



Student Handbook

Purpose: Explain in detail the student rights and responsibilities, student expectations, student code and policies.

Applicability: The student handbook applies to all students, with certain sections applicable to visitors hosted by a student.

Northern Michigan University Student Handbook

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** Part 2 revised and approved by the Board of Trustees of Northern Michigan University, September 20, 2024.*

ADA/Section 504 Non-Discrimination Policy and Grievance Procedure

Northern Michigan University does not unlawfully discriminate on the basis of ancestry, race, color, ethnicity, religion or creed, sex or gender, gender identity*, gender expression, genetic information, national origin, immigration status (unless restricted by state or federal laws and

regulations), age, height, weight, marital status, familial status, pregnancy, disability, sexual orientation, military or veteran status, or any other characteristic protected by federal or state law in employment or the provision of services. NMU prohibits discrimination on the basis of sex and sexual harassment in its educational programs and activities.

*“Gender Identity” means an individual’s actual or perceived gender, which includes transgender and gender fluid, and also takes into account an individual’s self-image, appearance, expression, or behavior, whether or not that self-image, appearance, expression, or behavior is different from that traditionally associated with the individual’s sex assigned at birth.

Reasonable Accommodation Policy

NMU provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities.

The Dean of Students Office, 2001 Hedgcock, [\(906\)227-1700](tel:(906)227-1700), handles student complaints regarding other students involving discrimination/harassment. Violations of the Student Code are handled through the Dean of Students Office.

The Equal Opportunity Office, 105 Cohodas, [\(906\)227-2420](tel:(906)227-2420), handles employee, applicant, and student employee discrimination/harassment complaints.

Northern Michigan University - Shared Expectations

We expect our *University* to:

- provide courses taught by knowledgeable faculty who are effective teachers;
- provide academic resources which support the teaching and learning processes;
- provide clear information about majors, program requirements, course offerings, etc.;
- offer courses at sufficient frequency and times to encourage timely completion of degrees or programs;
- be mindful of the costs incurred by students;
- maintain a safe, clean, friendly, civil, and inclusive environment, free from harassment, discrimination, and retaliation; and
- encourage student involvement in University governance.

We expect our *Faculty and Staff* to:

- provide services consistent with the University’s mission and admissions policy;

- use effective teaching approaches which model freedom of expression, set high performance standards, and provide early and frequent feedback to students;
- provide competent and caring service;
- ensure students' rights to confidentiality as required by law;
- be available to students enrolled in their classes and programs for consultation and to advisees for assistance with academic and career planning;
- report any knowledge of concerns or discrimination, harassment, or retaliation for investigation; and
- Foster belonging and inclusivity, and model respect for diversity including, but not limited to, race, culture, opinion, and other human differences.

We expect our *Students* to:

- attend and fully participate in all classes for which they are enrolled;
- know the requirements for graduation and for their academic majors, and monitor their progress toward meeting those requirements;
- seek timely assistance from their academic advisers and faculty members;
- use academic resources and support services responsibly;
- participate in surveys, focus groups, and other requests for feedback regarding the quality and nature of University services and instruction;
- enhance their educational experience through involvement in extracurricular programming such as lectures, performing arts programs, study groups, and student organizations; and
- exercise their freedoms consistent with the mission and values of this educational institution.

Preface

The contents of this publication are divided into two sections: Part 1: Student Rights and Responsibilities and Part 2: Student Code. These documents are interrelated, yet they retain distinct identities and purposes.

Student Rights and Responsibilities

Part 1 of this publication, Northern Michigan University's statement of Student Rights and Responsibilities, addresses students' rights and duties as well as institutional responsibilities pertaining to academic and administrative matters. The document also describes the procedure for the resolution of grievances relating to academic and administrative matters, including the areas of grading and academic dishonesty. Students' rights and freedoms outside of the classroom are addressed also.

The rights and responsibilities outlined in Part 1 of this document shall not be construed to alter other rights and responsibilities inherent in the basic educational philosophy of the University.

Student Code

The Northern Michigan University Student Code is intended to inform the Northern Michigan University community about the acceptable standards of student behavior. The Student Code is contained in Part 2 of this publication. It lists the University's regulations, created through the input of students, faculty, and staff, which govern student behavior. Part 2 of the Student Code also describes the student conduct procedures for, and due process rights of, students who are charged with violations of the stated regulations.

University Policies and Related Documents

Policies and related documents are contained in [NMU's Policy and Resource Database](#).

Undergraduate and Graduate Bulletins

Undergraduate and graduate bulletins of the university are especially important for students. In general, students must follow the bulletin of the year in which the student first enrolled at NMU. Bulletins can be found on the Registrar homepage (nmu.edu/records). These publications contain the academic policies of the University. Students carry the responsibility of knowing and understanding these policies and academic requirements.

Periodic Review of Student Handbook

This Student Handbook shall be reviewed every three years by the Dean of Students or designee. The Dean of Students shall obtain input from students and departments within the university community responsible for the information contained in this handbook. The Dean of Students may also obtain input from other individuals as appropriate. Any changes recommended by the Dean of Students are subject to the final approval of the Board of Trustees.

Complaints, Exceptions and Appeals

Northern Michigan University endeavors to establish policies and regulations which ensure that the living and learning environment fosters student success. The University attempts to establish procedures, practices, and processes which assist in the orderly pursuit of the mission of the institution. These publications are available by visiting (<https://nmu.edu/policies>).

The University also recognizes that complaints and grievances will inevitably arise. To address these, the University has created procedures for students to register complaints and grievances and receive a reasoned response to the issues which they bring forward.

A number of processes for resolution of specific issues are provided in existing policies and regulations. Students are expected to initiate such processes themselves. The table below

describes the most common issues which arise, the appropriate initial contact person or office, and the document which contains the formal process for resolving the issue.

In those instances where no formal resolution process has been established, or it is unclear what process applies to a given circumstance, the “Complaint Other Than Grades” section of the *Student Rights and Responsibilities* document contained within this publication will govern resolution. Any questions about the application of this process, or the appropriate process to resolve any complaint or appeal should be directed to the Dean of Students Office.

Members of the University community having questions about the student complaint resolution process should contact the Dean of Students Office, 2001 C.B. Hedgcock Building, (906)227-1700, or by email at dso@nmu.edu.

Issue Is About	Issue Is	Initial Contact Point or Person	Procedure Found In
Classroom Instruction	Complaint or Grievance	Faculty member, Department Head	Departmental By-Laws or Faculty Contract
Disability	Complaint or Grievance	Dean of Students	ADA/Section 504 Grievance Procedures
Discrimination/ Harassment	Complaint or Grievance/Student against Faculty or Staff	Equal Opportunity Office	ADA/Section 504 Grievance Procedures Discrimination/Complaint Procedures
	Complaint or Grievance/Student against Student	Dean of Students Office	Student Code
Drop, Add, or Withdrawal Deadline	Exception to Policy	Dean of Students Office	Undergraduate or Graduate Bulletin
Drop or Withdrawal	Complaint		
Refund	Appeal		

Financial Aid	Complaint or Grievance	Director of Financial Aid	<u>Financial Aid Rights and Responsibilities</u>
	Appeal	Financial Aid Appeals Committee	
Grades	Complaint or Grievance	Faculty member, Department Head	<u>Student Rights and Responsibilities</u>
	Appeal		
Housing	Complaint or Grievance	Resident Director	<u>Residence Life Homepage</u>
	Exception to Policy	Housing and Residence Life Office	<u>Housing Requirement</u>
	Appeal		
Parking	Complaint or Grievance	Parking and Traffic Committee	<u>Motor Vehicle Ordinances</u>
	Exception to Policy	NMU Police Department	
	Appeal		
Residency for Tuition Purposes	Apply for Change in Status Appeal	Prospective Students: Admissions	<u>Undergraduate or Graduate Bulletin</u>
		Continuing Students: Registrar	
Relationship Violence, Sexual Misconduct and Stalking	Complaint or Grievance	Equal Opportunity Office/ Dean of Students	<u>Relationship Violence, Sexual Misconduct and Stalking Procedures</u>
Student Employment	Complaint or Grievance	Immediate Supervisor	<u>Student Employment Handbook</u>
Student Conduct	Complaint or Appeal	Dean of Students Office	<u>Student Code</u>

Concern Not Listed Here	Complaint or Grievances	Dean of Students Office	<u>Student Rights and Responsibilities</u>
	Exception to Policy		
	Appeal		

Part 1: *Student Rights and Responsibilities*

1.0 Preamble

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the holistic development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Institutional procedures for achieving these purposes may vary from campus to campus, but the foundational standards of academic freedom of students outlined in this document are essential to any community of scholars. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. To protect the freedom of students to learn, as well as enhance their participation in the life of the academic community, students should be free from exploitation, discrimination, or harassment.

The responsibility to secure and respect general conditions conducive to the freedom to learn is shared by all members of the academic community. Every academic institution should develop policies and procedures to provide and safeguard this freedom. Such policies and procedures should be developed at each institution within the framework of general standards and by the members of that academic community. The purpose of this handbook is to list the essential provisions for student freedom to learn at Northern Michigan University.

1.1 Academic and Administrative Rights and Responsibilities

The provision of appropriate conditions and opportunities for learning is an important measure of the quality of an educational institution. The University assumes a number of essential responsibilities to achieve academic excellence and preserve the ideals of academic freedom for students. As members of the academic community, students similarly accept certain responsibilities.

1.1.1 Instruction and Academic Evaluation

.01 Institutional Responsibility

The University should offer a wide variety of courses and degree programs that further the [mission and vision](#) of the institution. Courses and programs should be offered that are relevant not only to the varied interests and abilities of the student body but also to the changing needs of society. Qualified faculty and adequate facilities, equipment, and materials should be provided to support instructional programs. The University also has the responsibility to provide instruction that correlates closely with approved descriptions as published in the current and supplementary documents.

Students have a right to be informed of the instructional objectives of each course at the beginning of the semester. Instruction should be directed toward fulfillment of the stated objectives of each course. Students are likewise entitled to be informed at the beginning of each semester of the course requirements and of the methods and criteria to be employed in the evaluation process, including the determination of the course grade. Each academic department shall make available a copy of the course syllabus to each student enrolled in each course and shall maintain a copy of each syllabus on file with the department head.

Reasonable notice (at least one week) should be given as to when major exams are scheduled and when major assignments are due. University policy requires that classes meet regularly at scheduled times and in the scheduled place which can include both in-person and online spaces), based on the University's discretion and subject to change at any time. If a change is necessary to the manner or mode in which classes are administered or provided to students, reasonable efforts should be made to accommodate the needs of the students. Students should expect to have timely appraisal of their progress in each course and opportunities to discuss their academic work with their faculty. Students should have an opportunity to review all written work on which they have received a grade. Course work, except for exams, which is not returned to students at the end of the semester should be kept on file by the faculty for at least a year, after which the coursework may be disposed of in a manner which protects the confidentiality of the students. Exams not returned to students at the end of the semester must be kept on file by faculty member for one calendar year. Course grades should be based entirely upon students' performance in meeting course requirements as outlined in the syllabus.

The University encourages student involvement in the evaluation of instruction, courses, and programs as an integral part of the total evaluation process. Another effective means of achieving meaningful student involvement is through student membership on various academic policy recommendation committees.

1.1.2 Academic Freedom for Students

.01 Institutional Responsibilities

Within the classroom and in conferences with students, faculty should encourage students to engage in open discussion, inquiry, and expression relevant to the course content. Students should be free to take reasoned exception to the views and interpretations offered in any course of study and to reserve judgment about matters of opinion. Faculty should seek, especially in the classroom, to create a climate in which the right of free expression accorded to one student respects the dignity of other students and does not interfere with the right to free expression of the other students in the classroom.

.02 Student Responsibility

Students are responsible for learning the content of any course for which they are enrolled. Students bear a great deal of responsibility for preserving the ideals of academic freedom. Any action which has the effect of stifling free expression of differing points of view or which is disruptive of efforts to present a wide variety of opinion is contrary to academic freedom and is unacceptable within an academic community. Students are responsible for the exercise of the right of free expression without harassment of other members of the University community.

1.1.3 Academic Advising

.01 Institutional Responsibility

The University should provide accurate, complete, and clear information concerning curriculum requirements. Academic advising is an integral part of this responsibility and is the primary means by which students and their advisers develop a program of study. Faculty and advising staff are expected to be available to students for advising and other conferences during posted office hours, at arranged appointments, or through electronic communication.

.02 Student Responsibility

Students have the responsibility to ensure that the academic requirements for their desired degrees are met. They should become familiar with the University's academic requirements and standards. Students have the responsibility to seek the counsel of their academic advisers and others who may be of assistance to them.

1.1.4 Academic Records

.01 Institutional Responsibility

Northern Michigan University is committed to maintaining accurate student records and protecting the privacy of those records, in accordance with the Family Educational Rights and Privacy Act (FERPA). Students have the right to review their educational records, request an amendment to those records, and provide consent to disclosure of personally identifiable information contained within their record. The detail regarding student records, how they may

be accessed, and what information is protected is specified in the [University FERPA Policy](#). This policy is available by visiting (<https://nmu.edu/policies>).

.02 Student Responsibility

Students have the responsibility to provide full and accurate information necessary for the maintenance of valid academic records. Students should check their academic records regularly to identify possible errors and to make certain that academic requirements are being met.

.03 Theses and Other Papers Authored by Students

Graduate research papers, undergraduate honors theses, and graduate theses differ in nature from typical student papers and essays; such works often become research sources themselves and can be published in electronic or paper format. If permission for publication is granted by the student, the University may make available to third parties graduate research papers, undergraduate honors theses, and graduate theses. Other types of student work may be made available to third parties provided that advance notification is provided to students in the syllabi for individual courses where this may occur.

1.2 Rights of Due Process in Regard to Academic or Administrative Matters

The establishment and maintenance of the proper relationships among members of the University community are fundamental to the University's function. These relationships require that faculty, staff, and students respect the rights and responsibilities that are inherent in community membership. Whenever problems arise among members of the University community, attempts should initially be made to resolve these problems through informal and direct discussions if appropriate. If such discussions fail to resolve a given problem satisfactorily, the following appeal procedures shall apply.

1.2.1 Student Complaints Concerning Grades

Students who believe that the final course grade which they have received is incorrect or unfair should:

- Consult with the faculty member for the course in question, and seek satisfactory explanations and/or resolutions. In situations involving possible harassment or discrimination, students may go directly to the department head. The department head may represent a faculty member who is unavailable for the semester in which the grade appeal is being processed.
- If, in the opinion of the student, the complaint remains unresolved after the discussion with the faculty member, the student may follow the grade appeal procedures outlined in

section 1.2.1.04 of the Student Handbook.

.01 Reasons for Grade Appeal

The reasons for a grade appeal will be restricted to the following:

1. The grade allegedly is based on a score that is mathematically erroneous or based on a factual error.
2. The rules established for assigning grades as outlined in the course syllabus allegedly have been violated.
3. The faculty member has allegedly graded on some basis other than academic performance in the course.
4. Extenuating circumstances such as a faculty member's illness, incapacity, unavailability, or absence have generated uncertainty regarding the appropriateness of the grade assigned.
5. The student is appealing a finding of academic dishonesty by the faculty member as outlined in Section 1.2.3 of the Student Handbook, in which case the student should bypass the faculty member and go to the department head.
6. Undue lack of, or incorrect, communication/feedback from faculty about the student's performance have prevented a student from making an informed decision regarding continued enrollment in the course in question.

.02 Burden of Proof

The student shall carry the burden of proof that the grade is incorrect or unjustified. For appeal proceedings, the burden of proof is preponderance of the evidence (more likely than not). The department head and college grade appeal committee shall decide whether the evidence shows that it is more likely than not that the reason for appeal (listed in section 1.2.1.01) affected the student's grade.

.03 Composition of the Appellate Bodies

Department Head - The head of the department which offered the class will serve as the first level of appeal.

College Appeals Committee - The dean of the college for which the class involved is offered will serve as the contact for the second, and final, level of appeal. The dean of the college shall, if necessary, establish an appeals committee and designate a chair. The chair is a voting member. The appeal committee shall be made up of three (3) faculty members, representing two separate colleges, and two (2) students chosen from the pool of students serving on the University Conduct Board. The two students shall not have an affiliation with the department through which the class involved is offered. The student grievant may, however, request in advance of the hearing, in writing, that the two students be excused and that the grievance be heard only by three faculty members.

.04 Grade Appeal Procedures

Students are encouraged, when appropriate, to work directly with faculty members on grade issues. The following defines the grade appeal procedures and deadlines if a grade issue is not resolved by talking directly to the faculty member. All of the following deadlines are exclusive of the summer session. If the deadline falls on a weekend or a University recognized holiday then it would be pushed to the next business day.

1. To initiate a grade appeal, the student should detail in writing how the grade that the student received is incorrect or unfair in relation to one or more of the six reasons for appeal listed in section 1.2.1.01 of the Student Handbook. The appeal shall then be submitted by the student to the department head through which the class involved is offered no later than thirty (30) calendar days following the first day of classes for the next regular semester. The faculty member involved will be given an opportunity to review the appeal and submit a written response.
2. The department head shall decide if the written appeal statement and the supporting documents indicate that at least one of the six reasons for appeal stated in section 1.2.1.01 of the Student Handbook is being applied by the student as the basis of the appeal. The appeal shall be dismissed if (a) the appeal was not timely or granted exception to the deadline, (b) the appeal, as described by the student, is not based on one or more of the six bases for appeal, or (c) the student has not attempted to resolve the grade issue directly with the faculty. In those cases where the department head finds that one or more of the six reasons is applicable, they shall analyze the circumstances and make a determination to grant or deny the student's appeal.
3. The decision rendered by the department head will be sent via email to the students and faculty member's NMU email accounts within twenty-one (21) calendar days of the receipt of an appeal. The outcome and records pertaining to the department level appeal will be maintained by the department head involved.
4. Grade appeals which are not resolved to the satisfaction of the student or the faculty member following a review by a department head may be appealed in writing to the dean of the college through which the class involved is offered, using the original appeal, no later than fourteen (14) calendar days following the date the opinion from the department head was sent via email to the students and faculty member's NMU email accounts. Both the student and faculty member have the right to appeal a decision rendered by the department head. Upon receipt of the appeal in writing, the dean has fourteen (14) calendar days to determine whether it is based on the criteria listed 1.2.1.01 and inform the student and faculty member via email.

5. If the dean of the academic college determines that the appeal is not based on the criteria listed in 1.2.1.01, students have the right to submit one (1) revised version of their original appeal. If a student submits a revised appeal it must be received in writing by the dean within seven (7) calendar days of the dean's initial decision. Upon receipt of the revised appeal in writing, the dean has fourteen (14) calendar days to determine whether it is based on the criteria listed 1.2.1.01 and inform the student and faculty member via email.

6. If the dean of the academic college determines that the appeal is based on the criteria listed in 1.2.1.01, then a college appeals committee will be formed and a grade appeal hearing conducted. The chair of the college appeals committee will obtain the outcome and records pertaining to the department level grade appeal from the department head involved, as well as any clarification statements from the student and faculty member involved in the grade appeal.

7. The steps in a formal grade appeal hearing shall be as follows:
 - A presentation of the complaint by the student followed by questioning by the appeals committee.
 - A presentation by witnesses for the student followed by questioning by the appeals committee.
 - A presentation by the faculty member followed by questioning by the appeals committee.
 - A presentation by witnesses for the faculty member followed by questioning by the appeals committee.
 - The student and faculty member shall have the opportunity to ask any questions of each other, or witnesses, relevant to the appeal, beginning with the student. All questions must be directed to the chair of the hearing and at no time should the student or faculty member address each other, or witnesses, directly.
 - Any final questions by the appeals committee.

8. At the close of the formal grade appeal hearing the appeals committee will deliberate in private. The appeals committee shall determine, by majority vote, if one of the six reasons for appeal did, in fact, affect the student's grade in the course. If the appeals committee decides the reasons for appeal did not affect the student's grade, the appeal will be denied.

9. If the college appeals committee decides one of the six reasons for appeal did affect the student's grade and a change in the grade for the course should be made, the appeals committee shall attempt to reach a solution mutually agreeable to the student and the faculty member who assigned the grade. Should the acceptable solution involve a change of the final grade for the course, the faculty member will submit a grade change to the appropriate department head within five (5) business days.



college involved. The dean will perform an independent case review and make a final grade determination in line with the recommendation of the appeal committee. The dean will submit a grade change to the registrar within five business days of their final determination.

11. The decision rendered by the college appeals committee will be sent via email to the student's and faculty member's NMU email accounts within twenty-one (21) calendar days of the receipt of an appeal. The outcome and records pertaining to the college appeal will be sent to the dean of the college involved.

.05 Rules of Procedure

1. All deadlines within the grade appeal procedures are exclusive of the summer session and days on which the university is closed for regular business (grade appeals of grades for summer session courses will have a deadline of thirty (30) calendar days following the first day of class of the Fall semester).
2. Any exception to the deadlines shall be for extenuating circumstances determined to be valid by the dean of the college, in consultation with the head of the department through which the class involved is offered.
3. If the department head is unable to render a decision within the twenty-one (21) calendar days, the appeal will follow the dean level appeal process.
4. Appeals by one student on behalf of other students or an entire class are not permitted.
5. If more than one student is appealing a grade in the same course, with the same circumstances, and with the same faculty member, the cases may be heard together if all parties are in agreement. The proceedings shall be the same as for one student except that the appeals committee shall not make a decision on any student's grade appeal until the committee has heard from all students involved in the case.
6. The student and faculty member bear the responsibility of contacting their own witnesses and ensuring that the witnesses are in attendance at the grade appeal hearing.
7. If the student or faculty member fail to appear for the grade appeal hearing, the appeal will be heard, and a decision rendered, in their absence.
8. The chair of a grade appeals committee shall have the authority to:
 - Direct the grade appeal hearing
 - Call recesses
 - Postpone the hearing to gather more information, investigate circumstances, or request the attendance of witnesses
 - Take appropriate steps to maintain order at the grade appeal hearing
 - Decide questions of relevancy from both the appeals committee and participants

9. If a student is found responsible for academic dishonesty through the grade appeal process, they are responsible as defined in the Student Code and will be issued the appropriate sanction by the Dean of Students Office.

.06 Rights of Students and Faculty Members Involved in a Grade Appeal

1. The student and faculty member shall be entitled to a hearing by impartial persons.
2. The faculty member who is involved in the complaint shall not sit as a member on any appeals committee considering the complaint to which the faculty member is a party. If the department head is teaching the course in question, the dean of the college will designate another department head to hear the department head level appeal.
3. The student and faculty member involved shall be entitled to be present at the college grade appeal hearing during the presentation of any matters on which a decision may be based. Deliberation shall be done in private with only the appeals committee present.
4. During the appeal hearing, the student and the faculty member may be accompanied by a support person of their own choosing, provided that the support person shall be a member of the faculty, staff, or student body of the University, and that the support person shall not be a licensed attorney. The support person is not allowed to participate in the process, but the student may informally consult with the support person.
5. Grade appeal hearings shall be closed to the public. Persons in attendance shall be limited to:

- Members of the college appeals committee
- The student and their support person
- The faculty member and their support person
- Witnesses, and
- Individuals with an interest in the case who are authorized to attend by the chairperson of the appeals committee.

6. The college appeals committees shall maintain the sole record of the hearing. College appeals committee records will be housed in the department office through which the class involved was offered. Those records will be kept for five (5) years from the date the final appeal outcome was emailed to the student's and faculty member's NMU email accounts.

7. The student and faculty member involved shall be informed of the outcome of the appeal hearing via their NMU email.

1.2.2 Complaints Other than Grades

Students having complaints that do not concern grades should first seek resolution of the complaint with the faculty or staff member most directly involved in the circumstance, except in situations involving possible harassment or discrimination, in which case the student should contact the Dean of Students Office. Students who do not feel that their complaints are

satisfactorily resolved by the faculty or staff member most directly involved should contact that individual's supervisor. Those students who feel that their complaints remain unresolved after contacting the supervisor of the faculty or staff member most directly involved should contact the Dean of Students or their designee. The role of the Dean of Students or their designee is to provide impartial assistance in solving problems and resolving disputes. The Dean of Students or their designee cannot impose solutions, but can identify options and strategies for resolution.

The Dean of Students or their designee will assist students in determining whether a formal process has been established at the University to resolve complaints of the nature of those brought forward. In those circumstances where such a process or procedure has been established, the Dean of Students or their designee assisting the student(s) will provide the student(s) with an explanation of the process and any forms or other materials which are necessary to follow that process.

In those circumstances where there is no formal process established, the Dean of Students or their designee will document the complaint, forwarding a copy to the appropriate academic or administrative offices and file the original complaint in the Dean of Students Office. The complaint will be resolved by the academic or administrative office to which the complaint is forwarded by the Dean of Students Office.

1.2.3 Academic Dishonesty

In instances where there are reasonable grounds to suspect a student of academic dishonesty as defined in the Student Code in Section **2.3.1**, the faculty member must inform the student of the nature of the alleged violation within fourteen (14) calendar days of becoming aware of the alleged violation, exclusive of dates when the University is not in session.

After affording the student an opportunity to respond, the faculty member will decide whether or not the student is responsible for dishonest academic practices. If the faculty member concludes that dishonest academic practices have occurred, the faculty member will take appropriate corrective action. Such action may include, but is not limited to, a repetition of the assignment or a lowering of the grade for the assignment or course. The most severe penalty which may be imposed directly by the faculty member for academic dishonesty is a grade of "F" for the course to which the violation applies. The decision of the faculty member shall be subject to appeal following the rules of procedure outlined in Section **1.2.1**.

The faculty member should keep a complete record of matters pertinent to such incidents and forward a summary of the incident to the department head and other appropriate administrators. The faculty member has the option to request the Dean of Students Office to keep a record of academic dishonesty on file informally or to formally charge the student with a violation of the Student Code and assign a disciplinary penalty in accordance with the

Student Code. Students who are given a grade of "F" as a result of a finding of academic dishonesty may not withdraw from the course if found responsible through disciplinary action in accordance with the Student Code. The student conduct process will automatically honor decisions made through the grade appeal process regarding academic dishonesty.

1.2.4 Program Dismissal

A student who is dismissed from an academic program may inquire about any potential option for appeal through the department head who supervises the program.

1.3 Rights and Freedoms Outside of the Classroom

1.3.1 Student Participation in Institutional Government

As members of the academic community, students are free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body have input into the formulation and application of University policy affecting academic and student affairs. "Academic and student affairs" should be interpreted broadly to include all academic, administrative, and policy matters pertinent to students' educational experiences.

The role of student government and both its general and specific responsibilities should be made explicit, and the actions of student government within areas of its jurisdiction should be reviewed only through orderly and prescribed procedures. Through membership on various standing and ad hoc committees with members of the faculty and administration, students may have input into the formulation and application of institutional policy affecting academic and student affairs.

1.3.2 Student Publications and Communications

Student publications, the student press, and other student communications media are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world at large.

Whenever possible, student publications, student press, and other student communications media should be financially and legally separate from the University. Where financial and legal autonomy is not possible, the University, as the publisher or licensee of student publications, student press, and other student communications media shall have ultimate control over the contents of the publications or broadcasts subject to content neutral policies and procedures. In the delegation of editorial responsibility to students, the University should provide sufficient editorial freedom and financial autonomy for the student communications media to maintain

their integrity of purpose as vehicles for free inquiry and free expression in an academic community. This should be accomplished within the framework of institutional responsibility and liability.

The editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, slander, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. Subject to compliance with these canons, editorial freedom of student publications, student press, and other student communications media will be implemented as follows:

1. The student press, student publications, and other student communications media will be free of censorship and advance approval of copy, and their editors and managers will be free to develop their own editorial policies and news coverage.
2. Editors and managers of student communications media will be protected from arbitrary suspension and removal because of student, administrative, faculty, or public disapproval of editorial policy or content. Only for proper and stated cause will editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers will be the agency responsible for their removal.
3. All University published and financed student publications and communications media will explicitly state on the editorial page or during editorial broadcast that the opinions expressed are not necessarily those of the University or student body.

The policy titled "[Distribution or Sale of NMU Student Publications and Other Written Materials](https://nmu.edu/policies)," as adopted by the Board of Trustees, further defines students' rights and responsibilities on the subject of student publications. This publication is available by visiting (<https://nmu.edu/policies>).

1.3.3 Civic Rights and Responsibilities

University students are members of the academic, local, national, and global communities. Students should enjoy their rights to freedom of speech, right of peaceful assembly, and right of petition as provided by applicable law. Faculty members and administrative officials shall ensure that institutional powers are not employed to inhibit students' intellectual and personal development both on and off campus.

1.3.4 Freedom of Association

Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free to organize and join associations to promote their common interests. The "[Student Organization Registration](https://nmu.edu/policies)

Policy,” as adopted by the Board of Trustees, was established for the purpose of ensuring that these freedoms are safeguarded. This policy is available by visiting (<https://nmu.edu/policies>).

1.3.5 Freedom of Inquiry and Expression

Students and student organizations shall be free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. They shall be free to support causes by orderly means which do not disrupt the regular and essential operation of the University. Restraints on free inquiry should be held to that minimum which is consistent with preserving an organized society in which peaceful, democratic means for change are available, and will be considered in a content neutral fashion. Students and student organizations engaging in such activity should make clear to the academic and larger community that in their public expressions or demonstrations, they speak only for themselves. Inherent in this freedom is an obligation for tolerance of diverse opinions.

Students and student organizations have the right to invite to campus and to hear persons of their own choosing, and will be considered by the University in a content neutral fashion. Accordingly, the “**Outside Speakers Policy**” was adopted by the Northern Michigan University Board of Trustees and should be reviewed when inviting the person. This policy is available by visiting (<https://nmu.edu/policies>).

1.3.6 Regulations and Adjudication Procedures

University regulations and the process by which alleged violations are adjudicated are stated in the Student Code, Part 2 of the Student Handbook.

Part 2: *Student Code*

2.0 Philosophy

Admission into the University community is both voluntary and optional, and obligates each student to abide by the regulations established by the University. It is intended that these regulations will further the educational mission of the University by providing an environment conducive to the personal growth and development of students. These regulations may not, however, be unreasonable or forbid the exercise of a right guaranteed by applicable federal, state, and local laws.

Northern Michigan University is committed to maintaining a learning environment where all persons feel safe to carry out the University’s mission and goals. The University values the safety and wellbeing of each individual in its community.

Our university has established the CARE team to assist in addressing situations in which students, faculty, or staff are displaying behaviors that are concerning, disruptive, or threatening in nature and that potentially impede their own or others' ability to function successfully or safely. These policies and procedures are designed to help identify persons whose behavior potentially endangers their own or others' health and safety or is disruptive to the educational or administrative processes or operations of the university.

For emergent safety concerns, a subgroup of CARE, which includes NMU Police, Housing & Residence Life, and the Dean of Students Office, will coordinate to assess an immediate need.

All students are expected to follow Northern Michigan University's conduct policies. Where a student (1) violates the University's rules and regulations as outlined in the Student Code, (2) engages in behavior that substantially impedes the lawful activities, educational process, or other proper activities or functions of other members of the University community, or (3) poses an actual risk of serious harm to others within the University or to the University community, the student may be subject to disciplinary action up to removal from the university pursuant to the Student Conduct Process.

2.1 Definitions

For the purposes of the Student Code, the following definitions apply:

.01 ADMINISTRATIVE HEARING means a meeting with a conduct administrator during which the conduct incident will be reviewed. The respondent will be provided the opportunity to accept responsibility for the Student Code charges, and be issued a sanction. The respondent can deny responsibility or stand silent and participate in a conduct board hearing.

.02 COMPLAINANT means any person who reports that a student is alleged to have violated this Student Code.

.03 CONDUCT ADMINISTRATOR means an NMU official authorized to administer the student conduct process, determine responsibility and impose sanctions upon any student(s) found to have violated the Student Code.

.04 CONDUCT BOARD means persons authorized to determine whether a student has violated the Student Code and to recommend sanctions that may be imposed when it has been determined a rules violation has been committed.

.05 FACULTY MEMBER means any person hired by the University to instruct classes, or assist with instruction of classes.

06 MEMBER OF THE UNIVERSITY COMMUNITY includes any person who is a student, faculty member, University Official/Staff or any other person employed by the University, and

persons who reside in NMU housing facilities. This also includes those serving the University in a formal capacity.

.07 RESPONDENT means any student accused of violating this Student Code.

.08 TITLE IX the Title IX Office handles cases involving Prohibited Conduct (relationship violence (dating violence/domestic violence), sexual misconduct (sexual assault, sexual exploitation, and sexual or gender-based harassment), and stalking). Contact the Title IX Office, or refer to the Relationship Violence, Sexual Misconduct and Stalking Policy, for the process used to resolve cases involving Prohibited Conduct.

.09 STUDENT includes all persons enrolled for any course through or at NMU, both full-time and part-time, and those who attend educational institutions other than NMU and/or reside in NMU housing facilities. Participants of the National Training Site are considered students. Persons who are not officially enrolled for a particular semester but whose NMU record indicates a continuing relationship with the University are considered students. Persons who have been admitted to NMU but have not yet enrolled for courses are considered students.

.10 UNIVERSITY means Northern Michigan University.

.11 UNIVERSITY OFFICIAL/STAFF includes any person employed by NMU performing assigned responsibilities, including those not employed but serving the University in a formal capacity.

.12 UNIVERSITY PREMISES include all land, buildings, and facilities controlled by the University, and thoroughfares frequently used by students (including adjacent streets and sidewalks).

2.2 Purpose

In order for the student conduct system to function effectively, members of the University community must know the standards expected of students and the process for resolving alleged violations of the Student Code. Sections 2.4 through 2.7 outline procedures for dealing with alleged violations of the Student Code and inform students of their procedural due process rights.

The present Student Code is a revised edition of the 2020 version and was developed by the professional staff from the Dean of Students Office in cooperation with a committee consisting of members of the Conduct Boards, Housing and Residence Life, Center for Student Enrichment, Dining Services, NMU Police Department, Provost's Office, faculty, staff, and the Associated Students of Northern Michigan University (ASNMU). Any part of this document may be revised by action of the Northern Michigan University Board of Trustees.

Recommended revisions of the Student Code are forwarded to the Provost and the President. The President shall submit recommended revisions directly to the Board of Trustees. The Dean of Students Office is authorized to make changes to names, titles, references, or other non-substantive information.

2.3 University Regulations

Jurisdiction of the Northern Michigan University Student Code:

Standards of behavior are developed by institutions of higher education for the purpose of furthering educational objectives. These standards, commonly referred to as student regulations, may apply to behavior off-campus as well as on-campus.

Violations of the regulations set forth by the University may result in disciplinary action by the University. Criminal prosecution may also be pursued by law enforcement authorities.

The Northern Michigan University Student Code shall apply to conduct that occurs on University premises, at University-sponsored activities, and certain off-campus conduct. The University may take action in certain off-campus situations involving flagrant disregard for any person or persons; or when a student's or student organization's behavior is judged to threaten the health, safety, and/or property of any individual or group; or any other activity which adversely affects the University community and/or the pursuit of its mission.

Each student shall be responsible for their conduct from the time of admission through the actual awarding of the degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during break periods between terms of actual enrollment (and even if their conduct is not discovered until after the degree is awarded).

The Student Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The Dean of Students may recommend the student conduct process proceed regardless of withdrawal, particularly in cases involving willful homicide, sexual misconduct, dating violence, domestic violence, stalking, robbery, burglary, aggravated assault, larceny, motor vehicle theft, and arson. The Dean of Students, or their designee, shall decide whether the Student Code shall be applied to conduct occurring off-campus, on a case-by-case basis, in their sole discretion.

The Northern Michigan University Student Code may be applied to behavior conducted online, via email, or another electronic medium. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University shall not regularly search for this information but may take action if and when such information is brought to the attention of

University Officials for any reason. No violation of the Student Code can occur when the speech that is subject to the complaint is protected by the student's free expression rights under the First Amendment.

Authority:

Authority for the enactment of student regulations is vested in the Northern Michigan University Board of Trustees. The Board delegates powers to the President, who in turn shares with specified members of the University community, the responsibility to develop recommendations regarding student regulations. Student regulations adopted by the Northern Michigan University Board of Trustees are stated below. Regulations which are developed and approved shall be considered to be part of the Student Code. Newly-approved regulations shall be updated online upon their adoption.

Sanctions:

Sanctions may be imposed upon any student found to be responsible for violation of the Student Code. Sanctions may be imposed independently or in combination with others. It is dependent on the particular circumstances of the violation. Severe and/or multiple violations shall increase the severity of sanctions applied. The sanctions are defined in Section 2.7 of this document.

Responsibility for Living Space and Property:

Students at Northern Michigan University are responsible for the behavior exhibited in, and contents in, their assigned living space or property in their control. Any item(s) removed from their assigned living space may still be the responsibility of the student.

Responsibility for Guests:

Students at Northern Michigan University are responsible for their guests' compliance with University rules and regulations. Students may be charged through the NMU student conduct process for violations of the Student Code by their guests.

Student Code Interpretation:

Any question of interpretation or application of the Student Code shall be referred to the Provost, or their designee, for final determination.

2.3.1 Academic Dishonesty

Students shall not intentionally or negligently participate in academic dishonesty in any course offered by NMU. If a student is uncertain about an issue of academic honesty, the student should consult the faculty member to resolve questions in any situation prior to the submission

of any academic work. This regulation does not preclude an academic penalty imposed by a faculty member as provided for in Student Rights and Responsibilities, Section 1.2.3.

Cheating

.01 Students shall not, during the course of a quiz or examination, (1) offer information of any kind to another student; (2) take and/or receive information of any kind from another student, or from the quiz or examination responses made by another student; or (3) have in their possession any tool, written material, or other device which may be of assistance to them in taking the quiz or examination, and which has not been authorized by the faculty member.

.02 Students shall not take, steal, share, or otherwise obtain in an unauthorized manner any piece or pieces of writing or information which contain the questions, answers or access codes to an examination scheduled to be given to any individual or group enrolled in any course of study offered by the University.

.03 Students shall not complete or attempt to complete any academic exercise for or with another individual without proper authorization. Students shall not allow another person to complete or attempt to complete any academic exercise on their behalf.

Complicity

.04 Students shall not knowingly participate in, or otherwise facilitate, the academic dishonesty of another student.

Falsification

.05 Students shall not submit as their own any work or assignment which contains content falsified by the student or content the student knows to be false.

.06 Students shall not provide false or misleading information to influence academic requirements, including but not limited to grades, attendance, academic assignments, exercises or deadlines.

Plagiarism

.07 Students shall not submit as their own to a faculty member any work which contains ideas or materials taken from another without full acknowledgement of the author and the source. This includes the use of Artificial Intelligence (AI) that has not been instructor approved. Consult your instructor/faculty for the acceptable use of ideas or materials taken from any sources, including AI, in your class.

Possession

.08 The unauthorized possession of any of the pieces of writing or information described above shall be considered evidence of a violation of the provision of this regulation. This includes improper recording, sale, or dissemination (including posting) of instructional content without the express permission of the instructor/faculty or under an accommodation approved by Disability Services.

Multiple Submission

.09 An academic exercise may not be submitted by a student for course credit in more than one course without the permission of the affected faculty member(s).

2.3.2 Alcoholic Beverages: Possession or Use of

Students shall not illegally consume, possess*, manufacture, or distribute alcoholic beverages. Students shall not possess*, consume, or use alcohol on University premises except as permitted by University policy.

*Possess: Under Michigan law it is illegal for anyone under the age of 21 to purchase or attempt to purchase, consume or possess, or have any bodily content of alcohol.

In order to promote the health and safety of students, NMU has adopted a [Medical and Good Samaritan Amnesty Policy](#).

2.3.3 Athletic Activities

All athletic activities (skateboarding, hockey, biking, football, frisbee, etc.) are prohibited in hallways and common areas of University buildings.

2.3.4 Building Security

Students shall not prop open or adjust, tamper with, change, interfere with or disable mechanisms that provide security to University buildings, residence halls, and other facilities.

2.3.5 Compliance with Official Requests

.01 Students shall not fail to comply with reasonable and lawful requests or direction by University Officials/Staff, or officially recognized volunteers acting in performance of their official duties.

.02 Students shall not fail to answer promptly to summons from University Officials/Staff.

2.3.6 Compliance with University Policy

Students shall not fail to comply with University policies. Please visit (<http://www.nmu.edu/policies>) for details.

2.3.7 Dangerous Materials and Open Flame

.01 Students shall not, on University premises, possess, store, mix, or experiment with any chemical, explosive or accelerant which may be injurious to the lives and safety of the University community. This regulation shall not apply to faculty-member supervised learning activities.

.02 Students shall not use or create an open flame or use live or glowing embers or charcoal on University premises. Residents living in on-campus apartments shall be permitted to use small propane tank (not to exceed 16.4 oz.) grills outside. This regulation shall not apply to faculty-member supervised learning activities. Requests for exception to this regulation for ceremonial or religious purposes may be made to the Dean of Students or their designee.

2.3.8 Destruction of Property

.01 Students shall not damage, alter, or destroy property belonging to, or in the care or control of, either the University or another member of the University community or others.

.02 Students shall not alter, erase, or otherwise corrupt information stored in or used by University computers including, but not limited to, operating system software, application software, data files, and the media on which such information is stored.

2.3.9 Disorderly Conduct

Students shall not make any disturbance* or threat of violence. Physical altercations are prohibited.

*A disturbance, which is something less than threats of violence, is an interruption of peace and quiet, a violation of public order in decorum, or an interference with or hindrance of one in pursuit of their education or occupation.

2.3.10 Disruptive Conduct

.01 Actions that impair, interfere with or obstruct the normal operations of the University and/or interfere with the rights of other members of the University community or visitors. This includes intentional occupation of or blocking the entry or exit of University facilities, including but not limited to, buildings, classrooms, offices, hallways, entryways, conference rooms, and campus grounds.

.02 Actions that impair, interfere with or obstruct the orderly conduct, processes, and functions within any classroom or other instructional setting. This includes interfering with a faculty member's role to carry out the normal academic or educational functions of their class.

- .03 Participating in, leading, or inciting others to disrupt scheduled and/or normal campus activities, events, and programs.
- .04 Intentional obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
- .05 Solicitation on campus without prior approval from appropriate University Officials/Staff (see 2.3.25). This includes, but is not limited to, the disbursement of any forms of promotional/informational material on University property or on items (e.g. motor vehicles) on University property, requests for donations, or the selling or vending of any merchandise or services.

2.3.11 Dress

- .01 Dress in University facilities shall conform to applicable state, federal, and University regulations. Pants/shorts/skirts, shirts, and shoes are required to enter any dining service facility.
- .02 Dress in any academic or administrative building or common area of a residence hall or University apartment shall not interfere with any University community member in pursuit of their education or occupation.

2.3.12 Drugs: Possession, Use, or Sale

Students shall not possess, use, distribute, share, sell, or manufacture illegal drugs, or other controlled substances*, except as permitted by law. Drugs confiscated by University Officials/Staff may be destroyed and not returned to a student.

*Controlled substances: Federal and state laws regulate the manufacture, sale, distribution, use, and disposal of these substances. Examples: narcotics, stimulants, depressants, hallucinogens, anabolic steroids, and chemicals used in production.

In order to promote the health and safety of students, NMU has adopted a [Medical and Good samaritan Amnesty Policy](#).

Although possession and use of marijuana, for adults over the age of 21 and/or persons possessing a medical marijuana card, is no longer a crime under Michigan law, the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug Free Schools and Communities Act, the use and/or possession of marijuana in any form is prohibited on campus and/or on any property owned, leased, or operated by NMU, including NMU student housing.

For questions or concerns, contact the Dean of Students Office.

2.3.13 Fire Safety

- .01 Students shall not disregard a fire alarm signal or refuse to immediately evacuate a building or a section of a building where a fire alarm is sounding.
- .02 Students shall not ring any bell or operate, trigger, or tamper with any mechanical or electrical fire safety apparatus, except in case of fire.
- .03 Students shall not operate, tamper with, or discharge any fire extinguishing equipment except for the purpose of extinguishing fires.

2.3.14 Fireworks

Students shall not possess, ignite, or cause to explode, any type of fireworks or explosives on University premises.

2.3.15 General Regulatory Statement

Students shall not engage in conduct detrimental to the University community. Conduct shall be deemed detrimental to the University community if it consists of an act or acts prohibited under municipal, state, or federal law.

2.3.16 Harassment

Students shall not engage in any conduct involving harassment of another individual or group, that would cause, or has caused, a reasonable person to feel terrorized, frightened, intimidated, threatened, or molested. This includes the creation of a hostile environment as well as attempts to create quid pro quo situations. Harassment includes, but is not limited to verbal, psychological, graphic, and/or written abuse directed at another person or group, beyond a reasonable expression of opinion.

NMU has a Retaliation Policy. Please visit (<http://www.nmu.edu/policies>) for details.

2.3.17 Hazing

Students or members of any registered student organization, athletic team, or other organized student group, shall not engage or participate in any intentional or unintentional act(s) which endanger(s) the mental or physical health or safety of any member or prospective member of an organization or group. This regulation will be upheld regardless of location, intent, or consent of participants.

In order to promote the health and safety of students, NMU has adopted a [Medical and Good Samaritan Amnesty Policy](#).

2.3.18 Littering

Students shall not drop, deposit, discard, throw, or otherwise dispose of refuse* of any kind in buildings or on the grounds of University property except in receptacles provided for that purpose.

Ceremonial or event paraphernalia, such as ribbons and balloons, used on the grounds of University property must be removed within 48 hours of the event's completion.

*Examples of refuse include, but are not limited to, cigarette butts, bottles, cans, papers, and food.

2.3.19 Movement of Furnishings

.01 Students shall not move University equipment or furnishings from room to room, or from rooms, lounges, or lobbies in any University owned building without specific written authorization from the administrative staff member responsible for that building.

.02 Only free standing or unaffixed furniture may be rearranged within residence hall rooms and apartments.

2.3.20 Noise

.01 Students, or guests, shall not in any way create sounds which may unreasonably interfere with any University community member in pursuit of their education or occupation.

2.3.21 Personal Abuse

Students shall not abuse, threaten, intimidate, harass, coerce, bully, or exhibit conduct which threatens or endangers the mental or physical health/safety of any person or causes reasonable apprehension of such harm. Personal abuse shall be defined as behavior that is persistent, severe, and/or pervasive. Personal abuse includes, but is not limited to verbal, psychological, graphic, and/or written abuse directed at another, beyond a reasonable expression of opinion.

2.3.22 Property and Personal Information: Use, Acquisition, Removal, and/or Detention

.01 Students shall not, without authorization, use, consume, acquire, remove, or detain property*, personal information, or financial information belonging to or rented by the University or belonging to or rented by a member of the University community including visitors and guests.

*Examples of property include, but are not limited to:

- Credit/debit cards
- Books
- Laptops

- Phones
- ID cards
- Construction materials
- Dishware
- Documents
- Event tickets
- Food
- Furniture
- Merchandise
- Maps
- Plants
- Tools
- Vehicles

.02 Students shall not use computer hardware, software, data files, network resources, commercial information services, or other information technology resources owned, operated, leased, or used by the University which impedes the ability of other members of the University community to use these resources.

2.3.23 Records and Identification

.01 Students shall not inappropriately use their student identification card, key or key card, parking pass, or other official identification. Inappropriate use includes, but is not limited to, lending it to another person or using one that is not rightfully theirs.

.02 Students shall not create, alter, forge, or falsify any forms of identification, record, or other document used or maintained by the University or furnish false information to the University for incorporation in any such document.

2.3.24 Residence Life and Dining Facilities

.01 Antennas, satellite dishes, cables, media receivers, and outside antennas of all kinds on or near residence halls or University-owned apartments, are prohibited. Splicing into or connecting with University-owned cables and antennas is prohibited.

.02 Busing Tables

Students are expected to clear their dishes and utensils from their table in University dining operations after every meal.

.03 Candles

Candles are prohibited in residence hall rooms and University apartments, lit or unlit.

.04 Electrical Appliances

Certain electrical appliances are prohibited in University housing facilities. Prohibited electrical appliances include, but are not limited to wax warmers or melters, air conditioners, clamp-on-bed lamps, electrical heaters, hazardous electrical appliances, heat lamps, hot plates, indoor grills, open-element popcorn poppers, and appliances in need of electrical repair. Contact Housing and Residence Life with questions regarding this regulation.

.05 Food: Removal from Dining Room

No person shall, without proper authorization, remove food of any kind from the Northern Lights Dining facility.

.06 Fraudulent Receipt of Goods or Services

1. No persons shall occupy space or permit or assist other persons to occupy space in a residence hall room or University apartment in which they are not registered by authorized personnel as a resident or as an overnight guest.
2. Students shall not reside in residence halls which remain open during periods when classes are not in session without registering with Housing and Residence Life.
3. No persons shall receive food from a residential dining room unless they
 - have a dining contract;
 - pay for the meal at the entrance to the dining room; or
 - have a guest meal ticket.
4. Persons who have no meal plan contract or have not paid for a meal ticket shall not be allowed to enter dining rooms. Residents who host guests by giving their identification card to another individual to gain entrance to the dining rooms will be charged restitution. Exceptions to this policy will be determined by the Director of Dining Services.
5. No persons shall use laundry facilities (washers and dryers) in University housing unless they have a residence hall room and board contract or an apartment lease.

.07 Overnight Guests

Overnight guests are permitted in University housing facilities provided the roommate and suitemates have agreed to the visit. Guests must be registered in accordance with the Overnight Guest Registration Procedures, available through Housing and Residence Life personnel. Guests must be registered at least one day in advance, and residents are urged not to host guests during final examination week. The host shall be responsible for their guest's conduct. Guests may not stay more than three consecutive nights, and must be 16 years of age or older. Under no circumstances will more than six people be permitted to occupy a residence hall suite overnight.

.08 Pets

Pets, except fish, are prohibited in University residence halls and apartments. Fish tanks cannot exceed 10 gallons per living unit. For an exception to this regulation for service or assistance animals, please contact Disability Services.

.09 Posting Notices

- a. The posting of notices in residence halls and apartments is prohibited unless special permission is granted by the Resident Director or Coordinator of Apartment Services, in writing. The responsibility for removing notices and signs is assumed by the person who posts them.
- b. The posting of signs and notices is prohibited in all food service areas without special permission from the Director of Dining Services or their designee, in writing.
- c. Posting in all other buildings is controlled by the Posting Materials Policy. Please visit (<http://www.nmu.edu/policies>) for details.

.10 Residence Hall Room and Apartment Changes

Room and University apartment changes are prohibited unless written authorization has been granted by the Resident Director or Coordinator of Apartment Services.

.11 Window Screens

Window screens are to remain in place at all times within the residence halls and apartments, unless approved through Housing and Residence Life.

.12 Visitation

Visitors are permitted in the residence halls/apartments so long as they are invited in and escorted through the hall/apartment by a current resident of that hall/apartment.

2.3.25 Soliciting, Selling, and Publicizing

Students shall not engage in the business of soliciting or selling any services, activities, or goods or take orders to make contracts for the purchase or delivery thereof, or sell or offer for sale tickets or goods, activities or services, or solicit for any purpose whatsoever on University premises. Exceptions to this policy regarding residence halls and University apartments must be approved by the Director of Housing and Residence Life or their designee. All other exceptions must be approved by the Dean of Students or their designee. The provisions of this regulation do not apply to University sponsored activities or the sale of items by students who have registered a fund-raising activity in compliance with the policy relating to registered student organizations.

2.3.26 Student Conduct System Abuse

.01 Students shall not disrupt a conduct board proceeding; attempt to discourage an individual's proper participation in, or use of, the student conduct system; attempt to influence the impartiality of a member of a conduct board prior to, during the course of, or after the conduct board proceeding, before a decision has been made.

.02 Students shall comply with any disciplinary condition imposed upon them by any conduct board or conduct administrator.

.03 Students shall not knowingly offer false or misleading information at any disciplinary or administrative hearing, investigation or meeting; or shall initiate a student conduct proceeding in bad faith.

.04 Students shall not influence or attempt to influence another person to commit an abuse of the student conduct system.

2.3.27 Unauthorized Access of Information

Students shall not access information, in any format, for which they do not have authorization.

2.3.28 Use of the University Name

Students shall not use the University name or official marks (logos) without authorization from the University Marketing and Communications Office. University approval or disapproval of any program, project, policy, or position may not be stated or implied by any student without written authorization by the President.

2.3.29 Weapons

Students shall not keep, possess, display, use, or carry any weapon anywhere on the Northern Michigan University campus or field station. In the interpretation and application of this regulation, examples of weapons shall include, but are not limited to, rifles, shotguns, handguns, bows, or other devices capable of casting a projectile* by air, gas, explosives, or mechanical means. Students shall not possess other weapons defined as illegal under Michigan law.

*Examples of projectile weapons include, but are not limited to, crossbows, airsoft guns, paintball guns, slingshots, BB guns, Nerf guns, and water guns.

Weapons used for recreational purposes must be registered and stored in the NMU Police Department storage facility. They must be transported directly from the NMU Police Department storage facility to points outside the campus and transported from such points directly back to the NMU Police Department Office storage facility. They must be transported

in accordance with NMU Police Department Office instructions, and the weapon or weapons transported must be unloaded, and, when possible, encased, dismantled, or broken down.

2.4 Student Conduct Process

2.4.1 Introduction

Students make many decisions regarding their behavior and these decisions must not conflict with the University's expected standards of behavior. However, when a student violates those standards, then an appropriate sanction must be imposed by way of a student conduct process.

The student conduct process and any resultant action serves to assist the student in recognizing and correcting behavior that is incompatible with the norms of the University community, and hopefully to deter others from making inappropriate decisions. When a student's action demonstrates that basic standards of behavior have not been met or that the best interests of the student and the University cannot be served by the student's continued enrollment, the University is obligated to separate the student from the University community.

The responsibility for resolving alleged violations of the Student Code at Northern Michigan University is delegated by the Board of Trustees to the President. It is then delegated to the Dean of Students or their designee, and members of the conduct board.

The Title IX Office handles cases involving prohibited conduct (relationship violence (dating violence/domestic violence), sexual misconduct (sexual assault, sexual exploitation, and sexual or gender-based harassment), and stalking). Contact the Title IX Office, or refer to the Relationship Violence, Sexual Misconduct and Stalking Policy, for the process used to resolve cases involving Prohibited Conduct.

In order to fulfill this responsibility for all other alleged violations of the Student Code, the student conduct process is designed to meet essential standards of reasonableness and fairness. Therefore, procedural requirements of due process as outlined in the following sections have been established to ensure that every student receives equitable and judicious treatment if charged with a violation of the Student Code. Conduct boards serve to provide the student charged with a hearing by impartial persons if the student denies the charges. However, it should be clearly understood that they do not sit as courts of law and are not restricted by the legal rules of evidence and procedure, since they hold administrative hearings which allow flexibility and the reasonable use of discretion.

The student conduct process described herein governs the implementation of the process for adjudicating alleged violations of the Student Code. Any questions regarding the student conduct process, the Student Code, or any aspect of the Student Conduct Program, should be referred to the Dean of Students Office.

2.4.2 Incident Report

Any member of the University community may submit a report about a student for violations of the Student Code. An Incident Report shall be prepared in writing. The report should contain the name(s) of the student(s) accused of the violation, a detailed description of the behavior that violated the Student Code, and the name and contact information of the University community member writing the report. Any report should be submitted to the appropriate authorities as soon as possible after the event takes place, and within one calendar year of the date of the incident. Exceptions to the calendar year deadline will be considered by the Dean of Students or their designee.

An Incident Report pertaining to a situation which occurred in the residence halls, University apartments or adjacent areas should be submitted to a residence life staff member. All other situations should be submitted to the Dean of Students Office. All crimes should be reported to the NMU Police Department.

Once an incident report is received, it will be determined through the student conduct process will be followed to determine whether the alleged violation occurred.

All Incident Reports/cases have an electronic record in a secure and access restricted database.

2.4.3 Complaint is Adjudicated

.01 The respondent will receive, in writing, a list of one or more sections of the Student Code alleged to have been violated and a brief description of the alleged violation(s). Such notice will be considered received by the student if it is delivered in person, by mail, or by NMU email.

.02 The respondent will receive, in writing, the date, time, and location of an administrative hearing with a conduct administrator to discuss the incident. The respondent shall be notified in writing 48 hours prior to the scheduled administrative hearing. Such notice will be considered received by the student if it is delivered in person, by mail, or by NMU email. The respondent may voluntarily waive the 48 hours and request to meet sooner with the conduct administrator at their earliest convenience.

.03 During the administrative hearing, the respondent will be advised of the information and/or evidence against them and given an opportunity to be heard in their own defense.

.04 The respondent may accept responsibility for the alleged violation(s) and a sanction will be issued. Sanctions shall be selected from those stated in Section 2.7 of the Student Code. It is at the discretion of the administrator who conducts the administrative hearing, whether to combine sanctions for multiple violations, and review the student's past violations

of the Student Code, if any. The administrator may review academic progress; and may interview University employees having knowledge of the respondent so that appropriate sanctions and special conditions may be selected. The student will receive a copy of the sanction in writing electronically by NMU email or hard copy.

.05 The respondent may deny responsibility for the alleged violation(s) or stand silent, in which case the conduct administrator shall refer the case to one of the conduct boards.

.06 For alleged minor violations, (excluding those resulting in Suspension/Expulsion), if the respondent fails to attend their initial administrative meeting, as well as their rescheduled administrative meeting, the conduct administrator, in consultation with the Dean of Students, may adjudicate the case and provide an appropriate sanction, if warranted.

2.4.4 Conduct Board Hearing Procedures

.01 The conduct board hearing shall begin with a reading of the Specification of Charges by the chairperson. The information pertaining to the charges shall be presented and considered even if the respondent or complainant is not present. The respondent shall respond to the matters contained in the charges by affirming, denying, or standing silent on each item as it is read.

.02 If the respondent affirms the truth and accuracy of all items in the Specification of Charges, then the conduct board will:

- Note the affirmative plea after each item presented in the Specification of Charges.
- Hear any information in mitigation of the Student Code violation(s) that will enable the conduct board to select an appropriate sanction.
- Decide upon any appropriate sanction(s) provided in the Student Code.
- Return the Specification of Charges to the Dean of Students Office with a notation of the pleas, conduct board decision(s), and a statement of the sanction imposed. The sanction letter shall be signed by the chairperson of the conduct board.

.03 If the respondent denies the truth or accuracy or stands silent on any part of the Specification of Charges the hearing shall proceed in the following manner:

- The complainant (see 2.4.5.09) and witnesses who support the complaint shall be called individually to share information with, and shall then be questioned by, the conduct board.
- The respondent shall present their response by sharing information with the conduct board, answering questions from the conduct board, and then identifying witnesses, if any, capable of sharing information related to the incident on the respondent's behalf. These witnesses may also be questioned by the conduct board.
- The respondent and witnesses for the respondent shall have the right to question the complainant and their witnesses and to examine information presented in connection with

the incident. The complainant and witnesses shall have the right to question the respondent and the respondent's witnesses and to examine information presented in connection with the incident. All questions must be relevant to the case being decided, and relevancy shall be decided by the chairperson of the conduct board.

- Summary statements are permissible at the close of all questioning by all of the involved parties except support persons and attorneys and shall be directed to the conduct board. Any further questions from the conduct board shall then be asked.
- After the fact-finding portion of the hearing is concluded, the conduct board shall go into closed session.
- Decision: The truthfulness of each factual allegation appearing in the Specification of Charges shall be termed a "question of fact" for the purposes of the student conduct process. After resolving all questions of fact, the conduct board shall decide whether each item and charge of the Specification of Charges has been established by a preponderance of the evidence; that it is more likely than not that the respondent violated the Student Code.
- If the conduct board finds that the student violated the Student Code, they shall assess a sanction(s) provided in the Student Code. It is at the discretion of the conduct board whether to combine sanctions for multiple violations, and review the student's past violations of the Student Code, if any. The conduct board may review academic progress; and may interview University employees having knowledge of the respondent so that appropriate sanctions and special conditions may be selected.

2.4.5 Rules of Procedure in the Conduct Process

Contact the Title IX Office, or refer to the Relationship Violence, Sexual Misconduct and Stalking Policy, for the process used to resolve cases involving Prohibited Conduct.

This section does not apply to cases on appeal.

The rules provided in Section 2.4.5 of the student conduct process shall apply to administrative hearings and conduct board hearings. The Dean of Students or their designee shall establish the procedures to be followed in hearings.

.01 The respondent(s) and complainant(s) shall be entitled to a hearing by impartial persons.

.02 Requests to postpone a scheduled hearing due to extenuating circumstances, by the respondent or complainant, must be made in writing to the Dean of Students or their designee at least 24 hours in advance of the hearing. That person may approve or deny the request based on verification of the extenuating circumstances. Hearings will not be postponed due to scheduling conflicts of witnesses, support persons, or attorneys. In cases in which an

examination period or break period interferes, such hearings will be held as soon as possible when classes are again in session.

.03 On rare occasions the conduct board may accommodate concerns for the personal well-being, and/or fears of confrontation of the complainant, respondent, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or permitting participation by telephone, electronic recording, video conferencing, audio tape, written statement, or other means, as determined appropriate by the Dean of Students or their designee.

.04 A staff member of the Dean of Students' Office shall be present at conduct board hearings as a procedural adviser and chairperson of the hearing. The chair shall ensure that established procedures are followed and to rule on the relevancy of any line of questioning. The chair shall be allowed to ask questions of all participants throughout the hearing. The chair may contribute pertinent information in the sanction assessment stage. Pertinent information may include past violations of the Student Code, if any, and academic progress. The chair may also be interviewed by the conduct board if there is any particular knowledge to be given that may assist the conduct board in assessing a sanction. After the decisions of the conduct board have been made, the Dean of Students Office will maintain records and be responsible for all communication pertaining to the case.

.05 The respondent(s) and complainant(s) shall be entitled to be present at the hearing during the consideration of any matters on which a decision to affirm or deny an item or charge on the Specification of Charges may be based. This excludes private deliberation by the conduct board.

.06 The respondent(s) and complainant(s) shall be entitled to present their case through statements, questions, witnesses, and other forms of information. The complainant(s) and respondent(s) shall provide the Dean of Students or their designee with a written list of witnesses at least 24 hours in advance of the hearing. It is the responsibility of the complainant(s) and respondent(s) to identify witnesses and ensure their presence at the hearing. Witnesses must have relevant information regarding pending charges against the student.

.07 Pertinent records, exhibits, and written statements (including impact statements) may be accepted as information for consideration by a conduct board at the discretion of the chairperson. Records and documents that will be considered during a hearing will be made available to the conduct board but names or personally identifiable information may be redacted to protect the privacy rights of individuals not directly involved in the process. Records and documents that will be considered during a hearing will be made available for review by the respondent(s) and the complainant(s) at their request prior to or during the hearing.

.08 Witnesses may be kept in separate areas prior to and during the hearing. The witnesses shall remain in the hearing room after they have shared their information with the conduct board. The names of all witnesses shall be available upon request to the conduct board, respondent(s), and complainant(s) prior to the hearing.

.09 The respondent(s) and complainant(s) shall be entitled to be accompanied by a support person of their choice; a support person shall be a member of the faculty, staff, or student body of the University. A support person shall not be a licensed or a practicing attorney. A support person is not permitted to speak on behalf of the complainant(s)/ respondent(s) unless otherwise directed to do so by the chair. The support person must be someone who is not identified as a witness and will not provide testimony in the case.

The conduct administrator or members of the conduct board may question the respondent(s) and complainant(s) directly, and the respondent(s) and complainant(s) shall answer directly to the conduct administrator or conduct board. If more than one student is charged in connection with the same situation or occurrence, then a support person for one such student cannot be another student who is charged. In addition, anyone acting as a witness in a case may not act as a support person for another in the same case.

.10 The student charged may refuse to answer questions. Other witnesses shall be required to answer all questions asked of them unless their answers would tend to incriminate them under any provisions of the Student Code.

.11 All hearings are closed to the public. Persons in attendance at hearings shall be limited to:

- the members of the conduct board, including chairperson;
- the respondent(s), complainant(s) and their support persons;
- witnesses, and
- individuals who are authorized to attend by the chairperson to the conduct board.

.12 Admission or removal of any person to or from the hearing shall be at the discretion of the student conduct administrator and/or chairperson to the conduct board.

.13 When a student is accused of violating the Student Code, and criminal charges are pending against the student, an attorney may be present at the student's expense. In such cases, the role of the attorney is limited and passive. They cannot actively participate in the hearing or ask questions. Their role is only to advise the student regarding self-incrimination and to observe the proceedings. All communication regarding the student conduct process will be directed to the student. Contact the Title IX Office, or refer to the Relationship Violence, Sexual Misconduct and Stalking Policy, for the process used to resolve cases involving Prohibited Conduct.

- .14 Disciplinary proceedings involving a student charged with conduct that potentially violates both the criminal law and the Student Code will proceed without regard to pending civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Dean of Students or their designee. Determinations made or sanctions imposed under this Student Code are independent of civil or criminal proceedings, and shall not be subject to change because civil or criminal charges were dismissed, reduced, or resolved in favor of or against the student.
- .15 Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in student conduct proceedings.
- .16 There shall be a single verbatim record, such as an audio recording, of all hearings before a conduct board conducted only by the University. Deliberations shall not be recorded. The record shall be the property of the University. The University may require that the record remain in its custody; provided, however, that the respondent and complainant have access to the record for all purposes relating directly to any appeals within the University.
- .17 Conduct board hearings will proceed regardless of the failure of a student charged or complainant to appear. In all cases, the information in support of the charges shall be considered.
- .18 The conduct board or conduct administrator has the right to amend any item on the Specification of Charges for purposes of clarification or consistency, so long as such amendment will not have the effect of adding any substantive allegation to the Specification of Charges. Students are informed of any amendments and amendments are noted in the conduct file.
- .19 Decisions of the conduct board to affirm or deny any particular item or charge on the Specification of Charges shall be made on the basis of matters considered at the conduct board hearing.
- .20 The conduct board's standard of proof is preponderance of the evidence. The conduct board shall decide, by majority vote, whether the evidence shows that it is more likely than not that the respondent violated the Student Code.
- .21 If the respondent is found responsible for the charge(s), then they shall be entitled to written notice of the findings of the hearing, and related documents will remain part of the student's official conduct record. If the respondent is found not responsible for the charge(s), then related documents and records will not remain part of the student's official conduct record.

.22 The respondent, complainant, and the Dean of Students or their designee have the right to appeal any decision of a conduct board (based on error of procedure or fact) or to request leniency of a penalty. Should such an appeal or request for leniency be made, any sanction issued by the conduct administrator or conduct board shall be held in abeyance until acted upon by the appropriate appeal board or reviewing official.

.23 Hearings involving more than one respondent for the same incident may be conducted either separately or jointly. When two or more students are charged and their cases are being heard together, the proceedings shall be the same except that the conduct board shall not seclude themselves and make a decision on any of the respondents until they have heard from all students involved in the case.

.24 Cases involving the imposition of sanctions other than suspension held in abeyance, suspension, expulsion, or revocation or withholding of degree shall be expunged from the student's conduct record seven years after final disposition of the case.

2.5 The Structure of the Conduct Board

2.5.1 Membership

.01 Student: A pool of up to 20 student members of the conduct board may be comprised of both undergraduate and graduate students. Members may not be licensed attorneys. The membership shall include representation from on-campus and off-campus residents.

- Student members shall be selected through an interview process in which current members of the conduct board and the chairperson participate.
- Student members shall be appointed.
- Student members shall have completed a full-time semester at NMU at the time of their appointment and must maintain good academic standing and be free of any active sanctions imposed through the University's student conduct process.
- Appointed student members must maintain sufficient attendance and satisfactory performance at trainings and hearings.
- Members may be removed at the discretion of the chairperson of the conduct board for not meeting eligibility requirements.

.02 Faculty: A pool of up to six members of the faculty will be nominated by the Provost, and reviewed and approved by the Dean of Students Office. Members may not be licensed attorneys. Members shall serve for a period of three years provided they retain eligibility. Faculty members may be terminated by the Provost for poor attendance or performance at hearings.

.03 Staff: A pool of up to six members of the administration, including Department Heads, appointed by the Provost, after being reviewed and approved by the Dean of Students Office. Members may not be licensed attorneys. Administrative staff members may be terminated by the Provost for poor attendance or performance at hearings.

2.5.2 Quorum: Five members shall constitute a quorum. The respondent shall have the right to waive the quorum requirement. If a quorum cannot be obtained and is not waived, then the hearing shall be rescheduled.

2.5.3 Chairpersons: The Dean of Students shall appoint a member of the Dean of Students Office who shall serve as chairperson to the conduct board hearing. Chairpersons shall have a voice but no vote. The Chairperson of the conduct board shall have the authority to direct the hearing, call recesses, postpone hearings, take appropriate steps to maintain order at hearings, decide questions on the relevancy of evidence or information, recall witnesses or call such further witnesses as would seem able to aid in the resolution of matters relevant to the hearing, monitor the presentation of questions to witnesses by members of the conduct board, and decide who is permitted to attend the hearing. The chairperson shall be allowed to ask questions of all participants throughout the hearing.

2.5.4 Jurisdiction: With the exception noted below, conduct boards consisting of all student members may hear cases involving University regulations except those which may result in suspension or expulsion. Conduct boards consisting of all students may impose only the following sanctions: warning probation, disciplinary probation, special conditions, guardian notification for alcohol and other drugs, and loss of privileges. With the exception noted below, conduct boards consisting of students, faculty and staff may hear cases involving most University regulations including those which may result in suspension or expulsion. Conduct Boards consisting of students, faculty, and staff may impose any of the sanctions defined in Section 2.7 of this document. Title IX will hear cases involving Prohibited Conduct (relationship violence (dating violence/domestic violence), sexual misconduct (sexual assault, sexual exploitation sexual harassment, and sexual or gender-based harassment), and stalking.) Contact the Title IX Office, or refer to the Relationship Violence, Sexual Misconduct and Stalking Policy, for the process used to resolve cases involving Prohibited Conduct. Student members will not participate in hearing cases where the accused student asserts that his or her mental health disability contributed to the conduct alleged to have violated the Student Conduct Code in order to maintain the confidentiality of the accused student's mental health disability.

2.5.5 Referral of Cases: A conduct board consisting of all students may waive jurisdiction over cases and refer them to a conduct board consisting of students, faculty, and staff provided there are reasonable grounds for such referral, that such action is taken prior to the conclusion of a formal hearing of the case.

2.5.6 Voting: A simple majority vote of the conduct board members present at any hearing shall be necessary and sufficient for action. Members cannot abstain from voting.

2.5.7 Standard of Proof: The conduct board's standard of proof is preponderance of the evidence. The conduct board shall decide whether the evidence shows that it is more likely than not that the respondent violated the Student Code.

2.5.8 Summer Sessions (non-academic year): An interim conduct board may be established by the Dean of Students or their designee to resolve Student Code charges during the period between the winter and fall semesters. This conduct board shall be composed of faculty, staff, and continuing or enrolled students.

2.6 Appeals

(Contact the Title IX Office, or refer to the Relationship Violence, Sexual Misconduct and Stalking Policy, for the process used to resolve cases involving Prohibited Conduct.)

The respondent, the complainant, the Dean of Students or their designee may submit an appeal. It is optional for the respondent, the complainant, or the Dean of Students or their designee, to submit a response to the appeal.

Appeals based on questions of fact and/or questions of procedure may be appealed to an appeal board. Appeals to request leniency of a sanction may be appealed to the Associate Provost.

A written appeal letter must be submitted to the Dean of Students or their designee within 48 hours after the sanction is imposed. An appeal letter must meet two conditions: (1) it must cite the basis of the appeal; and (2) it must provide sufficient and detailed information to support the appeal. The appeal will not be considered if both of these conditions are not met. The body hearing the appeal shall determine if the appeal meets both conditions.

The appeal process shall be limited to a review of the file and supporting documents (except as necessary to gain insight into any new evidence). The following are the ONLY accepted bases for appeal:

1. Procedure: To determine whether the original hearing was conducted in conformity with prescribed procedures. Questions of procedure are limited to those which may have significantly affected the outcome of the hearing. The person appealing must specify which procedures were not followed and how it significantly affected the outcome of the hearing.
2. Fact: To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because the person appealing did not know such information and/or facts at the time of the original hearing. Information which was known

to the person appealing at the time of the original hearing but was withheld will not be considered upon appeal.

3. Leniency: To determine whether the sanction imposed was appropriate for the violation of the Student Code that the student was found to have committed, considering any previous violations. The person appealing must specify why the sanction imposed is too harsh.

2.6.1 Procedure for Leniency Appeals

.01 Once an appeal is submitted and determined that it meets the appeal conditions, the Associate Provost or their designee may:

- Modify the sanction (enhance or lessen);
- Uphold the sanction;
- In extenuating circumstances (conflict of interest, absence of the appeal officer, etc.) request the President to appoint a hearing agent who shall consider the sanction and render a decision. The hearing agent must be University faculty or staff.

.02 The Associate Provost or their designee shall inform the respondent and the Dean of Students or their designee in writing as to the decision within ten business days from the date the Associate Provost received the appeal. Extensions may be granted for good cause by the Dean of Students or their designee.

2.6.2 Procedure or Fact Appeals

.01 Jurisdiction: The appeal committee shall have appellate jurisdiction over all conduct board decisions regarding findings of fact and questions of procedure. The committee shall also review all other matters referred by the Dean of Students or their designee.

.02 Membership: There shall be three members of this committee, and shall consist of one student selected from the active student members of the conduct board, one member of the faculty appointed by the Provost, and one member of the staff appointed by the Provost. The members selected shall not have served on the conduct board for which the decision is being appealed. Members may not be licensed attorneys. If possible, all nominees should possess experience on a University conduct board. Members shall serve for a period of three years provided they retain eligibility. Members may be reappointed by following the same procedure. A chairperson shall be selected by the members of the appeal committee.

.03 Procedure:

1. Once an appeal is submitted and determined that it meets the appeal conditions, the appeal committee shall receive from the chairperson of the conduct board whose decision is appealed a copy of the Specification of Charges and all information upon

which the previous decision was made. Three members of the appeal committee (one student, one staff, one faculty member) must be present for the appeal to proceed and all decisions shall be based on a simple majority vote.

2. If an error in fact or procedure occurred, then the case shall be sent back to the Dean of Students or their designee who shall have the discretion to drop the charges or schedule a rehearing by the conduct board which made the original decision.
3. The appeal committee chairperson shall inform the respondent and the Dean of Students or their designee in writing as to the decision within ten business days from the date the appeal committee received the appeal.

2.7 Sanctions

Sanctions may be imposed upon any student found to be responsible for violation of the Student Code. Sanctions may be used independently or in combination depending on the particular circumstance of the violation. Severe and/or multiple violations will increase the severity of sanctions applied. Continued violations of the Student Code will result in more severe disciplinary sanctions.

No sanction shall become effective until it is imposed by the Dean of Students or their designee. Sanctions shall be ordered into execution 48 hours after the student has received written notice of the decision of the conduct board or conduct administrator or immediately after action by the appeal committee or appeal officer designated to consider leniency of the sanction. Written notice is considered received once delivered in person, by mail, or NMU email.

.01 **Warning Probation:** a sanction imposed for a specified period of time. Further violations of the Student Code will result in more severe disciplinary sanctions.

.02 **Disciplinary Probation:** a sanction imposed for a specific period of time. Further violations of the Student Code may result in suspension or expulsion.

.03 **Special Conditions:** Financial restitution, service to the University, service to the community, attendance at educational seminars, classes, or workshops, written assignments, or other activities deemed appropriate. Some seminars, classes, and workshops may require a registration fee to be paid by the student.

.04 **Parental/Guardian Notification for Alcohol and/or Other Drugs:** Parental or guardian notification for serious first offenses, second offenses and any subsequent offenses for students under 21 years of age.

.05 **Loss of Privileges:** Denial of specified privileges for a designated period of time. Privileges that can be denied include, but are not limited to, contact with another person, campus registration of a vehicle, on-campus employment, access to a building or portion of a

building, access to a program, access to the University network, participation in extracurricular activities, and any other privilege deemed appropriate.

Revocation of degree: A degree awarded from NMU may be revoked for fraud, misrepresentation or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation. Being a degree holding alumna is sufficient association with the University and basis for application of this sanction.

Withholding degree: The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of all sanctions imposed, if any.

.06 Suspension: A decision of suspension terminates the student's status as an enrolled student for a specific period of time and prohibits the student from attending classes. Students who reside on campus must remove their belongings from their place of residence within 48 hours of notice of suspension. Extenuating circumstances may alter this length of time, but only at the discretion of the Director of Housing or their designee, in consultation with the Dean of Students.

A suspended student may not enter onto any part of the campus without specific authorization from the Chief of the NMU Police Department or their designee and the Dean of Students or their designee.

- The terms of suspension may also include other conditions which may apply following the student's reinstatement.
- At the discretion of the conduct board or conduct administrator who hears the case, the suspension may be held in abeyance.
- A violation of the terms of suspension or suspension in abeyance may result in an extension of the period of suspension, which may be imposed by the Dean of Students or their designee.

.07 Temporary Suspension: In certain circumstances, the Dean of Students or designee may impose a temporary suspension until the student conduct process is completed.

1. Temporary suspension may be imposed only to promote the safety of an individual, even if that individual is not affiliated with the University community, or preservation of property, or if the respondent poses an ongoing threat of disruption of, or interference with, the normal operations of the University and/or the educational process. The University will complete an individualized threat assessment prior to imposing the temporary suspension.
2. Upon notice of the temporary suspension, the student will be required to meet with the Dean of Students, or their designee. The student will initiate the meeting. The student will be provided an opportunity to appeal the temporary suspension within 2 business days

after meeting with the Dean of Students, or their designee. The appeal will follow 2.6 Appeals and 2.6.1 Procedure for Leniency Appeals in the Student Code. Failure to meet with the Dean of Students, or their designee will result in the continuation of the Temporary Suspension.

3. During the temporary suspension, a student shall be denied access to University housing, to the campus (including classes), and/or all other university activities and privileges for which the student might otherwise be eligible, as the Dean of Students or designee may determine appropriate.
4. The temporary suspension does not replace the regular student conduct process. During the student conduct process, the student will be informed of the Student Code charges against them, provided a hearing, and given the right to appeal. The student will be provided an opportunity for an administrative hearing within ten (10) business days of the temporary suspension, unless the Dean of Students or designee, in limited circumstances, determines an extension is appropriate.

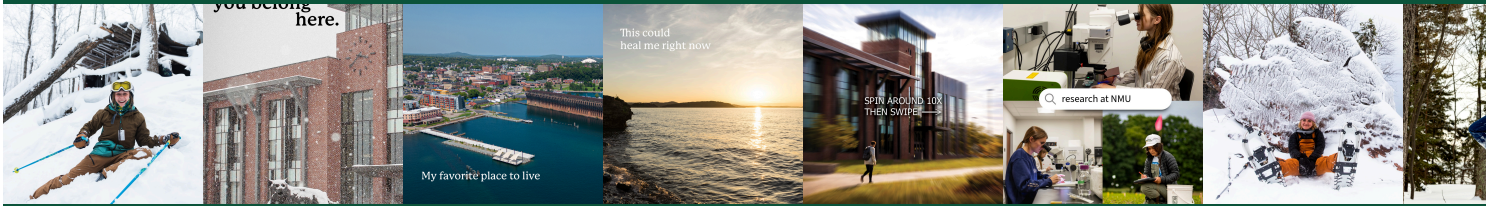
(Contact the [Title IX Office](#), or refer to the [Relationship Violence, Sexual Misconduct and Stalking Policy](#), for the process used to resolve cases involving Prohibited Conduct.)

.08 **Expulsion:** A decision of expulsion permanently terminates the student's status as an enrolled student. An expelled student may not enter onto any part of the campus without specific authorization from the Chief of the NMU Police Department or their designee and the Dean of Students or their designee. Students who reside on campus must remove their belongings from their place of residence within 48 hours of notice of expulsion. Extenuating circumstances may alter this length of time, but only at the discretion of the Director of Housing or their designee, in consultation with the Dean of Students.

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Oversight Unit	DEAN OF STUDENTS
Under review	No

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