



University of
New Hampshire

STUDENT RIGHTS, RULES, AND RESPONSIBILITIES 2023-2024

Introduction

Student Code of Conduct

Student Policies and Regulations

Residential Policies and Regulations

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Introduction

The University of New Hampshire is the state's public research university, providing comprehensive, high-quality undergraduate programs and graduate programs of distinction. Its primary purpose is learning: students collaborating with faculty and staff in teaching, research, creative expression and service.

UNH has a national and international agenda and holds land-grant, sea-grant and space-grant charters. From its main campus in Durham, to the UNH College of Professional Studies in Manchester and online, and the Franklin Pierce School of Law in Concord, the University serves New Hampshire and the region through continuing education, cooperative extension, cultural outreach, economic development activities and applied research.

Preamble and Statement of Agreement

The Student Rights, Rules, and Responsibilities Handbook is the University's official compendium for the [Student Code of Conduct](#), cornerstone student policies and expected standards of behavior. The "S.R.R.R." also serves as the companion document for the [Undergraduate Academic Catalog](#), [Graduate Academic Catalog](#), and the [Law School Academic Catalog](#). Each shared statement represents our individual and collective commitment to upholding the ethical, professional, and legal standards we use as the basis for our daily and long-term decision-making and actions.

Unless otherwise noted, the rules stated in this handbook apply to all undergraduate, graduate, and professional students enrolled at the University. Enrollment at the University of New Hampshire is considered an acceptance of all conditions specified in this document. Because the University establishes high standards for membership, its standards of conduct, while falling within the limits of the law, may exceed federal, state, or local requirements.

All students are expected to review and become familiar with its contents, prior to attending classes so that they may begin their work at UNH with knowledge both of their rights as students and of their responsibilities as members of the local and academic community. Extensive efforts have been made to be sure that the contents of this document are complete and up to date, but the University also reserves the right to adopt, modify or rescind any of the policies, rules, or regulations, according to established guidelines, as may be necessary for the interest of the University. In the event changes exceed technical amendments for the purposes of keeping this document current, the Dean of Students will be responsible for publishing the changes and informing the community.

Community Principles

All who work, live, and study at UNH are here by choice. We recognize our differences as assets, while also acknowledging the visible, invisible, and intersecting dimensions of identity, power, and privilege inherent in systems and society. To ensure the University serves its students and meets its mission of distinction in education, scholarship, and service, the following principles will help to shape our interactions with one another and our various communities:

We act with integrity

In order to ensure that the University can dedicate itself fully to its mission, it is expected that an individual's personal integrity will be reflected not only in honest and responsible actions, but also in a willingness to provide direction to others whose actions may be harmful or counterproductive to themselves or the community in a timely, predictable, meaningful way. The University expects that members of the community will be truthful and forthright; and will not engage in behavior that endangers their own sustained effectiveness or that has serious ramifications for the safety, health, well-being or professional obligations of the individual community members themselves or others. Raising a concern in good faith is a service to the University and does not jeopardize one's position, employment, enrollment, or academic standing.

responsible stewardship and care of the physical environment

As a land and sea grant institution with campuses throughout New Hampshire, we provide outstanding services to local, state, national, and international stakeholders in agricultural and natural resources and work to support a coastal environment that sustains healthy ecosystems, economies, and people. We also acknowledge the spiritual and physical connection the Pennacook, Abenaki, and Wabanaki Peoples have maintained to N'dakinna (homeland) and the aki (land), nebi (water), olakwika (flora), and awaasak (fauna) which the University of New Hampshire community is honored to steward today.

We recognize our responsibility, individually and collectively, to give of our time, abilities, and resources to promote the wellbeing of each other and the development of our local, regional, and global communities. As partners in building and shaping the local community, the University of New Hampshire and the Town of Durham authored the [Statement of Shared Civic Commitment](#) to offer direction, sustain and enhance a positive social environment and welfare of all.

human dignity and individual rights

The ideas of different members of the university community will frequently conflict, and we do not attempt to shield people from ideas that they may find unwelcome, disagreeable, or even offensive. As Wildcats we are committed to creating an inclusive, egalitarian environment where every member of the community feels a sense of belonging, and one another's abilities, views, and accomplishments are appreciated and celebrated.

We value basic civil rights as guaranteed by the Constitution of the United States, and we honor the inherent dignity of all people in a community where freedom of expression, reasoned discourse and dissent are embraced, while rejecting harm and violence in all its forms.

This affirmation aligns directly with the University's Nondiscrimination Statement:

The University of New Hampshire seeks excellence through diversity among its administrators, faculty, staff and students. We are committed to enhancing and sustaining an educational community that is inclusive and equitable, and

cherish these values as being inextricably linked to our core mission. We are a public institution with a long-standing commitment to equal employment and educational opportunity for all qualified persons. We do not discriminate on the basis of race, color, religion, sex, age, national origin, sexual orientation, gender identity or expression, disability, veteran status, marital status, genetic information, pregnancy, or political orientation. This applies to admission to, access to, treatment within, or employment in UNH programs or activities.

Local and global citizenship

Members of the University enjoy the rights and privileges associated with their status and are bound by the laws of the surrounding community. Every individual has a personal responsibility to review, become familiar and be in compliance with our established policies and behavioral expectations, in addition to the general law.

While some situations may overlap with criminal laws (e.g., theft, drugs, or sexual assault) and civil statutes (e.g., fraud, social host laws, neighborhood issues), university policies and the conduct process are intentionally and appropriately different. A student who violates certain regulations can be held accountable by the public courts as well as by the University. Student status does not forgive or cover criminal, civil, or other legal consequences for violations of federal, state, or local laws or ordinances.

The University also encourages students to cultivate an ethical stance and recognize their mutuality and interconnectedness as global citizens. Students who participate in study abroad programs and international experiential opportunities are legally subject to the same laws and regulations that govern the host country's citizens.

Declaration of Student Rights and Responsibilities

Students at the University of New Hampshire have at least the rights and responsibilities common to all citizens, free from institutional censorship; affiliation with the university as a student does not diminish the rights or responsibilities held by a student or any other community member as a citizen of larger communities of the state, the nation, and the world.

The following enumeration of rights shall not be construed to deny or disparage other rights retained by these individuals in their capacity as members of the campus community or as citizens of the community at large. Further, this articulation shall not preclude the University from establishing standard policies, procedures, requirements, or restrictions that all students must adhere to in the exercise of their rights.

Right To Academic Freedom and Expression

Students' rights include the freedom to learn, free and open expression within limits that do not interfere with the rights of others, free or disinterested inquiry, intellectual honesty, sustained and independent search for truth, the exercise of critical judgment, respect for the dignity of others, and personal and institutional openness to constructive change.

Right To Contribute to University Governance

Students have the right to participate in institutional governance and to be involved in the formulation and review of policies concerning student life, services and interests, standards of conduct and disciplinary procedures as defined by the appropriate governing body, responsible party or office.

As the primary source of advocacy, Student Senate executive officers have additional responsibilities to ensure students who represent a cross

section of the campus community are seated on university standing and special committees, and may initiate nomination or appointment procedures in accordance with governing bylaws.

Right To Freedom of Association and Assembly

Students are free to form, join, and participate in groups or organizations that promote student interests, including but not limited to groups or organizations that are organized for intellectual, religious, social, economic, political, recreational, or cultural purposes. Students may engage in peaceful and orderly protests and demonstrations so long as these events do not disrupt the normal operations and functions of the University.

Right To Due Process

Students have the right to be informed and have access to university policies which affect them. When students are accused of engaging in prohibited academic or behavioral conduct, they have the right to a fair disciplinary resolution process, including the right to receive timely notice and a meaningful opportunity to respond to the allegations.

Students have the right to have their case adjudicated by an impartial factfinding body, the right to challenge factfinders for bias or any conflicts of interest with the potential to undermine the integrity of the conduct process, and the right to be protected from capricious and arbitrary decision-making.

Right of Confidentiality of Student Records

All students who are or have been in attendance at the University have the right to inspect and review their education records subject to the limitations and exceptions set forth in the Family Educational Rights and Privacy Act (FERPA) and its related regulations, 20 U.S.C. § 1232g and 34 CFR Part 99.

Education records belong to the University and, although students have the right to review and request amendments, the University designates various offices as the unit custodians with responsibility to ensure proper access control and to handle, store, and dispose of the records as appropriate.

Responsibility To Uphold Professional, Behavioral and Academic Standards of Conduct

All members of UNH share responsibility for promoting and protecting the highest standards of integrity and mutual respect in scholarship and professional practice. Any rules or regulations considered necessary to govern the interaction of the members of the university community are intended to reflect values that community members must share in common if the purpose of the community to advance education and to enhance the educational development of students is to be fulfilled.

Membership in the legal profession requires conduct that meets exacting and demanding ethical standards. As persons preparing for that profession, Franklin Pierce School of Law students are required to meet the highest standards of the profession, in any law school activity and in relationship to any other member of the law school community.

Responsibility To Monitor Information Technology Identification Address

The University of New Hampshire often communicates with students on official matters in written form. The progression of technology has prompted the University to adapt both its administrative and educational communications to benefit from this technology. In those instances when the University chooses to communicate with students through technology, it typically does so with the use of the University-generated UNH Username. The University will provide and maintain this UNH Username; it will be the responsibility of the student to monitor official communication sent by the

University to this UNH Username on the UNH email system, as well as those posted to the UNH Portal (MyUNH) and accessible with this UNH Username.

Inquiries regarding discrimination and discriminatory harassment (including sexual harassment) should be directed to:

Bohdan Zaryckyj

Title IX Coordinator and Director of the Civil Rights and Equity Office
105 Main Street, Thompson Hall
Durham, NH 03824-3547
603.862.2930 (voice)
603.862.2936 (fax)
7-1-1 (Relay NH)
unh.civilrights@unh.edu

Or to the Boston Civil Rights Office: Office for Civil Rights (OCR)

U.S. Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
617.289.0111 (voice)
617.289.0150 (fax)
800-877-8339 (TTY)
OCR.Boston@ed.gov

Ren Haywood

EEO/ADA Compliance Officer
Civil Rights and Equity Office
105 Main Street, Thompson Hall
305 603.862.2929 (voice)
603.862.2936 (fax)
7-1-1 (Relay NH)
lauren.haywood@unh.edu

Or to the Executive Director: State of New Hampshire Commission for Human Rights (NHCHR)

Industrial Park Drive, Bldg. One
Concord, NH 03301-8501
603.271.2767 (voice)
603.271.6339 (fax)
humanrights@nh.gov

Student Code of Conduct Community Standards and Values

As a diverse community of learners and stewards of scholarship, all members of the University of New Hampshire communities are expected to uphold the highest standards of mutual respect and integrity. These core values are key components of the UNH experience and reflect the expectations of its students.

Students must be able to live, work, and learn in an environment that deliberately seeks multiple perspectives and supports the free and open exchange of ideas through educational discourse. Students who engage in prohibited academic and behavioral conduct interfere with their ability, and the ability of others, to take full advantage of university life, and will thus be subject to disciplinary action through the university-wide conduct system.

Oversight and Administration

The Office of Community Standards is responsible for interpreting and enforcing the Student Code of Conduct and administering the university-wide conduct system. Community Standards will ensure that the rights of all students are guaranteed, and those engaged in the conduct process are afforded a fair, equitable, and meaningful opportunity to address allegations of prohibited conduct.

The University's disciplinary processes are not legal proceedings and thus do not embody, in structure or spirit, an adversarial framework or adopt the rules that govern civil or criminal legal proceedings. The University's disciplinary system should not be conflated with legal processes, and disciplinary proceedings enjoy neither the advantages nor the limitations inherent in legal paradigms.

Essential to its mission, the Office of Community Standards provides a continuum of high-impact practices and interventions, as pathways for enhanced reflection, accountability, and ethical development, that prepares students to lead lives of consequence. The established policies and behavioral expectations outlined in the Student Code of Conduct are

intended to preserve and protect the University's educational mission of teaching, research, and public service.

Student Code of Conduct Purpose and Philosophy

The Student Code of Conduct is the official statement of university policies and regulations, and expected standards of behaviors that are applicable to all students. The primary purpose of policies and regulations, and the articulation of expected standards of student conduct, is to further the mission of the University and to protect the well-being of the community. These policies and regulations enable all the members of the University to function as a community and respond to situations that threaten or violate that community.

Policies and regulations are to be understood in the larger context of the functioning of the University and with sensitivity to the reality that the University is not an abstract entity, but rather a sum of its individual units and community members. Rigid conformity to and narrow application of policies and regulations without taking into account the larger context of the functioning of the University are not appropriate in our academic community.

Policies and regulations are often not more specific than necessary and often are general enough to allow the University to respond to situations in their unique complexities and take into account the variations in values and goals of different University academic units and administrative offices. As such, they provide a broad framework that is designed to create a level of consistency across the University yet also accommodate local cultures. The University will create new policies and procedures and modify existing ones to address new issues and questions, and to reflect the evolution of our community and the larger society within which our community exists.

Article I: Definitions

Aggravating Factor. Circumstances or facts that increase the level of severity and may increase the sanction. Examples may include, abuse of trust or duty, premeditation, use of force or a weapon, recidivism, harm to the victim, or lack of remorse.

Appellate Body. An Appellate Officer or Panel, authorized by the Director, to consider the merits of an appellant's petition of a disciplinary outcome, based exclusively on one or more of the established grounds outlined in this Code.

Bystander. An individual who has a first-hand account of the alleged behavior and who tried to intervene to stop the alleged behavior.

Complainant. Any student or student organization who experienced or was subject to alleged misconduct as described in this Code. When there is no student, Complainant generally means the University.

Conduct Advisor. A university-trained community member or any person of a student's choosing, including an attorney, who serves as a support person and ensures that a student can freely access and fully participate in university disciplinary proceedings by helping the involved party maneuver a technically complicated and emotionally challenging process in an informed way. Typically, the Conduct Advisor will assist in all stages of the conduct process and may accompany the party to meetings, interviews, and hearings; however, the role of the Conduct Advisor is non-participatory in nature and limited to support and consultation. The Conduct Advisor does not represent students or serve as legal counsel. For allegations that meet geographic scope and definition of sexual harassment under the

effectuating regulations of Title IX of the Education Amendments of 1972 34 CFR§106, the Conduct Advisor will play a different role and conduct cross-examination at the specific interval of a university disciplinary proceeding.

Conduct Conference. A forum for where a Respondent and a Conduct Officer meet to resolve cases of alleged non-academic prohibited conduct and where sanctions are not likely to rise above Disciplinary or University Housing Probation.

Conduct Officer. A university official, subject to the provisions in this Code, who is vested with the authority to, among other duties, investigate alleged prohibited conduct, determine the appropriate resolution, and impose sanctions up to Disciplinary or University Housing Probation or affect other remedies as appropriate.

Director of Community Standards. Designated by the Senior Vice Provost of Student Life as the Chief Conduct Officer and Sanctioning Authority, with responsibility for the overall coordination and administration of the university-wide and area student conduct systems on the Durham, Manchester, Concord, and online campuses. The Director leads the development and shapes policies, procedures, education, and training programs that affect student discipline. The Director of Community Standards may serve as a Hearing Chairperson, Administrative Hearing Officer, and Appellate Officer when needed or as appropriate. As used in this document, "Director of Community Standards" or "Director" includes the Director's designee.

Evidence. Available body of information, including testimony, witnesses, and documentation, directly related to the allegations to support a claim or belief, to prove or disprove a fact or which supports the application of charges in a university disciplinary proceeding in making judgments or decisions.

Faculty Member. Any person employed by the University to conduct classroom activities. For purposes of this Code only, graduate students conducting laboratory or classroom activities in credit-bearing courses for undergraduates without direct compensation, teaching assistants, and instructional assistants are faculty members. For purposes of this Code, persons with tenure track, research, clinical, and lecturer appointments are faculty members.

Hearing Body. An Administrative Hearing Officer or Panel, subject to the provisions in this Code, who is vested with the authority to, among other duties, review alleged prohibited conduct, make findings of responsibility, and impose sanctions up to University Dismissal or affect other remedies as appropriate.

Hearing Chairperson. The primary role of the Chair is to ensure a fair and expedient hearing, evaluate all evidence for relevance, facilitate questioning, rule on questions, ensure advisors observe appropriate decorum and serve as gatekeeper by making final decisions on all procedural issues. The Chair will also provide guidance, advise the Hearing Body, and participate in deliberations as needed.

Mitigating Factor. Circumstances and facts that may be taken into consideration to support leniency or lessen the sanction. Examples of mitigating factors may include no prior misconduct, accident, provocation, self-defense, or genuine contrition or remorse.

Observer. Observers are other faculty, staff or students, approved by the Director, who may be present during a hearing for educational and training purposes. These observers are usually new panel members who are attending as a part of their training and continuing education process.

Observers do not participate in any way and are allowed admission to the hearing with the consent of the students engaged in the process.

Policy. A written regulation of the University that binds a student and the University. University policies are found in the University System of New Hampshire Online Policy Manual, the Student Rights, Rules, and Responsibilities, the University Room and Board Agreement, the Graduate/Undergraduate Catalogs, or other written statements or sets of statements by university trustees, faculty and officials that establish rights, requirements, and responsibilities. For more information review the [full policy](#).

Preponderance of Evidence. One type of evidentiary standard used in a burden of proof analysis. Preponderance is the University's evidentiary standard when, considered as a whole, it is more likely than not that the alleged behavior did violate the Code of Conduct. The burden of proof is upon the University to sufficiently establish that the student is responsible for engaging in prohibited conduct that violated the Code of Conduct.

Respondent. Any student or student organization accused of violating this Code and engaged in the conduct process.

Student. Any person reported by the Registrar as taking one or more undergraduate, graduate, summer or continuing studies courses at UNH or having accepted an offer of admission to the University, including:

- Persons enrolled in full-time and part-time degree, certificate or credit-bearing programs;
- Non-university personnel living in university-owned undergraduate or graduate residences;
- Persons enrolled in a UNH degree program or taking courses for UNH credit or for transfer credit; Students in study away and study abroad programs;
- Persons who are not officially enrolled in credit-bearing studies for a particular term but who may have a continuing student relationship with the University including persons who are interim suspended, withdrawn, separated, or otherwise have a reasonable expectation of resuming enrollment in courses are considered students;
- Students who have completed the course work to receive a degree but who remain on campus to conduct research.

Student Organization. A group of students who have complied with the formal requirements for university recognition as an organization, as described in the Student Organization Policies section of this handbook.

Threat. To express one's intention to physically harm or kill another person, or to take hostile action against another person or their property in a manner that would make a reasonable person fear for their safety.

University. The University of New Hampshire (UNH), including the UNH College of Professional Studies, CPS Online and the Franklin Pierce School of Law campuses.

University Community Member. All individuals who have a relationship with or to the University either as a qualified student or an employee acting on behalf of the university and performing assigned responsibilities.

University Hearing. A mechanism for resolving cases of academic and non-academic misconduct when outcomes could reasonably result in University Housing Removal (for a specified period of time or indefinitely), University Suspension, or University Dismissal.

University Official. Any person employed by UNH, performing assigned administrative or professional responsibilities.

University Premises. All land, buildings, facilities, and other property in the possession of or owned, used, or controlled by UNH, including adjacent streets and sidewalks.

Witness. A person who has relevant, direct, first-hand knowledge of an incident related to an alleged violation of this Code.

Article II: Authority

1. **Jurisdiction of the University.** University jurisdiction and discipline shall apply to conduct which occurs on university premises or off-campus behavior that adversely affects the University Community and/or the pursuit of the University's objectives. This Code shall apply to students and recognized organizations participating in university-managed or approved study away, study abroad, and events or trips.
 - a. The university conduct system is separate and independent of any criminal or civil proceeding. If a student is undergoing civil or criminal action for the same behavior which forms the basis of alleged misconduct and disciplinary action under this Code, the University may administer the conduct process concurrently.
 - b. The University is not obligated to suspend the conduct process until the conclusion of any related criminal or civil proceedings. The Director may temporarily delay the conduct process while criminal or civil proceedings are pending; however, interim measures may be taken immediately.
 - c. To the extent possible, the University will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators.
 - d. Individual students, staff, and faculty members, acting in their personal capacities, remain free to interact with investigators, attorneys, and prosecutors, as they deem appropriate, subject to controlling law.
2. **Interpretation and Revision.** Proceedings under this Code are administrative and educational in nature and purpose, focused on growth and accountability. University proceedings foster a non-adversarial environment and do not constitute a criminal law process, nor are they intended to resemble one. Formal rules of civil procedure and technical rules of evidence do not apply to these proceedings, though principles of fairness and predictability inherent in such rules inform and provide guidance.
 - a. Typically, the Code of Conduct will be reviewed and updated annually after the end of the academic year. To assure compliance with federal, state, and local laws, orders of the court or other governmental authority, and university rules and policies, the Director may revise the Code of Conduct in consultation with the General Counsel's Office, outside of the normal review and revision periods. If such updates occur and these updates constitute substantive changes (i.e., changes that go beyond formatting edits or corrections of grammatical and spelling errors), the University will provide notice to the campus community.
3. The Director is responsible for interpreting and enforcing the Student Code of Conduct and administering the university-wide conduct system to promote fair, accurate, and prompt resolutions to alleged misconduct in a way that furthers the education, safety, and welfare

of the University community. The Director is designated by the Senior Vice Provost of Student Life. In addition, the Director shall:

- a. Develop policies and forums for the administration of the university student conduct system and procedural rules for the facilitation of hearings.
- b. Establish sanctioning guidelines to be used by disciplinary bodies as an advisory tool when a Respondent has been found responsible for engaging in prohibited conduct that violates the Code of Conduct.
- c. Have discretion to investigate or appoint an independent investigator to find additional facts to assist in the prompt, fair, and accurate resolution of any alleged prohibited conduct.
- d. Consult with an independent investigator, hearing participants, and hearing or appellate body, regarding the procedures required by this Code and controlling law, including ruling on evidentiary and legal questions as needed.
- e. Act as a neutral Hearing Chairperson, determine findings of responsibility, impose sanctions up to University Dismissal, and review appeals in the absence of a hearing or appellate body to ensure an expedient resolution.
- f. Preserve the impartiality and fairness of the processes undertaken under this Code, respecting the interests of Complainants, Witnesses, Respondents, hearing personnel, and the importance of the conduct process to the educational mission of the University.
- g. Support and participate in the University's response to allegations of sexual violence, sexual harassment, and related offenses as described in Article V.D and may advise the work of the independent investigator, in consultation with the university Title IX Coordinator, as needed.
- h. Select qualified people to serve and participate on Hearing Panels. Persons selected shall receive training and ongoing education to undertake careful, fair, and objective reviews of disciplinary matters consistent with the educational and rehabilitative goals of the university's student conduct system. Every person serving in an official capacity or role under the Code shall receive annual training from the Director or other appropriate university experts appropriate to their position, including training focused on diversity, equity and inclusion, and cultural humility.

Article III: Prohibited Conduct

The following list describes actions that detract from the effectiveness of the university community and are prohibited but do not include constitutionally protected activity, nor is this section meant to curb, impede, or chill speech that is protected by law.

1. **Academic Misconduct.** Any action that misrepresents a student's work, knowledge, or achievement, provides a potential or actual inequitable advantage, or compromises the integrity of the educational process as described in the Academic Integrity Policy.
2. **Alcohol.** The acquisition, distribution, possession, or consumption of alcohol must be in compliance with all local, state, and federal laws and university policy including the Alcohol Policy. Institutional restrictions on alcohol while on UNH property vary by location and in some cases by time.

- a. Possession or consumption of alcohol while under the legal age
 - b. Engaging in any behavior which encourages, facilitates, or constitutes excessive or rapid alcohol consumption including, but not limited to keg stands, alcohol luges, beer bongs, borgs, beer/water pong, and other drinking games
 - c. Public intoxication or engaging in any behavior while under the influence that may endanger oneself or others regardless of age
 - d. Unauthorized or unlawful distribution, sale, or service of alcohol, regardless of age, except as expressly permitted by law and university policy
 - e. Permitting any underage individual or group to possess or consume alcohol or where alcohol is dispensed from common sources in a space owned, occupied, or controlled by the host
 - f. Unauthorized or unlawful possession or consumption of alcohol in open spaces, university buildings, common areas of university residential halls and apartment complexes, or in public except as expressly permitted by law and university policy
 - g. Control or operation of a vehicle while under the influence or impaired by alcohol
3. **Complicity.** Actively encouraging or assisting another student to engage in prohibited conduct, failing to advise another to cease behavior that constitutes prohibited conduct and leaving immediately thereafter, or failing to report violations to a university official or law enforcement officer.
 4. **Damage and Destruction to Property.** Engaging in the intentional, reckless, or unauthorized defacement, damage, or destruction of university property or the property of another, including all acts of vandalism.
 5. **Disorderly Conduct**
 - a. Engaging in behavior that will disturb, alarm, anger, or provoke others or constitutes a breach of the peace including, substantially obstructing, or interfering with the lawful exercise of freedom of speech or freedom of peaceable assembly or engaging in public fighting.
 - b. **Lewd or Obscene Behavior.** Indecent conduct including public display of intimate body parts, public sexual acts or public urination or defecation.
 6. **Disruptive Behavior**
 - a. **Disruption to the Academic Environment.** Any conduct that substantially threatens or interferes with the maintenance of appropriate order and discipline in the operation of the University. Without excluding other situations, examples include shouting, noise-making, obstruction, and other disruptive actions designed or intended to interfere with or prevent meetings, assemblies, classes, or other scheduled or routine university operations or activities.
 - b. **Disruption to Community.** Intentionally causing or recklessly creating a risk of disruption to the university community or local community, including, but not limited to, violent or threatening behavior, unreasonably loud or belligerent behavior or obstruction of vehicular or pedestrian traffic.
 7. **Drugs and Other Substances.** Possession, consumption, manufacturing, or distribution of narcotic or other controlled substances except as expressly permitted by law and/or university policy. The legal status of cannabis is changing in many states and in other parts of New Hampshire, but the University of New Hampshire prohibits the possession and use of cannabis and cannabis-products.
 - a. Unauthorized or unlawful possession or consumption of narcotics or other controlled substances
 - b. Unauthorized or unlawful distribution, manufacture, or sale of narcotics or other controlled substances
 - c. Possession or use of drug paraphernalia
 - d. Permitting any individual or group to possess or consume narcotics or other controlled substances or where said substances are dispensed from common sources in a space owned, occupied, or controlled by the host
 - e. Control or operation of a vehicle while impaired by drugs or other substances
 - f. Being impaired by drugs or other controlled substances in public to the point where one's behavior adversely affects or could affect, the regular operations of members of the university community
 8. **Fire Safety.** Behaviors that cause a fire or fire hazard as set forth in the [Fire Safety Policy](#) found in the Student Policies and Regulations section of this handbook.
 9. **Harm and Endangerment**
 - a. **Physical Assault.** Unwelcome physical contact or actions that are intentional or reckless and can be reasonably expected to result in harm or injury
 - b. **Endangerment.** Reckless disregard for the health or safety of any person
 - c. **Harassment.** Unwelcome conduct that is so severe, pervasive or persistent, that it interferes with, denies, or limits a student's ability to participate in or benefit from educational or employment opportunities, privileges, or status at the University. Harassment may occur via written, electronic, verbal, or any other form of communication; or through physical presence; and includes, but is not limited to, bullying, cyberbullying, intimidation, or coercion, except where a different legal standard applies under 34 CFR§106 or the University's Discrimination and Discriminatory Harassment Policy
 - d. **Threat.** Any verbal threat or physically threatening behavior that would cause a reasonable person to fear for their safety
 10. **Misrepresentation**
 - a. Furnishing false information to any university official, faculty member, office, or law enforcement officer, or purposefully omitting facts that are material to the purpose for which the information is provided
 - b. Forgery, alteration, or misuse of any university document, record, or instrument of identification
 - c. Manufacturing, distributing, delivering, selling, providing, purchasing, using, or possessing any form of fraudulent identification
 11. **Noncompliance**
 - a. Failure to comply with the reasonable directives, verbal or written, of university officials, student staff, or law enforcement officers acting in performance of their duties, including failure to identify oneself
 - b. Failure to comply with or complete assigned conduct sanctions or mandated educational interventions
 - c. Violation of terms of any interim action or exclusionary order imposed by the University including no contact directives, no-trespass notices, building, or campus ban

or restriction, removal from university housing, interim suspension, or emergency removal

- d. Violation of terms stipulated with disciplinary probation, university housing probation, or deferred university suspension status

12. Obstruction with the University Conduct System

- a. Failure to cooperate or respond to any notice from a university official who has responsibility for any aspect of the conduct system
- b. Falsification, distortion, misleading, or misrepresentation of information before a disciplinary body
- c. Deliberate disruption or interference with the orderly conduct of an investigation or disciplinary proceeding
- d. Destroying or withholding information related to a potential or actual Code of Conduct violation
- e. Attempting to discourage an individual's proper participation in or use of the conduct system
- f. Attempting to influence the impartiality of a university official prior to, during the course of, or after a disciplinary proceeding
- g. Reporting a student for disciplinary action without cause or deliberate false accusations, as opposed to allegations which, even if erroneous, are made in good faith

13. **Retaliation.** Any intentional adverse action or threatened action against a community member who makes an allegation, files a report, serves as a witness, assists a Complainant or Respondent, or participates in any university investigation or disciplinary proceeding. Retaliation is an independent violation of policy and may be present even when the underlying report of prohibited conduct is unsubstantiated.

14. **Sexual Misconduct and Sexual Exploitation.** Sexual Harassment, Sexual Assault, Unwanted Sexual Contact, Sexual Exploitation, Domestic Violence, Dating Violence, and Stalking as defined in [Article VI: Sexual Misconduct and Sexual Exploitation](#) found in the Student Code of Conduct.

15. **Theft.** Unlawful or unauthorized use or possession of property or services of the University, any person or entity; attempted theft may be enough to constitute a violation.

16. Unauthorized Access and Use

- a. **Unauthorized Entry.** Misuse of access privileges or unauthorized access or entry to any university premises
- b. **Unauthorized Keys.** Unauthorized possession, duplication, or use of keys, codes, or access cards, including student IDs and other forms of identification, for any university premises.

17. **Violation of Law.** Behavior that would constitute a violation of any federal, state, and/or local law; city or county ordinance.

18. **Violation of Privacy.** Unauthorized surveillance by use of any device for the purpose of observing, recording, streaming, or in any way transmitting images, videos, or sounds, without the other person's knowledge or consent, in a place where they would have a reasonable expectation of privacy.

19. **Violation of University Policy.** Behavior that would constitute a violation of any approved University of New Hampshire policy, rule, or regulation, including but not limited to:

- a. [Acceptable Use Policy for Information Technology Resources](#)
- b. [Student Organizations Policy](#)

c. [Hazing Policy](#)

d. [Tobacco, Smoke, & Nicotine-Free Policy](#)

20. **Violations Committed by Guests.** All UNH students are responsible for informing and holding their guests to the University's standards of behavior and will be held accountable when their guests violate policies outlined in this Code, though not informing the guest of the rules does not absolve the student of responsibility. For the purpose of this policy, someone is considered a student's guest if (i.) the person is in a student's room or apartment (whether or not invited by that student); (ii.) the student invited the person to the student's residence hall or apartment building; or (iii.) the student invited the person to campus.
21. **Weapons.** Unauthorized possession, use, distribution, or display of any firearm, replica firearm, ammunition, replica weapon, electroshock device (e.g., tasers), explosives, fireworks, dangerous chemicals, or other weapons defined as any object or substance designed to inflict a wound, threaten injury, cause injury, or incapacitate unless expressly permitted by law and/or university policy. Possession of chemical defensive sprays is permitted; however, use of such an item, even if legally possessed, in a manner that harms or threatens others is prohibited unless it is being used defensively.

Article IV: Conduct Resolution Process and Procedures

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Reporting Allegations of Prohibited Conduct

Subject to the provisions under the effectuating regulations of Title IX of the Education Amendments of 1972 34 CFR§106, any member of the University, department, organization, or entity may report an incident or file a complaint alleging a violation of the Student Code of Conduct against a student or recognized organization to the University. The person filing a complaint shall be referred to as the reporting party (or reporter). The student who is subject to the alleged behavior shall be referred to as the Complainant. The person alleged to have violated the Code of Conduct shall be referred to as the Respondent.

No report will be referred for disciplinary action unless there is reasonable cause to believe there has been a violation of policy. Reasonable cause is defined as reliable information to support each element of the violation, even if that information is merely a credible statement. The Director will assess the credibility of available information and determine if a report is wholly supported or unsupported by any such information.

The following procedures do not apply for alleged violations of the Academic Integrity Policy. Refer to the Academic Honesty policy found in the Academic Policies section within this handbook for information on those procedures. Information on how this process is modified for reports

of sexual misconduct can be found in the Procedures for Responding to Sexual Violence, Sexual Harassment, and Related Offenses section within the Additional Provisions section of this Code of Conduct.

1. **Preliminary Review.** Upon receipt of a complaint, the Director shall conduct a preliminary review into the nature of the reported incident, complaint, or notice to determine if there is jurisdiction to adjudicate the complaint and to what extent. Within the University's discretion, a preliminary review may lead to:
 - a. A determination that there is insufficient information to initiate an investigation or the alleged misconduct, even if proven true, would not violate the Code of Conduct.
 - b. Referral to another office or external entity for the appropriate response or bypass the conduct process and recommend an alternative resolution such as mediation or educational conversation.
 - c. Deferral of the conduct process, with or without conditions; however, when cases involve a threat to personal or environmental safety, an interim or exclusionary action to adequately mitigate risk may be taken immediately during the pendency of an investigation and/or adjudication process.
 - d. Referral to the designated official within the appropriate jurisdiction for resolution through the conduct process when the alleged misconduct has met the threshold of a potential policy violation.
2. **Anonymous Reporting.** To the extent possible, Community Standards will maintain anonymity when reasonable or when there is fear of retribution or a true safety concern. Reporters should know that anonymity may impact Community Standards' ability to investigate alleged misconduct and ensure appropriate outcomes. In some situations, anonymity may not be possible, and Community Standards may be required to investigate alleged misconduct, even against the wishes of the reporter. Community Standards staff members are not considered confidential resources and have a responsibility under applicable law(s) and university policy to report sex and gender-based misconduct, discrimination, and harassment to the Civil Rights and Equity Office.
3. **Timelines.** To promote timely and effective review, students who have been harmed by, witness to, or have knowledge of a potential violation of the Code of Conduct are encouraged to report as soon as possible. A delay or prolonged passage of time may impact the University's ability to gather relevant and reliable information, contact witnesses, investigate thoroughly, and respond meaningfully. Absent extraordinary circumstances, incidents reported later than twelve (12) months after the alleged occurrence are subject to dismissal for good cause shown. If the student accused of violating the Code of Conduct is no longer a student at the time the complaint was received, either because the student graduated or left the University permanently, the Director is unable to pursue resolution. The Director will assess whether any remedial steps can be taken to address any prohibited conduct or its effects on the university community. Generally, this time limitation does not apply to complaints of sexual misconduct or other protected class discrimination and harassment.
4. **Effect of a Pending Report of Violation or Charges.** A Respondent who is ineligible to register for or attend classes at any one USNH institution because of a pending student disciplinary charge shall be ineligible to register for or attend classes at any other USNH institution for as long as the charge remains pending.
 - a. If a respondent has withdrawn or withdraws after the initiation of charges, the University will either:
 - i. place a hold on the student's academic record and notify the student that disciplinary action may be initiated upon application for readmission; or
 - ii. proceed with disciplinary action and resolve the matter.

Interim Actions

In the interest of maintaining a safe and secure environment for all community members, at any time in the conduct resolution process including prior to any complaint or charges being filed and/or without prior notice, the Director may take action to protect the safety of member(s) of the UNH community and/or preserve UNH property.

1. **Interim Actions.** Such actions include, but are not limited to:
 - a. **No Contact Directive.** A restriction between members of the UNH community that they may not contact each other.
 - b. **Loss of Privileges and/or Restrictions.** This can take various forms including interim suspension (see below), limiting a student's access to certain areas of campus or facilities, or exclusion from participation in designated privileges and activities such as intercollegiate activities, leadership positions, visitation rights at university housing, holding university office, representing the University, or denial of the use of a vehicle on campus. Campus Restrictions can also include administrative room/hall reassignments for students living on-campus.
 - c. **Cease and Desist.** A cease-and-desist notice may be issued to student organizations to cease some or all their operations and business. Organizations issued a cease-and-desist may be prohibited from conducting formal or informal business, recruiting potential new members, sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus, hosting any social or philanthropic events, utilizing campus facilities, and/or may be ineligible to receive any university award, honorary recognition or institutional funding.
2. **Notice.** The Director will provide written notification to a student who is issued an interim action. The written notification will include information regarding the alleged prohibited conduct and the rationale for the interim action. The interim action will be effective immediately. If the interim action is an interim suspension from the University and/or from University housing, or a Cease-and-Desist issued to an organization restricting all the organization's operations and business, the notice will contain information on the appeal process.
3. **Interim Suspension.** In circumstances when a student's behavior significantly interferes with or poses a credible substantial risk of harm to other individuals within the community or to the University as a whole, the Director may temporarily suspend a student from the University and/or university housing or deny access to University privileges for an interim period pending disciplinary charges or criminal proceedings regarding behavior relevant to such proceedings. This interim suspension will be predicated on an individualized assessment of the student's behaviors. The primary considerations in making this assessment will be the severity of the safety risk presented by the student and the impact of the student's behaviors on the university community and the broader community. The University reserves the right to place a registration hold on the account for a student who has been issued an interim suspension.
 - a. **Conditions.** When placed on an interim suspension from the University, the student is prohibited from participating in any in-person University activities or programs, attending in-person

academic classes, residing in university-owned or operated housing, or otherwise being on university premises for any reason. At the time of the interim suspension, the Director will determine if the student may be permitted to continue coursework remotely based on the Director's assessment of if the student's ongoing participation in remote coursework could significantly interfere with or pose a credible substantial risk of harm to other individuals within the community or to the University as a whole.

- i. Any modifications to the interim suspension will be explicitly communicated by the Director.
 - ii. The student's faculty will be notified of an interim suspension. If the student is being permitted to work remotely, the student's faculty will be asked to work flexibly with students whenever possible. However, the student is responsible for keeping up with the work and may be penalized for assignments that require in-person participation. No specific information regarding the allegations will be released. University regulations will continue to apply during an interim suspension.
4. **Appeal.** A student who is placed on interim suspension from the University and/or housing or an organization that is issued a cease-and-desist for all business and operations will have the opportunity to appeal to the Director within five (5) business days from the date of the interim suspension notification. The appeal must be submitted in writing and include any documentation or information that supports the student's grounds for the appeal.
- a. The grounds for appealing an interim suspension are:
 - i. The reliability of the information concerning the student's conduct, including the matter of identity.
 - ii. The conduct and surrounding circumstances reasonably indicate that the student's behavior would not indicate that their continued presence on university premises would not significantly interfere with or pose a credible substantial risk of harm to other individuals within the community or to the University as a whole.
 - b. The Director will review the appeal as soon as administratively possible. The Director will provide the student with a written notice of the outcome of the appeal. The interim suspension will remain in effect while any review is pending. There will be no further appeals to the decision rendered upon review.
 - c. The Director has discretion to impose, lift, reassess, and modify an interim suspension as circumstances may warrant at any point during the interim suspension period. The Director will notify the student when the interim suspension is lifted. If the interim suspension is lifted, the Director may place other interim restrictions (e.g., removal from university housing, limited access to campus) until the resolution of during the pendency of an investigation and/or hearing or criminal proceedings regarding behavior relevant to such proceedings. When there is a criminal proceeding against the Respondent, conditions for reinstatement to the University may be specified.
 - d. A student placed on interim suspension does not replace the student conduct process, which shall proceed in accordance with the Code of Conduct to address the alleged prohibited conduct. Timelines will be reasonably adjusted to ensure an expedient resolution.

Forums of Resolution and Procedures

The University is committed to the timely and fair resolution of disciplinary matters involving students and organizations accused of violating the Code of Conduct, within the principles of due process that do not undermine the integrity of the conduct process. Generally, the more serious the possible deprivation, the greater due process protections owed. Although the Code of Conduct affords significant procedural protections in the conduct process to ensure the parties involved a meaningful resolution, this does not include the right to confront accusers in a manner inconsistent with this Code or be represented by counsel. As such, the Director may make reasonable alterations to any of these procedures in the spirit of a prompt conclusion depending on the context of the situation.

1. **Resolution Agreement.** When UNH provides notice of an allegation to a Respondent, the Respondent may elect to participate in an expedited process by resolution agreement upon timely response to the notice of allegations and in lieu of a live disciplinary proceeding. The Respondent accepts responsibility for all pending charges, admits to the relevant allegations, agrees to specific sanctions, and waives the right to an appeal. The Respondent will be provided information regarding a meeting to review the terms of the agreement and any conditions, sanctions, and remedies implemented. Resolution Agreements are final upon signatures of the Respondent and the Director or Conduct Officer.
2. When the potential sanctions, as set forth in Article IV, are not likely to rise above Disciplinary or University Housing Probation, the case is referred to a **Conduct Conference**. The following procedures apply to resolve the alleged prohibited conduct:
 - a. **Notice.** Respondents are notified through their UNH-issued email. The notice will include a summary of the allegations made against them, charges under consideration, proposed sanctions, and the resolution options available. The notice will also specify instructions on procedures for responding and deadlines, and the date, time, and location of the meeting. Requests to reschedule conduct meetings are typically only granted when there is an academic conflict.
 - i. **Conduct Conference.** The Respondent is denying responsibility for one or more of the charges under consideration and agrees to participate in a one-on-one fact-finding meeting with a Conduct Officer. This will allow for further exploration of other facts and circumstances of the alleged misconduct. The burden is on the respondent to prove that their position has merit. The Respondent will have an opportunity to share their perspective about the incident in question, clarify or correct any information submitted for review and answer questions specific to their alleged involvement.
 - b. **Decision.** Typically, the Conduct Officer will send the Respondent a written notice of the decision as to whether the charges have been substantiated or not, based upon preponderance as the standard of proof, the rationale for the determinations, and the assigned sanctions (if any) five (5) business days after the meeting or at the conclusion of the conduct process when such cases involve multiple respondents.
3. When the potential sanctions, as set forth in Article IV, either for a single incident of serious prohibited conduct or a persistent pattern of less severe prohibited conduct, could reasonably result in University Housing Removal (for a period of time or indefinitely), University Suspension, or University Dismissal, the case is referred to

a **University Hearing.** The following procedures apply to resolve the alleged prohibited conduct:

- a. **Notice.** Respondents, and Complainants when applicable, are notified through their UNH-issued email. The notice will include a detailed summary of the allegations made against the respondent, charges under consideration, and the resolution options available. The notice will also specify deadlines and instructions on procedures for responding, the date, time, and location of the preliminary meeting, and relevant links or attachments where the Code of Conduct is located and can be accessed.
- b. **Preliminary Meeting.** The preliminary meeting is likely to be the first time for the Respondent to review all relevant information that will be used to support the charges brought forth against them and to have the procedures to be followed at a live hearing explained. If the date, time, and location of the hearing have been confirmed and the names of the Panel or Hearing Officer are known, this information will also be shared at that time. Additionally, the Respondent should be prepared to identify the advisor (if any) that will support them for the duration of the conduct process, to discuss alternative resolutions of the matter without a hearing, and to resolve special considerations, answer other questions, and share information prior to the hearing. Requests to reschedule preliminary meetings are typically only granted when there is an academic conflict.
- c. **Additional Investigation.** If the Respondent does not accept responsibility for the charges and admit to the allegations, the Director may proceed with further investigation if necessary. The Respondent may provide a written response to the allegations within three (3) days of the preliminary meeting, with any relevant information, including supporting documentation, they want to be considered and the names and contact information for any witnesses they want to be interviewed. Reasonable attempts will be made to interview relevant witnesses and additional information, documentation, and witnesses from other sources may be explored. The Director will consider information that is relevant, material, and temporally proximate to the conduct at issue. As appropriate, the Director will provide both the Respondent (and any Complainants) with periodic status updates during the investigation.

Any additional investigation will be completed expeditiously with a timeline of twenty (20) days; however, the actual duration of each investigation may vary commensurate with its complexity, the severity, and extent of the allegations, the number of witnesses, the need for language assistance or accommodation of disabilities, and the possibility of interruption by break periods. If the duration of an investigation substantially exceeds these estimates, the Director will notify the parties, in writing, of any such delay.

- d. **Options for Resolution.**
 - i. **Administrative Hearing.** Respondents who accept responsibility for all charges but disagree with the proposed sanctions will have their case resolved by a single Hearing Officer. The Hearing Officer will not revisit the question of alleged prohibited conduct, but rather consider the Respondent's petition for a lesser consequence before imposing the appropriate sanction. The full range of sanctions is available for the Hearing Officer, including dismissal.

- ii. **Panel Hearing.** Respondents who deny responsibility for one or more of the charges under consideration and contest the allegations will have their case adjudicated by a body of trained community members comprised of faculty, staff, and students.

- e. **Pre-Hearing Submissions.** Community Standards reserves the right to verify the accuracy and authenticity of germane information shared prior to and during the hearing process, including witnesses, authors of letters or documentation submitted, and inspect documents in an effort to corroborate the account provided by the student. The Director, in consultation with the Chair, will establish a reasonable deadline for these submissions, typically no longer than five (5) business days.

Formal rules of evidence do not apply, and the Chair shall make all determinations regarding the admissibility, probative value, prejudicial effect, repetitiveness, redundancy, relevancy, etc., of evidence presented. Evidence that was excluded or redacted from the record as impermissible will not be admissible at the hearing. Hearsay is admissible if the Chair finds that it is generally reliable, but any party may present reasons that admitted hearsay evidence is or is not sufficiently reliable to be the basis for a finding of responsibility.

Witnesses presented on behalf of the parties must have factual first-hand knowledge of the incident in question. In cases requiring special expertise, the University may appoint individuals with similar expertise to serve as consultants to the hearing body. The consultant may be present and provide information as called upon during the hearing. Expert Witness testimony is admissible only when the Director determines that such testimony is potentially relevant to the investigation and where the investigator determines that the expert witness is qualified to provide such testimony. In order for expert witness testimony to be considered for purposes of adjudication, they must be available to attend the live hearing and must testify at the live hearing if called by the Panel. The expert witness must also submit to cross-examination. If an expert witness is not available to testify at the live hearing and/or does not testify when called at the live hearing, any prior statement, testimony, or written report submitted may not be considered to determine responsibility.

- f. The parties may request extensions that may be granted, if reasonable, at the discretion of the Director. Extensions granted to one party will be granted to the other party. Delays simply to prolong the process will not be permitted, and failure to meet deadlines will generally result in forfeiture of a party's ability to participate in that aspect of the process. Subject to a demonstration of compelling circumstances, a party who declines or fails to participate in a meeting or interview, provide evidence, or suggest witnesses, waives their right to do so upon the issuance of the final report and/or record.
- g. **Notice of Hearing.** Hearings are scheduled as timely as possible. All efforts will be made to provide notice of hearing no less than three (3) days or no more than ten (10) days after a notice of allegations has been issued. The Respondent may waive the three-day notice. Time limits for scheduling meetings and hearings may be extended at the discretion of the Director. If the notice does not include the names of the decision-maker(s) slated for adjudication, the parties will be notified, in writing, at a

later time, prior to the hearing. Hearings may take place in person or via video conference or other remote technology.

In matters where there is more than one Respondent arising from the same incident, the Chair in consultation with the Director and the parties may order a consolidated or severed hearing. Respondents may request that hearings be conducted separately. In the case of a consolidated hearing, the Chair may reasonably adjust timelines and procedures if doing so is likely to result in reliable and more efficient outcomes without causing prejudice to the parties involved or confusion for the fact finders. When a hearing occurs at the end of an academic semester, including, but not limited to reading days and final exams, and during the summer and winter breaks, the Director may assign cases to a single Hearing Officer.

- h. **Request to Delay.** The Respondent may request a postponement of no more than three (3) business days for reasonable cause. The Director will determine the validity of the request. Absent extenuating circumstances, a request for a postponement must be made in writing, include supporting rationale, and be received by the person sending the hearing notification at least two (2) business days before the scheduled hearing. The University reserves the right to reschedule a hearing for the first appropriate available date. Given the number of individuals involved in a hearing, and the attendant difficulty of scheduling and rescheduling them in a timely manner, it may not be possible to accommodate all scheduling requests. The Chair may postpone and reschedule a hearing, without a request by the parties, when the cause to do so arises.
- i. **Challenge for Impartiality.** The Respondent and Complainant have the right to a hearing by an unbiased decision-making body, and the right to challenge the body that is serving in such capacity and the Chair, on the grounds of bias or conflict of interest. The Director will determine the validity of the objection but shall not impair the independence of designated hearing body, though they may provide procedural advice at all times and exercise best judgment to avoid acting in dual roles in the same conduct case.

The provisions about bias and conflict of interests shall not be construed so widely as to eliminate broad categories of panelists and no panel member will be excused solely on the basis of a protected characteristic in accordance with the University's Statement of Nondiscrimination. Mere knowledge of the events at issues shall not disqualify a panel member. Where actual bias or conflict of interest is established, the Respondent or Complainant may request that a panel member be excused because of a proven conflict of interest as provided in the foregoing provisions assuming they have not already recused themselves, to ensure that the process is managed by individuals that eliminates the identified bias or conflict.

Actual bias is an articulated prejudice in favor of or against one party or position; it is not a generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the decision-makers in the process. Panel members should be alert to potential personal, economic, or legal conflicts of interest between themselves and the persons bringing matters to the Panel or the student against whom a matter has been brought.

Panel members having past or present ties of kinship, marriage, or other very close personal relationship to any of the parties involved in the matter should notify the Chair that a conflict of interest exists and be automatically excused from participation; the nature of the relationship need not be disclosed to the Chair. Panel members having some form of close professional relationship with one or more of the parties involved in the matter (e.g., collaboration or cooperation in research, writing, or teaching with a colleague or service as an ongoing academic adviser, athletic coach, employed in the same department or unit or instructor to the student in class that is smaller in size) should notify the Chair that a potential conflict of interest exists.

A Panel member should inform the Chair that the nature of the matter creates an occasion for a conflict of interest and may request to be excused from participation. Similarly, all issues relating to conflict of interest should be raised by the student and settled before the Panel begins consideration of the matter. Questions relating to conflict of interest may not be raised after the Panel has reached decisions, nor may they be grounds for appeal of the hearing results.

The foregoing provisions are intended not to be inclusive of all possible situations of conflict of interest, but rather to provide guidance. It is the intention of these provisions to enable the Panel to avoid both the appearance and the reality of conflict of interest so that the community will have confidence in the fairness of the proceedings. In case of doubt, the Chair and panel member should assume that a potential conflict of interest exists.

- j. **Advisor Assistance.** As an alternative or in addition to utilizing a university-trained advisor, the Respondent and Complainant have the right to be assisted by an advisor of their choosing during the conduct process and at the hearing. The role of the advisor is to provide support and assistance in understanding and navigating this process. To protect the privacy of those involved, all advisors not trained by Community Standards are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the University's process.

The University's duty is to the student, not the advisor. All communication is made directly with the student. The process will not be unreasonably delayed to accommodate the schedule of the advisor. An advisor must familiarize themselves with university policy and may be provided with written expectations in advance of participation in university proceedings. The advisor may not testify in or obstruct an interview, author-written submissions, create a recording or transcription of the meeting, bring electronic devices into the meeting, or disrupt the process. The Director has the right to determine what constitutes appropriate behavior of an advisor and take reasonable steps to ensure compliance with this policy.

- k. **Reasonable Accommodation.** A qualifying Respondent or Complainant has the right to reasonable accommodations to ensure the opportunity to participate fully in the conduct process. Student Accessibility Services (SAS) is committed to and responsible for assuring students with disabilities receive equitable, effective, and meaningful access to all campus

programs, resources, and services. The student who wishes to request accommodation should adhere to the procedures and documentation guidelines established by SAS. Students should advise Community Standards, in writing, of their intention to request accommodation no later than two (2) days prior to the scheduled hearing in order to permit sufficient time to make any necessary arrangements.

- l. Standard of Proof and Presumption of Non-Responsibility.** The University's prescribed standard of proof used to determine responsibility for policy violations is the preponderance of the evidence standard, when the information suggests that it is more likely than not that a violation occurred. Decision-making bodies shall make no assumptions or presumptions (including about the credibility or culpability of the parties to the proceeding or witnesses) and reach decisions as to whether the Respondent has violated university policy solely on the basis of the evidence and testimony presented to them.

In incidents where the University is the Complainant, the Respondent will be presumed not responsible until the appropriate disciplinary authority, using the preponderance of evidence standard, determines that a policy violation has occurred. When participating in any of the University's conduct processes, neither the Respondent nor Complainant bears the responsibility to prove or disprove allegations. It is the University's role to gather information and apply an unbiased and transparent process so that the appropriate decision-maker can determine the outcome.

- m. Decision.** Following the conclusion of the hearing, the Respondent will be notified in writing of the hearing results outlining the findings of fact, rationale any determination whether the student is responsible for violating the Code of Conduct and the sanctions, if any. If sanctions are imposed, they will be issued in consideration of the specific circumstances of the case, institutional precedent, disciplinary history, aggravating and mitigating circumstances, and community impact. If the hearing results involve outcomes of Disciplinary Probation, University Housing Removal, University Suspension, or University Dismissal, a summary of the appeal procedures will be included.
- n. Disciplinary Proceedings Held in Absentia.** Students have a duty to cooperate with the university's conduct system and an obligation to provide truthful information. Because the most accurate and fair review and understanding of the facts of the incident at issue can best be accomplished when all parties are present, refusal to respond or participate will be considered a forfeiture of the party's right to address the allegations and denies the decision-making body from learning important information that could influence the outcome of the proceeding.

Although no inference or adverse action may be drawn against a student for failing to participate in a Conduct Conference or University Hearing, the University reserves the right to proceed with the conduct process to its conclusion in the student's absence except when there are exigent circumstances. Any findings of responsibility or non-responsibility will be based on the information available, sanctions issued, and related deadlines will be documented in an outcome letter and sent to the applicable parties.

- 4. Format and Order of Proceedings.** Disciplinary proceedings adjudicated by a panel will generally follow the outline described below:

- a. University Hearings are closed to the public. The only individuals who may be present are panel members, the Hearing Chairperson, the Complainant and Respondent (and their respective advisors), witnesses (when called), and necessary university personnel including observers.
- b. Two members will constitute quorum. Hearing panels shall be composed of no more than three members: two members drawn from faculty and staff communities and a student. To the extent possible, the Panel shall include a student from the Graduate School when the Respondent is a graduate student. The Director has sole discretion to modify the composition of the Panel when good cause arises.
- c. There shall be a single verbatim record (audio or video) of all hearings. The record shall be the property of the University. The Panel may consult the record during its deliberations. Unless ordered by the Director, recordings shall be destroyed after the appeal process has concluded. In order to protect the confidentiality of the process and the privacy of the individuals involved, no other participants are permitted to record the hearing.
- d. The Chair reminds those present that reasonable time limits may be set for any part of the proceeding and will use reasoned judgment to determine the relevance of, place restrictions on, or exclude any witnesses or information. The Chair will identify at least one break of no fewer than ten minutes for every two hours of the hearing. The parties involved may also request additional breaks as needed, provided the number of requests is not disruptive to the orderly conduct of the hearing. The Chair will decide whether to grant any such requests.
- e. After consultation with the other panel members, the Chair may adjourn the hearing, once commenced, and later reconvene the hearing for good cause, in consideration of factors including, but not limited to, the unavailability of a witness, party, panel member, or needed personnel; curtailed operations when the campus is expected to be closed or shift to non-face-to-face instruction due to inclement weather; late hour; or in order to make an evidentiary or procedural ruling. All parties shall be notified of the date, time, and location at least five business days in advance, but prior notification of possible continuance dates will satisfy this requirement.
- f. The Chair may issue a single, verbal warning and/or decide to move forward in the proceeding at any point if, in their judgment, anyone's actions cause undue delay. The Chair can require anyone to leave the proceeding who fails to respect the limitations of their role, engages in active advocacy, or harasses, abuses, or intimidates any participant in the proceeding. The proceeding will continue in their absence. The Chair will always be mindful of the necessity of hearing reasonable and relevant points from participants, especially the complainant and the respondent.
- g. To ensure the integrity of the process, the parties involved are expected to maintain the confidentiality of the proceedings and information circulated in regard to those proceedings until the conclusion of the conduct process. All documents and other materials prepared for the hearing must be held in strict confidence. Students may not disclose hearing materials to anyone other than their advisor and confidential support persons. The University may take disciplinary action against a student who

breaches confidentiality in order to retaliate against a person for cooperating with the University's conduct system. The assurance of confidentiality is not intended to imply or impose restrictions on a student sharing their own experience or seeking/obtaining evidence/information in support of their case.

The University, including its agents, has a legal obligation under federal law to maintain the confidentiality of student education records, including records used in the disciplinary process that include identifiable student information, except as required by law, (e.g., as authorized by the student or compelled by a subpoena or court order). Although the parties involved, witnesses, and advisors are not bound by the federal law applicable to the University and its agents, they should recognize that confidentiality breaches erode the community's trust in the process and are encouraged to use good judgment when sharing information with third-parties, as some disclosures and related statements made outside of the proceedings may give rise to legal claims against them by persons who believe that the disclosures or statements are false, invade privacy rights or cause reputational damage.

5. **Sanctions.** The aims of sanctioning are to protect the University community, deter future misconduct, promote individual accountability, and enhance ethical development. Reasonable efforts are made to educate and support students in reaching their academic and personal goals while fostering a climate of accountability and responsibility for one's actions.

Sanctions should be commensurate with the violations found to have occurred. In determining the sanction(s) to be imposed, the decision-making body should take into account any mitigating circumstances and any aggravating factors including, but not limited to, any provocation by the subject of the conduct that constituted the violation, any failure to comply fully with previously assigned sanctions, the actual and potential harm caused by the violation, and the severity and pervasiveness of the prohibited conduct.

Ordinarily, the penalties for subsequent or repeated violations, whenever such violation(s) occur, should progress in severity. Further, certain types of violations are so fundamentally inconsistent with the University's educational mission that, absent unusual mitigating factors, will be considered for higher modes of discipline. Such violations include acts of violence or other violations that substantially threaten the University's educational mission or property, or the health or safety of university community members, misconduct motivated by bias for classes protected, other than constitutionally protected expression.

Where appropriate, the sanction shall include the period of duration, any conditions to be observed during that period, and the conditions for termination of the sanction. The following, individually or in combination, are authorized disciplinary sanctions:

- a. **Formal Warning.** An official written notification indicating that a student's behavior is inconsistent with established behavioral expectations for members of the university community. Unless otherwise specified, a University Warning will remain in effect for one academic year and would serve as a basis for progressive sanctioning should subsequent misconduct occur.
- b. **Disciplinary Probation.** A specified period of time for observation and review during which continued relationship with the University is conditional and dependent upon demonstrated and sustained compliance with university policy, and the development

of a plan for modified behavior. A probationary status may impact any merit-based scholarships, eligibility to participate in university organizations or activities, including study abroad or holding certain leadership positions. Failure to abide by the conditions of a probationary status or further misconduct will likely result in University Suspension or University Dismissal.

- c. **University Housing Probation.** Formal notice that the student is not in good standing with the Department of Residence Life and Housing. Housing probation is typically assigned in situations where behavior has been detrimental to the on-campus residential community for a period of time to allow residential students to reflect upon their actions and demonstrate the ability to abide by housing community standards and expectations. Additional residentially based violations while on a probationary status may impact a student's eligibility to participate in the housing lottery process, residential sponsored programs or services, serve in leadership positions or result in suspension from on-campus housing or permanent removal.
- d. **University Housing Suspension.** Separation of the respondent from the residence halls for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified. Suspension from university housing occurs when conduct clearly demonstrates unwillingness or inability to function appropriately in the residential living and learning environment. Students suspended from the housing system may reapply for on-campus housing at the end of the housing suspension period; however, there is no guarantee that Residence Life and Housing will be able to provide on-campus housing in any future semester or academic year.
- e. **University Housing Dismissal.** Permanent separation from on-campus housing that terminates the student's ability to be around, live in, or visit any residence hall or apartment complex at UNH indefinitely.
- f. **University Suspension.** Separation from the University for a definite period of time that terminates the student's enrollment. Satisfactory completion of specified stipulations may be required for re-enrollment at the end of the suspension period. Under special circumstances, a suspension may be held in abeyance, which would allow for the student's continued enrollment so long as the student adheres to all stipulations, restrictions, or conditions imposed and is at the sole discretion of the Director. A student who has been suspended from the University shall be denied all privileges afforded a student including, but not limited to, participation in University-sponsored or sanctioned events and activities, and shall be required to vacate campus property, and may not enter upon campus and/or other university property at any time, for any purpose, in the absence of expressed written permission from the Dean of Students. Readmission to the University requires application and acceptance through the Office of Admissions. A student ineligible to register for or attend classes at any one USNH institution because of suspension shall be ineligible to register for or attend classes at any other USNH institution during the entire period of suspension. Students on suspension for any reason will not earn transfer credit for courses taken while on suspension for the first full semester of their suspension. The Director, in collaboration with the Registrar, will authorize the conferral of degree at the end of a period of suspension upon students who have completed their coursework and would graduate during a period of suspension.
- g. **University Dismissal.** Permanent separation from the institution that terminates a student's enrollment and all attendant privileges

indefinitely. Students may conduct administrative business on campus with prior notice to University Police. A student ineligible to register for or attend classes at any one USNH institution because of University Dismissal shall be ineligible to register for or attend classes at any other USNH institution for a period of two (2) years following the date on which the student was permanently dismissed.

- h. **Discretionary Assignments or Activities.** Specific academic work, community service for a specific number of hours, remedial education, or other appropriate reflective or restorative assignments, restitution, or fines.
- i. **Loss of Privileges.** Exclusion from participation in designated privileges and activities for a specified period of time, participating in intercollegiate activities, including attendance at athletic events, serving in positions of trust and responsibility, using university facilities, such as libraries and gymnasiums, revocation of visitation rights at university housing, holding office or representing the University or denial of the use of a vehicle on campus.

Procedures for Responding to Organizational Misconduct

Members of a recognized student organization or Sport Club may be charged as an organization and/or individually with violation(s) of the Student Code of Conduct.

1. **Analysis.** Factors that may lead to an organization being charged include:
 - a. One or more officers or authorized representatives acting in the scope of their capacities, commit the violation.
 - b. One or more members commit the violation after the action that constitutes the violation was approved by a vote of the organization or was part of a committee assignment of the organization.
 - c. The violation was committed at an activity funded by the organization.
 - d. The violation occurs as a result of an event sponsored by the organization.
 - e. One or more members of an organization or its officers permit, encourage, aid or assist in committing a violation.
 - f. Members of an organization fail to report to appropriate University authorities' knowledge or information about a violation.
2. **Oversight.** Organization conduct processes are managed by the staff or governing bodies that oversee the organizations following their own internal protocols or bylaws.
 - a. Alleged violations by Fraternities will be managed by the University's Interfraternity Council
 - b. Alleged violations by Sororities will be managed by the University's Panhellenic Council
 - c. Alleged violations by Sport Clubs will be managed by the Assistant Director of Sport Clubs, Intramural Sports, Outdoor Adventures, and Special Events
 - d. Alleged violations by all other student organizations will be managed by the Director of the Memorial Union Building and Student Activities

3. **Sanctions.** In addition to the sanctions described in the "Conduct Resolution Process and Procedures" article, possible sanctions for organizations include:

- a. **Organizational Probation.** A specified period of time for observation and review during which continued relationship with the University is conditional and dependent upon demonstrated and sustained compliance with university policy, and the development of a plan for modified behavior. Probation includes the probability of more severe disciplinary sanctions if the responding organization is found to be violating any institutional regulation(s) during the probationary period.
- b. **Organization Suspension.** Loss of recognition by the University for a specific period of time. During such time the organization is prohibited from conducting formal or informal business, recruiting potential new members, sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus, hosting any social or philanthropic events, representing the University in any way, maintaining membership or representation on any governing councils, utilizing campus facilities, and is ineligible to receive any university award, honorary recognition or institutional funding. An organization that has completed the suspension period and has met conditions for return as outlined in the return agreement may seek reinstatement by complying with the registration requirements of the Office of Off-Campus Engagement & Fraternity and Sorority Life.
- c. **Organization Dismissal.** Permanent loss of recognition as an organization by the University.

Some sanctions will result in collateral consequences such as a loss of privileges. Loss of privileges precludes the organization from participating in certain activities or may require an organization to forfeit specific privileges. Privileges may include, but are not limited to, loss or limitation of social events or limitation of ability to participate in university events or activities. Temporary or permanent loss of recognition may also result in a loss of external privileges given to recognized organizations such as living in a property that is zoned specifically for a recognized organization.

When the organization is associated with an inter/national organizational governing body, the University may collaborate with the governing body to remedy structural deficits which may include, changes to the organization's operating procedures, a membership/leadership review, an external review, and changes to the organization's advisor support.

Appeals Process and Procedures

1. **Right to Appeal.** When the Respondent is found to have violated the Code of Conduct and is sanctioned with Disciplinary Probation, University Housing Removal, University Suspension, or University Dismissal, the Respondent has the right to request an appeal of the original decision. Appeals are documentary reviews, narrowly tailored to the specific grounds identified by the filing party, and not intended to rehear or reargue the same case. Appellants shall be limited to one appeal of a disciplinary outcome. Non-attendance by the parties may not be the sole grounds for an appeal nor is mere dissatisfaction with the decision grounds for appeal.
 - a. **Grounds for Appeal.** An appeal may be based only upon one or more of the following grounds:
 - i. **Procedural Error.** A Procedural irregularity that significantly affected the outcome; deviations from the designated

procedures will not be a basis for sustaining an appeal unless the error had a prejudicial effect on the hearing results.

- ii. **Sufficiency of Evidence.** The finding did not meet the required standard of evidence and the decision rendered is clearly erroneous.
 - iii. **New Evidence.** Discovery of substantial new evidence that was not known nor available at the time of the hearing and that would, with high probability, have affected the outcome.
 - iv. **Disproportionate Sanction.** The sanctions or remedies imposed are substantially disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors, or are otherwise manifestly unjust.
- b. **Jurisdiction.** The Director accepts all appeal submissions except when any such petition is appealing an academic penalty assessed by a faculty member. The Director will evaluate the appeal request to determine whether it meets the stated criteria for convening a review. Key to this evaluation is whether the claims presented in the request for appeal individually or collectively were more likely than not to have had a bearing on the outcome. The Dean of Students or their designee will review an appeal for standing when the decision-maker is the Director. Upon receipt of the appeal request, the Director may do one of the following:
- i. **Deny the appeal.** Determine that the appeal lacks standing and is dismissed, in which case the original decision stands is final
 - ii. **Grant the appeal.** Determine that the appeal has standing and appoint the appropriate Appellate Body to review the record limited to the grounds identified by the filing party.
- c. **Deadline.** No later than three (3) days from receipt of the disciplinary outcome, the appellant may submit a notice of appeal and all supporting documentation to Community Standards. Although rare, should a party intending to appeal believe they have inadequate time to prepare written documents, a request for extension of time and rationale supporting such a request must be submitted in writing to the Director. Requests will be considered on their merits and will not be granted automatically; any extension granted is at the discretion of the Director.
2. **Content of Appeal.** The Notice of Appeal must contain at least the following: (1) specific grounds for appeal; (2) specific outcome requested; and (3) the appellant's reasons in support of the grounds identified and outcome requested. The appellant must sign and submit the notice of appeal in writing, in the manner and method prescribed by Community Standards. Oral appeals, appeals authored by a third-party including advisors, and physical appeals mailed or submitted in person to Community Standards will not be accepted.
- a. **Sanctions Held in Abeyance Pending Appeal.** Any formal or educational sanctions imposed will be held in abeyance automatically during the period in which the appeal may be filed and, once an appeal is filed, until a decision on the appeal has been reached. Behavioral restrictions and/or administrative actions, however, remain in place pending the appeal.
3. **Authority of the Appellate Body.** The Appellate Body is responsible for determining if the procedures were followed to a fair result or to identify a clear error.
- In its review of the appellate documents, the Appellate Body may not substitute their judgment for that of the original decision-making body merely because they disagree with the findings or conclusion, nor will they make new findings of fact. Moreover, the Appellate Body

may not substitute its opinion on credibility for the judgment of the review officer who saw and heard the witnesses and parties.

Great deference is given to the original decision. The role of the Appellate Body is not to decide whether it would have reached the same factual conclusions as the conduct officer, but rather to decide whether a reasonable factfinder could have come to the same conclusion based on the facts in the record. If there is a conflict in the evidence and a reasonable fact-finder could have resolved the conflict either way, the Appellate Body will generally not reverse findings of fact by the original decision-making body.

4. **Appeal Decision.** After the review process, the Appellate Body will do one of the following:
- a. Affirm the findings of responsibility and sanctions imposed. The original decision stands.
 - b. Affirm the findings of responsibility and moderately adjust, but not eliminate the sanction, if the ground for appeal was disproportionate sanction.
 - c. Remand the case to the original decision-making body with recommendations if there were procedural errors.
 - d. Remand the case to the original decision-making body for clarification or reconsideration in light of new, relevant information that was not reasonably available prior to or during the hearing.

The Appellate Body's decision will be communicated in writing. The Appellate Body will review and respond to the appeal within five (5) business days of receipt of all documentation but may extend this time for specific reasons that will be communicated in writing to the appealing party. The Appellate Body's decision is final, binding, and non-reviewable.

Amnesty Through Responsible Action Protocol

1. **Purpose.** Amnesty Through Responsible Action is part of University's comprehensive environmental approach to address high-risk behaviors. Because the University understands that perceived fear of disciplinary actions may act as a barrier to students seeking emergency assistance, it has adopted the following Responsible Action Protocol to alleviate such concerns. Essential to our values, the Amnesty Through Responsible Action policy prioritizes a culture of communal care, necessary to build lasting, meaningful change and to limit the recurrence of problematic behavior. This provision was developed as a mechanism to grant amnesty to students and student organizations who, in good faith, take immediate steps to seek medical treatment or professional assistance by notifying the appropriate authorities for a peer or themselves in serious or life-threatening situations as a result of over-consumption of alcohol, drugs or other substances. When a student calls on behalf of an impaired individual, remains with that individual until assistance arrives, fully cooperates with emergency responders, and attends any follow-up meeting(s) requested by university staff, the caller will not be subject to disciplinary actions.
2. **Scope.** Provided that the requisite procedures are followed, amnesty applies to:
 - a. The student who calls on behalf of a peer who has passed out, is unconscious or unresponsive
 - b. The student who required medical assistance for personal consumption

- c. The student who contacts emergency services for themselves
- d. A recognized fraternity or sorority that could be charged for violations of the Code for behavior that occurs during an approved social event when representatives from that organization seek medical assistance on behalf of an individual attending the event

3. Responsible Caller.

- a. Get help: In medical emergencies, immediate action should be taken by calling University Police, 911, or alerting a resident assistant.
- b. Remain with that individual until assistance arrives or until you are told that your assistance is no longer needed.
- c. Fully cooperate with emergency responders, including all requests for information and assistance.
- d. Attend any follow-up meeting(s) requested by Community Standards.

4. Review.

The Director will determine eligibility for amnesty under the Responsible Action Protocol during the initial review or investigation.

Typically, when the Responsible Action Protocol is not being applied, violations of the University's alcohol, drug, and other substances policies that require medical transportation and reviewed through the conduct process, will likely result in the following sanctions:

- a. For students:
 - i. Disciplinary Probation
 - ii. Referral to Health & Wellness to complete an appropriate alcohol and other drug (AOD) educational program/intervention ranging in cost from \$75 to \$150
 - iii. A parent or guardian is notified when a student, under the age of 21, violates the law and/or university policy that governs alcohol and drug use and consumption
- b. For organizations:
 - i. Organization Probation
 - ii. Loss of privileges precludes the organization from participating in certain activities or may require an organization to forfeit specific privileges. Privileges may include, but are not limited to, loss or limitation of social events or limitation of ability to participate in university events or activities.
 - iii. Additional sanctions assigned by the appropriate governing body

5. Following the Incident.

When it is determined a student or organization qualifies for this program, Community Standards will not create a conduct record, hold any sanctions, and waive the cost of any AOD educational program/intervention in abeyance, pending the timely completion of the following requirements:

- a. Attend an appropriate alcohol and other drug (AOD) educational program/intervention (e.g., BASICS, CASICS, AOD assessment and evaluation).
- b. Comply with recommendations set forth by AOD provider.
- c. Complete any other educational recommendations from Community Standards.
- d. Complete any necessary follow-up meetings with Community Standards, Off-Campus Engagement & Fraternity and Sorority Life, or Health and Wellness as specified.

6. Provision Limitations.

This protocol does not apply to individuals who are found by university officials, law enforcement agencies or student staff acting in performance of their duties.

Costs associated with hospital transportation, treatment, assessment, or damage are the responsibility of the student in need of medical attention.

The Responsible Action Protocol applies only to alcohol and other drug-related medical emergencies. It does not apply to other prohibited conduct such as disorderly conduct (including physical or verbal abuse), property damage, or distribution of illicit substances. Amnesty does not forgive or cover criminal, civil, or other legal consequences for violations of federal, state, or local laws or ordinances.

The Responsible Action Protocol is not intended to shield or protect students and student organizations that repeatedly engage in high-risk consumption. In cases where repeated policy violations occur, the University reserves the right to take disciplinary action on a case-by-case basis regardless of how the incident was reported.

Good Standing and Campus Disciplinary Clearance Policy

1. **Purpose:** The Campus Disciplinary Clearance Policy is an internal process for Program Managers who have a legitimate educational interest or need to know^[i] (p.), which may assist them in determining a student's eligibility to participate in specific university-approved academic and co-curricular activities or to be the recipient of an honor. This process is not designed to be used for events or programs not affiliated with UNH, nor does it offer provisional clearance.

The Office of Community Standards oversees the Campus Disciplinary Clearance process and plays a supportive and facilitative role, not one that is determinative. Program Managers have ultimate discretion to approve the student or organization showing interest in a particular activity or program.

In some cases, UNH students and organizations may be required to undergo a background check before interacting with minors or other vulnerable populations. The good standing verification process through the Office of Community Standards may be facilitated in tandem with a background check; however, the University's internal review does not supplant the process carried out by third-party vendors who confirm the validity of someone's criminal record, education, employment history, and other activities from their past.

2. **Scope and Applicability:** All students enrolled at the University of New Hampshire, UNH Franklin Pierce School of Law, and UNH College of Professional Studies.
3. **Good Standing Defined:** The term good standing denotes that a currently enrolled student or student organization recognized by the University at the time of application or review, has sustained compliance with all explicit obligations and responsibilities of community membership, including professional requirements of the law school, and has otherwise demonstrated good citizenship.

The status good standing is also regarded as having all matters pending before the Office of Community Standards fully and finally resolved, including but not limited to full satisfaction of any conduct sanctions imposed and/or is not under a period of review and observation or such conditional status has been lifted.

4. **Disciplinary Clearance Review:** For the purposes of this policy, it's reasonable to assume that a completed review verifies that the student is not currently on disciplinary suspension or has not previously been suspended through the University's conduct system; is not currently on University Disciplinary Probation or Deferred University Suspension status; and is not facing an interim suspension or another exclusionary action such as emergency removal.

This policy may also be used to verify if certain student organization's operations and activities have been suspended (e.g., cease-and-desist) either as a result of an adjudication process or pending the outcome of such a process, to confirm the effective date a probationary status will be lifted, or to confirm if an organization is officially recognized by the University. In the case of an organization with a national affiliation such as a fraternity or sorority, this policy may be used to recommend revocation of the chapter's charter by the national organization and/or to facilitate a holistic progress review for the purpose of the accreditation process.

5. **Provision Limitations:** The Campus Disciplinary Clearance Process is one of transparency and should not be subject to arbitrary use. If Program Managers expect to utilize this process, they are responsible for explicitly stating and widely publishing their intention to obtain a student/organization's disciplinary standing in advertising and application materials and receive the interested student's permission authorizing the Office of Community Standards to release or disclose disciplinary information retained as part of their educational record.

Good Standing does not verify if a student has met minimum or satisfactory academic progress, determine academic eligibility, (e.g., academic probation or unremediated failures in courses), character and fitness requirements for bar admission or if the student is free of pending or outstanding legal actions unless such actions have resulted in a conduct case at UNH.

6. **Application.** Appropriate and relevant examples to initiate this process may include:
- Student mentorship roles and leadership opportunities that shape the student experience and inform the work of the University.
 - Leadership roles where students may encounter or gain access to sensitive and confidential information with regularity, including, but not limited to, records and data protected from disclosure by law, regulation, and University policy or possession of master keys and access codes.
 - Hold specific executive leadership or governance positions.
 - Nominee to receive an honor or award from the University.
 - Serve as an ambassador or represent the University at a special event.
 - Volunteer positions that involve interacting with minor or vulnerable populations.
 - Fraternity and sorority affiliated members seeking exemption from UNH's live-on requirement in order to reside in an organization-managed house.

[i] (p.) Access to student education record in order to perform a task that is specified in their position description or contract agreement, performing a task related to a student's education or to discipline of a student, providing a service or benefit related to the student or student's family, or maintaining the safety and security of campus.

Maintenance, Inspection & Review of Disciplinary Education Records

- Inspection and Review.** The University's procedures regarding the inspection and review of education records under the Family Educational Rights and Privacy Act ("FERPA") are as follows:
 - All students who are or have been in attendance at the University have the right to inspect and review their education records subject to the limitations and exceptions set forth in FERPA and its related regulations, 20 U.S.C. § 1232g and 34 CFR Part 99.
 - To facilitate the gathering and inspection of student records, all requests must be submitted in writing to the Community Standards via email at communitystandards@unh.edu; neither requests to other university offices nor verbal requests will be honored. Hard copies will not be provided unless a failure to provide copies prevents an eligible party from accessing the necessary information.
 - If a student's request is unclear or insufficiently specific, a representative from the Community Standards may discuss the request with the student to assure that the appropriate records will be gathered for the student's review. The representative Community Standards will gather the requested records; review the records to confirm that they are complete and redact any FERPA-waived recommendations, information about other students subject to FERPA privacy obligations, or any other information protected from disclosure by FERPA or other applicable law; finally, the representative will make arrangements with the student to inspect the records in person.
- Maintenance and Oversight.** Community Standards is the designated Unit Custodian for disciplinary records. The Unit Custodian is the person who possesses the records or oversees the office that possesses the records. It is the Unit Custodian's responsibility to ensure proper access control and to handle, store, and dispose of the records as appropriate.
 - Education records belong to the University and, although students have the right to review and request amendments as set forth below, students are not authorized to photocopy, photograph, or otherwise image or duplicate university records. Students may, however, take personal notes regarding their educational records. Students should be mindful of the risks of sharing personal information from their educational records with those who are not subject to FERPA's privacy requirements.
 - Access to a student's education records will be provided within a reasonable period of time, but in no case will an offer to meet and review the records be made more than forty-five days after the request. If, after reviewing their educational records, a student believes that certain records encompassed by the request were not made available for inspection, the student should submit a follow-up request clarifying the additional records the student believes exist.
- Schedule for Record Retention and Disposal.** Community Standards complies with existing state and federal legal requirements and the university's policy and schedule for record retention and disposal. After the minimum retention period for a disciplinary record is reached, said record is disposed of unless it still serves a legal or operational purpose or has historic value.
 - Disciplinary records that include the issuance of University Suspension and any sexual harassment investigation, including any responsibility determination, and any required recording or transcript, as well as any sanctions imposed on the respondent,

and any remedies provided to the complainant; any appeal and its result; and all materials used to train adjudicators, with regard to sexual harassment, are retained for a period of seven years in adherence with recordkeeping requirements described under the Clery Act regulations, 24 CFR § 668.24(e)(92)(ii), the Title IX regulations described in 34 C.F.R. § 106.45(b)(10), state law and relevant university policies.

- b. Disciplinary records that involve the issuance of University Dismissal is the sanction are retained permanently. Typically, disciplinary records that include lesser sanctions or do not result in findings of responsibility will be retained for a period of three years.
- c. Records of organizational misconduct, regardless of the outcome, will be retained for ten years.
- d. Disciplinary records are subject to release according to the retention policies dictated by the controlling formal sanction. For students who have been sanctioned for more than one case, the most serious formal sanction is the controlling one. For students who have been issued their most serious formal sanction on more than one occasion, the most recent one is controlling.

Article V: Discrimination and Discriminatory Harassment

1. **Scope.** These procedures shall apply to alleged prohibited conduct by a student, where the reported violation states a colorable claim of discrimination or discriminatory harassment as defined by UNH's Discrimination and Discriminatory Harassment Policy. The process will follow the procedures described in Article IV: Conduct Resolution Process and Procedures with the following modifications.
2. **Report and Disclosure.** Any member of the university community and any person may report or disclose incidents of this nature at any time in person, by mail, by telephone, or by electronic mail. The report or disclosure may be made to Community Standards or to the Civil Rights & Equity Office. Community Standards shall convey a copy of any report or disclosure that it receives directly to the Civil Rights & Equity Office.
3. **Outreach.** When the Civil Rights & Equity Office receives a report or disclosure that a student experienced discrimination or discriminatory harassment, a staff member from that office will offer information to the student about the student's rights, options, and resources available. UNH may provide support whether or not a Complainant chooses to seek a formal or informal resolution or the complaint is dismissed.
4. **Dismissal of Formal Complaint.** At any point in the process, the Director of the Civil Rights & Equity Office may determine that the alleged behavior, even if substantiated, would not constitute discrimination or discriminatory harassment. Should this determination occur, the parties will be notified and the matter will be closed.
5. **Appointment of investigator(s).** The Director of the Civil Rights & Equity Office may appoint an investigator(s) and notify the Director of Community Standards.
6. **Investigation.** The investigator(s) shall work under the direction of the Director of the Civil Rights & Equity Office to complete a thorough, prompt, and equitable investigation.
 - a. The Director of the Civil Rights & Equity Office and investigator shall provide status reports to the Director of Community Standards periodically and upon request.
 - b. In cases where there is/are parallel criminal and administrative investigations the Director of the Civil Rights & Equity Office and investigator may cooperate with law enforcement to preserve the integrity of both investigations while striving to complete a prompt, thorough and equitable investigation of the matter.
7. **Informal Resolution.** The parties may request that the University facilitate informal resolution processes, such as mediation or restorative justice. Where both parties give informed, written consent, informal resolution may present a way to resolve discrimination or discriminatory harassment. UNH may also address offensive conduct that does not rise to the level of discrimination or discriminatory harassment through informal measures. Addressing such conduct will not result in the imposition of discipline under this policy, but may be addressed through respectful conversation, remedial actions, education, and/or other informal resolution mechanisms.

Article VI: Sexual Misconduct and Sexual Exploitation

The University of New Hampshire has an enduring commitment to support equality of education and employment opportunity by affirming the value of diversity and by promoting an environment free from discrimination. Central to the University's commitment is the principle that each community member must treat other community members with respect and dignity. Though defined in their own way, interpersonal relationships and interactions, including those that are romantic and intimate in nature, must be grounded in open communication, clearly defined personal boundaries and trust.

UNH prohibits Sexual Misconduct and Sexual Exploitation in any form. Sexual Misconduct is a form of sex-based discrimination that includes Sexual Harassment, Non-Consensual Sexual Penetration, Non-Consensual Sexual Contact, Domestic Violence, Dating Violence, and Stalking defined later in this policy. To this end, the University has established this Sexual Misconduct and Sexual Exploitation Policy to provide means to take immediate and appropriate action to eliminate it, prevent its recurrence, and address its discriminatory effects.

This policy is established with oversight of the Director of the Civil Rights & Equity Office and Title IX Coordinator. The Title IX Coordinator is authorized by the University to coordinate institutional efforts to comply with its Title IX responsibilities and to institute corrective measures on behalf of the University.

As used throughout this policy and the accompanying procedures, "Title IX Coordinator" includes designees who are identified as deputy Title IX coordinators or other university employees appropriately trained to carry out Title IX responsibilities under the direction and authority of the Title IX Coordinator.

I. Purpose

The Sexual Misconduct and Sexual Exploitation Policy, its accompanying procedures, and other mechanisms delineated in the policy set forth the University's standards of conduct, investigation process and resolutions of claims of prohibited conduct. State and federal laws also address conduct that may meet the University's definitions of prohibited conduct, and criminal prosecution may take place independently of any disciplinary action instituted by the University. In tandem with this policy, to comply with applicable laws, and as a crucial part of its effort to prevent prohibited

conduct, the university provides educational, preventative, and training programs for UNH community.

This policy complies with applicable legal requirements including Title IX of the Education Amendments of 1972, and its implementing regulations ("Title IX regulations"); relevant provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), as amended by the Violence Against Women Reauthorization Act of 2013 ("VAWA"); and, in New Hampshire, with the Sexual Misconduct at Higher Education Institutions statute (RSA 188-H). UNH has also established an [Amorous Relationship Policy](#) which is an additional and separate policy specific to consensual romantic or sexual relationships between students and employees.

II. Scope and Applicability

This policy covers all currently enrolled students, as defined under Article I of the Code of Conduct, at UNH, UNH Franklin Pierce School of Law, and UNH College of Professional Studies Manchester and online.

The effective date of this policy is August 1, 2023, and addresses allegations of sexual misconduct and sexual exploitation which occurred on or after the policy's published date. Allegations of sexual misconduct as defined by this policy include both sexual misconduct that falls within and outside the criteria described under Title IX Sexual Harassment set forth in regulations promulgated by the U.S. Department of Education under Title IX 34 CFR§106 of the Education Amendments Act of 1972 (eff. 2020).

The Formal Complaint, Investigation, and Resolution Procedures described in this policy apply to matters when the Respondent is a student. If the Respondent is an employee, the process will follow [the Discrimination and Discriminatory Harassment policy](#). If the Respondent is a graduate assistant acting in their role as an instructor, the process will follow [the Discrimination and Discriminatory Harassment policy](#), while complaints against them in their role as students follow the process as set forth in this policy.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026, be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, including its invalidated elements, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. To this end, should the rule be revoked in this manner, the University shall publish direction by which the investigation and adjudication process will follow.

III. Definitions

Confidential Resource Advisor. New Hampshire State law § 188-H:7 permits UNH to establish Confidential Resource Advisors. These are privileged individuals designated by the University that are not required to notify the University's Title IX Coordinator or a law enforcement agency when they learn about potential incidents of sexual misconduct or sexual exploitation. Confidential Resource Advisors receive training in the awareness and prevention of sexual misconduct and in trauma-informed response. The Confidential Resource Advisors at UNH are professional staff in SHARPP and the Aulbani J. Beauregard Center of Equity, Justice, and Freedom.

Confidentiality. A legal obligation not to disclose information without the express written permission of the individual who provided the information, with certain exceptions, such as if there is a continuing

threat of serious harm to self or others or another legal obligation to reveal such information (e.g., where there is suspected sexual abuse or neglect of a minor). Conversations with confidential employees that occur outside of their professional role are not privileged, though most such conversation will be kept private. For example, counselors who teach didactic classes or clinical counseling coursework.

Absent extenuating circumstances, disclosures and conversations with mental health clinicians, lawyers providing advice to clients, crisis response centers and members of the clergy or those who provide pastoral counseling are privileged. They may not disclose or release your information without your explicit permission even as part of a civil, criminal, or administrative legal proceeding.

Consent. A voluntary, informed and freely given agreement, through words and/or actions, to participate in mutually agreed-upon acts and the communication between the parties would be interpreted by a reasonable person, as a willingness to engage in a particular act. Consent may be withdrawn at any time and the withdrawal must be communicated in mutually understandable words and/or actions; if so, the particular act must cease immediately.

Consent cannot be obtained through the presence of any force, threat of force, threats, or coercion. A person cannot consent to sexual activity if that person is unable to understand the nature, fact, or extent of the activity or give knowing consent if the person is incapacitated due to the consumption of alcohol or drugs, the person is asleep or unconscious, the person is under the legal age to provide consent, or the person has a disability that prevents such person from having the ability or capacity to give consent.

Formal Complaint. A written request by a Complainant (physical or digital signature) submitted to the Title IX Coordinator or signed by the Title IX Coordinator against a respondent and requesting the institution initiate its resolution procedures.

Incapacitation. The inability, temporarily or permanently, to make rational or reasonable decisions or lacking the capacity to give knowing consent because of mental or physical helplessness, the person is asleep, unconsciousness, or lacks awareness that sexual activity is taking place. Incapacitation due to the consumption of alcohol or drugs, is a state beyond drunkenness or intoxication.

Mandatory Reporter. Certain individuals at UNH who are required to report any information they receive indicating that a student has been subjected to sexual harassment or sexual violence to the Title IX Coordinator. Additional information and a complete list of mandatory reporters can be found on the [Civil Rights & Equity Office](#) website.

Privacy. Information related to a disclosure, report, or formal complaint will be shared only with those employees who "need to know" in order to assist in the review, investigation, or resolution of the report. While not bound by confidentiality, individuals who receive private information will be discreet and do their best to respect the privacy of all individuals involved in the process. If an investigation is required, the information may also be shared with the accused party or others, as required to conduct a complete and fair investigation. Although UNH manages private information with discretion, it is not possible to maintain confidentiality for any information other than information provided to the privileged confidential resources as noted in the definition of Confidentiality provided above.

UNH offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible and will take steps to prevent unreasonable disclosure. The information you provide to a nonconfidential resource will be relayed to the University's Title IX

Coordinator for care, support and assistance after an incident. In their judgement, the Title IX Coordinator may disclose information to a small group of administrators with a legitimate need to know who can respond with sensitivity.

Advisor, Complainant, Respondent and Witness, as used throughout this policy, are defined in [Article I of the Code of Conduct](#).

IV. Prohibited Conduct

Sexual Harassment

- **Title IX Sexual Harassment**

- **Title IX Quid Pro Quo Sexual Harassment.** An employee or graduate student conditioning the provision of an aid, benefit, or service of the university on an individual's participation in unwelcome sexual conduct;
- **Title IX Hostile Environment Sexual Harassment.** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the university's education program or activity.

- **Non-Title IX Sexual Harassment**

- **Non-Title IX Sexual Harassment:** Any unwelcome sexual advance, requests for sexual favor, or other verbal or physical conduct of a sexual nature that does not meet the definitions of Title IX Sexual Harassment, but when one of the conditions outlined in (1), (2), or (3), below, is present.
- **Gender-Based Harassment:** Unwelcome sexual advances or other verbal or physical conduct of a sexual nature, graffiti, jokes, pranks, slurs, insults, threats, remarks made in the person's presence, interference with the person's work or academic life, vandalism, assignment of unpleasant duties, or even physical assault directed against any member of a protected class. Behavior is considered to be harassment when:
 - i. Submission to or rejection of such behavior by an individual is used as a basis for employment or academic decisions affecting that individual; or
 - ii. Submission to such behavior is made either explicitly or implicitly a term or condition of an individual's employment or academic work; or
 - iii. Such behavior has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive environment.

Dating Violence. Violence (actual physical injury to another) or threat to cause violence committed by a person: (1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (2) where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship.

Domestic Violence. An act of violence (actual or an attempt to cause physical injury to another) or threat to cause violence to another, committed by spouses, ex-spouses, other intimate partners, parents, other relatives, persons cohabiting with each other, and persons who cohabited with each other but who no longer share the same residence.

Non-Consensual Sexual Contact. Intentionally touching the intimate body parts, such as breasts, buttocks, groin, genitals, or the clothing covering

them, of another person, or forcing or coercing another person to touch your intimate body parts or themselves without consent.

Non-Consensual Sexual Penetration. Oral, anal, or vaginal penetration, however slight, by an inanimate object, penis, or digitally without consent.

Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition, (i.) course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (ii.) "Reasonable person", as hypothetical or an idea, meaning under similar circumstances and with similar identities to the victim. (iii.) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual Exploitation. Taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited. Examples of Sexual Exploitation include:

- Using any device for the purpose of observing, recording, or streaming of the intimate parts of a person or their sexual activity when there is a reasonable expectation of privacy without the other person's knowledge or consent
- Making, sharing, posting, streaming, or otherwise distributing images, photographs, video or audio of another person's sexual activity or intimate parts, if the individual distributing the content knows or should have known that the person depicted in the images or audio did not consent to the disclosure.
- Observing, spying on or listening to a person(s) involved in sexual activity or in any state of undress, in a place where that other person would have a reasonable expectation of privacy, without that person's consent. Voyeurism also occurs when an individual allows others to observe this behavior without the consent of all parties involved.
- Knowingly transmitting a disease or infection to someone without their knowledge or consent by means of sexual contact.
- The prostituting of another person or the trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion.
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections.

V. Options for Making a Disclosure

Every member of the UNH community affected by incidents of sexual misconduct and sexual exploitation has the right to report such incidents to the University, UNH Police Department, local law enforcement or choose not to report.

UNH provides a variety of options available to an individual, so that each person may choose a path for response best suited to their particular situation. When making a choice about how to get help, it is also important to understand how each resource will handle your information after it has been reported. A comprehensive list of reporting resources, including confidential resources, is available on the [Civil Rights & Equity Office](#) website.

For UNH community members who wish to report to law enforcement, contact information for the UNH Police Department can be found on [their](#)

[website](#). UNH community members may also contact the UNH Police Department to notify the university that they have obtained a court-issued protective order. UNH Police Department will speak with the student about the order and safety measures available to them at the university.

VI. Timeline for Reporting

Individuals are encouraged to report sexual misconduct and sexual exploitation as soon as possible after the incident occurs to maximize the University's ability to respond promptly and effectively. Prompt reporting allows the University to obtain the most reliable information, be able to contact relevant witnesses (if any) and provide reasonable assistance and supportive or interim measures for affected parties. The University does not limit the time for reporting these incidents or filing a complaint, however, and in all cases, a decision will be made on existing facts to determine if an investigation and conduct proceedings are necessary to comply with the law and to serve the university community. If the student accused of sexual misconduct or sexual exploitation is no longer a student at the time the complaint was received, either because the student graduated or left the University permanently, the University is unable to pursue resolution. The University will assess whether any remedial steps can be taken to address any prohibited conduct or its effects on the university community.

VII. Outreach, Intake, and Supportive Measures

When the Civil Rights & Equity Office receives a report or disclosure that a student experienced sexual misconduct or sexual exploitation, a staff member from that office will offer information to the student about the student's rights, options, and resources available. UNH may provide support whether or not a Complainant chooses to file a Formal Complaint.

If the student wishes to meet with a staff member from the Civil Rights & Equity Office, the staff member will provide the student with information about their rights, responsibilities, resources, and options.

UNH will provide reasonably available supportive measures to an impacted student and typically after a Formal Complaint, to a Respondent.

Supportive measures are non-disciplinary, non-punitive, individualized support services that are offered as appropriate, as reasonably available, and without fee or charge to the parties when a report is received.

Supportive measures are designed to restore or preserve equal access to UNH's education program or activities without unreasonably burdening the other party.

Supportive measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work schedules, class schedules, or co-curricular activities, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus and other similar measures. Supportive measures are available to both the Complainant and Respondent at any point after an incident of sexual misconduct or sexual exploitation is disclosed.

VIII. Interim Exclusionary and Emergency Actions

In circumstances when a student's behavior poses an immediate threat to the physical health or safety of a student or any other individual arising from alleged sexual misconduct or sexual exploitation the Title IX Coordinator or designee can fully or partially remove or exclude a Respondent from its education program or activity following the

procedures described in the Interim Action policy within this Code of Conduct. The Title IX Coordinator or designee will make the decision to fully or partially remove or exclude a respondent from its education program or activity based on an individualized safety and risk analysis.

If the University makes such a decision, the Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal.

IX. Formal Complaint and Investigation

If the Respondent is a student, the procedures described in Article IV of [UNH's Student Code of Conduct](#) ("Conduct Resolution Process and Procedures") will be utilized for the investigation, resolution, and any appeal, as enhanced by the sections below. If after an investigation the matter advances to a formal adjudication, the [Office of Community Standards](#) is responsible for executing the proceedings.

If the allegations constitute sexual misconduct, the "Formal Complaint and Investigation" and "University Hearing Procedures" sections below apply and enhance the Conduct Resolution Process and Procedures of the Code of Conduct.

If the allegations constitute sexual exploitation, only the "Formal Complaint and Investigation" sections apply and enhance the Conduct Resolution Process and Procedures of the Code of Conduct.

- **Receipt of Formal Complaint.** The process to resolve the formal complaint will begin upon receipt of a formal complaint and conclude upon the issuance of a written determination. This process will be completed as soon as practicable but no more than 180 days after the receipt of a formal complaint. Deviations from this time frame will be made on a case-by-case basis and supported by good cause. Parties will be notified in writing regarding the length of time and justification for any such delays.
- **Mandatory Dismissal or Determination that Title IX Does not Apply**
 - Pursuant to §106.45(b)(3)(i), review of formal complaint of sexual misconduct: the Title IX Coordinator will review the formal complaint to determine whether the conduct alleged occurred within the university's program or activities and within the United States. The Title IX Coordinator may contact the Complainant to clarify the allegations. If the alleged prohibited conduct meets those requirements, the complaint will be processed as provided in this policy. If the conduct does not constitute sexual misconduct under that regulation, but otherwise alleges sexual misconduct under the Code of Conduct, the complaint will also be processed as provided in this policy.
 - At any point after the receipt of a formal complaint, the Title IX Coordinator may determine that the alleged behavior, even if substantiated, would not constitute sexual misconduct or sexual exploitation and dismiss the formal complaint.
 - The Title IX Coordinator will notify the Complainant and the Respondent of the results of the review or any subsequent mandatory dismissal. If the formal complaint is dismissed under these requirements, either party may appeal that decision within five (5) business days of receipt of the decision.
- **Discretionary Dismissal**
 - At any point after the receipt of a formal complaint, a Complainant may notify the Title IX Coordinator in writing that the complainant would like to withdraw the formal

complaint or any allegations therein, the respondent may no longer be enrolled or employed, or specific circumstances prevent the Title IX Coordinator from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

- If the formal complaint is dismissed by the Title IX Coordinator as a discretionary dismissal, either party may appeal that decision within five (5) business days of receipt of the decision.
- **Notice of Allegations and Complaint.** The Title IX Coordinator will send a notice of allegations and the formal complaint to the Complainant and to the Respondent. Notice to the parties will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process, notice of their right to an advisor of choice, a summary of available resources, the contact information for the Title IX Coordinator, a link to this Code, and a caution against retaliation.
- **Investigation.** Investigator(s) will work under the direction of the Title IX Coordinator to complete a thorough, prompt, and equitable investigation.
 - In cases where there are parallel criminal and administrative investigations the Title IX Coordinator and investigator may cooperate with law enforcement to preserve the integrity of both investigations while striving to complete the investigation.
 - Parties whose participation is invited or expected must be provided with written notice of the date, time, location, participants, and purpose of all meetings, investigative interviews, or hearings with sufficient time for the party to prepare to participate.
- **Reasonable Accommodation.** This policy does not alter any institutional obligations under federal disability laws, including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the resolution procedures, provided the accommodations will not fundamentally alter the process. The Title IX Coordinator will facilitate the provision of requested accommodation in a timely manner.
- **Amnesty.** The University recognizes the barrier created by a student's perceived fear of disciplinary actions if at the time the alleged harm occurred, they engaged in the consumption of alcohol or drugs. As such, the University has adopted this provision as a mechanism to shield a student bystander, witness or complainant acting in good faith, who reports or discloses an allegation of sexual misconduct or sexual exploitation, from disciplinary action under these procedures if under any other circumstance, the behavior would constitute a violation under the Code of Conduct. Consistent with similar alternative pathways that do not involve allegations of sexual misconduct or sexual exploitation, amnesty does not forgive or cover criminal, civil, or other legal consequences for violations of federal, state, or local laws or ordinances, nor does this provision apply when the violation is directly related to the facilitation of the offense.
- **Investigative Report.** The investigator will prepare a written report of the investigation that fairly summarizes relevant evidence.
 - The Title IX Coordinator will provide a comment draft of the report to both the reporting and responding persons and their advisors, and at the same time provide access to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, providing

them both with ten days to submit a written response containing suggestions to make the report more accurate. The investigator will consider the written response(s) but is not required to accept any proposed change from either party.

- The investigator will prepare a final investigative report and submit it to the Title IX Coordinator. The Title IX Coordinator will convey the final report to the parties and their advisors.
- **Threshold Determination**
 - Upon receipt of the final investigative report, the Title IX Coordinator will make a threshold determination as to whether the alleged behavior, even if substantiated, would constitute sexual misconduct or sexual exploitation or whether there is sufficient evidence to advance the Formal Complaint to a hearing.
 - If the threshold is not met for these criteria, the Title IX Coordinator may dismiss the case. If the Formal Complaint is dismissed, either party may appeal that decision within five (5) business days of receipt of the decision.

X. Informal Resolution

In lieu of a formal finding of responsibility or non-responsibility, the parties involved may agree to an informal resolution of the Formal Complaint, such as mediation or restorative justice, with the Title IX Coordinator or representative from the Civil Rights and Equity Office to resolve the allegations following the filing of a Formal Complaint and prior to a determination. An informal resolution is a voluntary, structured interaction which may only be requested after a Formal Complaint has been filed so that the parties understand what the grievance process entails and can decide whether to voluntarily attempt informal resolution as an alternative to the facts at issue.

XI. University Hearing Procedures

- **Notice of Hearing.** The Director of Community Standards shall prepare the notice to be used to guide the parties to prepare for the hearing and to assist the hearing panel to understand the evidence presented at the hearing.
 - The notice shall provide fair notice of the alleged facts and shall specify the provisions of this Code that are alleged to have been violated.
 - The notice, together with a copy of the final investigative report, shall be conveyed to the parties at least 10 days before the hearing and to the hearing panel members at least 2 days before the hearing.
 - The notice will state that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing process.
- **General Proceeding Rules.** The university will not issue a finding arising from an allegation of covered sexual misconduct or sexual exploitation without holding a live hearing with Complainants and Respondents physically present, in the same geographic location, unless otherwise resolved through an informal resolution process. At the institution's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. The hearing panel will be assembled with members free of conflicts of interest and bias and who have been trained in their responsibilities under the law and under this Code.
- **Adjustments in the Hearing Process.** Proceedings involving allegations of sexual misconduct, stalking, and relationship abuse

shall be processed as provided for other reports of violation under this Code, subject to the following adjustments:

- The Complainant and the Respondent may be assisted by an advisor of their choosing and a support person. Both the Complainant and Respondent must have an advisor present at the hearing for the purposes of cross examination. Neither party is required to request permission for the presence of an advisor or support person. If a party does not have an advisor of choice present at the live hearing, the University must provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. Advisors and support persons may not represent or speak on behalf of either party in any meeting or proceeding.
- The decision-maker must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally
- Hearings will be conducted by individuals who receives not less than annual training on issues relating to sexual misconduct, investigatory procedures and hearing procedures to protect the safety and rights of students and promote accountability, objectivity, impartiality, and a trauma-informed response.

XII. Maintaining Student Records

The Civil Rights and Equity Office and Office of Community Standards are designated unit custodians responsible to maintain records in accordance with the Schedule for Record Retention and Disposal policies established.

The University will maintain a record of disciplinary records that include any sexual harassment investigation, including any responsibility determination, and any required recording or transcript, as well as any sanctions imposed on the respondent, and any remedies provided to the complainant; any appeal and its result; and all materials used to train adjudicators, with regard to sexual harassment, and any Informal Resolution Agreement and associated information, are retained for a period of seven years in adherence with recordkeeping requirements described under the Clery Act regulations, 24 CFR § 668.24(e)(92)(ii), the Title IX regulations described in 34 C.F.R. § 106.45(b)(10), state law and relevant university policies.

XIII. Healthcare and Support Resources

For questions and concerns regarding sexual misconduct, sexual exploitation, or the Title IX process, or for help coordinating support services related to academic, housing or other needs related to living, working or participating in University programs:

Title IX Coordinator
 105 Main Street
 Thompson Hall 305
 Durham, NH 03824
 (603) 862-2930
www.unh.edu/creo

Those who have experienced sexual misconduct or sexual exploitation have the option to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services. A medical exam is also an important way for a health provider to properly collect and preserve evidence, which could later be used in a civil or criminal case. In cases

where necessary, rape kits are also available at local emergency rooms. Anyone seeking a medical forensic exam in NH will not be billed for it, with or without insurance.

Medical treatment in the area of the Durham campus includes the following:

Wentworth-Douglas Hospital
 789 Central Avenue, Dover, NH 03820
 (603) 742-5252

UNH Health and Wellness
 4 Pettee Brook Lane
 Durham, NH 03824
 (603) 862-9355
health@unh.edu

Medical treatment in the area of the Manchester campus includes the following:

Elliot Hospital
 4 Elliot Way, Manchester, NH 03013
 (603) 669-5300

Catholic Medical Center
 100 McGregor St, Manchester, NH 03102
 (603) 668-3545

Medical treatment in the area of the UNH Law Concord campus includes the following:

Concord Hospital
 250 Pleasant Street
 Concord, NH 03301
 (603) 225-2711

SEXUAL ASSAULT AND DOMESTIC VIOLENCE RESOURCES

Resource	Phone Number
New Hampshire Sexual Assault and Domestic Violence Hotline	1-866-644-3574
National Sexual Assault Hotline	1-800-656-4673

Services for survivors of sexual assault, domestic violence, stalking, and sexual harassment in New Hampshire are available through the NH Coalition Against Domestic and Sexual Violence, which is comprised of thirteen member programs throughout the state. A community member does not need to be in crisis to call. Services are free, confidential, and available to everyone regardless of gender, age, health status (including HIV-positive), physical, mental or emotional ability, sexual orientation, gender identity/expression, socio-economic status, race, national origin, immigration status or religious or political affiliation.

Coalition member agencies serving the Durham campus area include:

Sexual Harassment and Rape Prevention Program (SHARPP)
 Wolff House,
 2 Pettee Brook Lane, Durham, NH 03824
 (603) 862-3494
www.unh.edu/sharpp

HAVEN
 20 International Drive #300, Portsmouth, NH 03801

(603) 436-4107

Coalition member agencies serving the Manchester campus area include:

YWCA Crisis Service

72 Concord Street, Manchester, NH 03101

Crisis Line: 603-668-2299

Manchester Office: 603-625-5785

www.ywcanh.org

Coalition member agencies serving the UNH Law Concord campus area include:

Crisis Center of Central New Hampshire

79 State Street, Concord, NH 03301

(603) 225-7376

Certain SHARPP services are also available to students at the Manchester and Law campuses. More information about these services can be found on the [SHARPP website](#).

Coalition agencies provide the following services:

- Support and information, available in person and through a 24-hour hotline
- Accompaniment, support, and advocacy at local hospitals, courts, and police departments
- Access to emergency shelter
- Peer Support Groups
- Assistance with protective/restraining orders and referrals to legal services
- Information and referrals to community programs
- Community and professional outreach and education.

FINANCIAL ASSISTANCE RESOURCES

Students who require assistance but have financial hardship or limited financial resources may apply for financial assistance through the [UNH Basic Needs Program](#). The program includes the Student Emergency Financial Assistance Fund, which assists enrolled students who are unable to meet essential expenses due to a temporary or unexpected hardship with short-term financial assistance. Funds can be applied for through [the website](#) to meet the following needs:

- Emergency travel expenses
- Prescription and other costs related to medical, dental, or mental health
- Essential utilities
- Essential safety and security needs
- Academic supplies and textbooks
- Winter clothing needs like coats and boots
- Auto repairs
- Parking fee
- Replacing essential belongings due to fire, theft, or natural disaster
- Individually-recommended or required services that are considered critical to a student's success, for example, diagnostic testing for Accessibility Resources.

Mental health RESOURCES

Mental health services are available to UNH students either locally or through on-campus departments.

Mental health services in the area of the Durham campus includes the following:

UNH Psychological and Counseling Services (PACS)

Smith Hall, Third Floor

3 Garrison Avenue

Durham, NH 03824

(603) 862-2090

www.unh.edu/pacs

Emergency counseling services are available 24 hours a day.

Mental health services in the area of the Manchester campus includes the following:

The Mental Health Center of Greater Manchester (MHCGM)

(603) 668-4111

unhm.wellness@unh.edu

[Manchester Student Wellness Website](#)

Mental health services in the area of the UNH Law Concord campus includes the following:

Riverbend Community Mental Health

105 Loudon Road, Bldg 4

Concord, NH 03301

(603) 228-1600

Call or text psychiatric emergency services 24 hours a day: (833) 710-6477

Counselor on-campus once a week and can see students off-campus.

Mental health services for CPS online students includes the following:

Kepro

844-205-3446

additional Resources for Employees

Qualifying university employees have access to the Employee Assistance Program (EAP) offered through Kepro, which provides assessment and referral for a wide range of concerns facing employees. To speak with a consultant please call 1-800-424-1749 or visit [the employee assistance program website](#) for more information.

Student Policies and Regulations

- [Academic Integrity](#) (p. 26)
- [Acceptable Use Policy for Information Technology Resources](#) (p. 28)
- [Administrative Separation and Procedures for Readmission](#) (p. 29)
- [Alcohol](#) (p. 31)
- [Behavioral Intervention Team](#) (p. 32)
- [Bicycles or Micro-mobility Alternative Conveyances](#) (p. 32)
- [Civil Rights Policies](#) (p. 33)
- [Commercial Activities on Campus](#) (p. 34)
- [Financial Responsibilities](#) (p. 35)
- [Fire Safety](#) (p. 39)
- [Fraternity & Sorority Social Policy](#) (p. 39)
- [Freedom of Expression and Guidelines on Peaceful Dissent](#) (p. 42)
- [Grievance and Complaint Procedures](#) (p. 47)
- [Hazing](#) (p. 47)
- [Health Insurance and Immunization](#) (p. 47)
- [Intercollegiate Athletics](#) (p. 48)

- [Library Policies](#) (p. 49)
- [On-Campus Housing Requirement](#) (p. 50)
- [Sport Clubs](#) (p. 50)
- [Student Organizations](#) (p. 51)
- [The Family Educational Rights & Privacy Act \(FERPA\)](#) (p. 53)
- [Tobacco-, Smoke-, & Nicotine-Free Policy](#) (p. 54)

Academic Integrity

All members of UNH share responsibility for promoting and protecting the highest standards of integrity in scholarship and professional practice. The value of honesty and the expectation of conduct that goes with it are intended to reinforce a learning environment where students and faculty can pursue independent work without unnecessary restraints. At the same time, the University recognizes its responsibility to encourage and inculcate values and standards of conduct that will guide its students throughout their careers.

This means that each member will adhere to the principles and rules of the University and pursue academic work in a straightforward and truthful manner, free from deception or fraud. Students are expected to complete independent, original work for each academic activity unless otherwise specified by the faculty member. Students should seek clarification when in doubt. Any attempts to deviate from these principles will be construed as acts of academic dishonesty subject to disciplinary action.

I. Scope and Applicability

This policy establishes the expectations of the University of New Hampshire for academic honesty and defines situations that constitute academic misconduct related to undergraduate and graduate coursework.

Sections I - III of this policy apply to all University of New Hampshire students. Sections IV - VII of this policy apply to all University of New Hampshire students except students at the Law School. For information on the procedures and resolution processes for resolving reports of academic integrity violations at the Law School, view the [Law School Catalog](#).

II. Prohibited Academic Conduct

The following behaviors constitute academic misconduct.

Cheating

Use or attempted use of any academic exercise materials, information, study aids, electronic data, AI tools, assignment/exam surrogate, or other forms of assistance without authorization.

Unauthorized Collaboration

Consulting with one or more individuals on an academic exercise or examination without the express permission of the course instructor.

Plagiarism

Use or submission of intellectual property, ideas, evidence produced by another person, including computer generated text or work outsourced to third-parties, in whole or in part as one's own in any academic assessment without providing proper citation or attribution. In some cases, reusing one's own previous work without acknowledging or citing the original work can constitute self-plagiarism.

Falsification, or Misrepresentation of Information

Providing fabricated information, inventing data or citations, or misrepresenting information or oneself in an academic activity or related to academic attendance or other academic requirements.

Facilitating Academic Dishonesty

Assisting or attempting to assist another to engage in behavior that facilitates academic dishonesty, including but not limited to allowing another to copy from one's work; taking an exam by proxy for someone else; or removing an examination or quiz from a classroom, faculty office, or other facility without authorization.

Academic Interference

Tampering with, circumventing, or destroying any educational material or resource in a manner that deprives any other student of fair access or reasonable use of that material or resource. Educational resources include but are not limited to computer facilities, electronic data, reserved readings, reference works, or other library materials. Academic interference also includes acts in which the student committing the infraction personally benefits from the interference, regardless of the effect on other students.

III. Reporting Allegations of Academic Misconduct

The University encourages any individual who has witnessed a UNH student engage in academic misconduct to report it directly to the faculty member of the course or the academic college. Reports submitted to the Office of Community Standards by someone other than the faculty member of the course in which the alleged violation has occurred will be sent to the faculty member for determination of a violation.

IV. Procedures for Resolving Academic Misconduct

In the event that a student is alleged to have violated the standards outlined in the Academic Integrity policy, the following procedures will apply:

Notice of the allegations

The instructor for the course in which the alleged violation occurred will schedule a meeting with the student. The purpose of the meeting is to inform the student of the alleged violation, share the evidence for the alleged violation, give them the opportunity to respond, and decide the appropriate course of action.

When notifying the student about the allegation and inviting them to attend the meeting, the instructor has discretion regarding how much information to provide regarding the allegation. The instructor is encouraged to, at least, notify the student that the purpose of the meeting is to discuss an alleged academic integrity violation. Instructors may use [this template](#) for this email notification. Use of this template is optional.

Opportunity to Respond

During the meeting, the student will have an opportunity to review and respond to the summary of evidence and provide any additional information or evidence to refute the allegations before a final decision is made as noted below. During the meeting, the instructor may; (a) decide the appropriate course of action and inform the student of any resolution or penalty at that time or (b) choose not to make a final decision and may communicate the course of action and academic penalty at a later date.

Failing to participate

If the student does not respond to the instructor's attempt to schedule a meeting within seven (7) days of initial contact, the instructor may determine if a violation has occurred without the student's participation and, if so, assign an academic penalty proportionate to the violation. If a student fails to respond or attend a meeting, they forfeit any opportunity to appeal the instructor's decision.

Determination

The instructor will consider the summary of evidence and any response from the student to determine whether the student is responsible for the allegations. The instructor's prescribed standard of proof used to determine responsibility for policy violations is the preponderance of the evidence standard; when the information suggests that it is more likely than not that a violation occurred.

Notice of the decision

The instructor will inform the student of their final decision. If the instructor is issuing a formal grade penalty as a result of the decision, the student will be sent a written statement of facts that the instructor found to have occurred in relation to the allegations of academic misconduct, an explanation of the evidence relied on to determine the facts, and a copy or link to the appeal procedures and the deadline to submit an appeal. This information, along with the assignment in question, will also be sent to the faculty's department chair or program director, the the assistant/associate dean of the student's college or graduate school, and Community Standards for the purposes of monitoring and recordkeeping. The student will receive an outcome letter with a description of the appeal process.

V. Resolution Options

The instructor of the course has discretion for determining the appropriate resolution of an academic misconduct violation. Possible resolutions to an allegation of academic misconduct are:

- **Informal Resolution:** If the factors surrounding the violation are mitigating, the instructor may resolve the matter informally and not report it. Mitigating factors that could result in an informal resolution may include a genuine misunderstanding, minor error, the circumstances under which the academic misconduct occurred, absence of prior academic misconduct, sincere insight into the nature of the harm caused and a willingness to reduce or repair the effect of the harm; and/or any steps the student has taken to remedy the behavior. In some cases, an instructor may create an assignment that is used exclusively to teach students about academic honesty. If violations occur on these assignments, the resolution of these cases may still be considered "informal" even if the student receives a minor grade penalty. Examples of informal resolutions include:
 - No formal action or penalty
 - Written warning to the student
 - An educational conversation about academic integrity with the instructor
 - Requiring the student to complete an academic integrity training
 - Having the student complete a reflection paper or activity
 - Referral to academic resources or tutoring services
 - Requiring the student to repeat/resubmit or submit an alternative academic assessment to be graded on its merits in lieu of or in addition to the original academic assessment.
- **Formal Resolution:** If the factors surrounding the violation are substantially aggravating, the instructor may proceed and resolve the matter formally and issue an academic penalty. Academic penalties

issued by the instructor may not exceed failure of the course.

Aggravating factors may include deliberate or intentional acts; the circumstances under which the academic misconduct occurred; an established pattern of academic integrity violations; prior Informal Resolution; harm to other students' learning; length of time since last violation; extent of adverse or negative impact to an individual or the university community; the nature and importance of the academic assessment.

If the instructor is resolving the matter formally, the instructor will complete the [Report of Academic Misconduct](#) form. Instructors are strongly encouraged to complete and submit the form in a timely manner. A delayed or prolonged passage of time may impact what could otherwise be a meaningful intervention. Examples of Formal Academic Penalties may include:

- Reduced or failing grade on an academic assessment or examination.
- Reduced or failing grade in the course.

VI. Additional Consequences for Egregious or Multiple Violations

In cases where students have a demonstrated track record of academic misconduct or the alleged violation is highly serious in nature, the assistant/associate dean of the student's college or graduate school may consult with the Office of Community Standards to consider if a referral to the University's conduct process is more appropriate. In such instances, the process, through its conclusion, will follow the Conduct Resolution Procedures under [Article IV of the Student Code of Conduct](#).

Certain academic penalties may have additional ramifications outside of the individual course (e.g., failing a course might have GPA implications that cause a student to be academically suspended or removed from a program, forging certain documents may violate the ethical standards of a program, etc.). This policy does not supersede or prevent decisions or actions that follow a penalty under this policy.

VII. Appeal Process and Procedures

Any student issued a formal academic penalty may request to appeal the decision. The appeal is limited to faculty course penalties related to violations of this policy. If there are additional consequences as described in the Additional Consequences for Egregious or Multiple Violations section above, those additional decisions may not be appealed under this policy.

Appeal Grounds

- A procedural error occurred in the handling of the violation and/or academic penalty that could meaningfully change the outcome
- There was insufficient evidence to find that the student committed the violation
- New evidence is present that was not available at the time of the initial decision that could meaningfully change the outcome
- There was a conflict of interest or evidence of bias on the part of the instructor that would prevent them from being able to make an objective decision. Being the course instructor in itself would not constitute a conflict of interest.

Procedures to Request an Appeal

The following appeal procedures apply:

1. To appeal a decision, the student must complete an Academic Honesty Violation Appeal form within three (3) business days of receipt of the written decision letter.
2. The student's appeal must describe the allegation, the grounds for appeal, and describe the justification for the appeal.
3. Failure to submit a completed appeal form within three (3) business days from receipt of the decision letter will result in the original penalty being upheld without further appeal opportunity.

Preliminary and Final Appellate Review

1. Upon receipt of the appeal, the student's petition will be forwarded to the designated Review Officer to determine if the appeal adequately fits the appeal grounds described under this policy.
2. If the Review Officer determines that the appeal will not be moving forward, they will communicate their decision and the rationale for their decision to the student. Initial determinations made by the Review Officer are final and the process ends.
3. If the Review Officer determines that the appeal will move forward, they will act as chair and convene an individual or group to review the appeal from the following committees, typically, within twenty (20) calendar days of receipt of the appeal. The chair may designate another individual to chair at their discretion.
 - Undergraduate Students: Undergraduate Academic Integrity Committee (UAIC) (Chair: Dean of Students)
 - Graduate Students: Graduate Council Student Affairs Committee (GCSAC) (Chair: Associate Dean of the Graduate School)
4. The instructor that brought forth the allegation(s) and the student's academic dean will be informed of the hearing, the grounds for appeal, and will supply relevant data and evidence when available.
5. The Panel and Chair may determine that expert witness testimony is potentially relevant to the review and may appropriately consult with or permit the expert witness to attend the appellate review.
6. The committee will then make a final determination regarding whether to dismiss or uphold the penalty. In extraordinary circumstances, the Chair may call the hearing panel back together or overturn the decision of the committee. Otherwise, decisions made by the committee are final and non-reviewable.

VII. Maintaining Student Records

Academic Misconduct records, including investigation records, are maintained electronically by the Office of Community Standards in accordance with the Schedule for Record Retention and Disposal as described in [Article IV of the Code of Conduct](#).

Acceptable Use Policy for Information Technology Resources

The information technology resources provided by the University System of New Hampshire (USNH) and its component institutions support the educational, instructional, research, and administrative activities of the University System and those institutions. Use of these resources is a privilege that is extended to USNH community members. Inappropriate or improper use of these shared resources can impede or negatively impact availability for the rest of the community. As such, all community members are required to behave in a responsible, ethical, and legal manner during that use.

This Policy defines acceptable use of information technology resources at USNH and its component institutions and outlines the responsibilities and

obligations of community members who are granted access to or use of these resources. Specifically, this Policy supports the following objectives:

1. Safeguarding the confidentiality, availability, integrity, and privacy of institutional information and enterprise information technology resources.
2. Providing a reliable information technology environment for all USNH community members.
3. Guaranteeing use of enterprise information technology resources is consistent with the principles and values that govern use of other USNH and component institution resources (e.g., facilities).
4. Confirming that enterprise information technology resources are used for their intended purposes.

I. Scope

This Policy applies to anyone who utilizes USNH information technology resources, and all uses of those resources, irrespective of where the resources are being used. This includes students, faculty, staff, contractors, vendors, prior students/alumni, parents, volunteers, and external customers utilizing services provided by USNH.

For purposes of this Policy only, any individual who is authorized to access or use a USNH or component institution information technology resource is considered a member of the USNH community.

This Policy covers the use of all information and information technology resources owned, managed, licensed, or entrusted to USNH or one of its component institutions, regardless of who is providing those resources, how they are being provided, or how they are being accessed. Referred to throughout this Policy as institutional information and USNH information technology resources, this includes, but is not limited to:

1. Information technology resources administered by Enterprise Technology & Services (ET&S) or contracted vendors.
2. Information technology resources administered or managed by individual administrative, academic, or business units.
3. Institutionally owned endpoint devices.
4. Institutional telecommunication services including voicemail.
5. Personally owned endpoint devices that connect to any USNH network.
6. Devices, regardless of device ownership, that connect to any USNH information technology resource, including students' use of devices.

Business Application Owners or Technology Service Owners have the authority to establish more restrictive requirements governing use of those resources in their care. When there are additional use restrictions for a specific information technology resource, individuals who need access to that resource shall be informed of those restrictions, and agree to abide by them, prior to access being granted.

II. Acceptable Use

Acceptable Use of information technology resources is always ethical, reflects academic integrity, and shows restraint in the consumption of shared resources. It also demonstrates respect for intellectual property, ownership of data, information technology resource security, and freedom of intimidation and harassment. The following are explicitly defined as acceptable:

1. Use that supports the administrative, academic, research, outreach, service, and operational mission of USNH and each of its component institutions.

2. Use of information technology resources for which the community member has been authorized to access and use so long as that use adheres to the intended use of those resources.
3. Use that protects the intellectual property of others and the rights of copyright holders of music, videos, images, texts, and other media.

III. Prohibited Use

Use of USNH information technology resources that is illegal, disruptive, or that has the potential to negatively impact other community members or shared information technology resources is prohibited. Use that violates a USNH or component institution policy, a contractual obligation, or that subverts the mission of USNH, or its component institutions is prohibited. The following uses of USNH information technology resources are explicitly prohibited:

1. Use or attempted use of any information technology resources without permission.
2. Use of another community member's credentials, even if the community member gives them permissions.
3. Sharing any password associated with enterprise or component institution credentials in violation of the USNH password policy.
4. Use of USNH information technology resources in violation of civil or criminal law at the federal, state, or local levels or in violation of any regulation.
5. Attempting to alter or reconfigure any USNH information technology resources, whether they belong to USNH or not.
6. Use that seeks to circumvent, defeat, or attempt to defeat information technology resource security controls.
7. Masquerading as or impersonating others or otherwise using a false identity without authorization, while accessing and/or utilizing USNH information technology resources.
8. Removal of any USNH-owned or administered information technology resource from its normal location without authorization.

For a comprehensive list of prohibited uses please refer to the [Full Acceptable Use Policy](#) and other [Technology/Cybersecurity Policies & Standards](#).

IV. Community Member Responsibility

Members of the USNH Community shall be provided with the use of information technology resources. While accessing and using these resources, community members shall have a reasonable expectation of reliable use of these shared resources, and protection from abuse and intrusion by others sharing these resources.

Users are specifically advised that infringement of copyright laws constitutes a violation of the Acceptable Use Policy, and that UNH follows an established process to respond to complaints from copyright holders about students who allegedly violate the copyright law through electronic means such as peer-to-peer file sharing through personal computers. Under the provisions outlined in the Digital Millennium Copyright Act (DMCA) enacted in 1998, if you download, copy, use, or share copyrighted digital information files, including but not limited to music and movies, you are engaging in illegal activity that could result in legal action or University of New Hampshire Student Judicial System charges. If the university receives a lawfully ordered subpoena to provide personally identifiable information (such as name and address) matching an IP address that has been identified as an alleged source of copyright violations, it will comply. For additional information concerning the Digital Millennium Copyright Act (DMCA) and the University's compliance procedures visit [USNH's](#)

[knowledge base article](#). The policy is periodically reviewed and updated. It is the user's responsibility to familiarize themselves with the updates

Administrative Separation and Procedures for Readmission

The University of New Hampshire reserves the right to take reasonable and appropriate action to protect the safety and well-being for the campus community. This may involve disciplinary action or involuntary administrative separation.

I. Administrative Separation for Off-Campus Criminal Charges

The University finds that when a student faces a serious criminal charge, the process of defending against the charge can impose significant anxiety and substantially interfere with the student's academic progress. When a student is charged with a felony crime or a crime with a maximum sentence of over one year and the charge relates to homicide, assault, sexual assault, burglary, criminal threatening, fraud, distribution of illegal drugs, possession of substantial quantities of illegal drugs, or crime of violence, the student may be administratively separated from the University pending resolution of the criminal charge or charges. During the period of separation, the student's access to campus will be restricted. The Associate Dean of the student's college will be notified and, in turn, will notify the student's faculty of the separation.

If initiating an administrative separation process as described above, the Dean of Students or designee (Dean of Students) will send a letter to the student with notification of the separation and invite the student to meet. The purpose of the meeting will be to provide the student with an opportunity to challenge the separation and to request reconsideration. If the student does not schedule a meeting within ten calendar days of receiving the letter, the separation will become an administrative withdrawal. If the student does request a meeting within ten calendar days of receiving the letter, that meeting will be scheduled as promptly as possible and the Dean of Students will communicate the outcome of that meeting within three calendar days.

If the administrative separation is upheld by the Dean of Students, the student will have the opportunity to appeal to the Senior Vice Provost for Student Life who may grant the student's request to continue their studies when an error has been made in determining that the student should be separated, or in extraordinary cases where there is no evidence that the student presents any risk of harm or criminal behavior to the University community. The appeal request must be received by the Senior Vice Provost for Student Life by no later than five calendar days after the student receives the letter from the Dean of Students. If the student does not appeal to the Senior Vice Provost for Student Life the administrative separation will be changed to an administrative withdrawal. The Associate Dean of the student's college will be notified and, in turn, will notify the student's faculty of the administrative withdrawal.

If the student does choose to appeal to the Senior Vice Provost for Student Life, the decision on that appeal will be communicated in writing to the student within three calendar days. At that time, the Associate Dean of the student's school or college will be notified and in turn will notify the student's faculty of the final outcome of the process which could be either administrative withdrawal or lifting of the administrative separation.

Students who withdraw for reasons of pending criminal charges, whether voluntarily or are separated by administrative action, must apply for

readmission through the Office of Undergraduate Admissions or the Graduate School. Readmission will be contingent upon receipt by the appropriate Director(s) or their agents of documentation regarding the outcome of any criminal proceedings. This policy does not preclude the University from taking appropriate conduct action.

II. Administrative Separation and Reinstatement for Reasons of Health-Related Behaviors

The Dean of Students or designee (Dean of Students), in consultation with members of the Behavioral Intervention Team and the Dean of the Graduate School or designee in the case of a graduate student, may initiate a process to temporarily separate a student from the University for reasons relating to concerns with a student's mental/physical health. Through the Administrative Separation Process, the Dean of Students may determine that a student will be temporarily separated from the University, or that they may remain at the University only if certain conditions are met. The Administrative Separation process may be used when a student's behaviors:

1. pose a direct threat of harm to the health or safety of other members of the University community, and/or
2. substantially disrupt the ability of other University community member(s) to fulfill the University's mission, the educational process, or the proper activities or functions of other members of the University community.

The following sections describe the overall process:

Initial Report

The Dean of Students may become aware of concerns about a student's behavior in different ways. Upon receiving information that indicates an Administrative Separation may be appropriate, the Dean of Students will conduct an individualized assessment in consultation with members of the Behavioral Intervention Team in consideration of the advice or recommendations of any available healthcare providers to determine next steps. Next steps could include; (1) taking no further action, (2) notifying the student and encouraging the student to consider a health leave, (3) imposing an interim action, and/or (4) initiating the Administrative Separation Process.

Notification

If the Dean of Students continues to have concerns about the health and safety of members of the University community or disruption of the University community after evaluating the initial report, the Dean of Students will seek to notify the student as soon as possible to share information about the [health leave of absence process](#) and give the student the opportunity to respond and provide additional information.

At any point in the process, the student may take a [voluntary health leave of absence](#). If a student takes a health leave of absence, the Dean of Students may require additional steps to be taken when the student seeks to return including gathering additional feedback from the student's treatment provider about the student's ability to return without posing a direct threat to the health and safety of other members of the University community or causing substantial disruption to the University community.

Interim Action

In circumstances where the student's behaviors may indicate time-sensitive concerns about the health and safety of members of the

University community or disruption to the University community that seem unable to be addressed through the implementation of reasonable accommodations, the Dean of Students may take an interim action to protect the health and safety of the community or prevent disruption. Interim actions include, but are not limited to, restricting a student's access to campus or parts of campus or instructing a student not to contact certain member(s) of the community.

A student subject to an interim action will be notified in writing of the restriction. If an interim action restricts a student's access to their educational opportunities, the notice will describe the student's ability to appeal the interim action. An appeal may be submitted within three business days from receipt of the initial notice. Appeals will be reviewed by the Senior Vice Provost of Student Life or designee (Senior Vice Provost of Student Life) and will be evaluated based on if the interim action is reasonably necessary to protect against a direct threat to the health and safety of member(s) of the University community or prevent substantial disruption to the University community. Interim actions may remain in effect while an appeal is considered.

Implementing an Administrative Separation

If the student declines to take a voluntary health leave and the Dean of Students continues to have information supporting a potential concern about the health and safety of members of the University community or disruption to the University Community, the Dean of Students may initiate the Administrative Separation process by taking the following steps:

1. The Dean of Students will notify the student including providing a summary of the information, reiterating the student's opportunity to take a voluntary health leave, and encouraging the student to provide any other additional information that the student believes is relevant to the determination. The Dean of Students will provide a deadline for the student to provide this information, typically five business days from receipt of the notice
2. After the student has had the opportunity to provide additional information, the Dean of Students in consultation with members of the Behavioral Intervention Team will determine whether, and what, reasonable modifications or conditions can be implemented that would be effective to allow the student to continue to attend classes and otherwise participate in its educational programs
3. The Dean of Students will notify the student of the outcome of the individualized assessment including the basis of the determination. Possible outcomes include the student:
 - a. may continue at UNH with no conditions, restrictions, or modifications.
 - b. may remain at UNH subject to conditions, restrictions, or modifications.
 - c. will be separated from the University.

The Dean of Students may also impose administrative separation if the student rejects the reasonable modifications and/or conditions.

If the student is being separated, the notification will include information about the earliest the student may seek reinstatement, any conditions on reinstatement, and the process for seeking reinstatement. Students may request an earlier return date by contacting the Dean of Students who will consider the request, conduct an individualized assessment based on the available information, and determine if the request will be granted or denied.

The outcome will be effective immediately and may remain in effect pending the outcome of any appeal. The student may not attend class, will

be required to move out of any University housing, and may be banned from campus.

appeal

If the student is being separated or their attendance is subject to conditions or modifications, the notification will include information regarding the student's right to appeal with the Senior Vice Provost for Student Life within five business days of the final decision. The appeal must be made in writing, must be submitted to the Senior Vice Provost for Student Life, and must state the basis for the appeal. Reasons that an appeal would be considered include 1) that there is new information available or (2) that the separation is not reasonably necessary in order to protect against a direct threat to the health and safety of members of the community or prevent substantial disruption to the community. The Senior Vice Provost for Student Life will review the request and the complete record as compiled by the Dean of Students and may request a meeting with the student. Upon completion of the review, the Senior Vice Provost for Student Life will notify the student in writing of their decision to grant or deny the appeal.

If no appeal is submitted for a student who is administratively separated or the appeal process completes and separation remains in place, the Associate Dean of the student's school or college will be notified and in turn will notify the student's faculty of the final outcome.

returning after a separation

Students who are administratively separated must apply for readmission through the Office of Undergraduate Admissions or the Graduate School. Readmission may be granted to qualified students contingent upon certain conditions that could include receipt of documentation from a licensed treatment provider, the student agreeing to engage in ongoing treatment, and/or the student meeting with the Dean of Students.

Alcohol

The University is committed to establishing and maintaining an environment that fosters mutually beneficial interpersonal relations and a shared responsibility for the welfare and safety of others. Because alcohol can have a significant effect on that environment, the University has adopted this policy for governing alcohol use by students, staff, faculty, visitors, and guests. The focus of University alcohol policy is to comply with local ordinances, state laws and federal laws that protect the health and welfare of individuals and the community. The possession, consumption and transportation of alcohol by persons under the age of twenty-one is illegal in New Hampshire. While University policy permits responsible consumption of alcohol at some places and times, the consumption of alcohol should never be the primary purpose or focus of an event and should always comply with applicable law. Alcohol-free social events are encouraged.

All students are prohibited from engaging in any of the alcohol-related behaviors described in the Prohibited Conduct section of the Code of Conduct.

I. Residential Housing Alcohol Policy and Regulations

In addition to the rules described above, the following policies apply to students living in on-campus housing and their guests:

1. A legal age drinker may have just one open alcohol container at a time for personal consumption.

2. Possession or consumption of alcohol is permitted only in rooms, suites, or apartments where at least one of the assigned residents is at least 21 years old, and only by those of legal age.
3. All common sources of alcohol, including but not limited to kegs, punch bowls, or beer balls are strictly prohibited in UNH-owned residence halls and apartments on the Durham campus regardless of age.

II. Service of Alcoholic Beverages at University Events

A request for approval to serve alcoholic beverages form must be submitted to the appropriate approver for each campus. The word "approver" throughout this policy refers to the following individuals/offices:

- Durham: Conferences and Catering
- Law: Dean of Franklin Pierce School of Law
- College of Professional Studies - Manchester: Assistant Dean for Students at CPS Manchester

Approval must be granted for each function being planned where alcohol, beer or wine will be served. This request must be submitted 30 days prior to the event. All bar service at Durham must be provided by Conferences and Catering, as holder of the Liquor License. For events at Franklin Pierce School of Law or the College of Professional Studies - Manchester, all bar service must be provided as under applicable state law restrictions. If requests are received with less than 30 days notice, the approver has the right to deny approval and service may not be granted.

It is UNH's general policy that alcohol is not served at undergraduate student events. However, UNH may authorize an exception to this general policy. Exceptions are more likely to be considered if the event attendees are expected to be of the legal drinking age, the event specifically focuses on seniors (e.g. award ceremonies for graduating students), and the sponsor of the event is a UNH department, rather than an undergraduate student organization.

GUIDELINES

The acquisition, distribution, possession, or consumption of alcohol by members of the UNH community must be in compliance with all local, state, and federal laws. Non-alcoholic beverages must be provided at events where alcoholic beverages are served.

Institutional policies on alcohol use on UNH property vary by location, and, in some cases, by time.

- **University residence halls and apartment complexes.** UNH events with alcohol will not be approved in the residence halls or apartment complexes.
- **Durham Dining halls.** During periods when dining halls are not open to students and are assigned to workshops or conferences, alcohol may be served and consumed.
- **Field House.** UNH events with alcohol will not be approved in the field house.
- **Whittemore Center Arena, Wildcat Stadium, Hamel Recreation Center, Memorial Union, and President's Residence.** UNH events with alcohol may be approved in certain spaces within these locations. Additional review/approval from the facilities manager of the building may be required.

- **Academic, administrative, and classroom buildings (any UNH building not included in the previous categories).** UNH events with alcohol may be approved in certain spaces within these locations.
- **Outdoor Spaces.** UNH events with alcohol may be approved in certain outdoor spaces.

APPROVAL PROCESS

Requests to serve alcohol at an event must also be approved by the dean or vice president of the sponsoring department, or, in the case of a student organization, the Director of the MUB and Student Activities, Assistant Dean for Students at Franklin Pierce School of Law, or Assistant Dean for Students at the College of Professional Studies.

If a request to serve alcohol at a UNH event is approved, the approver will send the event sponsor information on the required next steps. If those next steps aren't followed, the arrangement to serve alcohol may be canceled.

UNH has an interest in off-premise events held in its name. If alcohol is used illegally or inappropriately at such events, the University may take steps to protect its interests.

Any request for variation from this policy must be submitted to the appropriate approver.

Behavioral Intervention Team

The Behavioral Intervention Team (BIT) supports students in managing significant mental health concerns. This could include when a student is hospitalized, transported to the hospital, managing active suicidal thoughts, and may be out of touch with reality. BIT members work directly with students to make referrals, ensure that they are connected to appropriate support, and promote a safe, successful, and non-disruptive environment on campus. For more information about BIT including its members, visit the [Behavioral Intervention Team website](#).

I. Procedures

When BIT becomes aware of a student that might meet the criteria for BIT follow-up, BIT will typically take the following steps:

1. Gather any additional information available and assess if any notification to individuals outside of the BIT team is appropriate and permissible by law. This could include the student's family or emergency contact, roommates, faculty, or the hospital;
2. Consult as a group and determine whether BIT should follow up and if so, assign a BIT member to reach out to the student;
3. Reach out to the student to set up a meeting to discuss. The student may be required to attend the meeting;
4. Discuss the situation with the student including gathering information about their current support network including their treatment;
5. Making a determination regarding next steps. Next steps could include:
 - a. Scheduling additional meetings with the student;
 - b. Verifying that the student is engaged in ongoing treatment;
 - c. Referring the student to treatment;
 - d. Providing the BIT member's contact information should the student need additional support.

If the student declines to meet with the BIT member or follow through on any next steps, BIT will conduct an individualized assessment and

determine whether to take no further action regarding the situation or take additional steps such as referring the matter to the Dean of Students.

II. Schedule for Record Retention and Disposal

Records related to students' interactions with the Behavioral Intervention Team will be protected and maintained in compliance with the [Family Educational Rights & Privacy Act \(FERPA\)](#) (p. 53) and the university's policy and schedule for record retention and disposal. Although BIT records will be handled with care and privacy, they are not considered confidential or protected by the Health Insurance Portability and Accountability Act (HIPPA). Information may be shared amongst the BIT team or to other university officials who have a legitimate need to know or educational interest. Information and records may also be shared with individuals outside of the university such as family members and treatment providers when the university believes that there may be a health or safety emergency.

If the student referred to BIT is already receiving support through a confidential university resource such as Psychological and Counseling Services (PACS) or Health & Wellness, records and information related to that support may not be shared with the BIT team without authorization from the student.

This record retention schedule applies to situations where members of the BIT team engage with a student in distress in a non-clinical capacity. After the minimum retention period for a student record is reached, said record is disposed of unless it still serves a legal or operational purpose or has historic value.

1. BIT records are retained for a period of seven years from the date that the matter was formally closed by BIT.
2. BIT records for a student who is administratively separated for reasons of health-related behaviors will be maintained indefinitely.

Bicycles or Micro-mobility Alternative Conveyances

I. Operation

The operator of any bicycle or micro-mobility alternative conveyance is obligated to do so in conformance with all State Laws, applicable Town Ordinances, and University administrative regulations. The rules of the road that apply to motor vehicles also apply to bicycles or micro-mobility alternative conveyances. Bicycles or micro-mobility alternative conveyances are not to be operated on sidewalks, in buildings, or counter flow to traffic. A person operating bicycles or micro-mobility alternative conveyances must respect pedestrians' right of way. The emphasis is on the protection and safety of all.

II. Parking and Securing

Bicycles or micro-mobility alternative conveyances are to be parked and secured only in places provided for that purpose. It is prohibited to secure bicycles or micro-mobility alternative conveyances by attachment to stair railings (exterior/interior), building entrances, light poles, trees, signposts, etc.

III. Violations

The possession and use of a bicycle or micro-mobility alternative conveyance is endorsed by the University as long as the requirements

are followed and respected. Violations will be addressed and enforcement action will be taken including removal of secured and unsecured bicycles or micro-mobility alternative conveyances and official warnings and citations.

Civil Rights Policies

I. Nondiscrimination Policy

The University of New Hampshire (UNH) seeks excellence through diversity among its administrators, faculty, staff and students. We are committed to enhancing and sustaining an educational community that is inclusive and equitable, and cherish these values as being inextricably linked to our core mission. We are a public institution with a long-standing commitment to equal employment and educational opportunity for all qualified persons. The University does not discriminate on the basis of race, color, ethnicity, religion, sex, age, national origin, sexual orientation, gender identity or expression, disability, veteran status, or marital status, in admission or access to, or treatment or employment in, its programs or activities.

Inquiries regarding discrimination should be directed to:

UNH Director of Civil Rights & Equity and Title IX Coordinator
105 Main St., Thompson Hall 305
Durham, NH 03824
Telephone: (603) 862-2930 Voice / (603) 862-1527 TTY / 7-1-1 Relay NH
Fax: (603) 862-2936

or to:

Boston Office
Office for Civil Rights (OCR)
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: (617) 289-0111
TDD: (800) 877-8339
Fax: (617) 289-0150
Email: OCR.Boston@ed.gov

NH Commission for Human Rights (NHCHR)
2 Industrial Park Drive
Concord, NH 03301
Telephone: (603) 271-2767
Fax: 603) 271-6339
Email: humanrights@nh.gov

U.S. Department of Justice (DOJ)
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington DC 20530-0001
Telephone: (202) 514-4609
TTY: (202) 514-0716
Email: askdoj@usdoj.gov

The Director of Civil Rights & Equity is the Title IX Coordinator for UNH. The time limitations for filing a complaint are:

- with **OCR**, complaints of discrimination must ordinarily be filed within 180 days of the last act of discrimination. If your complaint involves matters that occurred longer ago than this and you are requesting a waiver, you will be asked why you did not file your complaint within the 180-day period;

- with **NHCHR**, a charge **must** be filed within 180 days of the last date of discrimination. (Under certain circumstances a charge may be filed up to 300 days from the date of alleged discrimination. If you are beyond 180 days, contact the Commission immediately to find out if you have the basis to file a timely charge.)
- With **DOJ**, please contact them directly for information.

II. Policy on Discrimination and Discriminatory Harassment, including Sexual Harassment

The University of New Hampshire is committed to establishing and maintaining an environment that puts concern for the dignity of its members among the central ethical dimensions of its intellectual enterprise. Discrimination and discriminatory harassment (including sexual harassment), unjustifiably interferes with members of the academic community and creates a circumstance in which access to education and work is diminished.

The University is committed as well to the free and open exchange of ideas, active discourse, and critical debate so necessary to a university. Accordingly, all members of the University of New Hampshire community have the right to hold and vigorously defend and promote their opinions. The exercise of this right may result in members of the community being exposed to ideas that they considered unorthodox, controversial, or even repugnant.

It is the policy of the University of New Hampshire to uphold the constitutional rights of all members of the university community and to abide by all United States and New Hampshire State laws applicable to discrimination and harassment. In accordance with those laws, all members of the UNH community will be responsible for maintaining a university environment that is free of intimidation and harassment. Therefore, no member of UNH may engage in harassing behavior within the jurisdiction of the university that unjustly interferes with any individual's required tasks, career opportunities, learning, or participation in university life.

The requirements of federal and state law determine the definition of discriminatory harassment. The relevant body of law stipulates that any behavior may be considered to be harassing when:

1. submission to or rejection of such behavior by an individual is used as a basis for employment or academic decisions affecting that individual; or
2. submission to such behavior is made either explicitly or implicitly a term or condition of an individual's employment or academic work; or
3. such behavior has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive environment.

Verbal or physical conduct directed at the complainant's race, color, ethnicity, religion, age, sex, national origin, disability, veteran status, marital status, sexual orientation, or gender identity or expression, is a consideration in the determination of discriminatory harassment. The university will consider the totality of the complaint and its circumstances, the private or public environment of the behavior, the intensity or severity of the actions, the pattern of behavior and the power relationship, if any, between the parties.

Discriminatory harassment does not include comments that are made in the classroom that are germane to the curriculum and a part of the

exchange of competing ideas. A single incident that creates a distracting and uncomfortable atmosphere on a given day may not constitute discriminatory harassment. However, isolated or sporadic acts that are severe may. It is possible for a series of individual incidents, each minor in itself, to have the cumulative effect of becoming pervasively harassing behavior.

Factors to be weighed in the determination of discriminatory harassment include conduct on the basis of a protected category that purposefully places or threatens to place another in fear of imminent bodily injury, and threats to commit any crime against a person with a purpose to terrorize.

Unreasonable interference with an individual's participation in university life may be signified by responses such as: avoiding areas of the campus where the behavior in question typically takes place, academic performance or work assignments becoming more difficult because of the behavior in question or leaving the university because of the behavior in question.

In determining whether discriminatory harassment exists, the University will evaluate the evidence from the standpoint of a reasonable person's reaction and perspective under the circumstances presented. The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.

Every instance of alleged discriminatory harassment must be considered in the context of its specific and unique circumstances. However, the following are examples of behaviors that may be judged to be harassing and based on protected category: directing racial epithets at an individual; hanging a noose in an African-American's work place or dormitory; painting a Nazi swastika on the door of a Jewish individual; repeatedly sending unwelcome, sexually-explicit email messages; taunting others about their sexual orientation, disability, or religion; making unwelcome sexual propositions; telling derogatory gender-based or ethnic-based jokes; displaying sexually suggestive objects or pictures in the workplace except as those items may be part of legitimate pedagogical pursuits; giving unwelcome hugs or repeatedly brushing or touching others.

If students believe that they have been harassed, they should take steps to resolve the matter. Those steps may begin with direct, voluntary communication with the person engaging in the behavior in question, in an attempt to resolve the issue. Should the complainant not wish to contact the accused directly, the complainant has the right and is encouraged to pursue procedures that result in an administrative resolution or judgment. Any University community member may contact the Director of Civil Rights & Equity and Title IX Coordinator with a discriminatory harassment complaint, including sexual harassment. Alternatively, members of the community may choose to contact any one of the persons listed below, who will serve as a liaison to the Director. Students with complaints against other students, faculty, or staff may file a complaint with the Civil Rights & Equity Office.

Students may find it helpful to contact one of the following depending upon personal circumstances and student status:

- Staff in the Sexual Harassment and Rape Prevention Program (SHARPP) act as confidential support advocates for students reporting that they experienced sexual harassment or interpersonal violence.
- The Assistant Dean for Student Success and Deputy Title IX Coordinator at UNH-Manchester will advise UNH-M students wishing to make a harassment complaint against any member of the UNH community.

- The Assistant Dean of Student Affairs and Deputy Title IX Coordinator at the UNH Franklin Pierce School of Law will advise any law student wishing to make a harassment complaint against any member of the UNH community.
- The Dean and the Associate Dean of the Graduate School will advise graduate students wishing to make a harassment complaint against any member of the UNH community.
- The Chief Diversity Officer will advise any community member wishing to make a harassment or sexual harassment complaint against any other member of the UNH community.

Reprisals or retaliation against any person bringing a complaint through this process will not be tolerated, no matter whether the complaint is ultimately judged to be consistent with the criteria determining discriminatory harassment or inconsistent with the criteria determining discriminatory harassment. The university will pursue administrative action against those found to have retaliated against any individual participating in the complaint process. Also, the bringing of capricious or reckless complaints will not be tolerated.

The Discrimination and Discriminatory Harassment Policy identifies:

1. protected categories,
2. clarifies the process for addressing certain complaints against university employees, and
3. incorporates various updated legal requirements.

III. UNH Policy on Nonsexist Language

On July 13, 1984, the University of New Hampshire issued the following bylaw entitled Policy on Nonsexist Language which reads:

The University of New Hampshire, as an equal opportunity educational institution, is committed to both academic freedom and the fair treatment of all individuals. It, therefore, discourages the use of language and illustrations that reinforce inappropriate and demeaning attitudes, assumptions, and stereotypes about sex roles. Accordingly, all official University communications, whether delivered orally or in writing, shall be free of sexist language.

Compliance with this policy shall be the responsibility of appropriate supervisory personnel. Concerns or questions regarding the implementation of this policy can be directed to the Director of Civil Rights & Equity Office and Title IX Coordinator at (603) 862-2930 Voice / (603) 862-1527 TTY. Copies of this policy and suggested guidelines for the use of nonsexist language will be available from the Civil Rights & Equity Office.

Commercial Activities on Campus

For the purposes of this section "Commercial Activity" is described as any activity undertaken as part of a commercial enterprise. This includes marketing, sales, or any other action deemed as commercial activity by the University.

I. Policy for Outdoor Commercial Activities on Campus

The purpose of this policy is to manage outdoor commercial activity on campus in order to maintain a healthy, safe, and attractive educational and living environment, which is in keeping with the University of New Hampshire's mission, including its Academic Plan, Transportation Policies, and Campus Master Plan. Conducting any commercial activities for the

profit of any person or business is permitted on the campus only upon receipt of a UNH Outdoor Commercial Activity Permit with the following conditions and exemptions.

Exemptions

The following activities are exempt from this policy:

1. Commercial activities at athletic events that receive authorization from the Director of Athletics and are registered with the University Police Department through a separate process.
2. Student activities performed by the students of the University.
3. Commercial activities sanctioned under separate contract agreements executed by authorized University officials. Anyone wishing to obtain more information about the UNH Outdoor Commercial Activity Permit can contact the UNH Police Department during normal business hours by calling 603.862.1427 or visiting their office at 18 Waterworks Way on campus.

II. Sale of Concert and Performance Related Materials

The sale of records, tapes, programs, and other items immediately before, during intermission(s), and directly after concerts and other performances sponsored by recognized student organizations and/or University departments, shall be permitted provided that all material offered for sale is directly related to the person or group performing.

III. Public Presentations

Public presentations of a commercial nature to which students may be invited shall be permitted in the conference rooms of the New Hampshire Memorial Union, provided that:

1. The presentation or demonstration is requested by a recognized student organization or campus department, the presentation is relevant in nature to the work of the organization or department and the organization or department is not, in the view of the Memorial Union administration, being used to "front" for an external organization that would otherwise be subject to different policies and rates as a non-UNH organization. ;
2. The room to be used is properly reserved;
3. The Memorial Union and Student Activities Office is given, through the reservation process, a clear and complete explanation of the nature of the presentation or demonstration.
4. During and immediately after the presentation or demonstration, no sales may be discussed or closed, no reservations recorded, no money exchanged, and no credit obligations created.

IV. Memorial Union

The sale of items in the Memorial Union is permitted in accordance with specific guidelines outlined by the Memorial Union & Student Activities and the Memorial Union Board of Governors. Vendors are guests of the University.

V. Private Individual Sales Presentations

Nothing in this policy shall prohibit a person or business engaged in commercial activities from conducting private individual sales presentations on campus if so requested by a student, advertising in student and local newspapers, telephoning students, or posting information on general-use bulletin boards.

VI. Permission

A license/permit shall be required by all students, staff, and commercial groups, individuals(s) not associated with the University. Upon appropriate approvals, including the Chief of Police or designee, the University of New Hampshire Police department, said license/permit will be issued.

Financial Responsibilities

I. Classification of Students for Tuition Purposes (Residency Rules)

Basic Rule

All students enrolled in credit-bearing programs in any division of the University System of New Hampshire in any capacity shall be charged tuition at a rate to be determined by their domicile. Those domiciled within the State of New Hampshire shall pay the in-state rate. Those domiciled elsewhere shall pay the out-of-state rate.

Definitions

"Parent" means

- the individual or individuals named on the student's birth certificate; or
- the student's legal guardian or legal custodian provided that there are no circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an in-state student on the unemancipated person; or
- individuals who can claim the student as a dependent on their IRS 1040 tax return.

"Domicile" means an individual's true, fixed, and permanent home and place of habitation, to the exclusion of all others. It is the place where the individual intends to remain and to which they expect to return when they leave without intending to establish a new domicile elsewhere.

"Veteran" means "veteran" as defined in [RSA 21:50, I](#).

Determination of Student Status

Students shall be classified as in-state or out-of-state for tuition purposes at the time of their first admission to UNH. The decision shall be made by the [Department of Admissions](#) based upon information furnished by students' applications. Further consideration of residency status after initial enrollment may be directed to the [Office of the Registrar](#).

Application Forms

Individuals applying for in-state status for tuition purposes at the same time they are applying for admission shall complete and submit the form "Notarized Residency Statement for New Hampshire Residents," which shall include a sworn statement certifying that the applicant is legally domiciled within the State of New Hampshire and is a lawful resident of the United States. In the event the campus residency officer possesses facts or information indicating that a student's status should be changed from in-state to out-of-state, whether or not the information was received from the student in compliance with notification requirements set forth below, the campus residency officer can require submission of additional information establishing domicile from any in-state student prior to the commencement of each semester the student plans to attend the university system unit.

Burden of Proof

In all cases of application for in-state status for tuition purposes, the burden of proof shall be on the applicant. At the applicant's request, the dean or director of admissions shall state the reason or reasons for the decision in writing.

Determination of Domicile

Individuals shall not be eligible for in-state status unless they have been domiciled within New Hampshire for 12 consecutive months immediately preceding registration for the term for which in-state status is claimed and meets all other requirements for domicile.

In accordance with [RSA 187-A:20-c](#), any veteran of the armed forces who establishes a residence in New Hampshire shall be eligible for the in-state rate immediately, and the twelve-month waiting period for establishing domicile shall not apply.

Unemancipated individuals shall not be eligible for in-state tuition status unless their parent(s), as defined above, shall have established domicile in this state.

Individuals shall not be eligible for in-state tuition status unless they establish that their residence in New Hampshire is for some purpose other than the temporary or primary one of obtaining an education.

When individuals have established eligibility for in-state tuition based on a parent's domicile and the parent subsequently establishes domicile outside of New Hampshire, that individual shall be eligible for in-state tuition for one academic semester following the academic semester during which the parent established out-of-state domicile. Individuals shall notify the campus residency officer of any changes affecting their eligibility for the in-state tuition rate.

All evidence relevant to determining domicile shall be considered, including the following, which shall be relevant, but not necessarily conclusive:

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

Emancipation

Individuals shall not be deemed to be emancipated unless their parent(s), as defined above, have entirely surrendered the right to the care, custody, and earnings of such individual and unless their parent(s) are no longer under any legal obligation to support or maintain such individual or, having supported and maintained such individual even though under no legal

obligation to do so, has ceased to support or maintain such individual. Emancipation shall not be found unless all such tests are met.

Evidence of the following shall be submitted by an applicant and requested by the dean or director of admissions:

- Lack of financial support of the person by the parents;
- Lack of contribution by the parents to any earnings or other income received by the person;
- Failure of parent(s) to claim the person as a dependent on their income or other tax returns;
- Establishment by the person of a domicile separate and apart from that of the parent; and
- Failure of the person to return to the home of the parent during vacations and other recesses from school.

Presumptions

Unless the contrary appears to the satisfaction of the dean or director of admissions in individual cases, the following presumptions shall prevail:

- Students shall be presumed to be emancipated from their parent(s) when they reach the age of 24.
- The domicile of unemancipated individuals shall be that of their parent(s), as defined above.
- The domicile of individuals who first enter the University System from the domicile of their parent(s), as defined above, shall be that of the parent(s) until they abandon such domicile and, for purposes other than that of education, acquire a new domicile;
- The domicile of individuals who first enter the University System from a domicile other than New Hampshire shall be such a domicile until they abandon such domicile and, for purposes other than that of their education, acquire a new domicile.
- Attendance at a unit of the University System or at any other educational institution in this state in itself shall not be evidence of intention to establish or establishment of a domicile in this state.

Waiver

Nothing contained in these rules shall preclude the dean or director of admissions or campus residency officer from waiving any requirements hereof under special circumstances in individual cases. Waivers shall not be routinely granted.

Military Personnel

Members of the Armed Forces of the United States stationed in this state under military orders shall be entitled to classification for themselves, their spouses, and their dependent children as in-state for tuition purposes so long as the member remains on active duty in this state pursuant to such orders.

Individuals receiving educational assistance under 38 U.S.C. § 3001 et seq. or 38 U.S.C. § 3301 et seq., including children or spouses of active service members or veterans eligible for educational assistance under 38 U.S.C. § 3311(b)(9) or 38 U.S.C. § 3319, shall be eligible for the in-state rate while living in this state.

Review of Student Status

Students who are aggrieved by the decision of the dean or director of admissions classifying them as an out-of-state student for tuition purposes may appeal to the campus residency officer on forms and in accordance with procedures which shall be made available to the student in the office of the dean or director of admissions. Any student aggrieved by the campus

residency officer's decision may appeal that decision to the University System's Residency Appeals Board (the "Board").

Students may present to the Board such additional evidence as they deem appropriate in processing the appeal and may appear before the Board and be heard. The decision of the Board shall be the final decision of the University System.

The University System Residency Appeals Board shall be comprised of four members who shall be designated by the presidents of each of the System's institutions. At the first meeting of each academic year, the Board members shall designate one member to serve as chair for the remainder of the academic year and until a successor has been designated for the following year. The chair may delegate authority to chair particular meetings of the Board to any member of the Board.

Change in Status

Students who have, on their first admission to the University System, been classified as out-of-state for tuition purposes may apply to the campus residency officer for a change in status.

Students applying for a change in status shall file their applications with the campus residency officer prior to the first day of the semester for which they are seeking the in-state tuition rate. Applications shall be considered in the chronological order in which they are presented. No changes approved during a semester shall be effective until the beginning of the next following semester. However, where a change of status from out-of-state to in-state has been denied by the campus residency officer prior to the commencement of a semester, and that decision is reversed by the Residency Appeals Board during the semester, the student's status shall be effective as of the commencement of the semester.

In the event the campus residency officer possesses any fact or information indicating that a student's status should be changed from in-state to out-of-state, the student shall be informed in writing of the change of status. The student can appeal the decision of the campus residency officer as set forth below. No such change made by the campus residency officer after the commencement of any semester shall be effective until the beginning of the next semester. Change to out-of-state status made by the campus residency officer prior to the commencement of any semester, but reversed during the semester by the Residency Appeals Board shall be effective as of the commencement of the semester.

Student Responsibility to Notify Institution of Changes in Status

It shall be the responsibility of students on all campuses to notify the campus residency officer of any change in their eligibility for the in-state tuition rate as a result of:

- Change in the domicile of their parent(s); or
- Change in their own domicile.

Failure to notify the campus residency officer of any changes affecting eligibility for the in-state tuition rate shall subject a student to disciplinary action under the provisions of the code of student conduct or to such actions that may be available under law, or both.

II. Mandatory Fees

The University of New Hampshire assesses mandatory fees to support expenses associated with participating in an academic community. Mandatory fees are defined as fees that all students are assessed as a prerequisite for registration unless specifically exempt. Mandatory fees are

assessed because the services made available through such fees benefit the overall educational experience of the students, including academic, co-curricular, health-related, and recreational programs. It is recognized that not all students will use the benefits and privileges made available by fee-supported activities to an equal extent. The services and facilities supported by fees are available to all. The special circumstances of part-time and graduate students are reflected in the University's fee structure.

Fee Structure

Full mandatory fees are assessed to undergraduate (registered for 12 or more credits) and graduate students (registered for 9 or more credits), national student exchange students, doctoral research, and master's continuing research students. Undergraduate students registered for 5-11 credits and graduate students registered for 5-8 credits are assessed one-half of the cost. Students registered for 1-4 credits are assessed only the technology fee. Students enrolled in Manchester campus programs pay Manchester mandatory fees and a technology fee. Students enrolled as non-degree full-time special students (12 or more undergraduate credits or 9 or more graduate credits) pay full mandatory fees.

A full list of UNH's mandatory fees can be found online for [Durham](#), [Manchester](#), [CPS-Online](#), and [Law](#) students.

Students who elect to reside in on-campus housing are required to pay the campus-based mandatory fees for that campus, even if they are enrolled at, and paying the fees for, another campus for their coursework.

Students who withdraw or drop to part-time status after classes begin are eligible for a partial refund of fees. The refund amount will depend on different factors including the term and the duration of the course. A full refund schedule can be found on the Academic Calendar.

Exceptions to the University of New Hampshire Mandatory Fee Policy

With the exception of the Technology Fee, students enrolled in [online degree programs](#) at Durham or Manchester are automatically exempt from all mandatory fees.

Students whose courses, fieldwork, internships, or other academic work are fully outside the immediate geographic area for a semester may petition for a waiver of mandatory fees, with the exception of Technology, Career & Professional Success (CaPS), Psychological & Counseling Services (PACS), Health & Wellness, and Manchester Registration fees. The immediate geographic area is defined as a 25-mile radius around the Durham campus in the case of a Durham student or Manchester campus in the case of a Manchester student. Mandatory fees for students participating in UNH Study Abroad Programs are waived through the billing process, with the noted exceptions.

The University will use course registration information to verify remote status.

UNH Law students are assessed a UNH Law student activity fee and a technology fee. There is no provision for mandatory fee exceptions for UNH Law students in this policy since no student is fully remote.

CPS-Online students are assessed an academic services fee and a registration fee. There is no provision for mandatory fee exceptions for CPS-Online students in this policy.

All Durham graduate students are exempt from the Student Activity fee, Career and Professional Success (CaPS) fee, and Athletics fee. Graduate students enrolled in pre-designated evening-only programs, as approved by the Provost and Vice President for Academic Affairs or their designee, are

exempt from the Health & Wellness and the Psychological & Counseling Services fees.

Doctoral students who have achieved candidacy may petition for a waiver of the mandatory student fees, with the exception of the Technology fee, under the condition that the students must confirm in writing that they will not be using the campus services covered by mandatory fees.

For graduate students on assistantships, mandatory fees are noted in the appointment letters.

Students must submit petitions each semester to waive fees.

Authority

Any conflicts resulting from this procedure will be adjudicated by the Provost and Vice President for Academic Affairs and the Chief Financial Officer or their designee.

III. University Accounts

Payment of University accounts

UNH monthly billing statements are sent electronically only. Bills are posted to student Webcat accounts. Students may authorize parents or others to access their account information by setting up Parent Portal accounts. Billing notifications are sent to UNH-assigned email addresses when new bills are posted. Designated Parent Portal contacts are also emailed when new statements are generated and are available to view online through the Parent Portal. Students are responsible for monitoring their UNH email addresses.

Mandatory fees partially fund various programs and services which are available to all students. Students are required to pay all mandatory fees charged regardless of the actual usage of the programs and services.

Student accounts that are not fully paid by the payment due date specified on the tuition bill will be assessed late fees or be disenrolled from their semester course registration(s). Students who register after the payment due date are expected to pay tuition and fees at the time of registration. If a check tendered in payment is returned unpaid by the bank upon which it was drawn, the student will be assessed a returned check fee.

Failure to pay University accounts

All university bills must be paid before a student is permitted to register for the ensuing semester, graduate, and receive any credit for courses taken. Any student who does not clear outstanding debts will be considered as not having completed registration will have all enrollments for the current semester deleted, and will be held liable for bills under the refund policy. Students who pay their balance may be reinstated at the discretion of Student Accounts, but are responsible for maintaining their grades in their classes. Students who are eligible to graduate must have all bills paid before they can receive a diploma and/or an official transcript.

Student accounts remaining unpaid more than 30 days after the termination of student status for any reason may be liable for interest and collection charges.

Loan defaults

Former students who have not made the required payments (i.e. "defaulted") on government-backed (e.g. Perkins Loans and Director Loans) may not be permitted to register for classes, graduate, receive any credit for courses taken, or receive official transcripts. Former students in this

situation may contact [Student Financial Services](#) for more information or to discuss resolving these matters.

ROTC uniform and equipment charges

Students will be billed for the value of articles issued to them that are lost, damaged, or not returned. Failure to pay such charges shall be processed as described in the *Failure to Pay University Accounts* section of this policy.

Refund of tuition and fees

Students who withdraw or drop to part-time status after classes begin are eligible for a partial refund of tuition and fees. The refund amount will depend on different factors including the term and the duration of the course. A full refund schedule can be found on the Academic Calendar. This refund policy also applies to students reducing their credit load from full to part-time.

Students receiving Title IV financial aid will be refunded based on the schedule noted above. Some portion of financial aid may be returned to the financial aid program in accordance with the Title IV regulations in effect at the time of withdrawal from the University or drop from full-time to part-time status.

The UNH refund policy does not apply to students who withdraw from off-campus programs or programs which use nonstandard semester calendars. Since these programs have their own refund policies, students who withdraw will be subject to the refund policies and terms of their specific programs.

Refund of Meal Plan and other dining payments

Refunds on meal plans will be granted only upon management approval or withdrawal from the University. If approved, Unlimited Meal Plans will be refunded based on the following: weeks and partial weeks attended will be charged at the weekly rate. Unused Dining Dollar balances will be refunded. Block plans will be refunded for all unused meals. Meals eaten will be charged at the highest prevailing price. After students have graduated or left UNH, any remaining Cat's Cache balance of \$10 or more will be refunded to the student account. A refund of any balance under \$10 will be waived unless the student requests that refund before the account is closed.

Accounts of graduated and withdrawn students are typically closed no later than 30 days after separation from UNH. Refund requests for Cat's Cache balances under \$10 should be made to the UNH Dining/ID Office.

IV. Financial Aid to Students

The Financial Aid Office website outlines procedural requirements for financial aid and all eligibility criteria for federal and state financial aid programs and University tuition grants and scholarships. The University's financial aid program is one in which the basic philosophy for eligibility is the student's financial need.

University gift aid consists of grants and scholarships. Grants are based on financial need and are awarded to both resident and nonresident students from funds budgeted yearly by the authority of the Board of Trustees. Scholarships are awarded on the basis of any of the following: scholastic achievement, requirements established by a donor, and financial need. Scholarships that are based on academic merit are subject to renewal criteria including academic performance (typically reflected by a cumulative GPA of at least 3.20) and a record of good citizenship.

Eligibility

All degree students are eligible for consideration for financial aid. To be considered for financial aid, a student must annually submit appropriate financial aid application material to the Financial Aid Office.

Minimum credits

For the award and/or continuation of University grants or loans, a student must be a registered degree candidate.

Fire Safety

Students must not engage in activities that create or maintain a fire or fire hazard. Specific rules pertaining to fire safety on University property include the following:

1. **Fire Safety Equipment:** Students may not tamper with or hang anything from fire safety equipment such as sprinklers, pull stations, fire extinguishers, smoke alarms, fire curtains, or any other equipment for fire prevention, detection, or response. This includes, but is not limited to, installing, decorating, hanging, or otherwise placing an item in a manner that may conceal exits or exit signs, sprinkler heads, and fire safety devices, or impede exit in any way.
2. **Open Flames and Gas Containers:** Deliberately setting fire to property is prohibited. In general, with the exception of portable lighters, students may not create open flames or possess devices that produce open flames including, but not limited to, butane torches and grills, without approval as part of a sanctioned educational/classroom activity or event. Flammable fuels such as kerosene, propane, butane, charcoal lighter fluid, and gasoline are prohibited on campus unless approved as part of a sanctioned educational/classroom activity or event.
3. **Evacuation:** Students are required to evacuate the building during a fire alarm in a timely manner.

Residential Housing Fire Safety Policy and Regulations

In addition to the rules described above, the following items are prohibited in on-campus housing:

1. **The following items are prohibited in all on-campus housing facilities:** Halogen lamps, electric heaters, electric blankets, lava lamps, and other decorative objects which heat up, live holiday decorations (i.e., Christmas trees), candles, wax tarts, incense, explosives, fireworks, hazardous chemicals, motorized vehicles of any kind, including hoverboards, or parts, repair tools, accessories for any motor vehicle, air conditioners, clothes washers and dryers, dishwashers, and water beds.
2. **The following items are prohibited in the residence halls (but allowed in University apartments):** induction plates, hot plates, rice makers, instapots, heating/immersion coils, electric frying pans, panini makers, mini grills, mini ovens, slow cookers, toasters, toaster ovens, and air fryers.

Fraternity & Sorority Social Policy

I. Statement of Purpose

The Interfraternity Council (IFC) and the College Panhellenic Council (CPH) of the University of New Hampshire (UNH) have established this set of rules to reduce the risk for the members and associates of its recognized organizations. Implementing, monitoring, and enforcing this

policy is essential in fostering a safe, positive, and respectful environment for the recognized Fraternity and Sorority Community at the University of New Hampshire.

Throughout the course of this document, the terms “fraternity”, “chapter”, and “organization” are used to identify any Greek Letter organizations (fraternities or sororities) that are recognized by UNH. The term “event” refers to a social event (defined below). The term “member” refers to an active, enrolled UNH student who is an official member of a recognized fraternity or sorority.

The Social Policy of the IFC and CPH of UNH includes the following provisions and shall apply to all fraternity/sorority entities and all levels of fraternity/sorority membership. IFC and CPH do not approve or sponsor social events but must be informed as to their occurrence. IFC and CPH do, however, work closely with the Fraternity & Sorority Life (FSL) Office to administer the review process established in this policy.

II. Social Event

Any event held on an approved social event property, or any situation sponsored or endorsed by the chapter, or any event an observer would associate with the fraternity/sorority *where alcohol is present*. Any social event involving alcohol that has not been reviewed and approved by the CPH/IFC/Office will be subject to adjudication by the council and/or University Community Standards System. If an event has been reported that has not been reviewed and approved, the determination of whether an event occurred will be based on multiple factors, including but not limited to having alcohol present, the location of the event (chapter house, satellite house, apartment, residence hall, etc.), the type of complaint/report filed, the severity of the breach of social policy, and the number of guests present, taking into consideration whether there are a significant number of chapter members or non-members attending. Social events include, but are not limited to, formal third-party vendor events (“cocktails/formals”), fraternity sponsored/hosted events, and brotherhood/sisterhood events. Please see our resource page provided by the Office of Off-Campus Engagement & Fraternity and Sorority Life for helpful information on determining if your event is a social event.

III. Authority

All recognized organizations of the IFC and CPH at UNH must adhere to this policy unless written documentation is received by the chapter’s respective council at least seven days prior to the event. The chapter’s respective council must give final approval for such an exception. No exception may violate any local, state, or federal laws and/or National/ University policies.

The monitoring body for each organization is its respective council and the Office of Off-Campus Engagement & Fraternity and Sorority Life.

The sponsoring organization(s) must follow all state and local laws, the IFC/CPH, Social Policy, insurance, National/International regulations, and the UNH Student Rights, Rules, and Responsibilities Handbook.

If the sponsoring organization(s) fail(s) to comply with all state and local laws, the IFC/CPH, Social Policy, insurance, National/International regulations, and the UNH Student Rights, Rules and Responsibilities Handbook in the preparation for the function, the IFC President or the CPH President have the authority to cancel the said function prior to its start.

Most (inter)national fraternity organizations have their own policies about social events. The sponsoring organization must follow this policy and applicable policies established by its (inter)national organization. When a

provision of this policy conflicts with a provision of a policy established by the sponsoring organization, it must follow whichever provision is stricter.

IV. Responsibility

The sponsoring organization(s) is/are responsible for providing a safe environment for its members and guests. The sponsoring organization(s) must be in compliance with all fire codes and regulations, with particular attention to the maximum occupancy rating of the event as determined by the Durham Fire Department and local landlord. All assembly permits and copies of the most up-to-date lease agreements shall be submitted to the Office of Off-Campus Engagement & Fraternity and Sorority Life with the chapter roster before their first social event is submitted for approval every year.

V. Approval of Social Event Property Location

Fraternity and Sorority Life organizations that have been accredited and in good standing by the Office of Off-Campus Engagement & Fraternity and Sorority Life and registered as recognized student organizations with both the University and their national organization can have one identified location approved for social events only.

If an organization is in good standing and lives in a property deemed zoned by the town of Durham as a Fraternity/Sorority house, they will only be approved to host events at that property.

If an organization is in good standing but is not living in a property that is deemed by the town of Durham as a Fraternity/Sorority zoned property, they must submit additional annual documentation to the Office of Off-Campus Engagement and Fraternity and Sorority Life in order for one of their properties to be considered as a potential space to host social events. That documentation is a letter of support from the landlord that includes the maximum number of guests that are permitted at the property and a letter of support from their national organization approving the use of the facility for social events. In the event that members of the organization live in multiple properties, the approved property will be determined by several factors including:

- the size of the property
- the location of the property
- the landlord of the property
- if the residents of the property are exclusively members of the organization
- if the proposed property is already perceived as their chapter house

The IFC/CPH/Office of Off-Campus Engagement & Fraternity and Sorority Life recommends that third-party vendors for any event that might breach capacity guidelines.

VI. Social Event Review Process

A roster from each recognized organization must be submitted within the first two weeks of each new semester to the Office of Off-Campus Engagement & Fraternity and Sorority Life and forwarded to the appropriate council, IFC/CPH. The roster must be in the format requested by the Office and include all members' names, student ID numbers, executive positions, phone numbers, and email addresses. Events may not be reviewed before these rosters are received.

Social Chairs, Formal Chairs, Vice Presidents, Risk Managers, and Presidents must schedule a meeting with the Office of Off-Campus

Engagement & Fraternity and Sorority Life prior to holding their first social of the year in order to verify all policies and procedures are understood and to maintain the safety of the event. This can be completed by attending the social/risk management training each semester before chapters are permitted to host social events.

Any recognized organization planning to host an event must inform the Office of Off-Campus Engagement & Fraternity and Sorority Life by 1:00 p.m. on the Tuesday preceding the scheduled event. The respective officers of IFC and CPH will be notified of the event by the Office. To inform these parties, the organization must complete the mandatory FSL Social Event Review Form. This form is located on Wildcat Link under the Office of Off-Campus Engagement & Fraternity and Sorority Life. All events that meet the opening definition of "event" must be reviewed regardless of the day that event occurs. Events should not occur during times that will interfere with members' and guests' academic schedules. Events with alcohol are not to begin before 6:00 p.m. unless otherwise approved by the IFC or CPH Executive board and the Office. Events must end by 2:00 am. Guests and alcohol are not permitted to enter an event after 1:30 am. An event may not be hosted by an organization(s) for more than a total of five hours. The exact hours of the reviewed event must be indicated on the FSL Social Event Review Form.

When planning co-sponsored social events between a Fraternity and Sorority involving alcohol, the chapters should pay close attention to their (inter)national policies and what requirements are expected to be met regarding paperwork, security, and safety.

An accurate guest list must be submitted to the Office of Off-Campus Engagement & Fraternity and Sorority Life via email by noon on the business day prior to the event. The finalized guest list must be submitted to the Office by noon the following business day after the conclusion of the event.

During the event, each guest that attends shall be marked off by an experienced chapter member. We do not recommend having new members work the door of social events. This list must contain actual members that plan to attend and not just be a chapter roster. The marked guest list should be typed or clearly identifiable and must be submitted to the Office of Off-Campus Engagement & Fraternity and Sorority Life by the first business day following the event. The Office of Off-Campus Engagement & Fraternity and Sorority Life provides resources regarding best practices for building a guest list and tracking attendance.

An organization can submit one social event for review per every 48-hour period. Exceptions may be made for Outdoor Social Events (defined below) that occur on the final day of the 48-hour period (e.g. if an event begins at 8 pm EST on Thursday evening, the next approved event will take place on Saturday evening after 6 pm EST unless an outdoor social event has been approved for Saturday afternoon. Any event that has not been reviewed is an immediate violation of this policy and will be subject to adjudication by the appropriate council and/or University.

No social events may be held with organizations that are not recognized by the University of New Hampshire. No social events may be held during new student June orientation. No social events may be held until 72 hours after the conclusion of bid day for the respective councils each semester. That date will be shared with the organizations prior to the start of recruitment season. No organization shall host social events any time after the conclusion of the last day of classes for any reason.

The IFC and CPH strongly recommends the presence of independent security assistance for monitoring guest behavior, ID verification, and

overall assistance in risk management. Be sure to refer to the organization's (inter)national headquarters policy about hiring security.

VII. Social Event Rules and Requirements

All social events shall be strictly BYOB (Bring Your Own Beverage). No one under the legal drinking age of 21 should consume or bring alcohol into an event. No one shall be allowed by the sponsoring organization(s) to bring more than six standard drinks (e.g. six 12-ounce beers, four 12-ounce malt beverages, and one 750 ml of wine). Hard Alcohol may only be consumed at Third-Party Vendor events when served by a licensed bartender. Please contact the IFC/CPH or Office of Off-Campus Engagement & Fraternity and Sorority Life for recommendations on having a successful BYOB Event.

No alcoholic beverages may be purchased through chapter funds nor may the purchase of the same for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the chapter. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to anyone under the legal drinking age (21). The purchase or use of bulk sources and/or open-source alcoholic beverages (e.g. kegs, borgs, cases, punch, lined trash cans, and jungle juice, etc.) is prohibited. No chapter may co-sponsor or co-finance a function where alcohol is purchased by any of the host chapters, groups, or organizations.

To bring alcohol into a social event, invited guests must produce proper identification, such as a valid driver's license or passport indicating that they are at least 21 years of age. These individuals must wear a wristband given by the sponsoring organization(s). Wristbands shall be picked up from the Office of Off-Campus Engagement & Fraternity and Sorority Life prior to the event occurring. Wristbands are funded by IFC and CPH. Individuals who are under 21 must also show proof of identification. It is recommended that guests who are under 21 are marked with something that would indicate they should not be drinking, such as "X"s on their hands. In addition, IFC and CPH require the checking of UNH ID for all guests, and the chapter must identify any non-UNH guest on their list.

Student(s) perceived as being intoxicated will not be permitted to enter the event.

Under no circumstances may any person(s) who voluntarily or involuntarily leave the premises be allowed to re-enter the social event.

Open parties, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, are prohibited. All social events must be closed functions with invited guests only. All guests shall present proper identification. Only members that are on the guestlist may be allowed to invite guests. Each member on the guestlist may invite up to three people and the sponsoring organization must not allow the total number of persons attending the social event to go over the property's capacity.

The sponsoring organization(s) is/are responsible for providing sober monitors, proportionate to 10% of the organization's members in attendance. If the event is co-sponsored, each organization shall provide sober monitors proportionate to 10% of their own members in attendance. If the event is a list party and not co-sponsored by another organization, the host organization must provide sober monitors of 10% of the total number of attendees. At least one of the monitors shall be an executive officer of the organization. There shall be at least one monitor (from each organization sponsoring) present at the entrance to the social event throughout the duration of the event. All the names of the monitors must be submitted on the FSL Social Event Review Form. All monitors must be accessible

throughout the event. All monitors shall be substance-free before, during, and after the event (until 9 a.m. the next day).

The sponsoring organization(s) is prohibited from collecting money in association with a social event (i.e. Donations, tickets, raffles, bands).

An adequate amount of food and non-alcoholic beverages, and a sign indicating their location must be available at all functions where alcohol is present. The food and alternative beverages shall be located in an easily accessible area of the event. A supply of food and alternative beverages shall be easily available throughout the duration of the event.

Sponsoring organization members are permitted to search backpacks, bags, and parcels. If a guest does not permit such a search, the sponsoring organization or any of its members has the right to deny that guest entrance to the social event.

The possession, sale, or use of any illegal drugs or controlled substances while on chapter premises or during an event or any event that any observer would associate with the organization, is strictly prohibited.

All recruitment activities associated with any chapter will be a dry function.

No alcohol shall be present at any associate/novice/new member program, activity, or ritual of the chapter.

No member shall permit, tolerate, encourage, or participate in "drinking games".

Events must be contained inside the facility except as provided in this policy. Social events that have not been reviewed or parties with anyone under 21 years of age on lawns associated with a chapter house or chapter are prohibited. All activities that violate state law, local ordinances, or non-reviewed gatherings that could be perceived by a guest, neighbor, passerby, or University official as a social event are prohibited.

A sponsoring organization may go through the review process for an "outdoor social event" on the grounds of an approved social event location with the following conditions:

- The sponsoring organization, its alumni, or its (inter)national organization own or lease the chapter house and land where the outdoor social event will be held or written approval from the approved social event location from the landlord and headquarters for the event/social. No part of an outdoor social event may occur on public property.
- The sponsoring organization shall obtain and strictly adhere to the conditions of assembly permits and/or lease agreements (following the strictest policy). The sponsoring organization shall abide by all town ordinances, state laws, applicable University policies, chapter rules, and (inter)national organization policies. In cases where policies conflict with relevant law, the sponsoring organization shall comply with the stricter policy or law (e.g. compliance with rules about a dry property or dry chapter).
- Drinking by persons under the age of 21 on the grounds or chapter house of the sponsoring organization is strictly prohibited. The consumption of illegal substances, including marijuana, by any person at an outdoor social event is strictly prohibited.
- The sponsoring organization will permit only beer, wine, wine coolers, and/or seltzers of 15% ABV or less to be consumed at an outdoor social event and will ensure that national/international standards and best practices regarding moderation are followed.
- All outdoor social events will be reviewed by the Office of Off-Campus Engagement & Fraternity and Sorority Life and applications to

go through the review process for an outdoor social event will be reviewed by both the Office and respective council (IFC/CPH) before being permitted. If an outdoor social event is being planned, the plans, risk management processes, and overall communication about the proposed event need to be shared with the Office two weeks prior to the event. The Office will work with the organization to submit the proper paperwork for approval.

- Attendance at an outdoor social event shall be confined to members of the individual organization who are at or above 21 years of age.
- The Office of Off-Campus Engagement & Fraternity and Sorority Life, CPH, and IFC will not tolerate any exceptions for late document submissions related to outdoor social events. An accurate guest list of 21+ members to be in attendance at the outdoor social event must be submitted to the Office as required by the social event guidelines above. The guest list shall be submitted by the sponsoring organization on or before 1 PM the Tuesday prior to the event.
- Outdoor social events shall be properly sectioned off with appropriate barriers to entry and require a designated point of entry which is to have a sober monitor to prevent nonmembers from attending the outdoor social event.
- It is highly encouraged that the sponsoring organization hires a private security company or police officer to work the “entrance” to an outdoor social event.
- Requests to host outdoor social events may be submitted by chapters only for hosting outdoor events such as, but not limited to, upperclassmen barbecues, senior send-offs, and alumni networking events.
- A maximum of two outdoor social events per semester will be allowed per chapter that is able to host an outdoor social event.
- Outdoor social events must go through the review process. Hosting a gathering that could be perceived as an outdoor event without going through the appropriate review process is grounds for IFC/CPH discipline regardless of whether police issued any citation or criminal complaint or if the landlord permits alcohol use on the premises. Examples of gatherings that could be perceived as outdoor social events include:
 - Persons attending a registered (indoor) social event congregate on the lawn, holding plastic cups and exhibiting behaviors consistent with intoxication,
 - Drunk individuals playing soccer in the street in front of a UNH chapter and/or on the grounds of the chapter.
 - Individuals of various ages are drinking beer, eating, and socializing on the grounds of the chapter.
 - A group of individuals is drinking alcohol on the grounds of a building that is rented to fraternity members and to non-fraternity members and that group includes members of a fraternity “newly establishing group” that is headquartered in that building.
- All sponsoring organizations holding a reviewed/approved outdoor social event must provide inconspicuous (and preferably environmentally friendly) cups or containers for storing alcohol.
- Any chapter reported to have violated this policy will be sent to their respective council J-Board/ Standards Boards and possibly a follow-up hearing with Community Standards.

VIII. Third-Party Vendors

Third-party vendors must be licensed and insured. The third-party vendor must sell alcohol by the drink at a true cost, may not charge a flat rate at the entrance for all you can drink or subsidize the cost of drinks and must

identify all customers and serve only those of drinking age. Please see our resource guide for helpful information about Third-Party Vendors.

No fraternity or sorority may be allowed to obtain a liquor license for any purpose. The third-party vendor is responsible for having their own liquor license.

Any fraternity or sorority that completes all necessary steps and is in good standing with the Office of Off-Campus Engagement & Fraternity and Sorority Life and the IFC/CPH can host a social event at a third-party vendor, *regardless of possessing an assembly permit for chapter premises.*

No advertising is allowed for social events in which alcohol is present.

No chapter may co-sponsor an event with an alcohol distributor, charitable organization, or tavern (a tavern is defined as an establishment generating more than half of its annual gross revenue from sales of alcohol) where alcohol is given away, sold, or otherwise provided to those present.

IX. Other Risk Areas

In compliance with insurance, National/International regulations, state and local laws, and the UNH Student Rights, Rules, and Responsibilities, all UNH fraternities and sororities must abide by the following expectations:

Hazing: No chapter, newly establishing group, student, or alumnus/a, under any circumstance shall conduct nor condone hazing activities. See the Hazing policy for more detail.

Sexual Misconduct: No chapter, under any circumstance, shall tolerate or condone any form of sexual misconduct or interpersonal violence. See the Sexual Misconduct and Interpersonal Violence policy for more detail.

X. Violations

Students and organizations may be referred to the appropriate conduct board to answer allegations about violations to this policy. This policy falls under the jurisdiction of all State and Local laws, and the UNH Student Rights, Rules, and Responsibilities policies. Any additional violations of codes besides the IFC/CPH social policy will be handled by the appropriate judicial body or bodies.

Freedom of Expression and Guidelines on Peaceful Dissent

As a public institution and a statewide community of scholars and learners, the University of New Hampshire strongly values free speech both in the statement of an idea and in the response to that idea and is committed to fostering vigorous debate based on facts and evidence. Generating and exploring innovative ideas and realities requires us to permit multiple perspectives and dynamic discourse. Therefore, protecting and promoting freedom of speech and expression is not only a fundamental constitutional right but also the very bedrock of learning and developing students to become global citizens.

Student activism dating back to the sit-ins that formed the basis of *Dixon v. Alabama* in February 1960 and the seminal decision on due process on public college campuses issued more than a year later by the Fifth Circuit Court of Appeals, are the same concepts, safeguards and requirements articulated in the [Declaration of Student Rights and Responsibilities](#) of this document and the framework which informs how our university-wide conduct system operates today.

Different ideas in the university community will often and quite naturally conflict. All community members have an opportunity to model productive disagreement and mutual respect. However, it is not the proper role or position of the University to shield an individual's ideas and opinions they, or others, find unwelcome, disagreeable, or even deeply abhorrent, nor shall the University sanitize those differing perspectives to protect the intended audience. These freedoms include the right to speak and write as a member of the university community or as a private citizen without institutional discipline or restraint, on scholarly matters, or on matters of public concern.

I. Guiding Principles

While the First Amendment protects the right to express one's views, it does not provide license to say and do anything one chooses, nor does it imply immunity from prosecution for illegal acts of wrongdoing. Voluntary compliance with laws or university regulations is the primary objective, and with the understanding that responsible dissent carries with it a sensitivity for the civil rights of others.

The First Amendment permits the University to place reasonable time, place, and manner restrictions on that expression within the bounds of the law. The University will not condone behavior that violates the freedom of speech, choice, assembly, or movement of other individuals or organizations.

The University has a duty and will take whatever steps it deems necessary to protect its property, the right of any individual or organization to demonstrate and publicly proclaim any view, however unpopular; and protect the freedom of speech, assembly, and movement of any individual or group that is the object of the demonstration. When possible, the University will provide individuals with a reasonable opportunity to correct or modify behavior as an attempt to resolve matters at the lowest level and without the use of more formalized measures. Accordingly, the University is prepared to respond to violation of laws or university regulations and may employ a range of measures up to and including arrest.

II. Scope and Applicability

This policy applies to currently enrolled students and student organizations at UNH, including UNH College of Professional Studies in Manchester and online and the Franklin Pierce School of Law in Concord component campuses.

In the event that non-affiliated third parties, including guests of students or student organizations, visitors, off-campus organizations or vendors are invited by a bona fide student or student organization to participate in demonstrations, rallies, leafletting or equivalent activities, all non-affiliated participants are obligated to the terms of this policy. Students and student organizations who invite non-affiliated participants to one of our campuses may be held accountable when participants behaviors and actions are incompatible with this policy. Those who are not subject to the University's disciplinary procedures, will be held to the appropriate action under state and federal law for their failure to comply.

Nothing within this policy shall be interpreted as preventing the University of New Hampshire from restricting expressive activities that the First Amendment of the U.S. Constitution does not protect or expression that falsely defames a specific individual, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the normal functioning of the University. Further, nothing in this policy shall be interpreted as restricting or impairing the University's obligations under federal law including, but not limited to, Title IV of the Higher Education Act of 1965, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of

1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans With Disabilities Act, as addressed through its university policies, non-discrimination policies established by the Civil Rights and Equity Office, and Student Code of Conduct.

Any student with questions about the provisions and prohibitions outlined in this policy, may direct some or all inquiries to the UNH Police Department, the Dean of Students Office or the Office of Community Standards.

III. Definitions

A-Frame Exhibit. A movable and self-supported signboard designed to stand on the ground in a temporary outdoor exhibit space. A-frame exhibits may not exceed five feet in height or width.

Amplification. Sound with volume that is increased by any electric, electronic, mechanical, or motor-powered means. Shouting, group chanting, and acoustic musical instruments are not amplified sound and are not subject to the special rules on amplified sound but are subject to general rules on disruption.

Dissent. Disagreement, a difference of opinion, or thinking differently from others.

Distribution. Individuals handing materials to other individuals who may accept them or refrain from receiving them.

Expressive Activities. Non-curriculum related, verbal or non-verbal behavior or activity that communicates a message, belief, thought or feeling, or otherwise communicates meaning. The term Freedom of Expression is generally used to convey that not all expressions of ideas or opinions are communicated through speech. Expressive Activities may take the form of a protest, parade, procession, vigil, hosting of a guest speaker, events, marches, display or distribution of published materials, non-commercial transactions and solicitation, handbills and circulars, amplified sound, digital display, and commercial filming and photography, and pure or symbolic speech (e.g., wearing armbands, silent protests, flag waving, etc.).

General Exhibit. An object or collection of related objects, designed to stand on the ground or on a raised surface, that is not a table, and that is designed for temporary display not permanently attached to the ground.

Limited Public Forum. Sometimes referred to as a Designated Public Forum or an area that has not been traditionally public, but which has been specifically identified as such by the University.

Non-Public Forum. An area not open to the public and that by tradition or design, receives very little protection and therefore subject to reasonable time, place, and manner restrictions adopted by the University.

Public Assembly. Any gatherings of persons, including discussions, rallies, and demonstrations.

Public Forum. An area that has a long-standing tradition of being used for, is historically associated with, or has been dedicated to speech, public debate, and assembly, such as streets, parks, and sidewalks, including those that adjoin public roadways.

Solicitation. The sale, lease, rental or offer for sale, lease, rental of any property, product, merchandise, publication, or service, whether for immediate or future delivery; an oral statement or the distribution or display of printed material, merchandise, or products that is designed to encourage the purchase, use, or rental of any property, product,

merchandise, publication, or service; or the receipt of or request for any gift or contribution.

Third-Party. An entity promoted and executed by an unaffiliated external individual, organization or association that requests use of university facilities or other amenities for its program.

IV. General Provisions

A permit is required to hold a public event or assembly, except as allowed under the Expressive Activities Forum and Permit Requirements section.

The University reserves the right to require the invited individual or group to provide a certificate of insurance evidencing comprehensive liability coverage for bodily injury and property damage of one million dollars prior to the use of any University space. The sponsoring student or student organization shall be responsible for the conduct of the invited person or organization.

Any person or organization sponsoring an exhibit, as defined in this policy, assumes full responsibility for the exhibit, including all injuries or hazards that may arise from the exhibit. The University shall not be liable for any damage that may occur to the exhibit, and any person or organization sponsoring the exhibit shall indemnify the University for any claims arising from the exhibit's presence on campus.

V. Reasonable Time, Place, and Manner

The safety and well-being of members of the campus community collectively and individually must be protected at all times. The University maintains the right to define the time, place and manner in which expressive activities occur on campus, and is interpreted and applied so as to respect all federal and state constitutional and statutory rights.

All expressive activities must follow these guidelines, which serve as a mechanism to ensure a successful and safe event:

GUIDELINES AS TO TIME

Generally, daily from 8:00 a.m. to 6:00 p.m. unless noted otherwise. Expressive activities must be conducted in a manner that does not substantially disturb or interfere with academic programs, classroom instruction or normal business operations of the University.

Overnight events, camping in vehicles, tents, or other structures as well as sleeping in public space of any kind on-campus is prohibited. In order to maintain an events calendar that allows for maximum participation by the many groups and units within the University, specific one-time events will be limited to one day or one evening.

GUIDELINES AS TO PLACE

Common outdoor area is defined as designated public space, specific to the unique campus that is also generally open to the public (e.g., streets, sidewalks, parks). For the purposes of this policy, common public area may also be referred to as traditional public forum.

Non-public forums or areas on campus solely for university business or an event, an educational function, or a research function on either a permanent or temporary basis including, classroom and laboratory buildings, libraries, dining areas, university housing facilities and administrative or student offices are prohibited from assemblies and events. Members of the general public and campus community are free to enter university facilities (other than restricted areas) during business hours as necessary to transact

business, seek information about the University or deliver petitions or correspondence.

University facilities are typically referred to as limited public forums; therefore, indoor demonstrations such as sit-ins continue to be governed by the law of trespass and the Code of Conduct. In recognition of the healing environment essential to its clinical purposes, dedicated staff actively caring for individuals in vulnerable positions and persons seeking access for urgent, potentially life-threatening conditions, the University asks organizers to help protect our centers by refraining from expressive activities inside and around Psychological and Counseling Services and Health & Wellness.

On the Durham campus, the Memorial Union Building, the Field House, the Whittemore Center, and Wildcat Stadium are subject to other rules and are not public areas for the purposes of this policy. Thompson Hall Lawn is reserved for university sponsored events only.

GUIDELINES AS TO MANNER

- Public assemblies and events shall not be permitted if they constitute a clear and present danger to the safety or welfare of persons or property.
- Persons may not block or otherwise interfere with the free flow of vehicular, bicycle or pedestrian traffic. The right of way on streets and sidewalks must be maintained.
- Persons may not block or otherwise interfere with the free movement of persons on any part of the university campus, including the free entry to or exit from university facilities.
- Persons shall not obstruct, disrupt, interrupt, or attempt to force the cancellation of any event or activity sponsored by the University or by any users authorized to use university facilities.
- Persons shall not engage in harassing, physically abusive, threatening, or intimidating conduct toward any person. This includes but is not limited to messaging on signs or any forms of stakes.
- Persons shall comply with the directions of a university official acting in the performance of their duties.
- Persons on university property may be required to provide identification and evidence of qualification to a university official upon request. Evidence of qualification means evidence that the person is a bona fide, student or employee at the institution.
- No persons shall wear masks, facial coverings, or disguises that conceals the identity of the wearer that is calculated to obstruct the enforcement of these rules or the law, or to intimidate, hinder or interrupt a UNH employee or law enforcement office in the lawful performance of their duty.
- The possession, use, or display of firearms, facsimile firearms, ammunition, explosives, or other items that could be used as weapons and shields are strictly prohibited.
- Laser pointers, body-armor, helmets, sporting protective gear, that alone or in combination could be reasonably construed as worn for participation in potentially violent activities is strictly prohibited.

VI. Civil Disobedience

Legal protest and dissent are different from civil disobedience. Civil disobedience is public, non-violent, and conscientious violation of law undertaken for the purpose of bringing about a change in law, government policies, or society. In the history of the United States, civil disobedience has helped bring about many highly important, desirable changes in law and society. Although deliberate acts that violate the laws, rules, and policies applicable to free expression may constitute civil disobedience,

those who commit such civil disobedience should be willing to and must expect to suffer the disciplinary and remedial consequences of their actions as provided by law, rule, or policy.

VII. Alternative Forms of Expressive Activities

UNH supports the rights of its members to participate in acts of peaceful dissent. Although demonstrations serve as a well-known technique to express opinions or concerns, we encourage community members to consider alternative approaches that may prove to be just as effective:

- Write letters to the speaker, sponsoring student organization or department, public representatives, or UNH administrators.
- Write, meet, or speak with representatives of the student governing bodies.
- Author an op-ed and submit it to [The New Hampshire](#) student newspaper to consider for publication.
- Display posters or other passive programming as permitted by a building's posting policy or at your off-campus residence.
- Offer support to friends, classmates, and others who might feel hurt, marginalized, or affected by a speaker's position, proposition or topic of discussion.
- Use platforms like Zoom, Microsoft Teams, or social media applications to host campaigns, involve supporters, or host educational meetings.
- Use an online petition platform such as [change.org](#)
- Donate or fundraise for a specific organization or cause. Fundraising activities by student organizations on campus owned, operated, or controlled property for the benefit of the student organization or for non-university affiliated charitable organizations is explained further in the [Student Group Fundraising Activities Policy](#).

VIII. Expressive Forums and Permit Requirements

The process for holding a public assembly or event will vary depending on the nature of the assembly.

Students and student organizations may hold a small event or assembly in a designated area of campus without advanced notice and without being required to obtain a permit, provided the event or assembly does not exceed 25 persons, is not promoted to the public or the general student body by flyers, posters, mailers, broadcast or print advertising, or social media, the area has not been previously reserved or scheduled for a particular function, and the event does not have booths, amplified or disruptive music, fireworks, food vendors, or BBQ/fires.

Although it is not necessary for students planning a small event or assembly to obtain prior permission from the University, they are encouraged to contact the UNH Police Department to identify an appropriate area for the small event or assembly for scheduling purposes to minimize possible conflicts and to request additional information as needed. If the event is smaller than 25 persons, but requires the use of amplified sound, booths, food vendors, BBQ/fires, or marketing to the public, it would require approval through the permit process as prescribed in this policy.

So long as marchers, protesters, individuals distributing leaflets and picketers stay on sidewalks in a non-disruptive fashion and obey traffic and

pedestrian signals, their activity is constitutionally protected even without a permit.

IX. Advertising, Promotion, and Literature Distribution

POSTING AND ADVERTISING

Posting of any kind must follow the general requirements and remain in compliance with the expectations set forth in the building where such postings occur. Generally, any signage must be free-standing, not affixed to any structure or inserted into the ground.

Trademarks and copyrights are not protected by the First Amendment. There are separate federal and state laws protecting intellectual property; therefore, the University may take action if a public advertisement or social media post violates a university trademark or copyright. The University also may respond with a banner, comment, or post of its own that clarifies when offending posts contain erroneous information or do not reflect the opinions of the University.

TABLING

The tables in the hallways of the Memorial Union Building are reserved for solicitation, distribution of literature, and event promotion by student organizations, university departments, and entities approved by the Scheduler of the Memorial Union & Student Activities. The Memorial Union has established tables in the hallways that may be reserved on a first-come, first-served basis in the Memorial Union Office and are subject to the Memorial Union Building policies and procedures. Student organizations and university departments may use the designated tables in accordance with applicable Memorial Union and Student Activities policies.

LEAFLETING

Students and employees may distribute, without registration or advance approval, non-commercial announcements, statements or materials in any public area of the campus, the use of which is not otherwise restricted or scheduled. Persons distributing such materials are expected to refrain from littering and may be held responsible for costs incurred as a result of littering. Leaving materials unattended on a surface to be picked up is considered littering, not distribution. For purposes of this provision, announcement, statements or materials pertaining to the sale of goods or services authorized by the university administration are considered non-commercial.

As a general rule, representatives of non-commercial off-campus organizations, such as political, religious, and charitable groups, will not be permitted to solicit on university premises.

Non-affiliated third parties and agencies who wish to distribute literature or solicit contributions, including requesting a small fee or voluntary contribution for the literature to defray expenses, and engage in sequential, incidental, brief, and transitory verbal interactions with passersby on the sidewalks and in the parking lots on university property must first obtain a permit from the UNH Police Department.

No person may solicit door-to-door in university housing facilities, classroom buildings, laboratories, or administrative buildings under any circumstances.

EMAIL AND TECHNOLOGY RESOURCES

Students and student organizations may maintain email distribution lists for the purpose of promoting events. Email distribution lists should include a mechanism for individuals to opt out or unsubscribe from receiving

emails. All university issued accounts must adhere to regulations set forth in the University's [Acceptable Use Policy](#).

X. Meeting Room and Event Space Reservation

The University is comprised of spaces that may be reserved for holding events of varying sizes. Students and student organizations on the Durham and Manchester campuses, can submit room reservation requests in the Memorial Union Building through the [Online Room Scheduling Portal](#). Academic classroom reservations are handled by the Registrar's Office Scheduling Department.

To inquire about other available spaces for an event on the Durham campus, contact [Events and Conference Services](#). Information and instructions for meeting room and event space reservations on the [Manchester](#) and [Concord](#) campuses are also found online.

Non-affiliated third parties must contact the specific facility they wish to reserve to inquire about reserving space.

XI. Unscheduled Demonstrations

Applying for a permit or reserving a specific campus area in advance is recommended if you are planning an expressive activity, because official approval accords benefits such as coordination with university departments, including arrangements for crowd control, parking, sanitation and restroom facilities, and provisions for protection of the health, safety, and security of persons and property.

To that end, UNH understands that events within our community and around the world demand immediate public outcry. It is not the intent of this policy to limit students from exercising their rights to protest such events. Responsible dissent calls for every Wildcat to be stewards of integrity in their pursuit to be agents of change. It is inappropriate for events that have been planned to circumvent the policies by claiming to be spontaneous.

XII. Permit Process for Expressive Activities

All applications for permits shall be assessed on a viewpoint-neutral basis.

There is a presumption in favor of issuing a permit for assemblies and events provided that the registering unit or organization demonstrates that compensation will be made to all servicing departments for all expenses resulting from the public assembly or event, including security, custodial service, traffic control, grounds maintenance, food service, and conference or facility arrangements. If at any point the community's safety is in question, the Chief of Police or their designee, may exercise their discretion in accordance with N.H. Rev. Stat. § 105:9, and detail one or more police officers to attend and remain present for an event, at which time services and any reasonable costs accrued shall be paid for by the applicant.

The unit or organization requesting a permit shall provide complete and accurate information about the event through the approval process on [Catalyst](#). The unit or organization requesting a permit shall identify at least one full-time faculty, staff, or student officer to be always present at the assembly or event and to be responsible for the conduct of the event. Non-affiliated third parties applying for a permit must do so through the [UNH Police Department](#).

Failure to obtain and display a permit, violation of the Code of Conduct, or violation of the conditions of a permit may result in cancellation of a permit, requirement to leave and not return, or denial of permits in the future.

The following information shall be required, as applicable, from all applicants for each public assembly or event:

1. Proposed date, start and end time, and location of the assembly or event.
2. Expressive activity description, purpose, and anticipated attendance of the assembly or event.
3. Name and address of sponsoring unit or organization.
4. Name and address of person filing application, positive form of I.D., and signature.
5. Name and address of the person in charge of the assembly or event.
6. Type of equipment or structures, if any, to be used during the assembly or event, including posts, anchors, holes, or trenches to be placed in the ground.

If the event or assembly includes booths, music, fireworks, food vendors, or a BBQ/fire, name of all vendors, and descriptions of all sources of flame such as BBQ-type grills (non-commercial, gas or charcoal), open pit, please refer to the [Commercial Activity Policy](#) (p. 34) for more information.

Applicants, shall consult the following individuals or their designees, as appropriate, about plans for the event or assembly and obtain their signature or other satisfactory evidence of the consultation:

Chief of Police, UNH Police Department (603) 862-1427
Captain on staff, Durham Fire Department (603) 862-1426

When open sources of flame will be present:

Director, Plant Maintenance, Leavitt Center (603) 862-3936
Manager, Grounds and Roads (603) 862-3518
Office of the President (603) 862-2450

For events or assemblies on Thompson Hall Lawn or Great Lawn:

Manager, Grounds and Roads, (603) 862-3518

For events or assemblies on the Manchester Campus:

Coordinator of Public Safety Security Services
Email: unhm.security@unh.edu

XIII. Permit Appeal Process

A student or student organization that is denied permission for an activity requiring advance permission under this policy may appeal the denial of permission to the Dean of Students to determine the propriety of the order limiting the speech, expression, or assembly. Appeals must be in writing and submitted via email to dean.students@unh.edu within three business days of the denial for review.

The question on appeal shall be whether, under the circumstances as they reasonably appeared at the time of the order, the appellant's speech, expression, or assembly should have been permitted to continue. Such an appeal may be useful to clarify the meaning of a rule, or to resolve a factual dispute that may recur if the appellant desires to resume the speech, expression, or assembly that was limited by the order.

The Dean of Students has discretion to designate another university official to review the contents of the appeal and make the appropriate decision as soon as administratively and expeditiously as possible. Decisions may be

communicated in writing, over the phone or by virtual or in-person meeting. All decisions made are final and non-reviewable. Whether the Dean of Students or their designee responds to the appeal is the prerogative of the appointed reviewing officer.

XIV. Political Events

The University has a long history of hosting candidates, campaigns, political parties and other political organizations in one of its [facilities](#) for events that engage the campus community, the state and the nation in the political process. Accordingly, the institution has established [Guidelines for Hosting Political Events](#). The Public Relations Manager is responsible for the coordination and management of such events; all inquiries should be directed to the [Marketing Office](#).

Grievance and Complaint Procedures

All members of the UNH community are encouraged to make efforts to resolve conflicts informally before pursuing grievance or complaint procedures whenever appropriate. Students are encouraged to talk with faculty or staff members or to write letters to seek resolution of their concerns. In some cases, the University acknowledges that such action may be intimidating and/or ineffective when a student believes that a University faculty or staff member has not acted according to policies outlined in this publication or any other official publication of the University of New Hampshire. In those cases, any UNH student may pursue the complaint procedures described below to resolve concerns involving faculty or staff.

I. Complaints Related to Discriminatory and Sexual Harassment

A student is never required to confront a faculty or staff member believed to be discriminating or harassing and is encouraged to report the matter to the [Civil Rights & Equity Office](#). The University has established specific procedures to address concerns related to discriminatory harassment and sexual harassment. In all cases where a mandatory reporter receives information indicating that a student has been subjected to sexual harassment or sexual violence by an employee (e.g., faculty, staff, teaching assistant) they are required to report this information to the Title IX Coordinator. A full list of individuals who are considered mandatory reports can be found on the [Civil Rights & Equity Office website](#). The website also describes individuals on- and off-campus who are considered [privileged and confidential](#). The Civil Rights & Equity Office may be consulted at any time for assistance with regard to concerns related to perceived discrimination on the basis of race, color, religion, sex, national origin, ability, sexual orientation, gender identity, or expression, veteran status, marital status or age.

II. Other Complaints About Faculty

Students should discuss other complaints regarding faculty and teaching assistant compliance with University policies directly with the faculty member responsible for the course and seek a resolution. However, if either (a) the student feels that direct discussion would be counterproductive or, (b) after consulting with the faculty member, a student still has a complaint, the student may talk with the chairperson of the faculty member's department. If no satisfactory resolution results, the student may talk with the associate dean of their college or school.

III. Other Complaints About Staff

Students should discuss other complaints regarding staff directly with the staff member and seek a resolution. However, if either (a) the student finds that direct discussion would be counterproductive or, (b) after consulting with the staff member, a student still has a complaint, the student may talk with the staff member's supervisor. If no satisfactory resolution results, the student may talk with the chair or director of the department and/or supervisor of the department. If the matter is not resolved at this level, a final appeal may be made to the Vice President, Vice Provost, or other unit head who oversees the department in which the staff member works.

Hazing

Hazing is strictly prohibited at the University of New Hampshire. Hazing is defined as any activity, whether on- or off-campus, expected as part of joining or participating in, a group or organization, that causes or has the potential to cause mental, emotional, or physical harm, damage or theft of property, humiliation, or degradation. Hazing includes any request, requirement, or obligation to participate. Students can be responsible for hazing by committing any of these actions as active members of an organization. In addition to committing these actions, hazing could also include facilitating or promoting the activity as well as being a bystander and not intervening to stop the activity. Any student or organization alleged to have violated this policy could be subject to sanctions under the UNH Code of Conduct.

For more resources regarding hazing visit the [Off-Campus Engagement and Fraternity and Sorority Life website](#).

New Hampshire State Law

In addition to University policy, New Hampshire law makes it a crime for an individual or organization to participate in "student hazing" or to fail to report incidents of student hazing. If you are unsure as to whether an activity would be considered hazing or if you believe you have witnessed or been a victim of hazing, you can contact any of the following offices for assistance.

Resource	Phone Number
Memorial Union Building & Student Activities	603.862.4600
Office of Off-Campus Engagement & Fraternity and Sorority Life	603.862.1002
Dean of Students	603.862.2906
Air Force ROTC	603.862.1480
Army ROTC	603.862.1078
Athletics	603.862.4051

To anonymously report inappropriate behavior and/or allegations of hazing, please contact the Hazing Hotline at (603) 862-3686 or the [Civil Rights and Equity Office](#).

Health Insurance and Immunization

I. Immunizations

Prior to matriculation at UNH, all students that are enrolled in at least one in-person course at UNH are required to provide proof of immunization or demonstrate their immunity to specific vaccine-preventable diseases as outlined below.

Required

- Measles, Mumps, Rubella (MMR): 2 doses at least 28 days apart, initiated after 12 months of age, or immune titers
- Meningococcal (ACWY): 1 dose required within 5 years of enrollment; a booster dose required if initial dose administered prior to age 16
- Tetanus, Diphtheria, Pertussis (Tdap): within 10 years, after completion of primary series
- Chicken Pox (Varicella): two doses of vaccine, separated by four to eight weeks, or immune titer

Strongly Recommended

- Influenza: annually
- COVID-19: Staying up to date per Centers for Disease Control and Prevention (CDC) guidelines.
- Hepatitis B: series of 3 doses
- Human Papillomavirus (HPV): series of 3 doses

Students failing to meet these criteria upon arrival on campus could be denied registration.

II. Health Insurance

With the exception of students enrolled at [CPS online](#) or another [online degree program](#), the University requires full-time degree students to have health insurance as a condition of enrollment. Student health insurance is separate from the Health & Wellness fee. It provides health care coverage beyond the care and services covered by the Health & Wellness fee, e.g. local specialist or hospital care. Information regarding health insurance can be found at unh.edu/shbp. International students with F1 or J1 Visas are required to purchase the Student Health Benefits Plan sponsored by the University. This plan provides coverage for 12 consecutive months effective September 1 of each year.

Intercollegiate Athletics

I. Certification and Eligibility

The UNH compliance staff, in conjunction with the Registrar's Office, is responsible for compiling and verifying the data that the institution's Eligibility Committee relies upon to certify the eligibility of all student-athletes for practice, competition, and athletically related financial aid in the intercollegiate athletics program, which operates under the terms and conditions of the bylaws of the NCAA and member conferences. Undergraduate students enrolled in the Thompson School or at UNH Manchester are not eligible for participation in intercollegiate athletics under NCAA rules.

II. Funding

It is the policy of the University of New Hampshire that male and female student-athletes have equitable access to funds for athletic scholarships for participation in intercollegiate athletic programs. Criteria and procedures for awarding such scholarships shall be formulated by the director of the Department of Intercollegiate Athletics (University Senate; March 17, 1975).

III. Intercollegiate Athletics

The University is a member of the National Collegiate Athletic Association, the America East Conference, the Colonial Athletic Association, Hockey East, Eastern Atlantic Gymnastics League, Eastern College Athletics Conference, and Eastern Intercollegiate Ski Association and is governed by

those rules and regulations that are on file in the Intercollegiate Athletics Office in the Field House.

IV. UNH Policy on Scheduling of Games and Practices

The University of New Hampshire, first and foremost, is dedicated to the promotion of learning and scholarship, and to meeting the public need for educated citizens. The University achieves that goal by completing its three-fold mission of teaching, research, and public service. UNH also values the role played by athletics in the life of the community. Student-athletes are representatives of the University in intercollegiate competitions, and their athletic and academic excellence brings credit to UNH. The University recognizes that student-athletes must balance the demands of their sport with the academic obligations they assume when they enter an institution of higher learning. The following policy is designed to acknowledge that challenge and to assist the student-athletes, as well as faculty members, coaches, and administrators, in managing conflicts that could arise between the legitimate demands of both academics and athletics

Policy on Games During Academic Semester

- UNH student-athletes have the responsibility of notifying each of their instructors before the end of the period for adding classes about any possible conflict between scheduled class meetings, exams, or assignment due dates, and scheduled athletic contests, especially those involving travel off-campus. Such notification shall be in writing or by email and shall include specific information about the dates the student will not be in class, nor available for an exam. Student-athletes are responsible for completing all reading and acquiring all lecture notes and other material introduced in the class during their absence.
- UNH faculty are requested to be flexible and offer reasonable accommodations for student-athletes whose schedule of intercollegiate athletic contests requires them to be absent from class, or miss scheduled quizzes, exams, or assignment due dates. The specific accommodation offered shall be determined by the faculty member, but might include make-up quizzes, alternate due dates, or rescheduling of exams. The faculty member retains the right to make the final determination about course scheduling, academic requirements, and assignment due dates. However, given that student-athletes represent the University when participating in competitions away from campus, absence by student-athletes resulting from their travel to, or participation in a regularly-scheduled intercollegiate athletic contest, about which the faculty member has been properly notified, shall not incur an academic penalty (i.e., lower grade), even when a portion of the grade in a course is based on attendance.
- Except for absences resulting from travel to, or participation in regularly-scheduled intercollegiate athletic contests about which the instructor has been properly notified, UNH student-athletes shall have the responsibility of attending class, sitting for exams, and meeting assignment due dates on the same schedule as other students enrolled in the same course and may be penalized for absences other than those resulting from such travel or participation.

Policy on Practices During Academic Semester

- NCAA bylaws state that no class time shall be missed for practice activities except when a team is traveling to an away-from-home contest and the practice is in conjunction with the contest.

- No faculty member may excuse UNH student-athletes from class, or from an exam, quiz, or assignment, because of a conflict with regularly-scheduled athletic practices. If it becomes apparent that such conflicts will occur regularly during a semester, the student-athlete should consider dropping a course or otherwise altering their academic schedule to avoid excessive absences.
- Student-athletes should notify coaches as soon as possible of any conflict that arises between an academic obligation (such as a common exam) and regularly- scheduled practices when such conflicts cannot be resolved first through consultation with the course instructor involved.
- Student-athletes are required to attend class as provided in the NCAA bylaws. UNH coaches shall have the option of excusing a student-athlete from a scheduled practice for other academic reasons. Coaches are encouraged to be flexible in considering conflicts that occasionally arise between the academic and athletic obligations of the student-athlete. The decision regarding excused release from practice for other academic purposes shall be made by the coach, and not by the student-athlete or faculty member involved. Except during final exams, no UNH athletic coaches shall be required to alter their regular practice schedule, or excuse an athlete from practice, to accommodate the academic schedule of a student-athlete.
- In the event of an unresolvable problem, ultimately student-athletes are responsible for deciding what is in their best interest, and accordingly, determining the outcome of all conflicts between academic and athletic obligations.

Policy on Game Scheduling During Exams

- The Department of Athletics, in cooperation with the Coaches of UNH intercollegiate teams and their respective conferences, should make every effort to avoid scheduling games or meets during the period of final exams for both the Fall and Spring Semesters.
- Notification of the UNH final exam schedule, along with a copy of this policy, should be forwarded to the various athletic conferences as soon as the exam schedule is made available by the University.
- Because conflicts may occasionally arise between the UNH exam schedule and regular-season games, championship meets, or conference playoffs in which a UNH team or individual athlete may be expected to compete, UNH student-athletes shall have the option of declining to participate in those games, meets, or matches in order to devote time to preparation or completion of final exams.
- In the event of a conflict between final exams and a scheduled athletic contest, student-athletes have the responsibility to notify as soon as possible the instructor(s) of the course(s) involved in the conflict. Student-athletes have the option of requesting a rescheduling of the exam, and faculty members shall make every reasonable effort to accommodate student-athletes. The final decision regarding rescheduling exams, or assignment of alternate coursework remains with the faculty member. Student-athletes are responsible for completing their exams and assignments according to the schedule determined by the instructor of the course.
- Participation in a scheduled athletic contest during the final exam period shall not be considered a sufficient reason for requesting or issuing a grade of incomplete (IC).

Policy on Practice During Final Exams

- Student-athletes must be given every reasonable opportunity to prepare and successfully complete final exams and other assignments required in their academic courses.

- Athletic coaches may not schedule mandatory practices, scrimmages, or other mandatory team or individual training during final exam periods.
- Athletic coaches may schedule optional workouts or practices and are encouraged to remain flexible in offering such opportunities to their athletes.
- Consistent with space and personnel constraints, the Athletic Department shall offer access to various training and practice facilities on a flexible schedule during final exam periods.
- Student-athletes may not reschedule a final exam or postpone a final assignment due date, because of a conflict with a scheduled but optional individual or team practice session.

Library Policies

I. University Libraries

The University Library on the Durham campus consists of the main Dimond Library, which hosts a writing center, academic technology support, and media lab; three science branch libraries: the Chemistry Library, the Engineering-Mathematics-Computer Science Library, and the Physics Library; and a storage building.

The UNH Manchester Library is located on the Manchester campus. The UNH Law Library is located in Concord.

Additional policies for each library may be found on their websites or by asking the staff at any Library location.

II. Library Hours

Hours for all libraries are posted on each library's website (Durham, Manchester, and Law)

III. General Policies

Students are welcome in the libraries during all open hours. Some areas are available for collaborative work while other areas have been designated "quiet zones."

All students wishing to borrow items from a library must show their UNH identification cards, although the Durham and Manchester campus libraries will also accept another valid photo ID. A borrower of any library material is held responsible for its return by the due date, or renewal if applicable. In Durham, non-reserve materials may be returned at the Dimond Library, any branch library, or the outdoor book drop at the Thompson Hall parking lot. Reserve materials must be returned to the library location from which they were borrowed.

IV. Borrowing

Most Durham and Manchester library materials may be borrowed for four weeks (Law material for two weeks) and are subject to immediate recall if needed for reserve or if urgently needed by another borrower. A "hold" may be placed on any book in regular circulation. Reserve books circulate for a more limited time and most Special Collections and reference materials do not circulate. Many periodicals, ebooks, and media may be accessed electronically through the UNH Durham library website. Other materials (DVDs, print journals, popular magazines, laptops, media equipment, etc.) may have different borrowing terms.

V. Fines

Fines for some overdue materials are charged to ensure equal access to materials for all library users. More information on consequences for not paying fines can be found in the *Failure to Pay University Accounts* section of the *Financial Responsibilities* policy. The system of fines is established by the Dean or Director of each library. Books that are damaged or lost may be charged the cost of replacement plus a processing fee. When materials are returned within a year and undamaged, the replacement cost will be credited. Anyone who steals or willfully mutilates library materials or property will be subject to disciplinary and/or legal action.

VI. Use of Library Computing Technology

Use of the library's technology resources is subject to the provisions described in the [Acceptable Use Policy for Information Technology Resources](#).

On-Campus Housing Requirement

The University of New Hampshire considers the residential experience an essential educational and campus experience. New undergraduate, full-time, first-year, and transfer students, who are under the age of 21, on the UNH Durham campus are required to live on campus for four (4) semesters unless approved for an exemption by UNH Housing. Living on campus is defined as living in a university-owned residence hall or apartment. A complete list of university-owned housing options can be found on the Housing & Residential Life website.

Undergraduate students aged 21 or older, graduate, non-degree seeking, fully remote (all online classes including Granite State College students), UNH Law, UNH Manchester, and all part-time undergraduate students are automatically exempt from this policy and do not need to submit an exemption request. Students who are not automatically exempt, may request an exemption for the following reasons (supporting documentation and/or additional verification may be required):

- Student has a parent or legal guardian that lives within a commutable distance (generally within 30 miles) of campus and the student will be living with them
- Student is married, in a legally recognized civil union, and/or has a dependent
- Student is active military and/or has veteran status
- Student has extenuating financial circumstances
- Student has a qualifying ADA/Section 504 and/or religious accommodation that cannot be met by on-campus housing
- Student is approved, via a University-designated process, to live in a UNH-recognized fraternity or sorority house
- Student has completed four (4) semesters of living on-campus at any institution of higher education
- Student has a circumstance beyond their control, as determined by the University, that prevents them from being able to live in on-campus housing

Every semester a student is required to live on-campus and does not have an on-campus housing assignment, or an approved exemption request on file, they will be charged for one semester at the current traditional residence hall double room rate.

If a student moves out of their on-campus housing assignment during the fall or spring semesters, whether the semester counts as a full semester towards the four-semester requirement under this policy depends on the

student's move-out date. If the student's move-out date is prior to mid-semester as defined in [the academic calendar](#), the semester will not count as a full semester under this policy. If the student moves out after mid-semester, then the semester will be counted as a full semester under this policy.

Exemption Process

1. Student must submit the Live-On Requirement Exemption Request by June 1 (Fall semester) or January 1 (Spring semester). Requests must be completed in full and include required supporting documentation.
2. UNH Housing will evaluate requests and notify the student of a decision as soon as possible. All decisions will be sent to the student's UNH email account.
3. If the request is approved, the student will be exempted from housing for the semester(s) listed in the approval notification. The student's assignment will be canceled if the student has a housing assignment for the respective semester(s).
4. If the request is denied, the student can submit an appeal of the decision to UNH Housing within three (3) days, to be reviewed by the Director of Housing. A decision on the request will be made as soon as possible and sent to the student's UNH email account.

Students are only exempted from any requirements of this policy once they receive written approval from UNH Housing. This policy remains in full effect for a student pending the outcome of an exemption request or an appeal request.

Sport Clubs

I. Membership and/or Eligibility for Sport Clubs

1. Eligibility requirements for membership:
 - a. Clubs are open to full-time matriculating students without respect to race, creed, sex, national origin, sexual orientation, or disabilities. However, some competitive clubs have specific eligibility guidelines set by their respective sport's governing body, which has specific standards for intercollegiate competition.
 - b. Faculty and staff must have a Campus Recreation membership. Benefits-eligible faculty and staff may purchase their membership at the Welcome Center in the Hamel Recreation Center.
 - c. All aquatic-oriented clubs (i.e., Sailing & Rowing) require members to pass a swimming skills test administered by the Department of Campus Recreation and receive hypothermia training.
 - d. Limitations may be imposed on membership due to lack of facility space and time, funding, league requirements, administrative oversight, etc.
2. Members of Sport Clubs competing may have to meet additional eligibility requirements as outlined in the respective sport's governing body. In-season varsity athletes will not be allowed to compete on Sport Club teams.
3. Club members should be mindful that the public tends to judge the University by the conduct of its members. All individuals are expected to conduct themselves as responsible members of the academic community and to respect the rights of their fellow citizens.

II. Procedures for Starting a New Sport Club

It is the responsibility of students interested in initiating a specific activity into the Sport Club Program to file a *Request for Sport Club Affiliation* no later than the last day of the Fall Semester and meet with the Assistant Director of Campus Recreation to outline the proposed club, and to review the process. The *Request for Sport Club Affiliation* form can be obtained by contacting the [Campus Recreation](#) professional staff.

The approval or disapproval of the inclusion into the Sport Club program of any activity or group is made by the director of campus recreation.

For complete policies and procedures, see the current [Campus Recreation Sport Club Manual](#).

Student Organizations

I. Definition of Student Organization

A student organization is defined as a group of matriculating undergraduate and/or graduate students who have a common purpose in alignment with the mission of the University of New Hampshire that has been recognized by the Memorial Union & Student Activities department.

II. Other Recognized Groups of Students

UNH recognizes other groups on-campus as outlined below. Although these groups are not student organizations, these groups must maintain governing documents that comply University policies and all applicable Federal, State, and local laws in order to retain their recognition within their respective units.

STUDENT GOVERNMENT

The following governance organizations are University-wide elected student bodies that participate in the shared governance of the institution. They are official representatives of student opinion for the constituencies served by that group.

- Graduate Student Senate
- Student Senate

OTHER GOVERNING BODIES

The University also recognizes the following governance organizations charged with governance of their respective units:

- Interfraternity Council
- Panhellenic Council
- Campus Living Association

RESIDENCE HALL COUNCILS

Residence Hall Councils are recognized by the Office of Residential Life or the Department of Housing and fall under the Campus Living Association umbrella. They hold standing pages on Catalyst unless otherwise determined by Residence Life or Housing.

SPORT CLUBS

Sport Clubs are recognized through the Campus Recreation department. More information can be found in the Sports Club policy in the Student Rights, Rules, and Responsibilities or on the [Campus Recreation website](#).

III. Recognition of Fraternities or Sororities

Social fraternities and sororities must be recognized by the Office of Off-Campus Engagement & Fraternity and Sorority Life and meet the requirements of the Fraternity/Sorority Life Minimum Standards for Expansion.

1. New (inter)national organizations seeking recognition must schedule a meeting with the Office of Off-Campus Engagement & Fraternity and Sorority Life, and then if a relationship agreement is approved by the University the new organization will need to complete the Expectations of Excellence and Chapter Accreditation Program process and expansion/extension process. The mission, principles, and values of the potential fraternity/sorority must be social in nature, and the membership of all students will be University of New Hampshire, undergraduate degree-seeking students.
2. When all requirements and a relationship agreement have been sent to the interested organization, the organization may move forward in the accreditation process. See the extension/expansion policy located on the [Off-Campus Engagement and Fraternity and Sorority Life website](#) which will be given to the potential new organization at the initial meeting and includes an extensive list of requirements in order to be recognized by the University. When fraternal organizations complete this process, they will receive one of three outcomes; (1) accreditation, (2) accreditation with distinction, or (3) will not be accredited through the University and the respective councils.
3. Fraternal organizations that receive accreditation will be granted accreditation for an entire calendar year and receive all privileges and rights of any student organization provided they maintain all standards set forth by the Memorial Union & Student Activities, Office of Off-Campus Engagement & Fraternity and Sorority Life, respective councils, and the (inter)national organizations. The organization must maintain a charter in good standing through their national organization to remain in good standing with the University.
4. Once an organization meets accreditation in good standing status through the Areas of Excellence Program and has been chartered the organization will join its respective council as a voting member. All chapters must remain in good standing and meet accreditation to remain a recognized student organization at the University of New Hampshire. Organizations that fall below the councils and accreditation standards will complete a process to maintain their accreditation facilitated by the Office of Off-Campus Engagement & Fraternity and Sorority Life.
5. In the case of Fraternities and Sororities, national organizations are not entitled to an appeal process if they are denied recognition as a new organization. If a new fraternal organization is granted recognition but does not successfully complete the accreditation process, there is no appeal but they may continue to work with the Office of Off-Campus Engagement & Fraternity and Sorority Life to complete the accreditation process in the future. If a fraternal organization is at risk of being suspended, the process is referred to Community Standards and the organization is entitled to the appeal process outlined by the Code of Conduct.

IV. Recognition of Student Organizations other than Fraternities or Sororities

Any group of 7 or more matriculating students seeking recognition as a student organization must apply and receive approval through the Memorial Union & Student Activities.

1. Groups who apply for recognition and receive approval will be granted recognition indefinitely, provided they maintain all standards set forth in the Student Organization Policies and the Student Rights, Rules, and Responsibilities.
2. Prospective organizations may apply for recognition upon the start of classes each fall semester through the end of March.
3. Organizations with standing budgets from the undergraduate Student Activity Fee (SAF) will follow the same guidelines and recognition policies as non-SAF-funded organizations. They will have the same benefits and expectations that come with being a recognized student organization.
4. Representatives of all current groups seeking to be recognized for the next fiscal year must complete annual expectations for continued recognition.

V. Recognition Appeal Process

If recognition status should be denied or revoked by the Memorial Union & Student Activities department, the organization may appeal this decision to the Assistant Director of Programming and Leadership of the Memorial Union & Student Activities. This appeal must be made in writing via email within 5 business days of the decision notification. The approval or disapproval of the appeal is made by the Assistant Director and the decision is final. Student Organizations that have lost recognition may reapply during the scheduled recognition period.

VI. Rights and Benefits of Recognized Student Organizations

Student organizations are entitled to the following rights and privileges subject to all other relevant policies of the University

FINANCE

- Utilize the financial services support of the Memorial Union & Student Activities department;
- Apply for funding through and utilize the services of the Student Activity Fee Committee;

LEADERSHIP DEVELOPMENT

- Use of advising and consulting services provided by the Memorial Union & Student Activities department or in the case of Fraternities and Sororities, the Office of Off-Campus Engagement & Fraternity and Sorority Life;
- Access to leadership opportunities developed by the Memorial Union & Student Activities department.

MARKETING

- Use of the University name, in accordance with established protocols;
- Participation in student organization recruitment activities such as UDay;
- Access to a public webpage for organizational promotion, recruitment, and administrative tools on Catalyst;

- Use of virtual advertising resources such as Catalyst, the University calendar, and limited free advertising with The New Hampshire;
- Use of physical advertising resources such as posting in University buildings, residence halls, and on designated bulletin boards on University property, in accordance with all posting policies.

PHYSICAL SPACE

- May request to use approved campus facilities and services;
- Ability to apply for office and storage space in the Memorial Union Building.

SERVICES

- Print materials for meetings and programs;
- Support in planning and booking domestic and international travel;
- University insurance coverage when applicable;
- Receive mail in the Granite Square Station.

VII. Responsibilities of Recognized Student Organizations

Recognized student organizations and the members at the University of New Hampshire are expected to follow the responsibilities below. Failing to adhere to these responsibilities may result in formal follow-up including the organization losing its recognition.

COMPLIANCE

- Adhere to all applicable Federal, State, and local laws, and University and University System policies;
- Adhere to the University's Civil Rights and Equity Policies as listed in the Student Rights, Rules, and Responsibilities;
- Adhere to the University's anti-hazing policy as listed in the Student Rights, Rules, and Responsibilities;
- Adhere to the Student Organization Policies as established by the Memorial Union & Student Activities or in the case of Fraternities and Sororities, adhere to the Office of Off-Campus Engagement & Fraternity and Sorority Life's policies, their respective councils' policies, and their accreditation requirements;
- May not sign any commitments, contracts, or invoices on behalf of the University or the student organization.

ALCOHOL, NICOTINE, AND OTHER DRUGS FOR ORGANIZATIONS OTHER THAN FRATERNITIES AND SORORITIES

- May not purchase alcohol, nicotine, or other drugs using personal funds for any organization gathering including but not limited to meetings and events;
- May not purchase alcohol, nicotine, or other drugs using University funds including but not limited to campus funds, membership dues, gift funds, student activity fee funds, or any monies collected or donated with the intent to support student organization business;
- May not host nor co-sponsor an event where alcohol, nicotine, or other drugs are given away, sold, provided, nor promoted;
- May not advertise events in which alcohol, nicotine, or other drugs are given away, sold, provided, nor promoted.

ALCOHOL, NICOTINE, AND OTHER DRUGS FOR FRATERNITIES AND SORORITIES

- Fraternities and Sororities must adhere to UNH's Social Event policy as outlined in the Student Rights, Rules, and Responsibilities.

FINANCES

- May not fundraise nor use University funds for the purpose of financial gain of individual members;
- Use an on-campus or University fund if the recognized student organization will accept monies unless the organization is currently incorporated inter/nationally or with the State of New Hampshire;
- Sell tickets through Memorial Union & Student Activities ticketing services for all student organization-sponsored events that charge admission unless otherwise required by a national organization for Fraternities or Sororities and approved by the Office of Off-Campus Engagement and Fraternity and Sorority Life.

MARKETING

- Clearly indicate the organization as sponsor on all announcements, flyers, letters, posters, social media posts, etc., promoting or describing events, meetings, or programs;
- Adhere to all posting policies by the town of Durham and spaces within the University, including but not limited to the Memorial Union Building, residence halls, and academic buildings;
- Gain permission from the Director when seeking to obtain an organizational website.

MEMBERSHIP

- Hold membership of the organization accountable to the organization's governing documents;
- Conduct fair elections and/or appointments of officers;
- Permit members to disassociate at any time;
- Update organization information in a timely manner in places such as Catalyst.

OPERATIONS

- Must be established and directed by matriculating students on the UNH-Durham campus;
- Register any plans for travel with Memorial Union & Student Activities or in the case of Fraternities and Sororities with the Office of Off-Campus Engagement and Fraternity & Sorority Life. Student organization travel is defined as any off-campus outing where members of the group are representing the University or could be perceived as affiliated with the University;
- Confer with Memorial Union & Student Activities staff when updating organization information including but not limited to the name of organization, constitution, and/or statement of purpose;
- Gain permission from the Director, or in the case of Fraternities and Sororities, the Office of Off-Campus Engagement and Fraternity and Sorority Life, when seeking to obtain alumni contact lists for the purpose of University sanctioned fundraising and/or communication;
- Meet with the Coordinator for Student Organization Success of the Memorial Union & Student Activities (or designee), or in the case of Fraternities and Sororities, the Office of Off-Campus Engagement & Fraternity and Sorority Life, on a periodic basis if the organization is struggling or in danger of losing recognition status.

The Family Educational Rights & Privacy Act (FERPA)

I. Annual Notice to UNH Students

Each year, the University of New Hampshire, in compliance with the Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment), informs students of their rights under the act. The Buckley Amendment was designed to protect the privacy of student education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students may also have the right to file complaints with the Family Policy and Compliance Office concerning alleged failures by the institution to comply with the act.

II. Family Educational Rights and Privacy Act Guidelines

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or another appropriate official, written requests that identify the records(s) they wish to inspect. The University 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 University 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 are inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record, the University will notify the student of the decision and advise students of their rights to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when they are notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit, personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or students serving on an official committee, such as a disciplinary or grievance committee, or assisting school officials in performing their tasks. School officials have a legitimate educational interest if they need to review an education record in order to fulfill their professional responsibility. Upon request, the University discloses education records including records of disciplinary action, without consent, to officials of another school in which a student seeks or intends to enroll.

Students may authorize persons of their choosing to access UNH billing, financial aid, and certain academic history information through the Parent Portal.

4. The University occasionally receives court orders and grand jury subpoenas requiring it to produce a student's educational records. The University usually makes reasonable efforts to notify the student of the order or subpoena before complying, except when the order or subpoena itself requires that the student not be notified.
5. The right to file a complaint with the U.S. Department of Education concerning alleged failure by the University of New Hampshire to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

U.S. Department of Education
Student Privacy Policy Office
400 Maryland Avenue, SW
Washington, DC 20202-4605

Under the guidelines of FERPA (as amended), exceptions to the prohibition against disclosures permits Community Standards to discretionarily release notification to a parent or legal guardian the first time and every subsequent time a student under the age of 21 is found responsible for violating any law or University policy governing the use or possession of alcohol or controlled substances.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which students' education records and personally identifiable information (PII) contained in such records — including their Social Security Number, grades, or other private information — may be accessed without the student's consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to student records and PII without the individual's consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to a student's education records and PII without prior consent to researchers performing certain types of studies, in certain cases even when UNH objects to or does not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive students' PII, but the authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without prior consent PII from students' education records, and they may track students' participation in education and other programs by linking such PII to other personal information that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

III. Directory Information About Students

The act provides that "directory information" may be made available to third parties without requiring the permission of the student. However, public notice must be given of the intent to publish the information, so that students can request that all or part of this information not be made public. "Directory information" (other than that for specialized programs and activities) should be requested from the Registrar's Office and consists of the following item:

1. Student's name, address, telephone listing, and email address;
2. Major field of study;
3. Participation in officially-recognized activities and sports;
4. Weight and height of members of athletic teams;
5. Dates of attendance;
6. Degrees and awards received;
7. Most recent previous educational institution or agency attended by the student;
8. Class;
9. Honor rolls;
10. Enrollment status.

Note: Grades are considered "directory information" to the extent that honor rolls may be published. Also, transcripts of students' academic records or students' grade-point averages may be released to the faculty advisers of officially-recognized honor societies on campus upon request.

Note: The right to opt-out of the public release of directory information does not include the right to refuse to wear or use a student identification card or badge that contains identifying information if university officials have determined that such student identification is necessary.

For general information concerning the Family Educational Rights and Privacy Act of 1974, as Amended or for assistance in locating individuals or offices maintaining a student's education records, please contact the Dean of Students or the Provost and Vice President for Academic Affairs.

Copies of the Family Educational Rights and Privacy Act of 1974, as Amended are available in the Dimond Library at the Reference Desk, and on the [Department of Education's website](#).

Tobacco-, Smoke-, & Nicotine-Free Policy

I. Preamble

The University of New Hampshire (UNH) joins with the American College Health Association (ACHA) and more than 2000 institutions of higher education in supporting the findings of the Surgeon General that tobacco use in any form, active and passive, is a significant health hazard. UNH further recognizes that environmental tobacco has been classified as a Group A carcinogen by the United States Environmental Protection Agency. Considering these health risks, UNH hereby adopts a tobacco policy that is committed to a tobacco, smoking, and nicotine-free campus and prevention, reduction, and cessation actions as they pertain to tobacco, smoking, and nicotine (TSN) use issues.

UNH supports the health goals of the U.S. Public Health Service (USPHS) to reduce the proportion of adults who consume TSN products, and to positively influence our community by helping people remain or become TSN-free. Efforts to promote a TSN-free environment have led to substantial reductions in the number of people who consume these products, the amount of these products consumed, and the number of people exposed to environmental harms associated with use. At the same time, the simple message of "smoke-free" can sometimes be misinterpreted to mean "smoker-free" or "anti-smoker." Our intent is to institute a policy that respects the rights of people who smoke and those who do not. We acknowledge the Centers for Disease Control and Prevention (CDC) statistics that an estimated 32 million people who smoke (about 70% of all people who smoke) report that they want to quit smoking completely. We recognize that the implementation of a 100% TSN-free

policy will have an immediate effect on our campuses, and therefore have included prevention, education, and cessation initiatives to support the non-use of tobacco products.

II. Policy

In order to protect the health, safety and comfort of University students, faculty and other academic appointees, staff, and visitors, and consistent with state law (RSA 155:64-77), the University of New Hampshire is committed to a policy of prohibiting the use of tobacco products, including but not limited to: cigarettes (clove cigarettes, bidis, kreteks), electronic nicotine delivery systems (ENDS, vaping), cigars and cigarillos, hookah-smoked products or any lighted or heated tobacco and nicotine products, and non-combustible tobacco products (dip, chew, tobacco substitutes) in facilities and on grounds owned and occupied or leased and occupied by the University (including UNH Manchester & UNH Law). In addition, UNH supports education programs to provide prevention and cessation initiatives to our students, faculty and other academic appointees and staff. This policy supersedes all other TSN policies at UNH.

III. Definitions

“Tobacco Product” means any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation, ingestion, or absorption; but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including cannabis (recreational and medicinal), whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.

“Electronic Smoking Device” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

“Tobacco Substitutes” means nicotine pods and juices, electronic cigarettes or other electronic or battery-powered devices that contain and are designed to deliver nicotine or other substances into the body through the inhalation of vapor and that have not been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes. Products that have been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes shall not be considered tobacco substitutes as defined in this Article.

“Hookah” means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.

Procedures

1. Education

- a. The UNH TSN policy shall be included in the new employee and student orientation program, in the Student Rights, Rules, and Responsibilities, Room & Board Agreement, in admissions application materials and other campus documents where appropriate.
- b. UNH encourages employees and students not to use tobacco products by offering educational information and providing information about TSN cessation resources offered through university departments or offices, health care providers, nonprofit organizations, or other groups.
- c. UNH Health & Wellness, Living Well Services, will provide prevention and cessation programs to students upon request and offer other prevention and education initiatives that support non-use and address the risks of exposure to second and third hand exposure.
- d. USNH health and wellness programs and services will offer prevention and cessation programs to faculty and staff.

2. Affected Areas of the Tobacco-, Smoke-, and Nicotine-Free Policy

The TSN-Free policy applies to all University of New Hampshire facilities, property, and vehicles, owned, or leased, regardless of location. Smoking and the use of tobacco products shall be prohibited in any enclosed place, including, but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, performance venues and private residential space within UNH housing. TSN products shall also be prohibited outdoors on all UNH campus property, including, but not limited to, parking lots, paths, fields, sports/recreational areas, and stadiums, as well as in all personal vehicles while on campus. This policy applies to all students, faculty, staff, and other persons on campus, regardless of the purpose for their visit.

3. Sales and Marketing

- a. Advertisement of all tobacco products or their use shall be prohibited in all University of New Hampshire publications and on all University owned, occupied, or leased properties.
- b. Any sale or free sampling of tobacco products on campus shall be prohibited.

4. Implementation

The cultivation of a TSN-Free public health environment is a social process that cultivates shared public health norms over time. This policy relies on the consideration and cooperation of individuals who consume tobacco products and those who do not. All members of the UNH community, including visitors, are asked to observe this policy that begins and remains centered on communication, education, and cessation as the community adapts to the policy.

IV. Compliance

The policy will operate through educational communication and the cultivating of public health norms within a community-inclusive framework with the primary goal of voluntary compliance. Implementation focuses on communication, education, and cessation as the community adapts to the policy over time. The Tobacco, Smoke, Nicotine-Free Task Force will work with campus stakeholders in an ongoing way to address compliance. Oversight is the shared responsibility of all UNH community members who are expected to execute that responsibility in good faith.

Residential Policies and Regulations

Many UNH students are a part of the community living environment provided by UNH's residence halls and apartments. As a resident, students can immerse themselves in a community of fellow students, live right on UNH's campus, and enjoy conveniences not found in most student apartments.

In addition to the policies described in the [Prohibited Conduct section](#) of UNH's Code of Conduct, all students living in UNH's residence hall or on-campus apartments and their guests are expected to adhere to the Residential Policies and Regulations. In addition, some of the policies in the Students Policies and Regulations section have specific guidelines for students living in the residence halls: (1) Alcohol and (2) Fire Safety.

Committing one or more of the following acts of misconduct may be a violation of UNH's Code of Conduct. Additional guidelines for some Residential Policies and Regulations can be found in this section.

- Alteration of Premises.** Changing the building or its fixtures without the expressed permission of UNH Housing as set forth in the Alteration of Premises Policy in the Residential Policies and Regulations section of this handbook.
- Animals.** Possessing pets or animals of any kind, except non-dangerous fish, as set forth in the Animals Policy in the Residential Policies and Regulations section of this handbook.
- Common Areas.** Violating expectations of residential common areas including lounges, hallways, common bathrooms, public kitchens, and hallway doors as set forth in the Common Areas Policy in the Residential Policies and Regulations section of this handbook.
- Guests and Visitors.** Violating expectations of hosting guests or visitors as set forth in the Guests and Visitors Policy in the Residential Policies and Regulations section of this handbook.
- Posting/Solicitation.** Engaging in any door-to-door solicitation, unapproved marketing, or unapproved commercial activity as set forth in the Posting/Solicitation Policy in the Residential Policies and Regulations section of this handbook.
- Noise.** Violating noise expectations as set forth in the Noise Policy in the Residential Policies and Regulations section of this handbook.
- Recreational and Sporting Activities.** Participating in recreational and sporting activities as set forth in the Recreational and Sporting Activities Policy in the Residential Policies and Regulations section of this handbook.
- Safety and Security.** Misusing ID cards, allowing unauthorized access to the building, misuse of windows or other behaviors that create a safety concern as set forth in the Safety and Security Policy in the Residential Policies and Regulations section of this handbook.

Damage Billing

Each student is financially responsible for the cost of replacement or repairs of any breakage or damage (except for normal wear and tear) to their accommodations and its furnishings.

Community Damage Billing

The purpose of community damage billing is to promote individual responsibility and to hold students mutually accountable for the condition of their shared living spaces. Public areas (i.e. hallways, stairways, lounges, bathrooms) are the collective responsibility of the residents of that community (i.e. suite, wing, floor, building, apartment, house). Charges for damages to those areas may be divided among the residents of those

facilities. Items covered under the community damage billing policy may include, but are not limited to, vandalism, stolen furniture, or housekeeping charges in a common or public area when it is not possible to determine the responsible person(s).

If a student is found to have information regarding the responsibility of one or more other persons for damage done to University property and failed to share that information with police or UNH staff, the student may be charged for a share of the damage.

Alteration of Premises/Removal of Furniture

No changes may be made to the building or its fixtures by students individually or in groups without the expressed written permission of the Housing Department. The student or any person acting without said permission shall refrain from:

- Removing any item of University equipment/furniture from the room or premises.
- Altering or replacing the present locks or other security devices or installing additional locks or security devices.
- Making any structural or electrical alterations to the room.
- Using nails, screws, bolts, or decals upon the furniture, walls, doors, woodwork, ceiling, or floors of the room or apartment or otherwise defacing, painting or marring such surfaces.
- Making unauthorized repairs to or painting the room or apartment.
- Removing window screens.
- Building partitions or making alterations to furniture.

Animals

Pets or animals of any kind, except non-dangerous fish, are prohibited in University housing. One ten-gallon tank containing non-dangerous fish is allowed per room.

Service Animals: Service animals are allowed in University housing. See the [Room & Board Agreement](#) for additional information pertaining to service animals.

Emotional Support Animals: Emotional Support Animals (ESAs) are considered a housing accommodation and must be approved by UNH Student Accessibility Services and UNH Housing prior an ESA being allowed in University housing. Additional information about housing accommodations is available on the [Housing & Residential Life website](#).

Common Areas

The University strives to create an atmosphere of respectful, diverse opinion and expression. Although our community aspires to extend this atmosphere into student residential facilities, it is important to note that residences are unlike other campus facilities, and that some kinds of expressive conduct are subject to reasonable time, place, and manner restrictions. Students are expected to use good judgment when engaging in expressive conduct or displaying material in the common areas of the residence hall. These include any areas outside of a student room, including lounges, hallways, common bathrooms, public kitchens, and hallway doors where community members must pass every day and therefore cannot avoid. The display of materials in the common areas shall

be defined to include, but not be limited to, photographs, posters, written materials, videos, and live performances.

1. Students and guests are prohibited from displaying material in common areas that disrupt or would likely disrupt the educational mission of the University, including, but not limited to, materials that are pornographic, obscene or create a hostile environment sufficiently severe or pervasive to alter the conditions of other residents' ability to sleep, study or repose.
2. Students and guests are prohibited from displaying materials that are harassing or threatening to others. Please refer to the UNH Discrimination and Discriminatory Harassment policy for more information.
3. Videos shown in the common areas shall comply with all applicable copyright laws.
4. Taking furniture or other items from common spaces and placing them in student room or apartment is prohibited.
5. Overnight sleeping in common areas is prohibited.
6. Single-use bathrooms, as well as common bathroom shower and bath stalls, are single use only.

Guests and Visitors

Please reference Prohibited Conduct in Student Code of Conduct. In addition, the following applies to on-campus housing:

1. Guests must be always escorted by their host student while visiting in the building.
2. Overnight guests are not permitted in University housing without advance permission of all students of the room/apartment in which they are staying.
3. Overnight guests may not stay longer than two nights in any given week.
4. Per Durham Fire Department, the following maximum occupancies apply for University housing:
 - a. No more than ten (10) people may be in a residence hall or apartment bedroom, at any time.
 - b. No more than 20 people may be in a residence hall suite (all rooms in suite combined) or apartment (all rooms in apartment combined) at any time.

Noise

Each student shall respect and observe the rights of other students occupying University housing. Noise that is disruptive to others, including hall and apartment staff, is prohibited. Courtesy hours are always in effect and residents are to respect requests of others for quiet.

Nighttime hours are "quiet hours" when residents are to be especially aware of the volume and impact of their noise. Hall councils may choose to extend quiet hours but may not shorten them. Quiet Hours may also be extended during finals and break periods at the discretion of Housing and Residential Life.

- Residence Hall Quiet Hours:
 - Sunday – Thursday: 10:00pm-7:00am
 - Friday and Saturday: 12:00am-8:00am

- Apartment Quiet Hours:
 - Sunday-Thursday 11:00pm-7:00am
 - Friday and Saturday: 1:00am-8:00am

At no time should amplified sound or yelling be directed out or at resident's windows. Residents are to maintain reasonable quiet in courtyard areas at all times. The placement of stereo speakers in such a manner that sound carries out from the apartment or room is strictly prohibited. Compliance with the Durham noise ordinance is required.

Posting/Solicitation

Commercial activity, solicitation or advertising is not permitted in or around University housing unless prior approval by the University Police Department has been obtained. The only exceptions are activities permitted under University Rules and/or those sponsored by University staff or local resident governing councils.

1. Door-to-door solicitation is strictly prohibited.
2. All information posted in common areas and on bulletin boards must be approved by Housing and Residential Life. Items posted on room doors or other areas are subject to removal if they constitute a fire hazard or violate the provisions common area use.

Recreational and Sporting Activities

Participating in recreational and sporting activities in a residential environment, including both inside University housing facilities and on building balconies, has a high likelihood of resulting in personal injury or damage to property and are prohibited. Prohibited activities include, but are not limited to sports, water fights, some forms of practical jokes, and roughhousing. All athletic activities are to be confined to areas outside University housing which are specifically designated for such purposes.

Safety and Security

Part of the obligation of community living is to help safeguard the living environment. #Students are reminded that they share in the responsibility for the security of their rooms and the buildings in which they live. #Students are strongly encouraged to keep their rooms/apartments locked at all times and also to report individuals who appear to be tampering with locks, damaging facilities, harassing students, or behaving suspiciously. Students are advised to be particularly security-minded at times of check-in, holiday breaks, check-out, or when fewer residents are in the residential facilities.

The following behaviors can compromise the security of other students and are prohibited.

1. Giving personal #keys, ID card, or lock combination to another person
2. Leaving keys or ID card in a public space
3. Propping open any door to the outside
4. Attempting to force open any secured door
5. Interfering with the locking mechanism of any door
6. Tampering with or other misuse of elevators or hall equipment
7. Allowing individuals to enter the building without using their own entry card
8. Removing a window screen
9. Damaging any door, lock, or window
10. Climbing through windows, being on ledges, porticos or roofs
11. Throwing objects out of windows or from roofs of building.

12. Mounting a television, radio antennae, and/or any other object that is placed outside the room window or anywhere on the exterior of the building or adjacent grounds. The International Connection residence hall, with the prior approval of the Director of Residential Life, will be permitted to fly their international flags on Opening Weekend and for specific campus-wide events sponsored by the International Connection residence hall.

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