result in continued obligation for tuition and other charges. No student may withdraw from the school in good standing or graduate unless all current obligations are paid in full. Non-payment of tuition and/or fees may result in college-initiated withdrawal.

## **Refund Policies**

The following refund policy has been established for students registered in a higher education program. The \$500.00 registration deposit is non-refundable and is not included in the partial semester tuition refunds described below. Students who are dismissed for non-academic reasons receive no refund of tuition.

Withdrawal prior to first day of classes:	Full refund of tuition
Withdrawal during first week of classes:	100% refund of tuition
Withdrawal during second week of classes:	75% refund of tuition
Withdrawal during third week of classes:	50% refund of tuition
Withdrawal during the fourth week of classes:	25% refund of tuition
After the fourth week	0% refund

## **Refund Payments**

To receive a refund for any credit balance, the student must submit a written request to the Bursar's Office. Refund payments of credit balances will not be made until the student's scholarships, loans, and grants are received and credited to the student's account. The student must pay all charges owed at the time of withdrawal or dismissal.

## **Financial Information**

It is the College's policy to withhold all diplomas, degrees, official transcripts, and other official recognition of work done at the school from students with any outstanding debts to the College.

Students must pay fees in full before their registration for subsequent semesters. Payments may be made by cash, personal check, certified check, money order, wire/ACH or online credit card.

## **Payment by Outside Agencies**

If a student's charges are to be paid by an outside agency, a payment authorization from that agency must accompany the registration.

## **Waivers**

Anyone eligible for course fee waivers must submit documentation to the Bursar's Office. Waivers cannot be applied retroactively.

## **Billing Problems**

Any discrepancies in a bill should be brought to the attention of the Bursar's Office. In case of a billing dispute, the undisputed portion of the bill must be paid by the due date to avoid incurring late fees.

## **Standards and Principles of Conduct and Behavior (Student Code of Conduct)**

The NMI community expects all its members to promote the values of honesty, integrity, hard work, compassion, responsibility, and respect for learning. Behaviors or actions which damage morale, disrupt the learning of others, or run counter to the school's motto "Honor the Mariner" are not acceptable. Any behavior that restricts the integrity of any other student's experience within the classroom, the facilities or other cohorts will be found to be unacceptable. At no time shall a student's behavior, language or actions harm, delineate, or create a lesser experience for another student.

The purpose of consequences for violations of NMI's Code of Conduct is to educate the individual who violates these standards and, in a broader sense, to reinforce expectations for the entire NMI community. Membership in NMI's community is voluntary and predicated upon agreeing to abide by our shared standards and values. NMI is located in the heart of the Town of Fairhaven and its students are expected to represent the school in a way that honors the traditions of the town and community.

All students are required to abide by the following standards of ethical behavior and principles of conduct as set forth by NMI. Personal conduct on and off campus is governed by these policies and principles. Our Code of Conduct states that students will not lie, cheat or steal. Academic honesty is expected at all times. Cheating includes plagiarism, unauthorized use of notes, having someone else write papers or do homework, or copying work from other students.

## **Honesty and Integrity**

### **Personal and Academic Integrity**

Integrity is valued in all aspects of school life. Dishonesty in any form, including lying, falsifying a signature, being deceitful as to one's location, or misrepresenting the status of an assignment as being turned in when it has not, is a most serious violation of our rules. When a student places his or her name on an assignment (e.g.; homework, lab report, essay, project, test, quiz, or examination) it is assurance that the work is the result of the student's own thoughts and labors, unless the student specifically acknowledges the use of outside sources or assistance. When a teacher requires or permits collaboration on an assignment, the fact and nature of the collaboration must be clearly indicated by the student.

### **Academic Dishonesty**

Academic dishonesty normally falls into one of two categories: cheating or plagiarism. Cheating is giving or receiving help in any form on a test or exam, or on any assignment for which the teacher has not specifically permitted collaboration. Plagiarism is presenting the work, words, or ideas of another as one's own. Cheating is not limited to copying or cribbing homework or test answers. If students in more than one section of a course are given the same quiz or test, passing information about test questions or items is also cheating. Collaboration on homework to be handed in for credit, without the explicit consent of the instructor, will be considered cheating.

Plagiarism is not limited to copying whole entries from an encyclopedia or other published source, including the internet. Quoting another person's words, paraphrasing their ideas, or using their ideas without footnoting and quotation marks or without specific written acknowledgment are all forms of plagiarism. In the absence of proper citation, a student declares that everything in a piece is his or her own. While intentional plagiarism is more serious of the two, unintentional plagiarism is also blamable. It is the student's responsibility to avoid any unattributed use of another writer's language or ideas.

When using computers, students may not assist others in the processing of academic assignments for credit unless such collaboration is permitted. Dishonest assistance includes typing another student's work and creating graphics. Providing technical assistance, such as showing how to operate the scanner, is permissible as long as the content and expression of information is not abridged. Information, including images, downloaded from databases or websites, etc., must be correctly and completely documented with footnote and bibliographic citations. Failure to do so is plagiarism. The use of online or electronic translation services similarly will be considered plagiarism.

### **Electronic Submission of Work**

If a student submits an assignment electronically, it is his or her responsibility to insure that the teacher receives the assignment on time and in a format that the teacher can access.

The best way to avoid confusion and a late penalty is to follow teacher instructions carefully and/or hand in a hard copy of the assignment in class on the day that it is due.

Furthermore, computer-related failures are the responsibility of the student. Computer crashes and printer malfunctions can happen; students must make the effort to back up their work and to print out assignments in advance so that they can adapt to changing circumstances. Failure of computer equipment does not absolve a student of the responsibility of turning work in on time. Academic honesty is so fundamental that violations of this standard will result in serious consequences and may result in a zero on the submitted work.

### **Student Responsibilities Policy**

Northeast Maritime Institute (NMI) takes pride in our school, our surrounding and our community and we require that the students maintain their school as they would maintain a ship. Students are required to take part in NMI's Student Responsibilities Program and will be placed in small teams with their

colleagues at the beginning of each semester. Each team of students will be responsible for policing and maintenance of their assigned facilities at NMI and this will foster leadership skills and how to succeed as a team.

Each student will keep track of the time spent policing and maintaining their assigned facilities each week on records sheets provided by NMI. Each student will turn in their record sheets weekly to the Director of the Nautical Science Department. Record sheets are available at the Registrar's Office. If a student is unable to complete his or her work in any given week, he or she must meet with the Director of the Nautical Science Department to discuss the circumstances.

Any student not completing the requirements of the Student Responsibilities Policy may request an extension to complete the necessary work by submitting a letter to the Director of Nautical Science Department explaining the circumstances and reasons for requesting an extension. The Director of Nautical Science Department is authorized to approve reasonable requests for extension, and in rare extreme circumstances due to compelling circumstances, may waive a student from the requirements of the Student Responsibilities Policy.

In the event a student fails to fulfill his or her duties under the Student Responsibilities Policy, he or she will be notified in writing by the Registrar's office with a copy sent to the Chief Academic Officer (CAO) and the Dean of Students (DOS). The student will have (15) days to make up his or her duties. If he or she fails to make up his or her duties in the allotted time, the Registrar's office will again notify the student in writing with a copy sent to the CAO and the DOS. The DOS will reach out to the student in writing to set up a meeting, and the violation of this policy will be treated as a violation of the Student Code of Conduct. Sanctions for a violation of the Student Responsibilities Policy may include an increase of the required community service hours up to two times the 3-hour graduation requirement.

### **Respect for Others: Harassment, Bullying, Hazing and Fighting**

Hazing, bullying, physical or verbal abuse, including sexual harassment, of any kind is a violation of these policies and the laws of the Commonwealth of Massachusetts, and any violations will not be tolerated. Every member of the NMI community has the right to work, to learn, and to grow in an environment of mutual respect, compassion, and support. This is especially true when considerations of socially significant identities are involved, such as those based on race, class, ethnic origin, religion, gender, disability, and sexual orientation. Our community must be free from verbal, physical, and psychological intimidation of any kind. Behavior that disregards the self-esteem of others and that is uninvited and unwanted will not be tolerated. Harassment or bullying which takes place on or off campus, over the phone, through the mail, or via electronic means (e-mail, text messages, instant messaging, any social networking sites, such as Facebook, Twitter, Instagram, etc.), are considered serious offenses. Physical and verbal confrontations are a violation of NMI's policy. Slapping, hitting, and/or punching are strictly prohibited. Students are cautioned that physical play (rough housing) escalates quickly and may be subject to disciplinary action.

Although bullying and harassment share similar characteristics, not all bullying is harassment and not all harassment is bullying. Importantly, harassment is defined by unwelcome conduct based on socially significant identities, race, class, ethnic origin, religion, gender, disability, and sexual orientation. Harassment is most often (but not always) severe, repeated and contributes to creating a hostile environment. Harassment and Sexual Harassment include, but are not limited to the following conduct:

- a. Derogatory or discriminatory remarks or gestures;
- b. Displays of sexually explicit, offensive, or demeaning materials such as photographs, cartoons, or calendars;
- c. Slang names or labels that others find offensive;
- d. Obscene or suggestive gestures, remarks, innuendoes, or jokes;
- e. Inappropriate personal questions or remarks about a person's clothing, body, or sexuality;
- f. The electronic posting or publishing of demeaning materials as defined above, including remarks, innuendoes, or jokes as described above;
- g. Unwanted or suggestive touching;
- h. Unwelcome sexual advances or requests for sexual favors;

- i. Verbal or physical conduct of a sexual nature;
- j. Behaviors that would constitute dating violence such as threats or use of physical, sexual, verbal or emotional abuse also are violations of our rules.

Bullying means the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

- a. Causes physical or emotional harm to the student or damage to the student's property;
- b. Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;
- c. Creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- d. Infringes on the rights of students to participate in school activities;
- e. Materially and substantially disrupts the educational process or the orderly operation of school.

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by socially significant identities or by any other distinguishing characteristics.

Bullying most often occurs as repeated behavior, but also may occur as a single incident between the offender and victim.

In an electronic environment, harassing behavior or cyber-bullying includes, but is not limited to, any transfer of signs, signals, writing, images, and contributes to creating a hostile environment.

Sounds, data, texting or intelligence of any nature transmitted in whole or in part by wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to electronic mail, internet communications, instant messages or facsimile communications may not be used to bully or harass.

Forms of electronic harassment or cyber-bullying may include but are not limited to:

- a. Creating and posting offensive documents, including videos and photographs;
- b. Creating offensive groups on social networking sites, giving files, folders or disks offensive names;
- c. Creating a web page or blog in which the creator assumes the identity of another person;
- d. The knowing impersonation of another person as the author of posted content or messages;
- e. In general, using any aspect of the technology in a way that hurts others.

Please refer to the "Photography/Videography Policy" as well as our "Computer/Internet Acceptable Use Policy", for further information regarding this issue as it relates to electronic technology.

A victim of harassment or bullying, anyone who witnesses an incident of harassment or bullying, or anyone who has credible information that an act of bullying or harassment has taken place should report the conduct to the Dean of Students (DOS). Targets of harassment or bullying are advised to follow the procedure outlined below (when possible), but bear in mind that serious consequences may result even when the target does not follow this procedure.

If you feel you have been harassed or bullied, you should:

- a. Let the offending person know that you want the behavior to stop. Say NO firmly. Give a clear message about how you feel. Do not apologize.
- b. If you do not feel comfortable confronting the person alone, take a friend along or write a letter. If you are still not comfortable, ask a trusted adult for advice.
- c. Keep a record of when, where, and how you have been harassed or bullied. Include witnesses, direct quotations, actions, evidence, and any written or electronic communications.
- d. Promptly contact one or more of the following about the situation: Advisor, Dean of Students. You will be listened to and supported.

If you have been accused of harassment or bullying, the DOS and at least one other faculty member will interview you. If, after a fair and thorough investigation by the DOS, it is determined that harassment or bullying has taken place, you will be subject to appropriate consequences. Targets of harassment or bullying are not required to confront their harassers or bullies. Depending on the severity of the offense, or the number of offenses, harassers and bullies may be subject to dismissal from the College.

The possession of any weapons, tools, or objects to threaten the well-being of others (including firearms, knives, etc.), poses a severe threat to the safety of the entire community. The College's Administration reserves the right to summarily suspend or dismiss a student for an offense which endangers life or health, or poses a special threat to any member of NMI's community. Toy or replica weapons are also not allowed.

## Hazing

**Hazing is strictly prohibited.** Hazing is any conduct or method of initiation into any student organization, whether on or off campus, which willfully or recklessly endangers the physical or mental health of any student or other person or behavior that is intended, or should reasonably be expected, to have the effect of humiliating, intimidating, or demeaning the student. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in such acts. Hazing occurs regardless of the consent or willingness of a person to participate in the activity.

## Drugs and Alcohol Use or Possession

This section sets forth NMI's Drug and Alcohol Use or Possession Policy which must be adhered to by all students. NMI has a zero tolerance policy for drugs and alcohol use on College grounds. A student who possesses, uses, distributes, or is under the influence of alcohol or illegal drugs or prescription medication, for which they do not have a prescription, while on NMI property, or participating in a school function, or is in any way under the College's jurisdiction, has committed a most serious offense and is subject to dismissal. Students are considered to be "in possession" if they have alcoholic beverages, illegal substances, or drug paraphernalia on their person or in their book bag, or automobile. No student may give any form of medication to another student and may only take medication at school if they have a note from a doctor.

Any student discovered or suspected of violation of federal or Massachusetts law in reference to alcohol or drug use, by law enforcement or other party, may be subject to disciplinary action. As a reference for alcohol and drug related infractions, the College follows the United States Coast Guard guidelines. The U.S. Coast Guard level for intoxication is 0.04% or greater by weight in the blood. The drugs that are tested for the standards established in 46 CFR 40.29 for licenses issued by the U.S. Coast Guard include the following: Marijuana, Cocaine, Opiates, Phencyclidine (PCP) and Amphetamines.

Any application for U.S. Coast Guard license(s) may be denied if information from the National Driver Register check leads the Coast Guard to determine that the applicant cannot be entrusted with the duties and responsibilities of the endorsement for which the application is made. If an application is denied, the U.S. Coast Guard will notify the applicant in writing for the reason(s) for denial and advise the applicant that appeal procedures may be followed. No examination will be given pending decision on appeal. Students should check CFR (Code of Federal Regulations) 46 10.211-10.213 regarding drugs, alcohol and criminal activity as it pertains to licensing. The following are additional resources for information pertaining to this topic.

USCG Physical and Drug Test Requirements:

[https://www.uscg.mil/nmc/regulations/NVIC/NVIC\\_4\\_08\\_with\\_enclosures.pdf](https://www.uscg.mil/nmc/regulations/NVIC/NVIC_4_08_with_enclosures.pdf)

Code of Federal Regulations Drug, Alcohol and National Driver Registry Guidelines:

<http://www.gpo.gov/fdsys/pkg/CFR-2014-title46-vol1/pdf/CFR-2014-title46-vol1-chapl.pdf> (Sections 10.211 – 10.213)

The below sections outline NMI's policies and infractions for drug and alcohol use or possession, as well as NMI's Chemical Testing Policy.



## **Standard Sanctions for Drug-related Infractions**

Any student found in violation of NMI's Drug and Alcohol Use or Possession Policy will be required to immediately submit to a drug test in accordance with NMI's Student Chemical Testing Program. Simple offenses, which include possession of drug paraphernalia and possession or use of small quantities of drugs, may result in a fine of up to \$300 maximum, disciplinary probation, and participation in a drug rehabilitation program, referral for evaluation, counseling, and community service. Repeat offenses will result in dismissal or expulsion from the College. Major offenses, including the possession or use of large quantities of drugs, possession or use of certain categories of drugs other than marijuana and as defined herein (e.g., cocaine, heroin, hallucinogens, etc.), and/or the intent or potential to sell or distribute, will result in dismissal or expulsion from the College.

## **Prescription Drugs**

The improper use of prescription drugs is a serious problem on college campuses. For this reason, it is a violation of College conduct rules for a student to be in possession of another person's prescription medication, or for a student to provide another person with drugs that have been prescribed for that student. Sanctions will be assessed based on the behavior in question but can include a fine, disciplinary probation, drug education, and/or referral for evaluation, counseling, or mentoring.

## **Alcohol Policy**

Consumption of alcoholic beverages on the grounds of the campus is prohibited. Individuals who appear intoxicated (e.g., unable to walk without assistance, speaking incoherently, emitting a strong odor of alcohol, or vomiting) or who exhibit drunken behavior will not be admitted to campus events. Moreover, individuals demonstrating such behavior while attending any registered social function will be promptly removed.

## **Intoxicated Student Policy**

Any student found or encountered on campus by NMI staff exhibiting drunken tendencies (e.g., slurred speech, loss of balance, etc.) or an altered state of mind may be transported to a local hospital for evaluation. The student may be required to remain for observation or, if necessary, transported to a local hospital via ambulance. If the student is under the age of 21 or exhibits behavior in violation of the Student Conduct Code, the student's conduct will be documented and subject to disciplinary action. It shall be the policy and procedure of College staff to err on the side of caution when determining if a student should be transported to the hospital for evaluation. In addition, students should not hesitate to contact College staff for assistance with an intoxicated or incapacitated student.

## **Medical Amnesty Student Policy**

If a student brings another student to the Dean of Student's Office because of concerns about alcohol or drug consumption, if a student brings themselves to the Health Center for such reasons or calls for help, or if a student initiates getting help for another student by contacting College officials, those students generally will not be subject to formal disciplinary action. The fear of, or concern about, a Student Conduct Process should not deter students from seeking appropriate medical or personal assistance. Students who contact College staff for help controlling or shutting down a party generally will not be subject to formal disciplinary action. To encourage victims to come forward with reports about sexual misconduct, students will not be sanctioned for revealing a violation in good faith, such as underage drinking, in the process of reporting a sexual violence claim.

## **General Guidelines for Alcohol-Related Infractions**

The following represents general guidelines that are used by the Dean of Students when determining sanctions for alcohol-related misconduct. These guidelines will also be utilized by those individuals and

offices designated by the Dean of Students to carry out the review of cases and determination of sanctions for alcohol-related misconduct. For first-time, minor infractions, and at the discretion of the Dean of Students, students may be given the option of confirming their responsibility in writing in lieu of a hearing or meeting with the DoS's office. Sanctions will still apply. The list below is not exclusive, nor does it represent the maximum or minimum action that may be taken to address particular conduct. The fine is per person unless specified per residence.

### **Possession or consumption of alcohol (not abusive or disruptive in nature) in violation of College policy.**

#### **First Offense:**

- Formal warning
- \$50 fine

#### **Second Offense:**

- \$100 fine (maximum). Fine amount will vary depending on the quantity and type of alcoholic beverages consumed or confiscated, with higher fines given for incidents involving hard liquor.
- Formal warning or disciplinary probation
- Alcohol education or educational activity
- Letter to parent/guardian (if approved)

#### **Third Offense:**

- Dismissal

### **Illegal or unauthorized distribution of alcohol to underage students**

#### **First Offense:**

- \$200 fine (maximum)
- Formal warning or disciplinary probation
- Alcohol education or educational activity

#### **Second Offense:**

- \$400 fine (maximum)
- Disciplinary probation and/or dismissal
- Community service
- Letter to parent/guardian (if approved). An additional \$100 fine can be given for hosting a disruptive gathering with alcohol involving underage students. Additional offenses will jeopardize a student's status at the College.

#### **Third Offense:**

- Dismissal

### **Alcohol impairment/abusive use violations (e.g., driving under the influence of alcohol, disruptive or violent behavior, drunkenness, intoxication, or use of grain alcohol)**

#### **First Offense:**

- \$200 fine (maximum)

- Formal warning or disciplinary probation
- Alcohol education or educational activity
- Referral for evaluation (and possible required stipulations)
- Community service

**Second Offense:**

- \$400 fine (maximum)
- Disciplinary probation and/or dismissal
- Alcohol education or educational activity
- Meeting with student and parent/guardian (if approved) to discuss the matter

**Third Offense:**

- Dismissal

Additional offenses will jeopardize a student's status at the College. The College accepts the responsible and legal use and consumption of alcohol by students over the age of 21, but rejects its illegal use or abusive consumption. Accordingly, behaviors such as drinking games which may contribute to or facilitate the potentially dangerous or inappropriate consumption of alcohol are strongly discouraged and may be taken into consideration when determining sanctions for alcohol-related misconduct. Moreover, drunkenness and intoxication are impermissible and unacceptable, regardless of one's age. Consistent with this policy, excessive amounts of alcohol, as well as kegs, beer balls, or other common containers (empty or full), are not allowed on campus.

**Student Chemical Testing Policy**

It is the policy of NMI to establish an environment free from the adverse effects of alcohol and substance abuse. The College will annually notify and inform all students of its drug and alcohol program. NMI's Code of Conduct requires all students not to use illegal drugs, abuse alcohol and/or prescription drugs. To combat the misuse and abuse of alcohol and other chemical substances all students must abide by this policy. The College will conduct drug and alcohol testing in compliance with applicable State and Federal laws. The College will conduct mandatory drug testing as required under the auspices of the U.S. Department of Transportation for cadets and crewmembers.

**Arson, Fire Alarms, and Emergency Equipment**

The deliberate setting of a fire on College property is a very serious offense and will result in removal from housing and/or dismissal from the College. Tampering with firefighting equipment (e.g., fire extinguishers, smoke detectors, heat sensors, etc.), reporting bomb scares, or setting off false fire and emergency alarms may endanger lives and are serious violations of state and federal laws, as well as College regulations. Heat and/or smoke detectors, as well as sprinkler heads, are extremely sensitive and may be activated by any contact. Therefore, students should not touch these devices or hang objects from them. Violations of this policy will result in disciplinary action, up to and including dismissal or expulsion from the College. Failure to leave a building in the event of a fire alarm is serious and may endanger a student's life or the lives of others. Individuals who do not leave a building will be subject to disciplinary action.

**Theft or Vandalism**

A student who steals or vandalizes property of a member of the community or of the College has committed a serious offense and is in violation of our rules. As part of any consequence, the student will be expected to pay for stolen or damaged property. Theft includes the taking of possessions or property from another's room, book bag, or equipment storage areas without specific permission. Photographic or video images also constitute a form of property. Taking and/or distributing photos or images in violation of

the school's Photography/Videography Policy will be considered theft.

## **Computer Technologies**

Theft or vandalism as it applies to computer technologies includes but not limited to the following:

- a. A student's possessions include his/her passwords, personal image, computer files and folders, whether on a local disk drive or on the network.
- b. Obtaining another's password without permission is an act of theft.
- c. Erasing or modifying another student's work or relocating files so as to diminish the owner's access to them is vandalism.
- d. Copying an application or other copyrighted material without permission is theft even if the original file is left intact. Proper licenses and registrations are required for any software a student wishes to use. The school secures proper licensing for its software and students may not copy it.
- e. Hacking system files or making unauthorized changes to the way a workstation operates is considered vandalism. Workstations must be shared by a number of users, and everyone expects the system to work the same way each time.
- f. Attempting to log onto databases or other secured parts of the network is considered a violation of our rules, whether or not the attempt was successful.

## **Computer/Internet Acceptable Use Policy**

NMI is an educational institution which encourages continuous learning, discovery, and the development of the complete person. NMI is committed to respecting individual privacy and freedom while expecting each individual to act in a responsible, legal, ethical and efficient manner when using the College's information technology systems and resources. These systems are designed to encourage educational, professional, and career development.

The purpose of this policy is to define responsible and ethical behavior that guides faculty, student, and staff use of information technology resources at NMI.

### **Policy Statement**

NMI provides access to information technology resources for faculty, staff, students, and certain other users to support our mission of access to learning and to conduct business. Every authorized user of information technology resources at NMI is responsible for utilizing these resources in an efficient, ethical, and legal manner and in ways consistent with overall College policy.

### **Guiding Principles**

NMI students, faculty and staff are encouraged to make innovative and creative use of information technologies in support of education. Access to information representing a multitude of views on current and historical issues should be allowed for the interest, information, and enlightenment of NMI's community. Consistent with other College policies, this policy is intended to respect the rights and obligations of academic freedom, and recognizes that the educational mission of the College is served in a variety of ways.

The College recognizes that the purpose of copyright is to protect the rights of the creators of intellectual property and to prevent the unauthorized use or sale of works available in the private sector. Publication, distribution, or broadcast of copyright protected materials without permission is prohibited. Also

consistent with other College policies, an individual's right of access to computer materials should not be denied or abridged because of race, creed, color, age, national origin, gender, sexual orientation, or disability. The College cannot protect individuals against the existence or receipt of material(s) that may be offensive to them. As such, those who make use of electronic communications are warned that they may come across or be recipients of material(s) they find offensive. Those who use electronic mail (e-mail) and/or make information about themselves available on the Internet should be forewarned that the College cannot protect them from invasions of privacy and other possible dangers that could result from the individual's distribution of personal information.

In the interest of promoting the free exchange of ideas, NMI does not exercise prior review of electronic documents available on its network and accessible locally or through the Internet. Individuals who access materials available on the NMI network should understand that these materials, unless otherwise posted, do not necessarily reflect the views of NMI. Students who feel that particular materials posted on the NMI network are inappropriate, or otherwise objectionable, may lodge a formal complaint through Student Services. Students should also make the same complaint to the Office of the Chief Academic Officer.

NMI's computing and network resources are to be used for College-related research, instruction, learning, enrichment, dissemination of educational information, and administrative activities. The computing and network facilities of the College are limited and should be used wisely and carefully with consideration for the needs of others. Computers and network systems offer powerful tools for communications among members of the community and of communities outside the College. When used appropriately, these tools can enhance dialogue and communications. When used unlawfully or inappropriately, however, these tools can infringe on the rights of others.

## **Procedures**

- a. The following examples, though not covering every situation, specify some of the responsibilities that accompany computer use at NMI and/or on networks to which NMI is connected. As defined below, the term "users" includes students, faculty, and staff.
- b. Users shall respect the rights of others by complying with all college policies regarding sexual, racial, and other forms of harassment, and by preserving the privacy of other individuals. For example, you should not send harassing messages via email or social networking or transmit or reveal personal or private information about individuals unless you have authorization from those individuals.
- c. Use computing facilities, accounts and data only when you have appropriate authorization and use them for approved purposes. For example, you should not use NMI Information Technology resources to run a business. . Users may not supply false or misleading data nor may they improperly obtain another's password in order to gain access to computers or network systems, data, or information. The negligence or naiveté of another user in revealing an account name or password is not considered authorized use. Convenience of file or printer sharing is not sufficient reason for sharing a computer account. Users should not attempt to subvert the restrictions associated with their computer accounts.
- d. Users are responsible for all use of their computer account(s). They should make appropriate use of the system and network-provided protection features and take precautions against others obtaining access to their computer resources. Individual password security is the responsibility of each user.
- e. Users are responsible for making use of software and electronic materials in accordance with copyright and licensing restrictions and applicable College policies. NMI equipment and software may not be used to violate copyright or the terms of any license agreement. No one may inspect, modify, distribute, or copy proprietary data, directories, programs, files, disks, or other software without proper authorization. For example, you should not post another individual's copyrighted material on your web page or install software with a single user license on multiple computers.

- f. Preserve the integrity of computing systems, electronic data, and communications networks. For example, you should not modify settings on a desktop computer or network settings to make it unusable to others or excessively utilize networked resources that may crash the network, like music videos, that overload NMI's network bandwidth.
- g. Users may not encroach on others' use of computer resources. Such activities would include, but are not limited to, tying up computer resources for excessive game playing or other trivial applications; sending harassing messages; sending frivolous or excessive messages including chain letters, junk mail, and other types of broadcast messages either locally or over the Internet; using excessive amounts of storage; intentionally introducing any computer viruses, worms, Trojan horses, or other rogue programs to Northeast Maritime College hardware or software; physically damaging systems; or running grossly inefficient programs when efficient ones are available.
- h. Users must remember that information distributed through the College's computing and networking facilities is a form of publishing, and some of the same standards apply. For example, anything generated at NMI that is available on the Internet through the College's network represents the College and not just an individual. Even with disclaimers, the College is represented by its students, faculty, and staff, and appropriate content, language, and behavior is warranted.
- i. Users may not transmit any material that is unlawful, obscene, threatening, abusive, libelous, or hateful, or encourages conduct that would constitute a criminal offense, give rise to civil liability, or otherwise violate any federal, state, or local laws.
- j. Respect and adhere to all applicable local, state and federal laws. For example, you should not use NMI's information technology resources to attack computers on another network by launching viruses, worms, or other forms of attack.

## **Administration**

The College encourages all members of its community to use electronic communications in a manner that is respectful to others. While respecting users' confidentiality and privacy, the College reserves the right to examine computer files and monitor electronic activity within the limits of other applicable College policies. The College may exercise this right in order to enforce its policies regarding harassment and the safety of individuals; to prevent the posting of proprietary software or electronic copies of electronic texts or images in disregard of copyright restrictions or contractual obligations; to safeguard the integrity of computers, networks, and data either at the College or elsewhere; and to protect the College against seriously damaging consequences.

The College may restrict the use of its computers and network systems for electronic communications when faced with evidence of violation of this policy or related College policies, or federal, state, or local laws. The College reserves the right to limit access to its network(s), and to remove or limit access to material posted on College-owned computers. All users are expected to conduct themselves consistent with these responsibilities and all other applicable College policies. Abuse of computing privileges will subject the user to disciplinary action according to established College procedures. Abuse of networks or computers at other sites through the use of NMI resources will be treated as an abuse of computing privileges at the College.

When appropriate, temporary restrictive actions will be taken by system or network administrators pending further disciplinary action; the loss of computing privileges may result. The College and users recognize that all members of the College community are bound by federal, state, and local laws relating to civil rights, harassment, copyright, security, and other statutes relating to electronic media. It should be understood that this policy does not preclude enforcement under the laws and regulations of the United States of America nor the state of Massachusetts. This policy can be changed at any time and is not meant to be all-inclusive.

## **Peer-to-Peer File Sharing**

Peer-to-peer file sharing, which is defined here as the use of NMIs computer network to illegally download or share any copyrighted material, including but not limited to video, music, or games is strictly prohibited. The distribution or sharing of copyrighted materials without the copyright owner's permission is a violation of the U.S. Copyright Act and the Digital Millennium Copyright Act of 1998 and is also a violation of NMI's Acceptable Use Policy (AUP). Additionally, the programs that are used to share these files impede network traffic and can do harm to the entire network. The music and motion picture industries have taken legal action against students who share files of copyrighted materials illegally. NMI is not a party to such legal action, but as a provider of the network service on which such illegal activity may take place, the College is required to comply and will comply with all lawful warrants, subpoenas, and court orders. In the typical circumstance, this will involve the College receiving information regarding a specific user's alleged violation, either in the form of a letter or subpoena. If lawfully issued, the College will pass this information on directly to the student with instructions for the student to respond to the allegations directly to the complainant. The College will also take separate action under its own policies for any instances of illegal downloading or file sharing. Sanctions can include, but are not limited to, restrictions on the student's use of the College network. Students with questions about downloading or file sharing are encouraged to contact the Dean of Student's Office.

## **Information Security Statement**

This Statement on Information Security attempts to address specific concerns relating to the use of administrative computer resources at NMI. It is intended to complement the College's Acceptable Use Policy. NMI's administrative computer resources must be used in a manner that is consistent with each user's duties and responsibilities. All users are expected to act in a spirit of mutual respect and cooperation, while adhering to the policies as outlined in this document. For purposes of this policy, users

include faculty, staff, students, and any other third party who has access to College computers.

1. Users will utilize College information and third party proprietary information only for the performance of official College business. This includes not altering or changing College information except in the performance of one's duties.
2. Users will not divulge College or third-party information, whether in electronic or printed format, to anyone unless their relationship with the College as an employee, customer, or contracted temporary employee warrants it.
3. Users will maintain confidentiality of all data or information in accordance with the policies and procedures of the College and any state or federal laws.
4. Users will not intentionally attempt to gain access to unauthorized information or facilities to which one is not specifically authorized.

## **Electronic Devices**

Cellular phones, pagers, and other electronic devices shall not be used in a manner that causes disruption in the classroom, library, within other College buildings or facilities, or at College events. This includes abuse of cellular phones or electronic devices with photographic capability. (See also policies pertaining to "Honesty and Integrity" and the "Right to Privacy.")

## **Privacy**

Electronic resources, including but not limited to, programs, files, data, and email belonging to an information technology user at NMI are private. NMI reserves the right to have authorized College personnel examine computing resources, communication systems, files, electronic mail, and printer listings. Reasons for examination include but are not limited to performing system maintenance, preventing or investigating unauthorized access and system misuse, assuring compliance with software copyright and distribution policies, and complying with legal and regulatory requests for information. Every effort will be made to insure the privacy of a user's files. However, if policy violations are discovered, they will be reported accordingly.

## **Enforcement**

Members of the NMI community who believe they have witnessed or been a victim of a violation of this policy should notify or file a complaint with the Chief Academic Officer. Reports of suspected unauthorized use or misuse of NMI information technology resources will be investigated pursuant to standard college procedures. Information technology users who are found in violation of this policy will be subject to disciplinary processes outlined in the Student Handbook.

## **Sexual Misconduct Policy**

### **Statement of Intent**

Northeast Maritime Institute (NMI) is committed to providing a learning environment free of gender-based discrimination, including sexual harassment. Sexual misconduct is a form of sexual harassment prohibited by this policy. This policy is intended to guide students on the College's general response policy to incidents of sexual misconduct, the resources available to victims of sexual misconduct, and the sexual misconduct prevention initiatives of the College.



## **Title IX Compliance Notice**

The College does not discriminate on the basis of sex in its educational programs and activities and Title IX requires that it not discriminate in such a manner. Sexual misconduct is a form of gender-based discrimination prohibited by both this policy, Title IX, and other federal and state laws. Inquiries concerning the application of Title IX may be made to the College's Title IX Compliance Coordinator and/or Investigator.

### **Definitions**

For purposes of this policy, the following terms shall be defined accordingly:

"Consent" shall mean mutually understandable words or actions indicating a willingness to do the same thing, at the same time, in the same way with each other. Consent may be withdrawn at any time. Mutually understandable consent is almost always viewed under an objective, reasonable person standard. The only context in which mutually understandable consent would be viewed under a subjective standard is in the instance of a long-standing relationship where a couple have established patterns of communicating consent, but even then there must still be evidence of free and knowing participation to establish consent. Effective consent is informed consent which is freely and actively given. Consent which is obtained through the use of fraud, force (actual or implied), threats, intimidation, or coercion is ineffective consent. Consent may never be given by a minor (in Massachusetts, those not yet 18 years of age). Mentally disabled persons cannot give effective consent to sexual activity. Physically incapacitated persons cannot give consent. One who is impaired as a result of alcohol or other drug consumption (voluntary or involuntary) or who is unconscious, unaware, or otherwise physically helpless, is incapable of giving consent.

"Force" shall mean the use of physical violence and/ or imposing on someone physically to gain sexual access. Force also includes threats, intimidation, implied threats, and coercion. There is no requirement that an individual resist the sexual advance or request, but the presence of resistance is a clear demonstration of non-consent.

"Intercourse" shall mean vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

"Sexual Contact" shall mean intentional contact with the breasts, buttocks, groin, or genitals; or touching another with any of these body parts; or making another touch you or themselves with or on any of these body parts; and intentional bodily contact in a sexual manner even if not involving contact with, of, or by breasts, buttocks, groin, genitals, mouth, or other orifice.

"Proceeding" includes but is not limited to any hearing conducted by the Office of the Dean of Students promulgating this policy.

The term "result" refers to a final conclusion of a proceeding where a student will be found either responsible or not responsible. The term, result, also includes any sanctions referenced in this policy as well as any other orders issued by the Office of the Dean of Students.

## Offenses and Jurisdiction

Non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, attempted offenses, child abuse and neglect, and retaliation shall be offenses prohibited by this policy. The elements of each such offense are:

### a. Offenses

1. Non-Consensual Sexual Contact: The elements of the offense of non-consensual sexual contact are:
  - a. any intentional sexual touching; and
  - b. that is without consent.
2. Non-Consensual Sexual Intercourse: The elements of the offense of non-consensual sexual intercourse are:
  - a. any type of penetration by any body part or object;
  - b. using force or threat of force; and
  - c. against the will of the victim
3. Sexual Exploitation: The elements of sexual exploitation are:
  - a. whoever willfully photographs, videotapes or electronically surveils another person who is either nude or partially nude;
  - b. without that individual's knowledge or consent;
  - c. in a place where said individual would have a reasonable expectation of privacy.
- d. Non-consensual, unjust, or abusive sexual advantage of another for the benefit of:

Examples of sexual exploitation include, but are not limited to: invasion of sexual privacy, prostitution of self or another, videotaping without knowledge and consent of all parties, peeping tommy, intentional transmission of HIV or STD, exposure of one's genitals in non-consensual circumstances, engaging in voyeurism, sexually based stalking or bullying, or inducing incapacitation with the intent to rape or sexually assault, regardless of whether sexual activity actually takes place.
4. Attempted Sexual Misconduct: It is a violation of this policy to attempt to commit an offense of non-consensual intercourse, non-consensual sexual contact, or sexual exploitation.
5. Retaliation: It is a violation of this policy to retaliate against anyone who reports (or may report) an incident of sexual misconduct, or who pursues (or may pursue) a complaint of sexual misconduct, or is (or may be) a witness to an incident of sexual misconduct, or otherwise is (or may) otherwise participate in any sexual misconduct investigation and/or disciplinary proceeding.
6. Stalking: A course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves repeated and continued harassment made against the expressed or reasonably implied wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include: pursuing or following; non-consensual (unwanted) communication or contact including face-to-face, telephone calls, voice messages, electronic messages, web-based messages, text messages, unwanted gifts, etc.; trespassing; and surveillance or other types of observation.
7. Intimate Partner Violence (also known as dating or domestic violence): The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or

economic abuse directed towards a partner. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Intimate partner violence can be a single act or a pattern of behavior in relationships. Intimate partner relationships are defined as short- or long-term relationships (current or former) between persons intended to provide some emotional/romantic and/or physical intimacy.

8. Intimidation: Intimidation by definition involves the creation of fear in a victim, and the very nature of a threat is the creation of fear of negative consequences for the purpose of influencing behavior.

#### **b. Jurisdiction**

The College's disciplinary jurisdiction is limited to conduct which occurs on campus and certain off-campus conduct. Off-campus conduct falls within the scope of this policy when the College determines that such conduct is sufficiently serious that it interferes with, or limits, a student's ability to participate in or benefit from the College's educational programs or activities. Examples of off-campus conduct which the College may exercise jurisdiction over include, but are not limited to, off-campus parties and school-sponsored programs at off-campus locations and travel associated therewith.

#### **Resources**

If a student has experienced sexual violence or assault, there are many resources and options available to them on and off campus. One goal of this policy is to ensure that victims who report to any college employee are made aware of and receive necessary or desired services. In addition to reporting the incident to college staff, below is a list of confidential and private resources available both on and off campus. If students would like to speak with an off-campus victim's advocate immediately, they can call Safe Link at 877-785-2020.

You can seek confidential services through the following resources:

#### **Confidential Resources**

Off-Campus Resources:

- The Women's Center, 405 County Street, New Bedford, MA 02740  
24-Hour Hotline: 508.999.6636 or 508.996.3343
- Safe Link (Massachusetts statewide 24/7 toll-free domestic violence hotline) 877-785-2020
- St. Luke's Hospital – (508) 997-1515

#### **Private/Non-Confidential Resources**

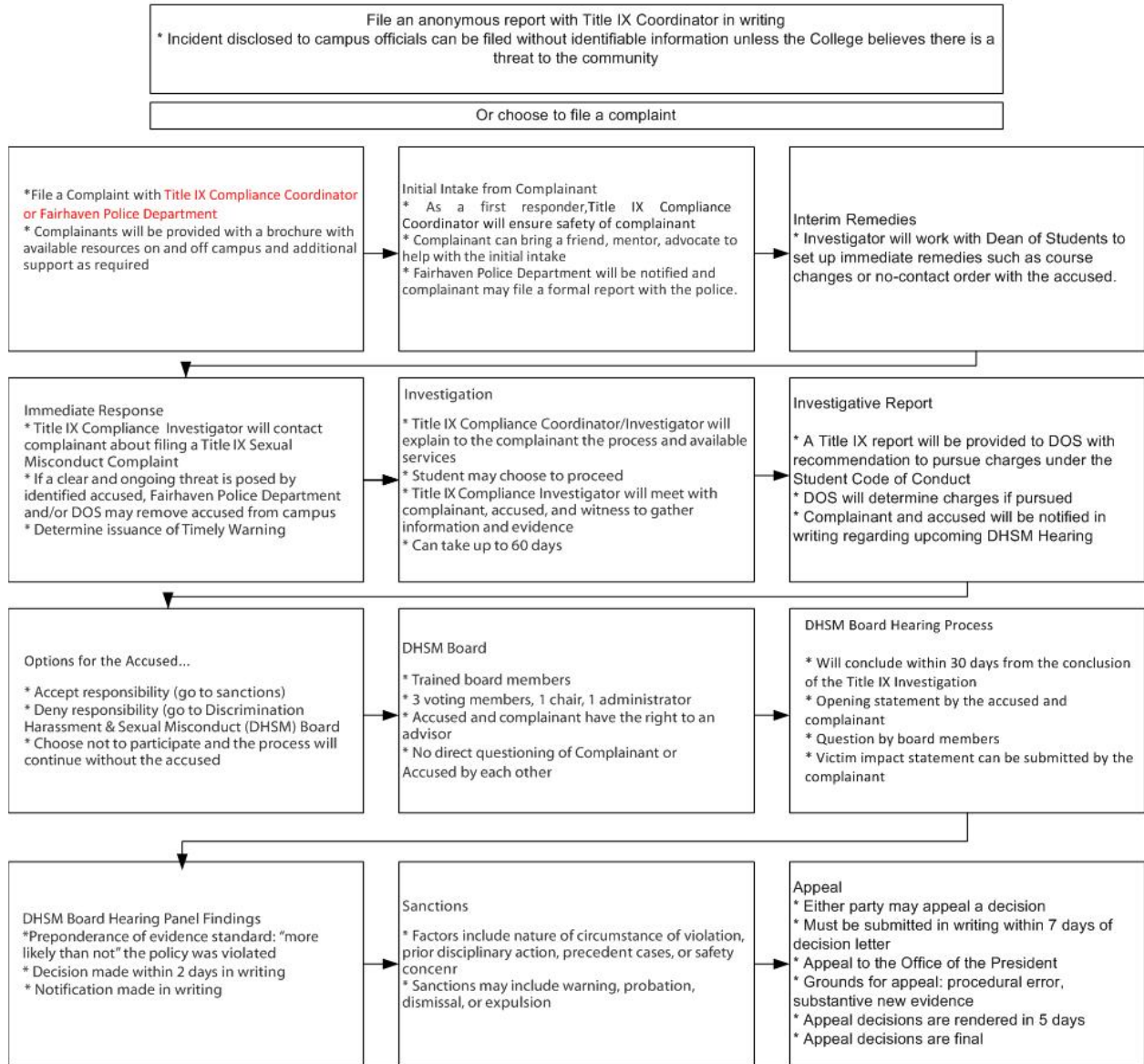
On-Campus Resources:

- Title IX Sexual Assault Compliance Coordinator (508) 992-4025 X 322

Off-Campus Resources:

- Fairhaven Police Department 911 or (508) 997-7421

## Title IX Complaint and Investigation Flow Chart



## **DHSM Board Hearing Panel Findings**

The Board's responsibility is to determine if a preponderance of evidence standard has been met; i.e. it is "more likely than not" the policy was violated. The Board will finalize their decision within two (2) days and shall inform both parties of their decision in writing.

## **Procedures and Roles**

It is important to preserve evidence when reporting sexual misconduct. If possible, students should not shower or wash their clothing following sexual misconduct as that may aid in the investigation. There is no time limit when reporting sexual misconduct to the Title IX Compliance Coordinator or Fairhaven Police Department.

### **a. Role of the Title IX Compliance Coordinator/Investigator and Police Department**

#### **1. Fairhaven Police Department**

The Fairhaven Police Department, located less than 1 mile from campus, is the College's first responder arm to reports of crime on campus and will provide immediate assistance to a person reporting (complainant) an act of sexual misconduct.

Services available through the Fairhaven Police Department include:

- Emergency response
- Incident documentation
- Complainant support
- Referral to on- and off-campus resources and services

#### **2. Title IX Compliance Coordinator/Investigator**

The role of the Title IX Compliance Coordinator/Investigator includes:

- Promoting Title IX compliance policies, procedures and notifications
- Overseeing implementation of compliance (grievance) procedures
- Identifying and addressing any patterns or systematic problems revealed by reports and complaints
- Referral to on- and off-campus resources and services
- Complainant support
- Conducting investigations of sexual misconduct complaints
- Evaluating a student's request for confidentiality in the context of the College's responsibility to provide a safe and nondiscriminatory environment for all students
- Providing guidance on Title IX compliance and College's related policies/ procedures
- Serving as a liaison to the state and federal agencies that enforce Title IX
- Promoting employee training and education on Title IX compliance
- Monitoring all other aspects of the College's Title IX compliance

When an act of sexual misconduct is reported the Title IX Compliance Coordinator/Investigator will contact the complainant to explain their options, services, and resources available to them on and off campus. Further, as discussed in more detail below, the Title IX Compliance Coordinator/Investigator will assist the complainant with filing a Title IX Sexual Misconduct Complaint.

## **b. Reporting Sexual Misconduct**

This policy on reporting is designed to assist the College's Title IX Compliance Coordinator/ Investigator, in conjunction with the Department of Public Safety, in providing a comprehensive response to reports of sexual misconduct. It seeks to promote student and campus safety, and a prompt and equitable resolution to incidents of sexual misconduct. In general, any employee who has reasonable cause to believe sexual misconduct has occurred must comply with the College's Sexual Misconduct Policy, regardless of the age of the victim.

### **1. Reporting by College Employees**

When the complainant is under 18: In instances where a College employee is made aware of child abuse or neglect as defined by Massachusetts General Law Title XVII, Chapter 19, Section 51A, the first question the employee must ask herself/himself is whether she/he is a mandated reporter of child abuse or neglect as defined by Massachusetts General Law Title XVII, Chapter 19, Section 21. If the employee is a mandated reporter she/ he must comply with Massachusetts's mandated reporting laws.

If a mandated reporter is a member of the staff of a medical or other public or private institution, school or facility, the mandated reporter may instead notify the person or designated agent in charge of such institution, school or facility who shall become responsible for notifying the department in the manner required by this section.

A mandated reporter shall, in addition to filing a report to the Department of Children and Families (DCF), contact local law enforcement authorities or the child advocate about the suspected abuse or neglect. The hotline for DCF is 1-800-792-5200.

All other Northeast Maritime Institute employees (i.e., those who are not mandated reporters) are strongly encouraged to report suspected child abuse or neglect to the DCF hotline listed above, and are protected under Massachusetts law for good-faith reporting of such suspected child abuse or neglect, even if later investigation fails to substantiate abuse or neglect. Employees who are mandated reporters must still report instances of child abuse or neglect to the Fairhaven Police Department (911).

When the complainant is 18 or older: Any employee, except those who are empowered by law to maintain confidentiality, who witnesses or receives a report of sexual misconduct of a complainant 18 or older, must report the incident as soon as possible to the Title IX Compliance Coordinator/Investigator and the Fairhaven Police Department.

When providing this report, a Northeast Maritime Institute employee may initially be able to exclude personally identifiable information (e.g., the name of the victim, the name of the accused individual, and/or other identifying details about witnesses, etc.). In an initial report, the reporting individual should disclose at a minimum the nature of the behavior reported, along with date, time and/or location if known. The Title IX Compliance Coordinator and/or the Title IX Compliance Investigator will guide employees with regard to how much detail is needed in an initial report. Subsequent to an initial report (or at the time of the initial report if there is an emergency or an immediate risk of harm) campus officials may need additional information in order to fulfill the College's obligations under law, including specifically, Title IX. Further, while College employees must report information they receive, it is not their responsibility to investigate or confirm what is reported to the College officials within the appropriate offices will determine the next steps, including ensuring that victims have been made aware of available on- and off-campus resources.

While a Northeast Maritime Institute employee may advise the complainant of sexual misconduct that any conversation they have with the complainant will be private (will not be shared unnecessarily with others), they may not tell a complainant that the

conversation will be confidential unless that employee is subject to privilege by law to maintain confidentiality of an adult victim.

## 2. Self-Reporting

Interpersonal violence or sexual assault is more likely to occur by someone known to the student. If a student thinks they have experienced non-consensual sexual misconduct by force, coercion or inability to give consent, they should know that it is not their fault and there are many resources available, including filing a complaint. Students may feel pressure to not file a report by mutual friends or fear of getting in trouble but the College process is student centered, offering many remedies (no-contact orders, safe housing, and class changes) to prevent retaliation and reoccurrence. To encourage victims to come forward with reports about sexual misconduct, students will not be sanctioned for revealing a violation in good faith, such as underage drinking, in the process of reporting a sexual violence claim. Victims of sexual misconduct can file a standard, formal incident report with the Title IX Compliance Officer at any time.

An incident report will include, among other things, the name of the complainant and the name of the accused, if known. Upon the filing of an Incident Report, the Department of Public Safety will act as first responder as detailed in this policy and refer the matter to the Title IX Compliance Coordinator/Investigator for investigation. The Department of Public Safety will also determine whether law enforcement or other authorities should be notified.

Direct reporting can be important for the safety of the entire College community. Complainants have the right to report sexual misconduct to the Department of Public Safety without further participation in the investigatory process. A complainant can choose to initiate a criminal complaint through law enforcement and/or initiate a Title IX Sexual Misconduct Complaint with a Title IX Compliance Coordinator/Investigator. Complainants should understand, however, that by choosing to not participate in the College's disciplinary process, the College's response to the incident may be limited.

## 3. Peer Reporting:

Peers of victims of sexual misconduct can file an incident report or anonymous report with the Title IX Compliance Coordinator/Investigator on someone's behalf. If your peer has experienced sexual violence, students have many options:

- provide support by encouraging them to seek help with the available resources on and off campus;
- reinforce that it is not their fault. Validate their feelings and do not investigate their story;
- students should let them know they are there for them and are receptive to what they are saying; and
- The peer may experience secondary trauma and there are many resources available for them through outside services.

## 4. Anonymous Reporting

Reports of sexual misconduct can also be made anonymously with the Title IX Compliance Coordinator/Investigator, meaning that the report does not contain the name of the complainant or the accused. An Anonymous Report will be kept in the file of the Title IX Compliance Coordinator/Investigator and recorded for purposes of the Jeanne Clery reporting disclosure requirements. Anonymous Reports allow the College to track reported

incidents of sexual misconduct and to provide the complainant with information about options and resources available to her/ him. An Anonymous Report does not constitute a formal Incident Report, a Police report, or a Title IX Sexual Misconduct Complaint.

Victims of sexual misconduct are also encouraged to contact the Fairhaven Police Department directly by calling 911. Filing a criminal report with the Fairhaven Police Department is different than filing an Incident Report with the College. If a student files a criminal report with the Fairhaven Police Department, the police will determine if a criminal investigation will occur and if the case will be referred for prosecution.

## **Title IX Sexual Misconduct Complaint, Investigations, and Disciplinary Proceedings**

### **a. Title IX Sexual Misconduct Complaint**

A Title IX Sexual Misconduct Complaint is in effect a request by a complainant or the College to investigate an alleged incident of sexual misconduct and to take disciplinary action against the accused. A Title IX Sexual Misconduct Complaint may be filed with a Title IX Compliance Coordinator/Investigator. A Title IX Compliance Coordinator/Investigator will assist a complainant procedurally in filing a complaint, and will let them know their options as well as the services and recourse available to them on and off campus.

A Title IX Sexual Misconduct Complaint is independent of an Incident Report filed with the Department of Public Safety. A Title IX Sexual Misconduct Complaint is an invocation of the student's right to have the incident handled through Institute disciplinary proceedings, while an Incident Report alerts the Department of Public Safety of alleged sexual misconduct and to provide first responder assistance to a complainant of sexual misconduct. A Title IX Sexual Misconduct Complaint can be filed with a Title IX Compliance Coordinator/Investigator at any time. While it is the victim's choice whether or not to file a Title IX Sexual Misconduct Complaint, victims are encouraged to do so. A complainant may also file a complaint with law enforcement. When requested, a member of the Department of Public Safety will accompany a complainant to the police and will assist in filing a report with the police.

### **b. Title IX Investigations**

A Title IX Compliance Coordinator/Investigator will conduct a prompt, thorough, and impartial investigation into all incidents of sexual misconduct they are made aware of. The investigation conducted by a Title IX Compliance Coordinator/Investigator is independent from any investigation by law enforcement; however, a Title IX Compliance Coordinator/ Investigator will look to coordinate with law enforcement to access their investigative findings to supplement their fact gathering efforts.

The specific investigatory steps taken by a Title IX Compliance Coordinator/Investigator will vary depending upon the nature of the allegations of sexual misconduct among other factors. A typical Title IX Sexual Misconduct investigation may include:

- Interviewing and taking statements from the victim, the accused, and any witnesses
- Compiling and verifying statements
- Gathering/obtaining documentation
- Reviewing any physical evidence
- Conducting appropriate research
- Drafting reports
- Taking statements from the complainant and the accused

A Title IX Compliance Coordinator/Investigator will inform the complainant if he/she receives a report of sexual misconduct from a third party (e.g., College employee) and seek to obtain the



complainant's consent to investigate the incident before commencing the investigation .

If a complainant of sexual misconduct makes a request for confidentiality or a request not to investigate, a Title IX Compliance Coordinator/Investigator will take all reasonable steps to investigate and process the matter consistent with the complainant's request. In all cases in which a complainant requests that their name and other identifiable information not be disclosed to the alleged perpetrator, the College will evaluate the request in context of its obligation to provide a safe non-discriminatory environment for all students. In weighing the complainant's request, the College will consider such factors as the seriousness of the alleged sexual misconduct, the complainant's age, whether there have been other complaints against the accused, and the accused's right to receive information about allegations against him or her. The College retains the discretion to disclose, among other things, a complainant's name and other identifiable information, as may be necessary to conduct their investigation. In such cases, a Title IX Compliance Coordinator/Investigator will inform the complainant if he/she cannot maintain confidentiality.

Typically, the fact finding portion of the investigation will be concluded within 60 days of the filing of a Title IX Sexual Misconduct Complaint and/or receipt of notice of an incident of sexual misconduct. However, the timeframe may vary depending upon the complexity of the investigation, unavoidable delays, and/ or the severity and extent of the sexual misconduct.

At the conclusion of a fact finding portion of the investigation, the Title IX Compliance Coordinator/ Investigator will share their findings with the Office of the Dean of Students. Based on the findings of the investigation, the Office of the Dean of Students will decide whether to pursue charges under the Student Code of Conduct.

### **c. Disciplinary Process and Proceedings**

Northeast Maritime Institute will initiate disciplinary proceedings under the Code of Conduct set forth in this Student Handbook. Upon the conclusion of the fact-finding portion of the investigation and recommendation of the Office of the Dean of Students to pursue charges. The disciplinary procedures will be conducted in a manner consistent with Title IX requirements and protections. College procedures are designed to provide a prompt, impartial response for resolution of Title IX Sexual Misconduct Complaints, as well as to provide reasonable remedial measures if it is determined that the sexual misconduct policy has been violated. The College reserves the right to pursue disciplinary proceedings against an accused even if a complainant does not file a Title IX Sexual Misconduct Complaint. Further, reasonable interim (pre-disciplinary hearing) corrective actions for the benefit of the complainant and accused will be made available as well.

Remedial corrective actions include, but are not limited to:

- no-contact orders;
- on-campus housing changes, escorts;
- ensuring the complainant and accused do not attend the same classes;
- ensuring the complainant and accused do not attend the same extra-curricular activities;
- counseling services, medical services;
- academic support services, academic accommodations, and/or changes in a victim's transportation or working situation, etc.

When providing a complainant and/or accused with remedial corrective options, a Title IX Compliance Coordinator/Investigator will seek to minimize the burden as much as is reasonably possible. In most circumstances where sexual misconduct is alleged, both the complainant and the accused will meet separately with a Title IX Compliance Coordinator/Investigator and will be provided with a written statement setting forth the rights both parties have when going through the disciplinary process. After reviewing the written statement, both the complainant and the accused can ask questions of the Office of the Dean of Students and have the hearing process

explained in greater detail. Both the complainant and the accused are entitled to opportunities to present relevant statements and witnesses during a formal conduct proceeding. When the hearing is held, all appropriate steps will be taken to ensure both a full and fair examination of the evidence, as well as the protection of the rights and safety of the victim. The standard of proof for these cases is more likely than not (also known as a preponderance of the evidence standard), and the definitions as well as the description of consent as used herein shall apply.

The hearing process typically is concluded within 30 days from the date the Office of the Dean of Students makes a recommendation to initiate disciplinary proceedings. A notice of outcome will be sent to both the complainant and the accused within two business days of the conclusion of the disciplinary hearing. When a determination of responsibility is made, the complainant will be notified of the decision as well as sanctions assigned. In cases of sexual misconduct, the typical sanction is dismissal or expulsion, as well as no-contact orders.

#### **d. Education and Other Preventative Initiatives**

The College is committed to the prevention of sexual misconduct through education and awareness. Prevention programs stress the added risks involved when the use of alcohol and/or illegal drugs is present. Flyers about sexual violence are posted in the Student Services Office.

Under the Jeanne Clery Act, the college issues warnings to the campus community regarding crimes that pose a serious ongoing threat to students and employees in a manner that is timely and will aid in the prevention of similar occurrences. The Title IX Compliance Coordinator/Investigator is responsible for evaluating reported crimes to determine if a timely warning is appropriate. Reported cases of sexual violence may require such a warning if the circumstances of the incident suggest that there is a serious or continuing threat to the safety of the campus community.

Whether to issue such an alert is considered on a case by case basis and depends upon a number of factors including the continuing danger to the campus community, whether the perpetrator was apprehended and the possible risk of compromising law enforcement efforts. Timely warnings never include the name of the victim, and the issuance of the timely warning will be explained to the complainant by the Title IX Compliance Coordinator/Investigator.

Complainants of sexual misconduct may also be eligible to obtain a protective order or apply for a temporary restraining order or seek enforcement of an existing protective order issued by a court of competent jurisdiction. Northeast Maritime Institute will honor any lawful protective or temporary restraining order.

## **Disability Services**

### **Mission**

The mission of the Disability Services is to assist students with disabilities at NMI in achieving their educational, career, and personal goals through the full range of institutional and community resources. The office ensures that students with disabilities receive support services and accommodations that permit equal access to NMI programs and the opportunity to realize their potential and develop effective self-advocacy skills.

### **Purpose**

NMI is committed to providing reasonable accommodations and integrated access for students with disabilities to all available academic, social, and recreational programs and activities. Disability Services at Northeast Maritime Institute, as required by the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973, works closely with students, administrators, and faculty to develop

and implement individualized accommodations tailored to students' needs.

Appropriate support services coordination is provided by our Student Disability Coordinator. Disability Services serves students with hearing, visual, mobility, medical, and psychiatric disabilities. The Student Disability Coordinator also works with College Administrators to develop policies and procedures pertinent to students with disabilities and acts as a general information and referral service on disability issues.

## **Program Specific Restrictions**

Certain programs offered by NMI restrict students with physical disabilities under certain circumstances due to United States Coast Guard requirements ([https://www.uscg.mil/nmc/regulations/NVIC/NVIC\\_4\\_08\\_with\\_enclosures.pdf](https://www.uscg.mil/nmc/regulations/NVIC/NVIC_4_08_with_enclosures.pdf)). For these programs, all students are required to have completed a United States Coast Guard physical examination prior to participating in the program. This assures NMI and the student that they are able to successfully complete the program and licensing requirements.

These programs include:

- Associate Degree of Applied Science in Nautical Science
- Licensing courses for Continuing Education

## **Legal Rights**

Section 504 of the Rehabilitation Act of 1973 requires that:

“No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . .”

Section 504 and Title II of the Americans with Disabilities Act (ADA) prohibit the discriminatory assignment of disabled students to segregated classes or facilities. These laws apply to elementary and secondary as well as postsecondary schools. In elementary and secondary schools, disabled students may be assigned to separate facilities or courses of special education only when this placement is necessary to provide equal educational opportunity to them. Any separate facilities, and the services provided in separate facilities must be comparable to other facilities and services.

To determine what the educational needs of a disabled student may be, schools must carry out preliminary evaluation and placement procedures.

## **Documentation Requirements**

To be considered eligible for services through the Disability Services Office, students should:

1. Make an appointment to meet with the Disability Services Coordinator
2. Provide documentation of their disability. The documentation serves as the foundation for legitimizing the request for a reasonable accommodation. Appropriate documentation must include the following:
  - A clear diagnosis of the disability by a licensed professional who has firsthand knowledge of the student's condition and has experience and training in diagnosing and treating people with disabilities.
  - Documentation of the disability must be current, preferably within four years. (The age of

the required documentation also may be dependent upon the nature of the disability and the specific requested accommodation.)

- A statement of the functional impact and limitations of the disability on major life activities.
- A list of recommended accommodations with an explanation of the relevance of each to the diagnosed disability.
- Documentation must be on letterhead from diagnosing physician or primary care physician's office.

## **Special Event Accommodations**

College students with disabilities who require accommodations or information about accessibility in connection with an event sponsored by NMI should contact the Disability Services Office. Students are encouraged to contact the Disability Services Office as soon as possible, preferably a minimum of two weeks prior to the event. The Office will work with event sponsors and individuals to provide reasonable accommodations and accessibility for the event. Temporary impairments are not listed as disabilities under the Americans with Disabilities Act (ADA); however, every attempt is made to provide support and assistance to students who experience a temporary disability. Accommodations may include the use of a laptop, extended time on exams, or transportation service.

## **Transition into College**

Unlike high school, college students need to self-disclose their disability. This is a significant and important distinction in the accommodation process for college. Students often feel that they do not want to disclose information about their disability in an effort to not "stand out" or in any way be different from their peers. The reality is, however, that utilizing these services facilitates their academic success.

## **Confidentiality**

The information that students share with the Disability Services Office remains confidential with the following exceptions:

- A student signs a release of information which authorizes the sharing of information with professors or other appropriate College Administrative Staff.
- There is a risk of imminent harm to self or others.

## **Documentation and Registration**

When a student registers with the Disability Services Coordinator, s/he must provide written documentation of a disability from the physician or mental health professional with whom s/he works most closely. The student then meets with the Student Disability Coordinator to customize reasonable and appropriate accommodations for his or her particular situation.

- Whenever possible it is best to register and establish accommodations at the beginning of each academic semester.
- Documentation and information regarding a student's disability does not become part of a student's academic record.
- If a student encounters medical or psychological difficulty during the course of the semester which warrants accommodations s/he should make an appointment to speak with the Student Disability Coordinator.

- Once accommodations are determined, a letter is sent to each of the student's professors indicating the reasonable accommodations for the semester.
- It is the student's responsibility to give adequate advance notice to both the professor and the Student Disability Coordinator in advance of the requested accommodations so that there is sufficient time to be able to provide the accommodation.
- The services featured here are specifically for students with physical, medical, temporary, or psychological disabilities, and provide an example of possible accommodations. Each disability will be thoroughly assessed and addressed appropriately. Accommodations might include, but are not limited to:
  - Distraction-free testing environment
  - Electronic Books (when available)
  - Additional Tutoring Assistance
  - Assistance with meal planning for food allergies
  - Alternate test-taking options
- A room may be reserved for a student to take an exam. The student taking the exam leaves his or her backpack and cell phone with the designee, who proctors the exam.

### **Modified Deadlines**

There are students whose documentation supports the need for a modification of deadlines for assignments and examinations, particularly if multiple exams and assignments are due on the same day. Students in need of this accommodation make arrangements for these modifications with their individual professors and the Student Disabilities Coordinator.

### **Use of Laptop for Exams**

Students may request the use of an NMI designated laptop as indicated for medical reasons. Internet access is disabled, and students may either type responses themselves or request the assistance of a scribe if necessary.

### **Interpreters**

Students with hearing impairments who are interested in using interpreters in their classes must inform the Student Disability Coordinator of the need for this accommodation at their earliest possible convenience following course registration due to the time needed to secure interpreters for the following academic semester. There is no guarantee that an interpreter will be found if a student does not provide sufficient notice of this need.

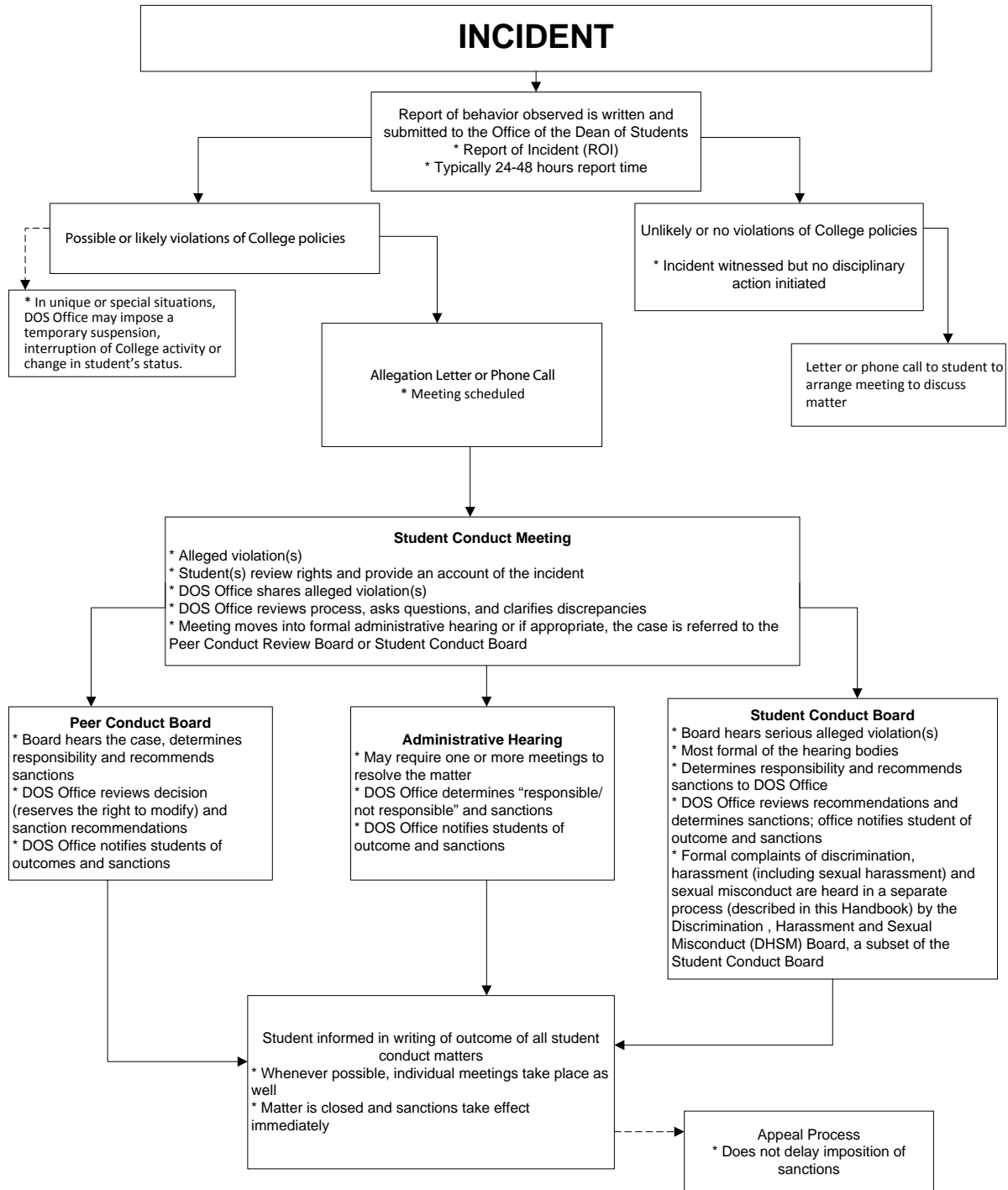
If you have any questions or concerns about these services and procedures, please contact the Student Disability Coordinator.

### **Reports of Incident (ROI)**

Any member of the College community may report an alleged violation of College policy or the Student Conduct Code if that member observed the violation or had personal knowledge of it through means other than hearsay. Students, administrators, faculty, staff, and other members of the College community who wish to file a report concerning a student's behavior may do so by obtaining a Report of Incident (ROI) form from the Office of the Chief Academic Officer. If the report concerns a member of the faculty, administration, or staff, a duplicate copy of the written report of the incident should be submitted to the person's supervisor.

All reports alleging misconduct by a student will be reviewed by the Office of the Chief Academic Officer. If there is sufficient evidence that a College rule or regulation may have been violated, the accused student will be notified of a meeting with the dean's staff . The student is required to keep this appointment. At the initial meeting, the disciplinary process will be explained, the student will be advised of the alleged violations, and, if applicable, the student will be given the opportunity to choose a hearing body. If the hearing body chosen or required is an administrative hearing, the initial meeting will progress into the formal disciplinary hearing. If the alleged violations occurred as a group, then a group hearing, rather than an individual hearing, may be held. For first-time, minor infractions, and at the discretion of the Office of the Dean of Students, students may be given the option of confirming their responsibility in writing in lieu of a hearing/meeting with the dean's office . Sanctions will still apply.

## Flow Chart of the Student Conduct Process



## **Office of the Dean of Students**

The Office of the Dean of Students has ultimate responsibility for enforcing College rules and regulations. The Dean of Students administers the student conduct process on a daily basis. In addition, the dean, or other members of the dean's staff have broad authority to act in the best interests of students, the community, and the College. To that end, the dean or designee(s) may take immediate action to remove or restrict a student from the College outside of the student conduct process. If the removal or restriction resulted from alleged violations of the student Code of Conduct, a hearing would be scheduled as soon as possible to determine the final disposition in the matter. In matters that are not related to student conduct but rather speak to the health, safety, or welfare of a student or the community, the dean or designee(s) may take whatever action necessary to alleviate that concern, up to and including removing the student from the College.

In cases heard by the Student Conduct Board, the Office of the Dean of Students receives the Board's determination of responsibility and the Board's recommendations for sanctions. The dean or designee(s) make the final determination. For all student conduct cases, the dean reserves the right to review the determination of responsibility, as well as sanctions. The Office of the Dean of Students may refer cases that do not rise to the level of a student conduct case, but require some type of resolution or action, to another academic or administrative office or department. In times of absence, the dean may designate another administrator to respond to cases needing immediate attention.

## **Student Conduct Board**

The Student Conduct Board is a hearing body for alleged violations that, by themselves, could result in a student's dismissal from the College. When classes are in session, the board is a five-member body consisting of two voting students, one voting academic dean, assistant dean, or academic administrator, one voting faculty member, and a non-voting chairperson. When classes are not in session, or if the regular board members are not available, a board of four voting administrators and a non-voting chairperson may be constituted.

Board members are individuals known for their integrity and commitment to the standards governing the College community. Board appointments are made by the vice president for student affairs, who may solicit nominations or recommendations from the representative sector. The faculty representative(s) are nominated by the general faculty and serve two-year terms. Once a faculty member has been appointed to the board, he or she may serve indefinitely as an alternate member. The student members of the board are selected from the Peer Conduct Board. The chairperson serves a three-year, renewable term. If an academic dean or faculty member is not available, an administrator can substitute the position on the board.

Any member of the board may exempt himself or herself from hearing a case if he or she feels that personal involvement or another conflict of interest may affect his or her judgment. An alternate will then fill the vacancy. If a board member fails to perform his or her responsibilities, the board may request, by a unanimous vote of the other members, that the vice president for student affairs terminates the member's appointment and appoint an alternate or new member to fill the vacancy.



## **Student Conduct Board Hearing**

### **Procedures**

The hearing shall be conducted in accordance with the students' rights published in this Handbook. A student conduct administrator presents the alleged violation(s). Unless otherwise provided for and/ or required by federal or state law, the respondent student or the accused may request the assistance of an advisor who is a member of the College community. The chairperson presides over the hearing and determines all procedural matters and the relevancy of the testimony and evidence available.

The board members review the available relevant documents. The members then question those students or members of the community appearing at the hearing, as well as the respondent student, unless he or she elects not to participate or respond to questions. The student conduct administrator and the respondent student (or his or her advisor) and the complainant (or his or her advisor) may submit relevant questions which were not previously covered to the student conduct administrator.

The board deliberates in closed session and determines whether or not the student is responsible for the alleged violation(s). The student conduct administrator is present during the deliberations to offer any assistance as requested by the board. A simple majority of the voting board members is sufficient for determining a student's responsibility for violations. If less than a simple majority vote finds that the student was responsible or there is a tie vote, the determination shall be that the student is not responsible for the violation(s).

If a student is responsible, the board shall receive the record of any previous student conduct violations and sanctions and any other information relevant to recommending sanctions. The board members then deliberate and vote on a recommendation for sanctions. A simple majority is necessary for all recommended sanctions, except that a recommendation to dismiss a student from the College must be unanimous.

Board members are required to maintain confidentiality as to student disciplinary records, the deliberations, and votes taken, and shall not discuss the proceedings with anyone except in their deliberations with other board members and in communicating their decision and recommendation to the Office of the Dean of Students.

**Student Acknowledgments:**

I hereby confirm receipt of the Northeast Maritime Institute Student Handbook and agree to the policies and conditions set forth. I understand that I am personally responsible for reviewing and understanding the information contained in this handbook addendum, that violations of the college's policies may lead to disciplinary action, and that this handbook addendum may be amended during the school year without notice. Failure to read this handbook does not excuse me from the requirements and regulations described herein.

\_\_\_\_\_  
Student Printed Name

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

I authorize the College to contact and release confidential information and records to my parent(s)/guardian(s) in relation to the following policies in the Handbook, noting that in the case of life-threatening situations, the College has the right to communicate information without requiring my authorization:

- Educational records
- Health and safety-related information
- Student Conduct Code (including drug and alcohol infractions; academic honesty and integrity and Title IX)

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**