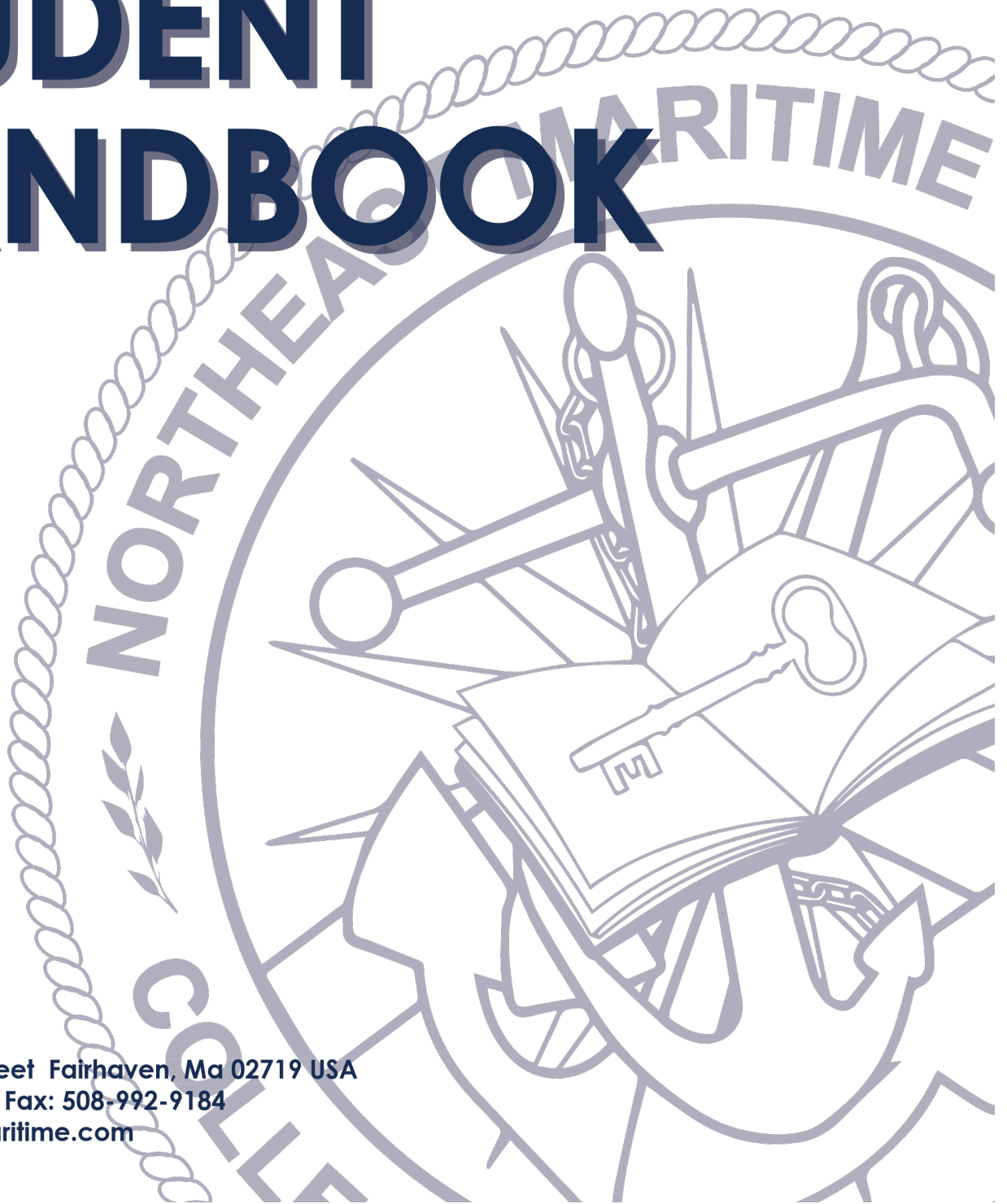


# STUDENT HANDBOOK



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**NORTHEAST MARITIME INSTITUTE**  
COLLEGE OF MARITIME SCIENCE

2023-2024 Academic Year



## **Welcome Letter**

Dear Students,

Welcome to Northeast Maritime Institute! We created this handbook to assist you with your academic, personal, social, and professional growth and to inform you of policies and procedures that will shape and steer your experience at NMI. Throughout the handbook, the guidelines and rules serve to underscore the values and standards of honesty, integrity, and hard work which the NMI community embraces. We provide a structured, streamlined learning environment, the bedrock of which integrates hierarchy, discipline, collaboration, and accountability to prepare our students best for the rigors and culture of the maritime world. We encourage each of you to read this handbook carefully, so you will become aware of all the resources that are available. Armed with the information contained in these pages, you will be prepared to fulfill all your responsibilities here at NMI. Please feel free to connect directly with any and all of the faculty, staff, and administration should you have any questions or pertinent comments. Congratulations on your decision to pursue a career in such a time-honored profession! Let the hard work begin.

Sincerely,

Your NMI Team

## **Our Mission**

To equip graduates with the knowledge, critical thinking, problem solving, ethical decision making, and confidence which will enable them safely and efficiently to operate, maintain, and lead maritime and ocean-related industries toward a responsible and sustainable future.

## Definitions

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

**NMI** - Northeast Maritime Institute

**CAO** - Chief Academic Officer

**COO** - Chief Operating Officer

**DOS** - Dean of Students

**DOSS** - Director of Student Services

**WNS** - Wednesday Night Session

**DONS** - Director of Nautical Science

**Academic Review Committee** - Consists of the Chief Academic Officer, Dean of Students, and Director of Student Services and applicable faculty.

**Student Conduct Board** – Consists of the Chief Academic Officer, Dean of Students, Director of Student Services, and at least one faculty member.

**Information Technology** - Includes but is not limited to desktop computers, laptops, workstations, network servers, software, digital information, websites, blogs, and voice and data networks, including official College pages on social networking sites.

## Compliance Statements and Notifications

Under the Student Right to Know and Campus Security Act, colleges and universities produce statistics and/or information on the following subjects:

- (1) retention and graduation rates;
- (2) financial assistance available to students;
- (3) crime statistics on campus; and
- (4) other institutional information, including cost of attendance, accreditation information, services available to students with disabilities, and withdrawal/refund policies. More detailed information relating to these subjects is available generally in this handbook or through online resources on the Northeast Maritime Institute College of Maritime Science (“NMI” or “College”) website. The following describes information and resources available to students who seek access to such information:

### Campus Sex Crimes Prevention Act

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

### Drug-Free Schools and Campuses Act

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

### Graduation and Retention Rates

Graduation and retention rate data is available at the Registrar’s Office and online.

### Higher Education Opportunity Act (HEOA)

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

### **Campus Safety**

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

### **Non-Discrimination Statement**

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

### **Immigration**

Institutions of higher education in the Commonwealth of Massachusetts are required to notify the U.S. Citizenship and Immigration Services (USCIS) immediately of the name and last known address of any international student requiring a student visa whenever such student fails to post attendance, enrolls for less than full-time, withdraws or graduates from the institution. The public institutions of higher education shall forward copies of any such USCIS notifications to the Board of Higher Education.

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

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

1. The right to inspect and review the student's education records within 45 days of Northeast Maritime Institute's receipt of a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly

identify the part of the record the student wants changed and specify why it should be changed. If the school decides not to amend the record as requested, the school will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the college discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. The college discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by Northeast Maritime Institute in an administrative, supervisory, academic, research, or support staff position (including security personnel and health staff); a person serving on NMI's Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the college who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for NMI.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Northeast Maritime Institute to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education 400 Maryland Avenue, SW, Washington, DC 20202 FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student:
  5. To other school officials, including teachers, within the Northeast Maritime Institute whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
  6. To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))

7. To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local educational authorities, such as a state postsecondary authority that is responsible for supervising the college's state-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of federal or state-supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
8. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
9. To organizations conducting studies for, or on behalf of, the school, in order to:  
(a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
10. To accrediting organizations to carry out their accrediting functions.  
(§99.31(a)(7))
11. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
12. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
13. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
14. Information the school has designated as "directory information" under §99.37.  
(§99.31(a)(11))
15. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
16. To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))
17. To parents of a student regarding the student's violation of any federal, state, or local law, or of any rule or policy of the school, governing the use or possession

of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a) (15)).

If you have any questions or concerns about this notification, contact the COO for Northeast Maritime Institute.

## **Complaints**

### **General Student Complaint Policy**

Northeast Maritime Institute (NMI) strives to provide the highest quality education and academic services to all students in the NMI community. If a student feels that they have been treated in a manner that is not consistent with NMI's official policies or State Law, the student is required to file a complaint in accordance with this policy in order to allow for a timely response and resolution.

NOTE: Complaints regarding student conduct or Title IX must be made in accordance with the procedures as contained in the NMI Student Handbook.

### **Procedures**

A student with a complaint should use the Student Complaint Form (available at the Registrar's Office) to describe the nature of the complaint along with contact information that the College can use to respond to the student. The form must be completed and signed by the student and must be sent as a paper copy to the Dean of Students. For details on the full complaint process, please refer to the Student Handbook.

The Office of the Dean of Students will maintain a record of all written complaints received under this policy, as well as documentation of how the complaint was addressed.

## **Academic Program**

The curriculum of 77 credit hours is predetermined for most students each semester and includes general education and maritime courses. The academic year consists of two academic semesters of fifteen weeks each and a Standards of Training, Certification, and Watchkeeping Internship (STCWI), also known as Summer at Sea Term, which is comprised of a minimum of approximately 90 days as an intern. During each academic semester, Monday through Friday students are required to be at the muster location by 0745, attend morning meetings, and remain on campus (not including campus housing) until 1700. The last 30 minutes of each weekday (1630-1700) are dedicated to students' participation in the Student Responsibility Program which is designed to emulate responsibilities related to ship life. Some class sessions are all day, such as lifeboat training, firefighting, or underway sessions on training vessels and will be integrated into each student's schedule.



## Academic Standards for Nautical Science Courses

### Grading Standards

A	4.0	I (Incomplete)	---
A- 90%	3.7	W (Withdrawal)	---
B+	3.3	AU (Audit)	---
B	3.0		
B- 80%	2.7		
C+	2.3		
C	2.0		
C- 70%	1.7		
F	0.0		
F (Fail)	---		
P(Pass)	---		

Students will be awarded a single, alphabetical grade certified by the instructor before the reporting deadline which is noted on the academic calendar. Those who meet all the parameters will be placed on the Lemley List for academic distinction. Lemley List members must maintain GPA of 3.0 with no grade lower than a C, and Lemley Listees must also have completed all required Community Service hours.

NOTE: Although earning a 63.5% in general education courses constitutes a passing grade, an average of 70% or better in Nautical Science courses and the following corresponding test scores represent the minimum requirements to pass the Nautical Science courses in accordance with USCG standards. For all Nautical Science classes, a student shall be allowed three (3) attempts on different versions of the tests for a passing grade. However, the score earned on the student's first attempt shall be used to compute the final score for the course.

Nautical Science Course	Required Score
<b>ST 101 Auxiliary Sail</b>	70%
<b>NS 101 Basic Marine Safety</b>	4 modules each 70%
<b>NS 103 Introd. To Nautical Science</b>	2 modules each 70%
<b>NS110 Navigation Rules</b>	90 (70 to pass course)
<b>NS106 Proficiency in Survival Craft</b>	70%
<b>NS 131 Intro. to Shiphandling</b>	*Not a USCG mandate-70%
<b>NS 203 Bridge Resource Management</b>	2 modules each 70%
<b>NS 208 RADAR/ARPA</b>	2 modules 70% for RADAR, 80% for ARPA
<b>NS 201 Terrestrial Nav</b>	90% (70% to pass course)
<b>ME 202 Naval Arch. / Stability</b>	*Not a USCG mandate-70%
<b>NS 201 Marine Engineering</b>	*Not a USCG mandate-70%
<b>NS 202 Electronic Navigation</b>	80%
<b>NS 220 Tankerman PIC</b>	70%
<b>NS 232 Adv. Shiphandling and Towing</b>	70%
<b>NS 255 Marine Meteorology</b>	*Not a USCG mandate-70%
<b>ST202 Ocean Voyaging and Vessel Mgt</b>	70%
<b>NS 260 200 Ton License Prep</b>	*courses contain testable material in 200 ton final exams
<b>200 Test Modules</b>	
<b>Rules of the Road</b>	90%
<b>Chart Nav</b>	90%

<b>Navigation General</b>	70%
<b>Deck Safety</b>	70%
<b>Deck General</b>	70%

### Academic Standards for General Education Courses

#### Grading Standards

A	4.0	I (Incomplete)	---
A- 90%	3.7	W (Withdrawal)	---
B+	3.3	AU (Audit)	---
B	3.0		
B- 80%	2.7	Students will be awarded a single,	
C+	2.3	alphabetical grade certified by the instructor	
C	2.0	before the reporting deadline which is noted	
C- 70%	1.7	on the academic calendar. Those who	
D+	1.3	meet all the parameters will be placed on the	
D 63.5%	1.0	Lemley List for academic distinction. Lemley	
F	0.0	List members must maintain GPA of 3.0	
		with no grade lower than a C, and Lemley	
F (Fail)	---	Listees must also have completed all	
P(Pass)	---	required Community Service hours.	

Every course offered for credit requires a final examination or project as part of the course's curriculum. Missing a final examination **without prior approval** will result in a zero (0) for the examination.

**EXCEPTIONS:** In General Education courses, students who have earned a 90% average or higher at the end of the regular semester coursework, just prior to finals, have the option to sit for a final or be assigned a grade for the final that matches his or her semester average.

#### Study Hall

At NMI we strive to create a culture that is conducive to success; therefore, students must attend assigned study halls and assigned tutoring sessions.

#### Tutoring

All students at NMI are encouraged to reach out to instructors should they need to revisit a specific topic or concept covered in the class material. Students should also connect with NMI tutors at any point when they need reinforcement or clarification of a skill or an idea. Student Services can provide a list of approved tutors. When students' grades slip, they will be assigned to additional mandatory tutoring sessions.

#### Grade Appeals

Students who question a grade must follow the Grade Appeals Process outlined in the Academic Performance section of this handbook. Instructors must submit grade changes in writing to the Registrar no later than two weeks after the start of the semester following the term in which the original, contested grade was submitted. An extension of the two-week period may be granted by the instructor and the Chief Academic Officer.

#### Transfer Credits

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

- a review based on a course description from an accredited institution where the course was taken.
- a grade of “B” or better with an official transcript showing the grade.
- a “request for transfer” form should be submitted to the Registrar.
- the student must be in good academic standing at NMI at the time of the request.

\*\*\* No more than 15 credit hours of the general education classes shall be transferred from another college.

### **Attendance Policies**

Our students are required to be “on campus” from 0745 until 1700, unless otherwise specifically directed. “on campus” is defined as one of the four main classroom/study buildings and the “yard area” of those buildings. Although the housing provided by NMI is technically part of the NMI campus, housing is off limits during the above listed hours except during the lunch hour.

### **Morning Meeting**

All students are required to attend every scheduled morning meeting.

### **Mandatory Events**

During every Semester, students are required to attend special, mandatory events.

### **Class Attendance**

**All students are expected to attend every scheduled class session.** Attendance requirements and the impact of attendance on grading are specified in the syllabus for each course and are determined by the U.S. Coast Guard and faculty members. Faculty are required to take attendance for all courses. Instructors must report unexcused absences daily.

### **Tardiness**

If students are going to be tardy to Morning Meeting, i.e., arrive after 0745 AM, they must call the front office at 508-287-1073, send a message in Microsoft Teams in the “All School – Nautical Science” Team, and must report to the Director of Nautical Science at the close of Morning Meeting. If a student arrives after 0800 AM, it will be considered an unexcused absence, and the Director of Nautical Science shall determine the consequence and inform that student.

If students are going to be late for class, they must notify their instructor as soon as possible. In either case, students who arrive between 1 and 14 minutes after the start of class are marked tardy. Three tardies are equivalent to one unexcused absence and arriving to class later than 15 minutes will be recorded as an unexcused absence.

### **Absences from Class or Examinations**

Should students need to be absent from a class, they must contact the instructor and copy(cc) the Director of Student Services via email with as much advanced notice as possible prior to the day of class in which they will be absent. If a student speaks to an instructor directly about an absence, the student must follow up the conversation with an email to the instructor. The instructor will reply to the email indicating whether the absence will be classified as excused or unexcused **in order for the conversation to be deemed an official record of the communication.** If students are sick or have an emergency and must miss class, they must call

the front office (508) 287-1073. Then, as soon as possible, they must email the front office and the appropriate instructors detailing the incident, so the instructors can identify whether the absence merits an unexcused classification. If students are absent on a day (or days) immediately following a holiday or an official school break, upon returning to campus, they must provide a doctor's note indicating the reason for the absence. Doctor's notes should be submitted for all doctor's appointments which are scheduled during the school day. Instructors will respond indicating whether the absence was deemed excused or unexcused. If a student exceeds 4.5 semester hours (equivalent to (3) 90-minute classes or (1.5) 3-hour classes) of excused absences in a semester, any additional absences will be deemed unexcused unless a doctor's note is received by the CAO upon the student's return to school or an exception has been granted by the Nautical Science team.

NOTE: Please see Covid guidelines regarding absences during a bout with or exposure to Covid.

NOTE: It is the student's responsibility to contact the instructor to arrange a time to make up any missed classwork or quizzes and to discover and collect any missed material.

#### Unexcused Absences

##### First Offense:

- Assigned to a Wednesday Night Session for each class needing time recovery.

##### Second Offense:

- Assigned to a Benevolence Detail and a meeting with the DOS

##### Third Offense:

- Grounds for Dismissal and a meeting with the Academic Review Board

An unexcused absence on the day of an examination or quiz will result in a grade of zero. At NMI, the student is responsible for effectively managing health issues, especially as they relate to classes, i.e., determining whether to attend class, to complete assignments, to be present for quizzes, examinations, etc. Under no circumstances is a health care provider able to excuse a student for medical reasons. Only the faculty member has the authority to excuse or not to excuse the student from class or class assignments. Faculty members will publish clearly defined absentee and make up assignment policies in their course syllabi which shall be distributed the first week of class, so students know their responsibilities regarding class attendance and what to do following an absence. Students are responsible for knowing and adhering to attendance/absence policies in each of their classes. The student must contact a faculty member as soon as possible concerning an absence and maintain an open line of communication with the faculty member concerning the student's absence. If an outside health care provider determines that students need immediate medical treatment or that they must follow specific protocol to alleviate symptoms and/or contagion, then the student must inform the appropriate faculty member/s. In addition, students must contact the appropriate faculty members if they must be absent from class for more than three days. On occasion, the Office of the Chief Academic Officer will advise instructors that a student will be absent for a specific period of time. When able to return to class or campus, the student will work with the applicable faculty and/or follow the procedures outlined in the faculty member's syllabus for making up missed work. Students are allowed to miss three (3) excused 90-minute class sessions or one and a half (1.5) three (3) hour class sessions, provided they follow all make up procedures. If extenuating circumstances exist, the Academic Review Board will convene to assess unique situations.

### **Absence Due to Religious Beliefs**

Any NMI students who cannot attend class, take an exam, study, or complete work on a particular day due to religious beliefs shall be excused from such obligations and required to make up any missed assignments that the instructor deems necessary. It is the student's responsibility to notify instructors, the DOSS, and the DONS at least three (3) days prior to the anticipated absence. Student shall not be charged for such make-up opportunities, nor may they be subjected to adverse or prejudicial effects for availing themselves of the provisions of Massachusetts state law.

### **Released Time**

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

### **Daytime Student Parking**

Our students are required to park in the Brigantine Parking Lot during the day. Senior Cohorts can also choose to park at Founder's Hall. Students cannot drive from building to building, and they cannot park on the streets of Fairhaven during business hours. Violations of this policy will follow the consequences of attendance policy violations.

### **Absence Due to Deaths, Emergencies, or Illnesses**

Deaths:

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

Emergencies:

Students who experience a personal or family emergency are asked to notify the CAO, if the emergency requires the student to leave campus or miss classes.

Notifying Instructors:

The Office of the Chief Academic Officer will notify the student's instructors and the Director of Student Services of situations involving deaths, personal emergencies, or illnesses. However, in all situations, students themselves are responsible for notifying their instructors if they will miss class, unless the situation is so extraordinary as to make it impossible for the student to do this. Contact information for professors is provided on all course syllabi, as well as online. **Students must initiate contact with their instructors to arrange make up of missed class time and assignments due to these types of absences.**

### **Academic Performance**

### **Academic Appeals Process**

The following procedures shall be followed to appeal an academic dismissal:

- The Registrar will notify the student of dismissal by email which will contain information regarding the student's right to appeal and the procedures to follow.
- A student who wishes to appeal shall submit a letter to the Chief Academic Officer (CAO) explaining the reasons for appeal.
- The student shall meet with the CAO and the Dean of Students to discuss the reasons for dismissal and reasons for appeal.
- The student shall be informed in writing of the final decision of the appeal.
- If reinstated, the CAO shall arrange for student support services, if deemed appropriate.
- If students are not satisfied with the CAO's decision, they may appeal to the Office of the President.

### **Dropping Classes**

All registered students may be permitted to drop a class no later than Week 4 of the current semester with permission from the relevant faculty member and the CAO. Exceptions will be considered should extenuating circumstances exist.

**NOTE: As the Associate in Nautical Science Degree program is highly structured, any decision to drop a course should be considered seriously as it may require a student to move to a different cohort and/or delay graduation.**

### **Course Withdrawal**

A student may officially withdraw from a course by obtaining a "Course Withdrawal Form" from the Registrar's Office and securing the signatures of the Director of Nautical Science and the course instructor. The student is responsible for submitting the completed form to the Registrar's Office. If a withdrawal occurs after Week 5, it will be recorded as a grade of "WF." If withdrawal occurs prior to Week 5, it will be classified as a dropped course. The date of a withdrawal will also affect refunds and possibly the student's graduation date, scholarships, and cohort designation. A student may not withdraw from the same course more than once without the express written permission of the CAO. **It is the student's responsibility to ensure all deadlines are met.** An instructor may contact the CAO to initiate the withdrawal of a student if that student is not meeting the attendance or academic requirements of a course.

### **Academic Evaluation**

Faculty have several tools, in addition to the semester grades, to measure a student's progress towards successful completion of a course. A member of the faculty may opt to use a mid-term assessment as a means of informing students that they are not performing at a level necessary to pass the course. The faculty members disseminate the information to the student, the Director of Student Services, and to the Chief Academic Officer.

### **Course Failures**

A student must receive a passing grade (D or better for General Education courses) to receive credit. For all Nautical Science courses, students must pass all course work with an average of C or better, and they must also pass all exams with the USCG mandated minimum score (see page 10). A student who fails a course has two options:

- Repeat the failed course on campus which will include an additional cost. The repeated course grade and credit hours will be used in calculating the term quality point average of the term in which the course is repeated. The CGPA (Cumulative Grade Point Average) will include the repeated grades and credit hours only.
- Repeat the failed course or equivalent at another accredited institution. **This option applies for general education courses only.** A minimum grade of 'B' (3.00) will be required for the course to be deemed successfully completed. Transfer grades will not be used in computing the CGPA (see "Transfer Credits" section). This option must be approved by CAO before a student takes the course elsewhere.
- Failure of certain courses will prevent students from beginning their Summer at Sea Term until the failing grade has been rectified.

### **Incomplete**

At the student's request, an instructor may enter an incomplete grade 'I' at the end of an academic term if the student has failed to meet a course requirement due to illness or other extenuating circumstances. Students are authorized a maximum of two weeks into the following semester to rectify a grade of incomplete for academic courses; this period may be extended in extreme circumstances. If the incomplete is not rectified within that period, the incomplete is automatically converted to a failure ('F').

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

### **Repeated Courses**

In the event a student has a Nautical Science class with a final grade below a 70%, the student must repeat that class and obtain a grade of 70% or better in order to satisfy the requirements of the AAS in Nautical Science degree program.

### **Academic Review**

Grades are reviewed by the Chief Academic Officer at mid-semester (or sooner if warranted) and at the end of each semester.

Students whose individual course grades fall below 70% or CGPA falls below 2.0 will be assessed by the Academic Review Committee using the following process:

- Students will be notified in writing by the CAO, DOS, and applicable faculty.
- Students will meet with the Academic Review Committee to discuss the causes for failing grades and create an academic plan which will provide support and accountability for the student that includes goals, assigned tasks, mandatory attendance in study groups, and a timeline for improvement.
- Students will be placed on Academic Review if their CGPA is between 1.51 and 1.99 and will receive a letter from the Registrar's office.
- Students will be placed on Academic Probation if their grades are between 1.0 and 1.50 and will receive a letter from the Registrar's office.
- At a date set by the Academic Review Committee, (mid-semester or end of semester), the committee will meet to determine if the identified goals have been met, tasks have been completed, and improvement has been made.
- Students who do not raise their CGPA to 2.0 or above after two semesters will receive a letter from the Registrar informing the student of his/her Academic Dismissal.
- Students who are dismissed may go through the Academic Appeals Process, return on Academic Probation after one year, or choose the New Beginning Option after two years.

### **Academic Standing**

To be in Good Academic Standing, a student must maintain a minimum CGPA of 2.0.

### **Satisfactory Academic Progress**

Satisfactory academic progress (SAP) is a term used to describe successful completion of coursework toward a degree or certificate. The policy refers to all students who receive federal or state financial aid, NMI scholarships, grants, departmental awards, tuition pledge programs, and some awards from external sources. The following are the Satisfactory Academic Progress



(SAP) Standards which students must meet to maintain satisfactory academic progress for financial aid:

1. Cumulative Grade Point Average CGPA (Qualitative Measure):

A student must maintain a CGPA of 2.0 or higher.

2. Cumulative Pace of Unit Completion (Quantitative Measure):

Student must complete 67% of the total number of courses that they attempt (all completed units divided by all attempts). All courses with grades A, B, C, D, F, as well as P, W, I, and repeated courses will be counted towards total attempts. All nautical science courses with grades of A, B, C, and P will be counted toward total completed units, and all general education courses with grades of A, B, C, D, and P will be counted toward total completed units

3. Maximum Timeframe:

A student must complete a degree or certificate program in no more than 150% of the average published length of the program in credit hours to be considered SAP.

### Academic Probation

Students are placed on Academic Probation if their CGPA falls below 1.5. This probationary status may immediately affect their participation in academic activities as well as their financial aid package. Students have two semesters of attendance to raise their CGPA to an appropriate level so they can be removed from Academic Probation. Students on Academic Probation will be notified in writing by the Registrar's Office to meet with the DOS, review committee, and appropriate faculty members to create a plan which would likely include tutoring, strategic course selection, and other changes in study habits.

Hours toward GPA*	Good Standing CGPA	Academic Review	Probation CGPA
12-15 credits	2.0	1.50-1.99	below 1.50
16-24 credits	2.0	1.75-1.99	below 1.75
25+ credits	2.0	N/A	below 2.00

### Academic Dismissal

Students who do not raise their CGPA above the probation level after two semesters of attendance will be dismissed for one calendar year. Students will be notified in writing by the Registrar's Office and may utilize the Academic Appeals Procedure. After one year of inactive status, a student may return and will be placed on Academic Probation. After two years of inactive status, the student may choose to take advantage of the New Beginning Option.

### Leave of Absence

A student may apply for a Leave of Absence for a period of up to a maximum of 180 days in a one-year period. During this one-year period, undergraduate students may be readmitted to the College through the Registrar's Office without having to reapply through the Office of Admissions. To take a leave of absence, students must contact the Registrar's Office to file the appropriate request. Students living in campus housing must vacate with 24 hours of submitting a leave or withdrawal request. Students considering a leave of absence are encouraged to talk with the CAO, DOSS, and DONS about their options, the process of taking a leave, and the procedure for applying for readmission.

**Withdrawal from the College**

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

**New Beginning Option**

The New Beginning Option permits a fresh start for a student who has not been enrolled at the College for at least two years and has re-enrolled on Academic Probation. USCG approval may require some courses to provide recency of subject matter and technical knowledge. A student may exercise the New Beginning Option only once. Original grades and CGPA will remain on the transcript, but all future calculations of CGPA will include only courses taken after readmission. Courses taken at NMI prior to the two-year break will be evaluated according to the current transfer credit policy. Courses meeting the transfer credit criteria will be included in the student's credit total. The student's transcript will indicate his selection of the New Beginning option. The student who wishes to re-enroll under this option may obtain an application and a list of the requirements for the New Beginning Option from the Registrar's Office. A student must be registered in order to elect the New Beginning Option.

**Grade Appeals Process**

The Grade Appeal Policy is designed to resolve a student's specific concerns with regard to a final course grade. If a student feels that a final course grade is inaccurate, the student must make an appointment with the faculty member to discuss the matter informally. The appointment must be requested within the first two weeks of the academic semester following the semester in which the grade was earned. Every effort will be made to resolve the student's concerns informally.

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

Regardless of the nature of the recommendation of the CAO, it remains the sole prerogative of the instructor to change the grade. Exceptions to the policy may be permitted if the Chief Academic Officer determines that clear and compelling extenuating circumstances exist.

## **Graduation Requirements**

### **Criteria for Eligibility to Graduate**

Students are required to complete the requisite credit hours for their degree program, the Skills for Success class, and the Fitness Program successfully in addition to fulfilling the required Community Service hours to qualify for graduation for the Applied Nautical Science program. All Nautical Science courses must be completed according to USCG standards. A Cumulative Grade Point Average of 2.0 or higher is required for a student to graduate.

### **Intent to Graduate**

All students must file the Intent to Graduate Degree Form with the Registrar. For students completing their coursework in December, the Intent to Graduate Form is due by the 1<sup>st</sup> of December, and for students completing coursework in May, the form is due the 1<sup>st</sup> of April. Completed forms must be submitted to the Registrar's Office relevant to the semester in which they expect to complete their requirements. It is the student's responsibility to originate this request, and failure to do so may delay their graduation. The Intent to Graduate Form is available through the Registrar's Office. The responsibility for satisfying requirements rests with the student.

### **Community Service**

As a graduation requirement, students must complete thirty (30) hours of community service per each spring and fall semester the student is enrolled in classes. At the beginning of each semester, the Community Service Coordinator will announce the service events for the semester. At the end of each semester, all community service forms must be submitted to the Community Service Coordinator. Students not fulfilling these requirements may request an extension to complete their community service hours. Extensions are only granted in extreme circumstances and degrees will be withheld until this requirement is fulfilled. At NMI we "Honor the Mariner," and in turn, teach our students to honor their communities by volunteering in meaningful ways. All community service hours must be completed prior to graduation. Please note some school wide, non-academic events shall be mandatory and shall reduce your required number of community service hours.

### **Credits and GPA**

Students are required to complete the requisite credit hours for their degree program, a physical education program, and a skills class successfully. All Applied Nautical Science courses must be completed according to USCG standards. A Cumulative Grade Point Average of 2.0 or higher is required for a student to graduate.

### **Skills for Success Class**

This pass/fail course will provide students with access to personal skills needed to be successful, both in school and on the job. Students will learn to set goals and make plans to reach them. They will also learn time management tools, study skills, and both personal and professional etiquette to help set them apart from other mariners. NMI students will also be able to access and use online resources as well as traditional library resources. Elements of teamwork and leadership will also be incorporated into the class as part of the USCG requirements.

### **Physical Education Program**

This pass/fail course will provide students with access to fitness skills and habits needed to be hired by the nation's leading maritime companies. Many maritime companies have recently

increased the rigor of their physical fitness requirements for prospective employees. This program is designed to position students to be eligible for hire by all companies, including those who have the most stringent fitness requirements. NMI students will be required to attend two fitness program sessions per week and will need to complete one or more sessions on their own to be successful.

## **Student Information**

### **Orientation**

Students shall attend an orientation during which expectations for conduct and behavior will be outlined. In addition to receiving NMI identification cards, students will be introduced to instructors and will be given a tour of the campus and the town. Class schedules will also be distributed.

### **Dress Code**

Our students represent the College in the community; therefore, clean, neat clothing and tidy appearance are the general expectations of all students at NMI.

Clothing: Students shall wear school polos or school button down oxford shirts which must be tucked in and paired with NMI approved khakis and a black or brown belt. In cooler weather, students may wear gray NMI ¼ zip pullover or NMI crew sweatshirt over their school shirts. On occasion, students shall be required to wear more formal attire which would include a combination of the following: jacket/blazer, tie, shirt, skirt, pants, or dress. Garments with logos must meet NMI approval and must not in any way denigrate others.

Shoes: A student must wear closed toed shoes, and if they have laces, they must be tied.

Boat Day Attire: Students must wear their NMI t-shirts, NMI hoodies, if needed, approved boat day pants, and appropriate boating shoes, such as topsiders, neutral soled sneakers, or Xtratuf boots.

Hair: All students at NMI must always keep their hair clean and professional in appearance. To achieve this goal, each student's hair must be a natural color and cannot touch or fall over the ear or below the top of the collar. If a student must use gel to achieve the requirements for the hair policy, then the hair is too long. For safety reasons, long hair shall be pulled back, preferably into a bun or safely braided. Lab time and boat time may require hair to be pulled into a bun as a safety precaution.

Facial hair: Students must be clean shaven until the completion of the Fire Academy assessment. After successfully completing the Fire Academy course, the standard for facial hair is finely groomed to be no longer than an inch at the base.

**NOTE:** Some companies may require students to remain clean shaven for the duration of an internship, and some companies will require all tattoos to be covered fully by required garments.

Weight: All students must maintain the USCG standards regarding weight. Please see USCG weight standards - [https://media.defense.gov/2022/Mar/31/2002967299/-1/-1/0/CI\\_1020\\_8I.PDF](https://media.defense.gov/2022/Mar/31/2002967299/-1/-1/0/CI_1020_8I.PDF)

Fitness: Students must maintain a level of physical fitness which allows them to meet the new rigorous industry standards.

Piercings: Ear piercings must be studs and any other piercings must not be visible.

Headgear: Hats or covers cannot be worn indoors. Headphones cannot be worn as a fashion accessory.

**NOTE**: Clothing, jewelry, piercings, and hairstyles which are distracting to college staff, faculty, or administration and create an unprofessional image shall not be tolerated on campus or at school related activities.

Students may be dismissed from any classroom or college related activity for violation of the dress code. Students who violate any part of the student dress code shall be penalized with an unexcused absence from any class in which they have breached the dress code. The student is expected to correct the dress code violation immediately in between classes to avoid being penalized with additional unexcused absences for other classes. If students arrive at Morning Meeting inappropriately dressed for the day, he or she will be instructed to correct the issue. If a student arrives at Morning Meeting in violation of the dress code a second time, then the student will be required to attend a Wednesday Night Session.

### **Photography/Videography Policy**

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

### **Parental Notification Policy**

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

### **Grades**

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

Immunization:

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

- **Hepatitis B Vaccine:** Three doses are required for all full-time freshmen. The accepted schedule for Hep B is dose 2 is 4 weeks after the first, and the dose 3 is 5 months after the dose 2. A pediatric two-dose Hep B is acceptable upon proper documentation of the type of dose and dates given.
- **MMR:** Beginning September 1, 2011, 2 doses of live measles, mumps and rubella vaccine will be required for all full-time freshmen. These doses must be given at least four weeks apart beginning at or after 12 months of age.
- **Varicella:** Beginning on September 1, 2011, 2 doses of live varicella vaccine will be required for full-time freshmen; these 2 doses must be given at least four weeks apart beginning at or after 12 months of age.
- **Tdap:** Beginning on September 1, 2011, a single dose of Tdap will be required for full-time freshmen, if it has been more than five years since the last dose of Tdap. If it has been less than 5 years since the last dose of Tdap, Tdap will not be required but may be administered according to the judgment of a physician, nurse practitioner, or physician assistant.
- **Flu:** Students must receive an annual flu shot.

The requirements of 105 CMR 220.600 shall not apply when:

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

Students may be registered on the condition that the required immunizations are obtained. Vaccination records are available from high schools, personal physicians, or military records. If students' records are unobtainable, re-immunization or blood work to prove immunization may be required. Failure to provide the required immunization records may prevent students from receiving their grades, registering for classes, adding or dropping a class, or receiving transcripts.

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

**NOTE:** No exceptions will be granted for Covid vaccines or annual flu shots.

### **Student Health Insurance Requirements**

Massachusetts state law requires that all full and three-quarter-time students have health insurance coverage that meets or exceeds the minimum standards as set forth in Massachusetts Law C.15A, s.18. State Law requires all registered students attest to comparable coverage or to enroll in a student health insurance plan. Coverage under a Health Benefit Plan is comparable if:

- The Health Benefit Plan provides the student throughout the school year reasonably comprehensive coverage of health services, including preventative and primary care, emergency services, surgical services, hospitalization benefits, ambulatory patient services, mental health services, and prescription drugs; and

- The services covered under the Health Benefit Plan, including all required services are reasonably accessible to the student in the area where the student attends school.
- Students who have comparable coverage may submit a waiver form. Please note the following students are not eligible to waive coverage:
  - Students determined to be receiving services by the Health Safety Net or students in MassHealth Limited, or the Children’s Medical Security Program;
  - Students with coverage from insurance carriers outside of the U.S. and coverage by foreign National Health Service Programs, unless the student is studying in a foreign country, and the student’s insurance provides coverage in that location; and
  - Students with a Health Benefit Plan that provides coverage through a closed network of providers, not reasonably accessible in the area where the student attends school, for all but emergency services.
    - Students will be required to submit an annual enrollment waiver or enroll in an appropriate Student Health Insurance Plan before the start of the semester. Any student who fails to submit the appropriate form will be placed on registration hold.

If students do not have a Health Benefit Plan with comparable coverage or their current health plan is too expensive to maintain while studying full time, we can provide information regarding student health insurance plans that are available. Please contact:

**Admissions Department**  
**508-992-4025**  
[admissions@northeastmaritime.com](mailto:admissions@northeastmaritime.com)

**Health/Psychological Records:**

In general, health providers are prohibited from sharing a student’s medical or psychological counseling record, including confirmation of a visit without the express consent of the student. Students may sign a form permitting release of information, but this too is restricted to individual incidences of treatment or care. NMI may notify the parent(s) or legal guardian(s) of a student in connection with an injury or physical or mental condition requiring a medical transport to the hospital or when deemed necessary to protect the health or the safety of the student and/or other individuals. This notification, including the timing of the notification, is done on a case-by-case basis and strictly at the discretion of the College. The College will always encourage students to contact parents or guardians themselves in the case of medical transports or emergencies.

**Personal Property Insurance**

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

**Inclement Weather Notification**

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

- Phone call or text message from the College to students and to Student House Bosuns; and/or;
- Posting on the College's website, [www.northeastmaritime.com](http://www.northeastmaritime.com);
- Posting on the College's Facebook page: [www.facebook.com/Northeast.Maritime.Institute](https://www.facebook.com/Northeast.Maritime.Institute)

### **Right to Privacy**

A student's Right to Privacy is of the utmost importance to Northeast Maritime Institute. The College follows the requirements set forth by the Family Educational Rights and Privacy Act (FERPA). See page 7 for details. In addition, the College provides other student privacy protections.

### **Unwanted Surveillance**

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

### **Release of Educational Records**

Personal identifiable information may be released under certain circumstances, as provided by law. These include but are not limited to the following: College personnel may have limited access to student records for legitimate educational or administrative purposes.

- Confidential student records may be released pursuant to a court subpoena. However, the Registrar shall use professional judgment in determining which information to release and shall so notify the student in writing prior to releasing the requested information.
- Medical and counseling records are different from educational records and access is more limited. Such records will not be released without the student's prior consent except as provided by law.
- If a student is under 18 years old, information regarding the student, including educational records, may be released to parents of students who are claimed as dependents on their income tax returns.
- A log or record will be kept for all students documenting release of a student's records. No entry in the record needs to be made if access is provided by federal or state law.
- The College may refuse to release transcripts for such reasons as unpaid financial obligations.
- The College may refuse to release any personally identifiable information, when the disclosure of which may constitute an unwarranted invasion of personal privacy.
- Students seeking additional information regarding their rights under the Family Educational Rights and Privacy Act should contact the Registrar's Office.

### **Student Directory Information**

NMI has designated certain types of information as "directory information". This includes the student's name, hometown, earned degrees or certificates, and academic honors. Students may restrict release of this information, if they wish, and this data will not be released except as



authorized by law. Requests to restrict the release of directory information shall be made in writing to the Registrar. Failure of any student to do so indicates approval for release of the information indicated above.

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

## **Financial Policies**

### **Payment Policies**

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

### **Refund Policies**

Students who withdraw from the program are entitled to a refund of tuition in accordance with the following:

Prior to the first week of classes*	100%
During the 1 <sup>st</sup> week of classes	75%, less a deposit fee of \$500.00
During the 2 <sup>nd</sup> week of classes	50%, less a deposit fee of \$500.00
During the 3 <sup>rd</sup> week of classes	25%, less a deposit fee of \$500.00
After the 3 <sup>rd</sup> week of classes	0%

\*Applicants who have not visited the school prior to enrollment will have the opportunity to withdraw without penalty within three business days following either the regularly scheduled orientation procedures or following a tour of the school facilities and inspection of equipment where training and services are provided. An applicant will be refunded all monies paid if requested within three days after signing an enrollment agreement and making an initial payment. An applicant requesting cancellation more than three days after signing an enrollment agreement and making an initial payment, but prior to entering the school, is entitled to a refund of all monies paid minus a registration fee of 15% of the contract price of the program, but not more than \$150.50.

If you wish to terminate your enrollment, you must inform the college through the Registrar's Office in writing of your termination, which will become effective on the day such written request for termination is received. Refund payments of credit balances will not be made until any pending scholarships, loans, and/or grants are received and credited to the student's account. The student must pay all charges owed at the time of withdrawal or dismissal.

Students receiving funds from Title IV programs are subject to the U.S. Department of Education's Federal Return to Title IV (R2T4) policy. The return of your funds to Title IV is separate from any refund policy that the college may have. Therefore, you may still owe funds to the college to cover unpaid institutional charges. The College may also charge you for any Title IV program funds that the college was required to return.

In the event of an Act of God, i.e., hurricane, fire, etc., that delays a scheduled start date, Northeast Maritime Institute will contact the student by telephone informing the student regarding the delay and the new intended scheduled start date. Students may cancel their enrollment agreement without penalty within seven days of being notified of any expected delay to the scheduled start date.

### **Refund Payments**

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

### **Financial Obligations**

It is the College's policy to withhold all diplomas, degrees, official transcripts, and other official recognition of work done at the school from students with any outstanding debts to the College. Students must pay fees in full before registering for subsequent semesters. Payments may be made by cash, personal check, certified check, money order, wire/ACH, or credit card.

### **Third Party Tuition Sponsorship Program**

A third-party organization may sponsor a student's enrollment by committing to paying a student's mandatory tuition, registration, and other fees. Most organizations will grant their sponsorships through an application process. The Bursar's Office coordinates third-party payments on behalf of Northeast Maritime Institute.

The Bursar's Office does not assist students with identifying a sponsor. Students seeking financial assistance may contact the Bursar's Office for guidance on researching options for educational funding.

#### **1. Eligibility for Third Party Tuition Sponsorship**

- a. A third-party sponsorship may be granted if the sponsoring organization:
  - i. Will sponsor all or most of the student's mandatory tuition and fees,
  - ii. Agrees to the issuance of an invoice in the sponsor's name before disbursing payment,
  - iii. Will send payment directly to Northeast Maritime Institute.
- b. A student's account is not eligible if:
  - i. The sponsor's payments will be sent directly to the student. Only proof of enrollment or a copy of the student's bill is required.

## **2. Enrollment**

- a. To initiate the third-party contract process:
- b. The sponsoring organization provides, directly to the Bursar's Office, an authorization letter confirming its agreement to pay for a specified student.
- c. NMI receives a sponsor-signed contract indicating the specific terms of the financial agreement.
- d. NMI will issue bills directly to the third-party sponsor.
- e. NMI will issue semester bills in concert with the financial agreement to the sponsor.
- f. NOTE: Tuition must be paid on time or the student will not be allowed to attend classes and/or will be ineligible for graduation.

## **3. Invoicing and Payments**

Prior to the start of a semester, and following receipt of the above referenced authorization letter, the sponsoring organization will be invoiced. Payment by the sponsoring organization is due immediately upon receipt of the invoice and payment options are indicated on the invoice.

## **4. Sponsoring Agency's Failure to Pay in Full**

Once the payment is received by Northeast Maritime Institute, it will be applied to the sponsored student's account. Should a sponsoring organization fail to remit payment in full, legal action may be taken to recover amounts owed from the sponsoring organization. Charges may revert to the student's account for the balance not paid.

## **5. Student Confidentiality & Responsibility**

It is the policy of the Institute to protect our students right to confidentiality per the Family Educational Rights and Privacy Act (FERPA). By participating in the third-party sponsorship program, the student grants authorization to the Institute to release to the sponsoring organization information pertaining to assessed tuition and registration fees, financial aid, and enrollment.

## **6. Contact Information**

To submit authorization letters or for any questions regarding the third-party sponsorship program, please contact:

Bursars Office

Northeast Maritime Institute

32 Washington Street

Fairhaven, MA 02719 United States

Tel: +1-508-992-4025 Email: [accounting@northeastmaritime.com](mailto:accounting@northeastmaritime.com)

## **Waivers**

Anyone eligible for course fee waivers must submit documentation to the Bursar's Office.

Waivers cannot be applied retroactively.

## **Billing Problems**

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

## **Disability Services**

### **Mission**

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

### **Purpose**

NMI is committed to providing reasonable accommodations and integrated access for students with disabilities to all available academic, social, and recreational programs and activities. The Disability Services Coordinator at Northeast Maritime Institute, as required by the Americans with Disabilities Act (ADA), will work closely with students, administrators, and faculty to develop, and implement individualized accommodations tailored to students' needs.

### **Program Specific Restrictions**

The USCG approved Applied Nautical Science component of the AASNS degree program at NMI restricts students with physical and psychological disabilities under certain circumstances due to United States Coast Guard requirements:

([https://www.dco.uscg.mil/Portals/9/NMC/pdfs/forms/cg719k\\_instruction\\_guide.pdf?ver=2017-06-12-101520-973](https://www.dco.uscg.mil/Portals/9/NMC/pdfs/forms/cg719k_instruction_guide.pdf?ver=2017-06-12-101520-973) ).

AASNS students are required to have completed a United States Coast Guard physical examination prior to participating in the program. This assures NMI and the students that they are physically capable of completing the program and fulfilling licensing requirements successfully. Students must also be able to complete all classwork and demonstrate mastery of information for each Nautical Science course within the time constraints mandated by the USCG.

### **Legal Rights**

Title II of the Americans with Disabilities Act (ADA) prohibits the discriminatory assignment of disabled students to segregated classes or facilities. These laws apply to elementary and secondary as well as postsecondary schools. In elementary and secondary schools, disabled students may be assigned to separate facilities or courses of special education only when this placement is necessary to provide equal educational opportunity to them. Any separate facilities, and the services provided in separate facilities must be comparable to other facilities and services. To determine what the educational needs of a disabled student may be, schools must carry out preliminary evaluation and placement procedures.

### **Documentation Requirements**

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

1. Make an appointment to meet with the Disability Services Coordinator
2. Provide documentation of their disability. The documentation serves as the foundation for legitimizing the request for a reasonable accommodation. Appropriate documentation must include the following:

- A clear diagnosis of the disability by a licensed professional who has firsthand knowledge of the student's condition and has experience and training in diagnosing and treating people with disabilities.
- Documentation of the disability must be current, within two years.
- A statement of the functional impact and limitations of the disability on major life activities.
- Documentation must be on letterhead from diagnosing physician or primary care physician's office.

### **Transition into College**

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

### **Confidentiality**

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

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

### **Documentation and Registration**

Our Disability Services can be reached at the following location and/or phone number:

Student Disability Coordinator  
 Northeast Maritime Institute  
 32 Washington Street  
 Fairhaven, MA 02719  
 (508) 992-4025

When students register with the Disability Services Coordinator, they must provide written documentation of a disability from the physician or mental health professional with whom they work most closely. The student then meets with the Student Disability Coordinator to customize reasonable and appropriate accommodations for the documented disability. Due to the mission driven curriculum at NMI, the fast recall needed to meet industry performance standards, and the USCG examination requirements for USCG licensure, accommodations are limited in many areas of the curriculum.

- Whenever possible it is best to register and establish accommodations at the beginning of each academic semester.
- Documentation and information regarding a student's disability does not become part of a student's academic record.
- If students encounter medical or psychological difficulty during the semester which warrants accommodations, they should make an appointment to speak with the Student Disability Coordinator.
- Once accommodations are determined, a letter is sent to each of the student's instructors indicating the reasonable accommodations for the semester.

- It is the student's responsibility to give adequate notice to both the instructor and the Student Disability Coordinator in advance of the requested accommodations, so there is sufficient time to provide the accommodation.
- The services featured here are specifically for students with physical, medical, temporary, or psychological disabilities and provide an example of possible accommodations. Each disability will be thoroughly assessed and addressed appropriately. Accommodations might include, but are not limited to:
  - Distraction-free testing environment
  - Electronic Books (when available)
  - Additional in-house Tutoring Assistance
  - Referrals to additional outside tutoring at the individual's expense will be provided

### **Accommodations and Academic Adjustments**

Educators will make modifications to the academic requirements of a course of study if these requirements have a discriminatory impact on a student with a disability. Educators, however, do not have to waive or change the requirements if they are essential to the course or if the changes would fundamentally alter the program. This should be determined on a case-by-case basis by consulting with the educator and reviewing the course description.

Regarding future employment and professional standards regarding accommodations, an employer does not have to eliminate an essential function, i.e., a fundamental duty of a position. This is because a person with a disability who is unable to perform the essential functions, with or without reasonable accommodation, is not a "qualified" individual with a disability within the meaning of the ADA. (SHRM)

If a requested accommodation or adjustment is not reasonable, staff should work with the student to find alternatives that are reasonable and feasible. Common academic adjustments include extended time for exams, one-on-one tutoring, additional supervised study sessions, and sitting for exams in quiet, supervised locations. In the case of the Associate in Applied Nautical Science program, students shall not have modified exams or additional time on the USCG licensure examinations, as this program is under the direct supervision of the USCG which does NOT allow those accommodations due to the serious and dangerous nature of the profession.

### **Modified Deadlines**

Deadlines modifications for assignments and quizzes may be permitted, particularly if multiple exams and assignments are due on the same day. Certain practical assessments will not afford additional time to complete the task. Students in need of this accommodation must request arrangements for these modifications with their individual instructors, the Student Disabilities Coordinator, and DOSS. Extra time is not permitted for USCG licensing exams.

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

Students who have specific medical reasons may request the use of an NMI approved laptop for use during exams. Internet access shall be disabled, and the only function available will be the read aloud option. Students may utilize the Kurzweil program, if necessary. Computers ARE NOT permitted for USCG examinations.

Disability Grievance Policy and Procedure. If a requested accommodation is not provided, the College will attempt to propose reasonable alternatives if appropriate. The College will work with the person requesting the accommodation to determine if there are acceptable alternatives. If a dispute concerning an accommodation is not resolved by the College's interactive process, the individual may file a complaint using the process outlined below.

Any people who believe they have been discriminated against or have been the victim of retaliation on the basis of disability by any party at Northeast Maritime Institute may file a grievance. Discrimination or retaliation complaints grieved under this policy may be directed against fellow students, employees, contractors, or other third parties. The College will investigate the grievance, and if there is a finding that discrimination occurred, the College will take steps to prevent recurrence of discrimination and address any resulting discriminatory effects on the complaining party, if appropriate.

### **Filing a Grievance**

A grievance must be addressed in writing directly to the Student Disability Coordinator. The written grievance should contain as much information as possible, but at a minimum, it should contain:

- The name and contact information for the person filing the grievance
- A description of the problem or action alleged to be discriminatory or retaliatory
- Where applicable, the names and titles of any persons who were involved in the act of discrimination or who witnessed the discrimination
- The proposed remedy sought, if appropriate

Any employee or student who is aware of someone wishing to pursue a grievance under this policy, should direct the individual to the Student Disability Coordinator.

If complainants have an issue directly with the Student Disability Coordinator, they may file a grievance with the Chief Academic Officer or the Dean of Students. Contact information for all parties can be found in the College catalog as well as the College's public website. In all cases, the Student Disability Coordinator will be made aware that a grievance has been filed can direct the process to the appropriate designee, monitor the progress of the grievance procedure, and assure compliance with all applicable laws.

### **The Designee for Investigating the Grievance**

The Student Disability Coordinator shall identify "the designee" to investigate the grievance. When grievances are filed regarding academic matters such as academic adjustments, the designee will be the Chief Academic Officer because that individual has the most relevant knowledge of the academic requirements and applicable technical standards for the program of study. When grievances are filed regarding nonacademic matters such as facilities, operations, events, outside contractors, or parking, the designee will be the Dean of Students. When grievances relate to employment, the designee shall be the Director of Human Resources.

### **Procedure**

The designee will determine if the investigation of the grievance will follow an informal process or a formal process. For informal processes, the designee will speak directly with the complainant to gather all relevant information and will also seek information from any other parties mentioned in the written grievance. The complainant must agree to proceed with the

informal process. For formal processes, the designee will meet with all involved parties. This includes but is not limited to administrators, faculty members, witnesses, health care providers, the complainant, and legal advisors. In circumstances where legal advisors are present for the complainant, the legal advisor may consult with the complainant but may not lead or participate in the meeting.

During the meeting, the designee will hear all relevant information from involved parties. The complainant will have the opportunity to voice a grievance and to present any evidence or witnesses to support the case. The designee will be committed to impartial investigation of grievances and will include the opportunity for all parties to present witnesses and evidence.

### **Timing**

Academic grievances related to the implementation or denials of accommodations are to be filed as soon as possible but no later than the end of the subsequent term in which the alleged discrimination occurred. Non-academic grievances and employment grievances should be filed as soon as possible but no later than 180 days after the alleged discrimination occurred. When proceeding formally, the meeting will be scheduled within ten working days of the filed grievance and no later than 30 calendar days from the filing unless extenuating circumstances arise. For both formal and informal procedures, the designee will provide a response to the complainant within ten working days, unless extenuating circumstances arise

### **Resolution**

During deliberation, the designee is encouraged to communicate with the College's General Counsel for guidance regarding the legal standards and basis of the decision under the circumstance of the complaint. The designee will then make a determination and will respond to the complainant in writing, give reasoning for the determination, and outline any additional actions that will need to take place. If the designee determines that disability discrimination occurred, the College will take steps to correct any discriminatory effects on the complainant and others, if appropriate. The Student Disability Coordinator will be made aware of the response for tracking purposes and to answer any questions or concerns that the complainant has. Other appropriate parties involved in the grievance who have an administrative need to know, e.g., faculty member involved, program director, facilities director, supervisor, Human Resources, etc., will also be informed of the determination as appropriate.

Previously determined accommodations that are being grieved will remain in place until a determination has been made. The designee may decide to approve an alternative temporary accommodation while the grievance procedure is followed but will be clear with the complainant that the alternative accommodation is temporary in nature.

### **Outside Agency**

Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, such as the filing of a 504/ADA complaint with the responsible federal department or agency, although it is strongly suggested that this grievance procedure be used first.

If students or employees are dissatisfied with the grievance process at any time, they may use the following groups for assistance:

Massachusetts Office on Disability  
One Ashburton Place, Room 1305, Boston, MA 02108



Voice/TTY 617-727-7440 or 800-322-2020  
Fax 617-727-0965

Office for Civil Rights  
U.S. Department of Education 5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02190  
Voice phone (617) 280-0111 FAX (617) 617-289-0150

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

The NMI community expects all its members to promote the values of honesty, integrity, hard work, compassion, responsibility, and respect for learning. Behaviors or actions which damage morale, disrupt the learning process, or challenge the school's motto, "Honor the Mariner," are not acceptable. Behavior that negatively impacts any other person's experience in the classroom, on campus, or on the water is unacceptable. At no time shall a student's behavior, language, or actions harm, diminish, or infringe on another student's experience, and at no time may a student engage in offensive or hurtful behavior or language towards anyone based upon race, color, creed, religion, ethnicity, sexual orientation, gender, or any other variable that differentiates a person.

Should an instructor or a member of the faculty or staff witness a violation of NMI policy, that individual may issue the student a Student Mariner Conduct Referral. The purpose of consequences for violations of NMI's Code of Conduct is to educate the individual who violates these standards and to reinforce expectations for the entire NMI community. Membership in NMI's community is voluntary and predicated upon the agreement to abide by our shared standards and values. At no time should a student refuse a reasonable request by faculty, staff, or administration. NMI is located in the heart of the town of Fairhaven, and its students are expected to represent the school in a way that honors the traditions of the town and community.

All students are required to abide by the standards of ethical behavior and principles of conduct as set forth by NMI. Personal conduct on and off campus is governed by these policies and principles. Our Code of Conduct states that students will not lie, cheat, or steal. Academic honesty is expected at all times. Cheating includes plagiarism, unauthorized use of notes, submitting another's work as one's own, copying work from another student without permission of the instructor, or the use of other unauthorized methods of obtaining information for answers to questions on exams, tests, or quizzes.

### **Honesty and Integrity**

Personal and Academic Integrity:

Integrity is valued in all aspects of NMI school life. The following behaviors represent serious violations of personal and/or academic integrity: lying, forging a signature, inaccurately reporting one's location, or claiming to have submitted an assignment without doing so. When students place their name on an assignment (e.g., homework, lab report, essay, project, test, quiz, or examination), it is assurance that the work is the result of the student's own thoughts and labors, unless the student specifically acknowledges the use of outside sources or assistance. When a teacher requires or permits collaboration on an assignment, the fact and nature of the collaboration must be clearly indicated by the student.

### Academic Dishonesty:

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

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

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

Consequences for cheating or plagiarizing classwork and/or homework are as follows:

#### First Offense:

- Student shall earn a grade of zero on the connected assignment.

#### Second Offense:

- Student shall earn a grade of zero on the connected assignment and be assigned a Saturday Benevolence Detail.

#### Third Offense:

- Student's actions shall be reviewed by the Student Conduct Board. Grounds for expulsion.

Consequences for cheating or plagiarizing on a quiz, examination, research project, or paper are as follows\*:

#### First Offense:

- Student earns a zero on the quiz, examination, research project or paper, meets with Student Conduct Board, and could face a one semester expulsion. \*\*

#### Second Offense:

- Meets with the Conduct Board, Grounds for immediate expulsion

\* USCG level exams will require a six-month waiting period and will require restarting the full exam series.

\*\* Cheating on multiple exams in one exam period (i.e., mid-terms, finals) will be considered as multiple offenses and be grounds for immediate expulsion.

### **Electronic Submission of Work**

If students submit assignments electronically, it is their responsibility to ensure that the teacher receives the assignment on time and in a format that the teacher can access. The best way to avoid confusion and a late penalty is to follow teacher instructions carefully and/or hand in a hard copy of the assignment in class on the day that it is due. Furthermore, computer-related failures are the responsibility of the student. Computer crashes and printer malfunctions can happen. Students must make the effort to back up their work and to print out assignments in advance, so they can adapt to changing circumstances. Failure of computer equipment does not absolve a student of the responsibility to submit work on time. Academic honesty is so fundamental that violations of this standard will result in serious consequences.

### **Student Responsibilities Program Maintenance**

Northeast Maritime Institute (NMI) takes pride in our school, our surroundings, and our community. As a result, we require students to maintain their school as they would maintain a ship, for this is an integral aspect to any maritime career. Students are required to take part in NMI's Student Responsibilities Program and will be placed in small teams with their colleagues at the beginning of each semester. Each team of students will monitor, clean, and maintain their assigned facilities at NMI, and completing these tasks will improve individual and group success as well as foster leadership, communication, and responsibility.

Second year students will be assigned as PICs for each building and have a responsibility to monitor attendance and participation accurately and truthfully which should be submitted to the supervising faculty member each Friday. Students will report to their assigned building at 1630 each weekday and check in with the PIC at the building.

If students are unable to complete their work, they must meet with the PIC and the Director of the Nautical Science Department to discuss the circumstances and find a solution. The Director of Nautical Science is authorized to approve reasonable student requests for extension or waiver.

If students fail to fulfill their duties under the Student Responsibilities Program, they will be notified in writing by DONS and DOSS with a copy sent to the CAO and the DOS. The student will have five (5) days to make up the duties. If the student fails to complete assigned duties in the allotted time, DONS and DOSS will again notify the student and the DOS will reach out to the student in writing to set up a meeting. The violation of this policy will be treated as a violation of the Student Code of Conduct.

Consequences for Unexcused Absence from Maintenance:

First Offense:

- Make up missed cleaning duties

- Assigned additional duties the following day

Second Offense:

- Assigned to the next WNS
- Must make up missed cleaning time
- Assigned an additional cleaning project

Third Offense:

- Shall be referred to Student Conduct Board
- Must make up missed cleaning time

**NOTE:** Students' participation in the maintenance portion of the Student Responsibilities Program directly affects their Summer at Sea Term placement.

**Morning Meeting**

Students must arrive at Integrity Hall by 0745 each weekday to attend "Morning Meeting," where students muster, daily announcements are made, and weather maps and forecasts are interpreted. The official start to the day is 0800. If in the rare event a student arrives between 0745 and 0759 to Morning Meeting, that student must see the Director of Nautical Science at the close of the meeting. If students arrive after 0800, they will be deemed tardy. See attendance policy for details.

**Cell Phone Policy**

When students enter a classroom, lab space, or board one of the Institute's training vessels, they must place their cell phones in the provided basket or stow them elsewhere as directed. Cell phones are not to be used during class or lab time unless an instructor has expressly included the use of phones in the lesson that day. Students who do not abide by this rule may be dismissed from the class, lab, or vessel training session. Their dismissal will be recorded as an unexcused absence, and they will be sent directly to the DONS or DOSS. In addition, cell phones should be silenced and never used during guest speaker events or any other occasion when listening is the expectation.

**Dress Code**

Students must adhere to NMI Dress Code as defined in the Student Information section of this handbook.

**Scholarship Recipients**

Scholarship recipients shall write thank you notes to the NMI Foundation or whomever is funding their education each semester. Those who have not written the notes shall not be permitted to check out at the end of the semester. Students must check in with Student Services to obtain official stationery and to confirm addressees of notes.

**Identification Cards**

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

### **Classroom Expectations and Etiquette:**

To prepare adequately for a career in the maritime industry, students must prepare for class as they would for watch on the bridge of a vessel: arrive five to ten minutes early with a drink if desired, emails and texts checked and sent, bathroom needs met, homework completed and printed, and mind ready to focus. This preparation limits distractions from class and trains students for the future.

#### Daily Expectations of Students:

- Check email twice daily, once must be before 0700
- Check teachers' posts on NEMO
- Check student portal
- Notifications for TEAMS must be turned on
- Use school email and TEAMS for all communication and **use only school email** for any official school business, including all communications with internship companies

At NMI we strive to maintain an atmosphere that facilitates learning. To achieve this goal, students must be respectful and always maintain appropriate decorum. If a student violates any of the following rules in a manner that distracts anyone else in the class, the distractor will be told to leave.

### **Classroom Conduct Agreement CCA**

**CCA must be observed in all learning environments at NMI. By signing this document, you confirm that you have read and will adhere to all the policies in the *Student Handbook* and will comply fully with these expectations:**

1. Arrive to class on time with homework completed and ready for submission.
2. Be prepared for class with pen and paper at the ready for note taking and completing in class assignments.
3. Stay alert in class and assume a posture conducive to learning.
4. Take notes in all classes. Ask instructors if you are unsure how to do so.
5. Participate in class discussions or other class-related activities. Working on assignments for other classes is not permitted.
6. Be respectful of those who are speaking. Do not talk while others are speaking.
7. Do not be a distraction for other students.
8. Adhere to instructors' policies for participation and responsibility.
9. Headphones, earbuds and such are not allowed and must be stowed away securely in class, study hall, or on vessels.
10. Use laptops and tablets ONLY at the direction of a faculty member. Use of laptops and tablets in class for anything other than classroom activities may be grounds for class dismissal.
11. Place cell phones in the basket provided at the start of class. NOTE: It is the student's responsibility to do so regardless of whether an instructor reminds the class of this rule. (Use of cell phones in class or labs or failure to hand over cell phone to the instructor upon request may be grounds for class dismissal).

12. The classroom is not to be used as a dining hall. Eating should be done before or after class, as it is a distraction to others.
13. Recording a class in any form without prior permission to do so is not allowed.
14. Read all class assignments posted on NEMO and in TEAMS as well as any NMI emails.
15. Students are expected to demonstrate the highest degree of respect for each other and for faculty in the classroom. Conduct unbecoming the classroom may result in dismissal from the class and issuance of a school discipline form which may require a meeting with the DONS or DOS.

Always seek help before becoming overwhelmed. Instructors are willing and prepared to help students throughout the term;, however, the responsibility to seek help remains with the student.

Develop a plan for successful completion of work as soon as it is assigned.

Signature \_\_\_\_\_ Printed name \_\_\_\_\_

Date \_\_\_\_\_

### **Conduct Violations**

#### Classroom Violations:

Violating conduct expectations at NMI is taken very seriously. The violation will likely result in the following penalties unless the infraction is considered extreme. In which case, the administration will apply more stringent penalties:

Disrespectful behavior in the classroom towards the instructor or other students or unauthorized cell phone, laptop, or tablet use during class or lab times:

#### First Offense:

- Student will be dismissed from class and will meet with the DONS who has the discretion to increase consequences depending on the severity of the infraction.

#### Second Offense:

- Student will meet with the DOS who will issue a Wednesday Night Session.

#### Third Offense

- Student will meet with the Student Conduct Board. Grounds for expulsion.

#### General Student Conduct Violations:

##### First Offense:

- Student will meet with DONS and/or DOSS who will assign a task to make amends for infraction.

##### Second Offense:

- Student will meet with DONS and/or DOSS who will assign a task to make amends for infraction.
- Student will serve a Wednesday Night Session.

#### Third Offense

- Student will meet with DOS.
- Student will attend the next Saturday Benevolence Detail
- Grounds for expulsion

### **Wednesday Night Sessions (WNS)**

NMI holds weekly sessions on Wednesdays from 1800-1930 and 1930-2100. These sessions are held for two major reasons: to allow students to make up seat time for missed classes and to provide a location where students can make amends for any infractions against NMI policy.

#### WNS Violations

##### First Offense:

- Make up missed WNS
- Serve an additional (1) session

##### Second Offense:

- Make up missed WNS
- Report for the next Saturday Benevolence Detail session
- Referral to DOS for meeting with Student Conduct Board

##### Third Offense:

- Grounds for dismissal

### **Benevolence Detail**

A Benevolence Detail provides a useful way for students to serve others while also fulfilling their disciplinary obligations. Students will be assigned Benevolence Detail as a result of a violation of NMI policy.

#### Benevolence Detail Violations:

##### First Offense:

- Mandatory meeting with the DOS and DOSS
- Make up missed Benevolence Detail
- Serve an additional (1) Benevolence Detail

##### Second Offense:

- Immediate referral to DOS for hearing
- Grounds for dismissal

### **Student Conduct Appeals Process**

Students may appeal any student conduct violation findings by submitting in writing to the Dean of Students for an appeal meeting. The request should include a personal statement listing the violations and an explanation for consideration, including any evidence or statements not previously submitted. Upon receipt, the Dean of Students may convene the Student Conduct Board for further discussion and review and shall respond in writing to the student within ten (10) business days either granting or denying an appeal meeting.

## **Tobacco and Vape Use and Possession Policy**

NMI supports a healthy, sustainable environment for the college community and is committed to preparing students for increasingly tobacco-free workplaces. Therefore, the use of tobacco products, vaping devices, electronic cigarettes, and other nicotine delivery devices is prohibited on all NMI owned or leased property, both indoors and outdoors, that is not specifically designated as a smoking area. The designated smoking areas are clearly identified. Smokers must use the receptacles.

All tobacco, smoking, and vaping products must be properly stowed and out of public view prior to entering any NMI building. Failure to do so after being notified by a staff or faculty member shall be considered an offense under this policy. Under NO CIRCUMSTANCES are people permitted to smoke in any NMI buildings. NMI requires the College community members to respect private property bordering all NMI locations by refraining from trespassing for purposes of tobacco product consumption.

The sale, free distribution, related advertising, or sponsorship of tobacco products is also prohibited on College property.

First Offense:

- Mandatory meeting with the DOS and DOSS
- Receive an official Written Warning
- Attend a Wednesday Night Session

Second Offense:

- Report for a Benevolence Detail
- Student Conduct Board meeting

Third Offense:

- Grounds for dismissal

## **Drug and Alcohol Use or Possession**

The health risks associated with the use of alcohol and illegal substances are significant. Alcohol or any other drug used in excess over time can produce illness, disability, and death. The health consequences of substance abuse also can be immediate and unpredictable, such as cardiac arrest, or more subtle and long term, such as liver deterioration.

All students must abide by NMI's Drug and Alcohol Use, and Possession Policy set forth in this section. NMI has a zero-tolerance policy for alcohol use and drug use on College grounds, which includes housing as well as ALL areas of campus. A student who possesses, uses, distributes, or is under the influence of alcohol or drugs or misuses prescription medication while on NMI property, at a school function, or is in any way under the College's jurisdiction, has committed a most serious offense and is subject to dismissal. Students are considered to be "in possession" if they have alcoholic beverages, illegal substances, or drug paraphernalia on their person, in their book bag, dorm room, common space, or automobile. Students may not give any form of medication to another student and may only take prescription medication at school if they can produce the prescription bottle that bears their name and the name of the medication they are taking.



The U.S. Department of Homeland Security, acting by and through the United States Coast Guard (USCG) has promulgated regulations (46 Code of Federal Regulations (CFR,) Part 16) requiring the establishment of chemical testing for merchant marine personnel to promote a chemical-free and safe work environment. Additional testing procedures have been set forth by the Department of Transportation (DOT) in 49 CFR, Part 40 and will be applicable to all students at NMI who are enrolled in curriculum leading to a USCG license. In some cases, testing for blood alcohol content is also included in chemical testing requirements. Subsequently, although some states allow the recreational use of marijuana, the prohibitions as described by the USCG are still in place, and recreational and/or medicinal use is NOT allowed. Along with this, some products marketed as hemp or cannabidiol (CBD) may contain trace amounts of tetrahydrocannabinol (THC) which may cause a positive drug test. In accordance with 46 CFR, 16.201(c), an individual who fails a chemical test for dangerous drugs must be removed from duties directly affecting the safe operation of a vessel and is subject to suspension and revocation proceedings against their credentials under 46 CFR, Part 5. Use of hemp or CBD products is not acceptable as an affirmed defense (acceptable excuse) against a THC-positive drug test result. For these reasons, use of CBD products is prohibited.

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

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

USCG Drug Test Requirements:

[https://www.dco.uscg.mil/nmc/drug\\_testing](https://www.dco.uscg.mil/nmc/drug_testing)

The sections below outline but are not limited to NMI's policies and infractions for drug and alcohol use or possession, as well as NMI's Chemical Testing Policy.

### **Student Chemical Testing Policy**

It is the policy of NMI to establish and maintain an environment free from the adverse effects of alcohol and substance abuse. The College will annually notify and inform all students of its drug and alcohol program. NMI's Code of Conduct requires all students to refrain from using illegal drugs and abusing alcohol and/or prescription drugs. To combat the misuse and abuse of alcohol and other chemical substances, all students must abide by this policy. The College will conduct drug testing in compliance with applicable State and Federal laws. The College will

conduct mandatory drug testing as required under the auspices of the U.S. Department of Transportation for cadets and crewmembers: “Students with confirmed positive tests results shall be subject to automatic dismissal from their academic program and may also be required to participate in a chemical user evaluation or rehabilitation program at his or her expense. If a student contests the positive test result and has requested a split sample testing referred to in paragraph above, the student may remain in his or her academic program, subject to removal of safety sensitive duties, until the results of the split sample testing has been received.”

NOTE: Names of five students will be drawn at random several times throughout the semester, and NMI is required to submit any positive results to the USCG.

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

Although the use of marijuana is legal in some states, our students will be holding USCG licenses which adhere to federal regulations and policies; therefore, use of marijuana and/or any illegal substance is prohibited at NMI. NMI follows the CFRs.

### **Prescription Drugs**

The misuse of prescription drugs is a serious problem on college campuses. For this reason, it is a violation of College conduct rules for a student to be in possession of another person’s prescription medication or for a student to give or share his prescription medications with others. Sanctions will be assessed based on the behavior in question and can include a fine, disciplinary probation, drug education, and/or referral for evaluation, counseling, or mentoring.

### **Alcohol Policy**

Consumption of alcoholic beverages on the grounds of the campus, in or near student housing, or campus related facilities is prohibited. Individuals who appear intoxicated, i.e., needing assistance to walk, speaking incoherently, emitting a strong odor of alcohol, or vomiting, will not be admitted to campus events. Moreover, individuals demonstrating such behavior while attending any registered social function will be promptly removed.

### **Intoxicated Student Policy**

If an NMI staff member finds an NMI student who appears to be under the influence of drugs or alcohol, i.e., slurred speech, loss of balance, etc., on campus, then the student may be sent home or monitored for possible transport to an ER. The student may be required to remain at the local hospital for observation. It shall be the policy of College staff to err on the side of caution when determining if a student should be transported to the hospital for evaluation. In addition, students should not hesitate to contact College staff for assistance with an intoxicated or incapacitated student.

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

The following represents general guidelines that are used by the Dean of Students when determining sanctions for alcohol-related misconduct. The list below is not exclusive, nor does it represent the maximum or minimum action that may be taken to address particular conduct.

Possession (internal or external) or consumption of alcohol (not abusive or disruptive in nature) in violation of College policy:

First Offense:

- Receive an official written warning
- DONS removes student from class.

Second Offense:

- Meeting with Dean of Students
- Second official written warning
- Letter to parent/guardian, if approved
- Assigned Benevolence Detail
- Additional Community Service

Third Offense

- Student Conduct Board meeting
- Alcohol education
- Grounds for expulsion

Illegal or unauthorized distribution of alcohol to underage students:

First Offense:

- Student Conduct Board meeting
- Assigned Benevolence Detail
- Alcohol education

Second Offense:

- Student Conduct Board meeting
- Additional Community Service
- Alcohol education
- Grounds for dismissal

Third Offense:

- Dismissal

Alcohol impairment/abusive use (on or off campus) violations (e.g., driving under the influence of alcohol, disruptive or violent behavior, drunkenness, or intoxication):

First Offense:

- Student Conduct Board meeting
- Referral for evaluation and alcohol education
- Community Service
- School will notify USCG of any DUIs per USCG mandate

Second Offense:

- Student Conduct Board meeting
- Dismissal

While the College accepts the responsible and legal consumption of alcohol by students over the age of 21 and who are off campus and away from any buildings associated with NMI, it rejects illegal or abusive consumption. Accordingly, behaviors such as participation in drinking games which may contribute to or facilitate the potentially dangerous or inappropriate consumption of alcohol are strongly discouraged and may be taken into consideration when determining sanctions for alcohol-related misconduct. Moreover, drunkenness and intoxication are unacceptable behaviors for NMI students, regardless of one's age. Consistent with this policy, excessive amounts of alcohol, as well as kegs, beer balls, or other full or empty containers are not allowed on campus to include student housing.

**Medical Amnesty Student Policy**

If a student comes forward or brings another student to the Dean of Student's Office because of concerns about alcohol or drug consumption, or if a student initiate getting help for another student, those students assisting another will not be subject to formal disciplinary action. Students who seek appropriate medical or personal assistance for another student or themselves should not be deterred from doing so for fear of jeopardizing their standing in the school. Students who contact College staff for help controlling or shutting down a party generally will not be subject to formal disciplinary action. To encourage victims to come forward with reports about sexual misconduct, students will not be sanctioned for revealing a violation in good faith, such as underage drinking, in the process of reporting a sexual violence claim.

### **Theft, Vandalism, and Destruction**

Any student engaged in theft, vandalism, or destructive behavior will face serious consequences for their behavior.

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

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

### **Violent and/or Destructive Behavior**

Students who display violent, aggressive, or destructive behavior will be responsible for their actions. Students shall be required to pay the cost of professional repairs for all damages and face conduct penalties, including possible expulsion.

### **Theft or Vandalism**

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

### **Computer Technologies**

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

- Students' possessions include their passwords, personal image, computer files and folders, whether on a local disk drive or on the network.
- Obtaining another's password without permission is an act of theft.
- Erasing or modifying another student's work or relocating files so as to diminish the owner's access to them is vandalism.

- Copying an application or other copyrighted material without permission is theft even if the original file is left intact. Proper licenses and registrations are required for any software a student wishes to use. The school secures proper licensing for its software and students may not copy it.
- Hacking system files or making unauthorized changes to the way a workstation operates is considered vandalism. Workstations must be shared, and the systems should operate in the same fashion for each use.
- Attempting to log onto databases or other secured parts of the network is considered a violation of our rules, whether or not the attempt was successful.

Theft, Vandalism, and Destruction Consequences:

First Offense:

- Meeting with Dean of Students (depending upon the seriousness of the offense, this may be expedited to the Student Conduct Board and possible notification of the authorities)
- Benevolence Detail

Second Offense:

- Meeting the Student Conduct Board
- Community Service
- Grounds for dismissal

## **Technology and Computer Use**

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

NMI is an educational institution that encourages continuous learning, discovery, and the development of the complete person. NMI is committed to respecting individual privacy and freedom while expecting each individual to act in a responsible, legal, ethical, and efficient manner when using the College's information technology systems and resources. These systems are designed to encourage educational, professional, and career development. The purpose of this policy is to define responsible and ethical behavior to guide faculty, student, and staff use of information technology resources at NMI.

### **Policy Statement**

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

### **Guiding Principles**

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

The College recognizes that the purpose of copyright is to protect the rights of the creators of intellectual property and to prevent the unauthorized use or sale of works available in the private

sector. Publication, distribution, or broadcast of copyright protected materials without permission is prohibited. Also consistent with other College policies, an individual's right of access to computer materials should not be denied or abridged because of race, creed, color, age, national origin, gender, sexual orientation, or disability. The College cannot protect individuals against the existence or receipt of material(s) that may be offensive to them. As such, those who make use of electronic communications are warned that they may come across or be recipients of material(s) they find offensive. Those who use e-mail and/or make information about themselves available on the Internet should be forewarned that the College cannot protect them from invasions of privacy and other possible dangers that could result from the individual's distribution of personal information.

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

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

### **Procedures**

The following examples, though not covering every situation, specify some of the responsibilities that accompany computer use at NMI and/or on networks to which NMI is connected. As defined below, the term "users" includes students, faculty, and staff.

- Users shall respect the rights of others by complying with all college policies regarding all forms of harassment and by preserving the privacy of other individuals. For example, you should not send harassing messages via email or social media, nor should you transmit or reveal personal or private information about individuals unless you have authorization from those individuals.
- Users will use computers, accounts, and data only when appropriate authorization and for approved purposes have been granted. For example, you should not use NMI Information Technology resources to run a business. Users may not supply false or misleading data, nor may they improperly obtain another's password to gain access to computers or network systems, data, or information. The negligence or naiveté of another user in revealing an account name or password is not considered authorized use. Convenience of file or printer sharing is not sufficient reason for sharing a computer

account. Users should not attempt to subvert the restrictions associated with their computer accounts.

- Users are responsible for all use of their computer account(s). They should make appropriate use of the system and network-provided protection features and take precautions against others obtaining access to their computer resources. Individual password security is the responsibility of each user.
- Users are responsible for making use of software and electronic materials in accordance with copyright and licensing restrictions and applicable College policies. NMI equipment and software may not be used to violate copyright or the terms of any license agreement. No one may inspect, modify, distribute, or copy proprietary data, directories, programs, files, disks, or other software without proper authorization. For example, students should not post another individual's copyrighted material on a personal web page or install software with a single user license on multiple computers.
- Users must preserve the integrity of computer systems, electronic data, and communications networks. For example, students should not modify settings on a desktop computer or network settings to make it unusable to others or excessively utilize networked resources that may crash the network.
- Users may not encroach on others' use of computer resources. Such activities would include, but are not limited to, tying up computer resources for excessive game playing or other trivial applications; sending harassing messages; sending frivolous or excessive messages including chain letters, junk mail, and other types of broadcast messages either locally or over the Internet; using excessive amounts of storage; intentionally introducing any computer viruses, worms, Trojan horses, or other rogue programs to Northeast Maritime College hardware or software; physically damaging systems; or running grossly inefficient programs when efficient ones are available.

Users must remember that information distributed through the College's computing and networking facilities is a form of publishing, and some of the same standards apply. For example, anything generated at NMI that is available on the Internet through the College's network represents the College and not just an individual. Even with disclaimers, the College is represented by its students, faculty, and staff, and appropriate content, language, and behavior is warranted.

- Users may not transmit any material that is unlawful, obscene, threatening, abusive, libelous, or hateful, or that would incite criminal offenses, give rise to civil liability, or otherwise violate any federal, state, or local laws.
- Users must respect and adhere to all applicable local, state, and federal laws. For example, NMI's information technology resources should not be used to attack computers on another network by launching viruses, worms, or other forms of attack.
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### **Electronic Activity**

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

data either at the College or elsewhere, and to protect the College against seriously damaging consequences.

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

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

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

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

### **Information Security Statement**

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



For purposes of this policy, users include faculty, staff, students, and any other third party who has access to College computers.

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

Cell phones and other electronic devices shall not be used in a manner that causes disruption in the classroom, or within any other College building or facility, or at College events. This includes abuse of cell phones or electronic devices with photographic capability. (See also policies pertaining to "Honesty and Integrity" and the "Right to Privacy").

### **Privacy**

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

### **Enforcement**

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

Compliance Notice with Abuse Laws in the Commonwealth of Massachusetts

### **Overview:**

Hazing, bullying, physical or verbal abuse, including sexual harassment of any kind is a violation of these policies and the laws of the Commonwealth of Massachusetts. Any violations will not be tolerated and may be considered grounds for expulsion. Every member of the NMI community has the right to work, to learn, and to grow in an environment of mutual respect, compassion, and support. This is especially true when considerations of socially significant identities are involved, such as those based on race, class, ethnic origin, religion, gender, disability, and sexual orientation. Our community must be free from verbal, physical, and

psychological intimidation of any kind. Behavior that disparages others and/or is uninvited and unwanted will not be tolerated. Harassment or bullying which takes place on or off campus, over the phone, through the mail, or via electronic means (e-mail, text messages, instant messaging, any social networking sites, such as Twitter, Instagram, Snapchat, dating apps, etc.) are considered serious offenses. Physical and verbal confrontations are a violation of NMI's policy. Slapping, hitting, and/or punching are strictly prohibited. Students are cautioned that physical play (rough housing) escalates quickly and may be subject to disciplinary action.

**Harassment:**

Although bullying and harassment share similar characteristics, they are not identical behaviors. Importantly, harassment is defined by unwelcome conduct based on socially significant identities, race, class, ethnic origin, religion, gender, disability, and sexual orientation. Harassment is behavior that contributes to creating a hostile environment. Harassment and Sexual Harassment include but are not limited to the following conduct:

- Derogatory or discriminatory remarks or gestures,
- Displays of sexually explicit, offensive, or demeaning materials such as photographs, cartoons, or calendars,
- Derogatory terms that offend others,
- Obscene or suggestive gestures, remarks, innuendoes, or jokes,
- Inappropriate personal questions or remarks about a person's clothing, body, or sexuality,
- The electronic posting or publishing of demeaning materials as defined above, including remarks, innuendoes, or jokes as described above,
- Unwanted or suggestive touching,
- Unwelcome sexual advances or requests for sexual favors,
- Verbal or physical conduct of a sexual nature,
- Behaviors that would constitute dating violence such as threats or use of physical, sexual, verbal or emotional abuse also are violations of our rules.

**Bullying:**

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

- Causes physical or emotional harm to the student or damage to the student's property,
- Places students in reasonable fear of harm to themselves or of damage to their property,
- Creates an intimidating, threatening, hostile, or abusive educational environment for the student,
- Infringes on the rights of students to participate in school activities,
- Materially and substantially disrupts the educational process or the orderly operation of school.

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

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

In an electronic environment, harassing behavior or cyber-bullying includes but is not limited to any transfer of signs, signals, writing, images, and contributes to creating a hostile environment. Sounds, data, texts or intelligence of any nature transmitted in whole or in part by wire, radio, electromagnetic, photo electronic or photo optical system, including but not limited to electronic mail, internet communications, or instant messages may not be used to bully or harass.

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

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

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

A victim of harassment or bullying, anyone who witnesses an incident of harassment or bullying, or anyone who has credible information that an act of bullying or harassment has taken place should report the conduct to the DOS. Targets of harassment or bullying are advised to follow the procedure outlined below (when possible), but bear in mind, if an alleged offender of the bully/harassment policy is found guilty, the offender will suffer serious consequences even if the target does not follow this procedure.

If students feel they have been harassed or bullied:

- Let the offending person know that you want the behavior to stop. Say NO firmly. Give a clear message about how they feel. Do not apologize.
- If students do not feel comfortable confronting the person alone, take a friend along or write a letter. If students are still not comfortable, ask a trusted staff or faculty member for advice.
- Keep a record of when, where, and how they have been harassed or bullied. Include witnesses, direct quotations, actions, evidence, and any written or electronic communications.
- Promptly contact the Dean of Students who will listen and support the victim.

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

The possession of any weapons, tools, or objects to threaten the well-being of others, including firearms, knives, etc., poses a severe threat to the safety of the entire community. The College’s

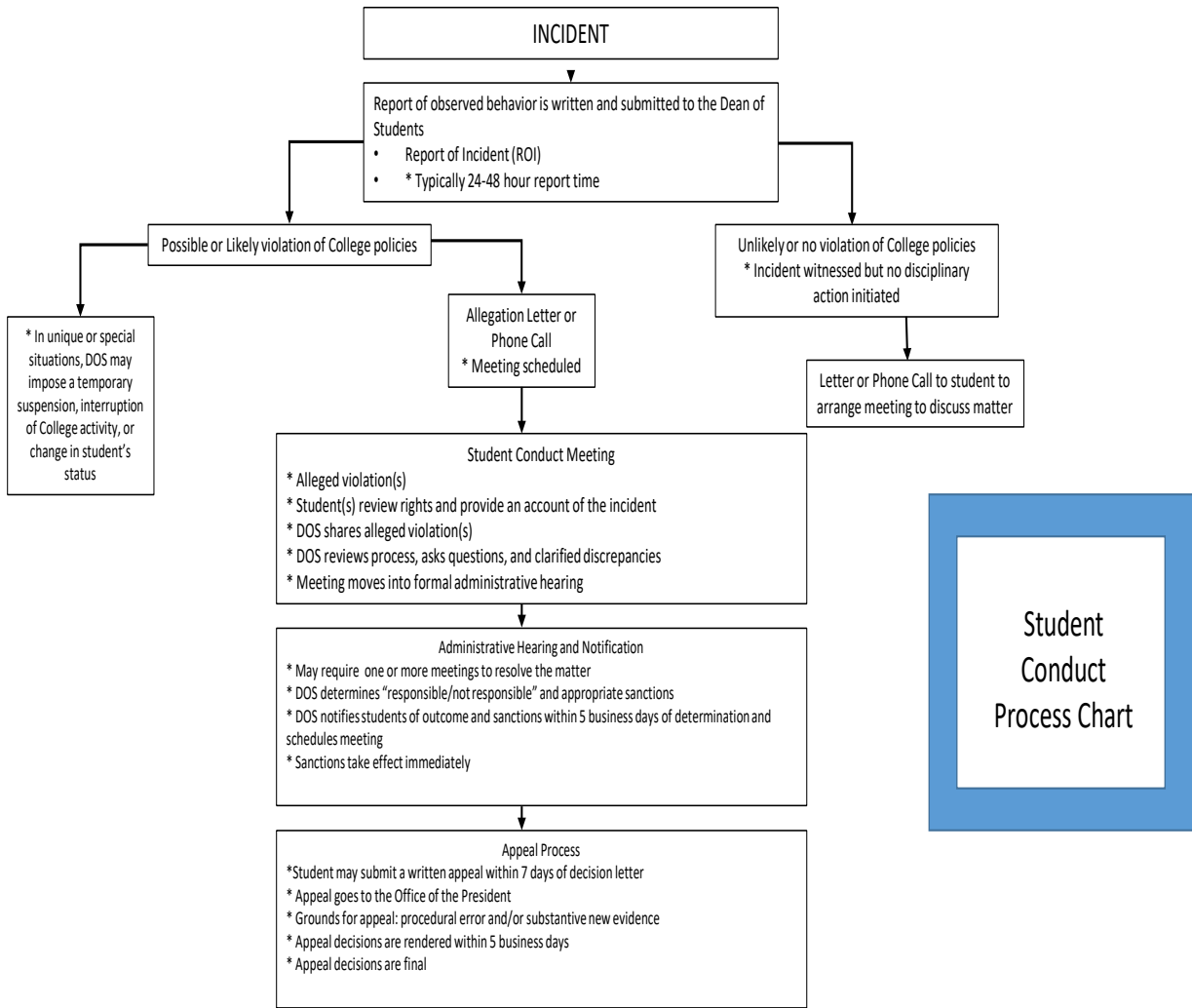
Administration reserves the right to summarily suspend or dismiss a student for an offense which endangers life, or health, or poses a particular threat to another. Toy or replica weapons are also not allowed.

### **Hazing**

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

### **Sexual Misconduct**

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



NMISC-301 Rev 0619

## Title IX Compliance Notice

### Overview

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

### Definitions

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

**"Alleged Offender"** is any individual who is alleged to have committed an act or acts of Sexual Misconduct or Relationship Violence.

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

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

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

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

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

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

## Offenses and Jurisdiction

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

Offenses:

1. **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
2. **Arson:** Any willful or malicious burnings or attempts to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.,
3. **Attempted Sexual Misconduct:** It is a violation of this policy to attempt to commit an offense of nonconsensual intercourse, non-consensual sexual contact, or sexual exploitation.
4. **Burglary:** The unlawful entry of a structure to commit a felony or a theft. This includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; and safecracking.
5. **Consent:** In Massachusetts, it is illegal to have sex with someone who is incapable of giving consent because they are intoxicated, unconscious, mentally incompetent, or underage. The consent must also be without coercion, threat, or force.
6. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (ii) for the purposes of this definition - (A) dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) dating violence does not include acts covered under the definition of domestic violence. \*
7. **Domestic Violence:** A felony or misdemeanor crime of violence committed by any of the following: (A) by a current or former spouse or intimate partner of the victim; (B) by a person with whom the victim shares a child in common; (C) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.\*

\*Dating violence and domestic violence can occur between current or former intimate partners, who have dated or lived together. Domestic violence can occur between current or former intimate partners who are married, have been married, or have a child together. Both dating and domestic violence can occur in opposite-sex and same-sex relationships.

8. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

9. **Hate Crime:** A crime reported to local police agencies or to the College that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this definition, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

10. **Illegal Weapons Possession:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. This also includes the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; illegal aliens possessing deadly weapons; and attempts to commit any of the above.

11. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

13. **Larceny/Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

14. **Manslaughter by Negligence:** The killing of another person through gross negligence.

15. **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

16. **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. This includes death or injuries received in a fight, argument, quarrel, assault or commission of a crime.

17. **Non-Consensual Sexual Contact:** The elements of the offense of non-consensual sexual contact are any intentional sexual touching; and that is without consent.

18. **Non-Consensual Sexual Intercourse:** The elements of the offense of non-consensual sexual intercourse are any type of penetration by any body part or object; using force or threat of force; and against the will of the victim.

19. **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.



20. **Retaliation:** It is a violation of this policy to retaliate against anyone who reports (or may report) an incident of sexual misconduct, or who pursues (or may pursue) a complaint of sexual misconduct, or is (or may be) a witness to an incident of sexual misconduct, or otherwise is (or may) otherwise participate in any sexual misconduct investigation and/or disciplinary proceeding.

21. **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

22. **Sexual Assault/Sex Offenses:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

23. **Sexual Exploitation:** The elements of sexual exploitation are whoever willfully photographs, videotapes or electronically surveils another person who is either nude or partially nude; without that individual's knowledge or consent; in a place where said individual would have a reasonable expectation of privacy or is the non-consensual, unjust, or abusive sexual advantage of another for the benefit of anyone other than the person being exploited.

\*\*Examples of sexual exploitation include, but are not limited to invasion of sexual privacy, prostitution of self or another, recording without knowledge and consent of all parties, peeping tommying, intentional transmission of HIV or STD, exposure of one's genitals in non-consensual circumstances, engaging in voyeurism, sexually based stalking or bullying, or inducing incapacitation with the intent to rape or sexually assault, regardless of whether sexual activity actually takes place.

24. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

25. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

### **Jurisdiction**

The College's disciplinary jurisdiction is limited to conduct which occurs on campus and certain off-campus conduct.

### **Resources**

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

You can seek services through the following resources:

Confidential Resources/Off-Campus Resources:

- The Women’s Center, 405 County Street, New Bedford, MA 02740  
24-Hour Hotline: 508-999-6636 or 508-996-3343
- Safe Link (Massachusetts statewide 24/7 toll-free domestic violence hotline) 877-785-2020
- St. Luke’s Hospital – (508) 997-1515

**Non-Confidential Resources/On-Campus Resources:**

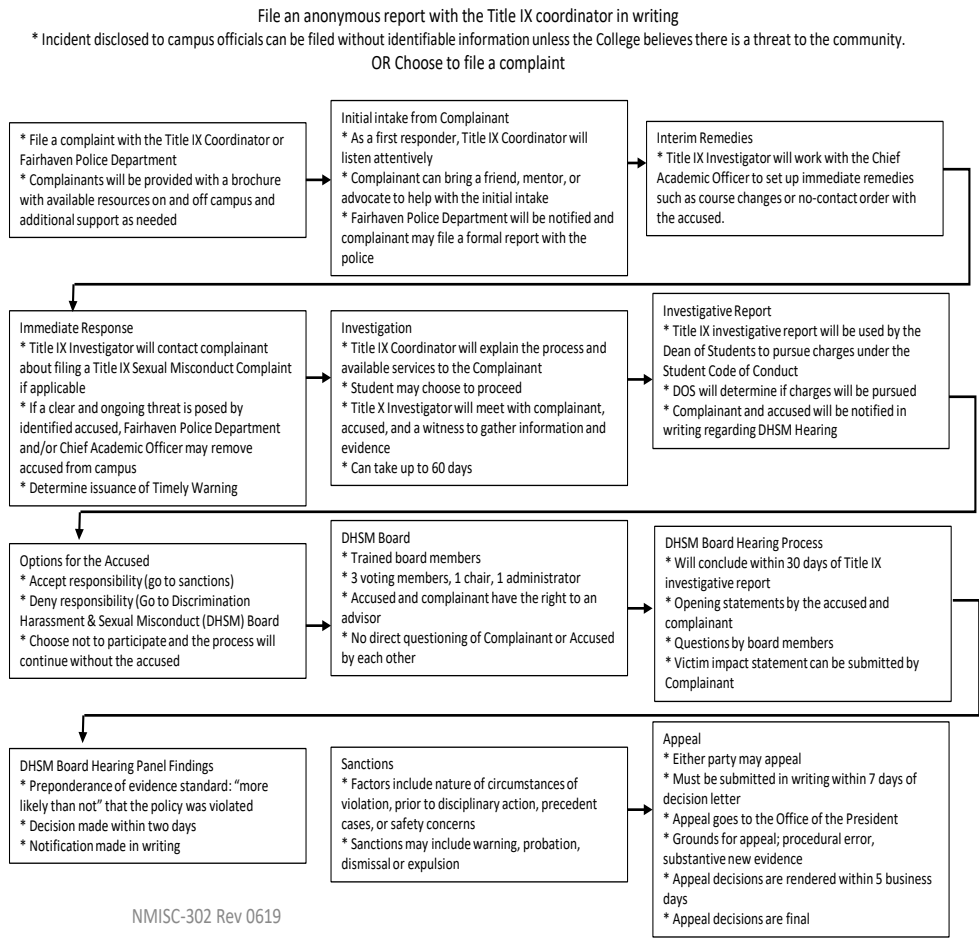
- Title IX Sexual Assault Compliance Coordinator (508) 992-4025

**Off-Campus Resources:**

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

**DHSM Board Hearing Panel Findings**

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



**Procedures and Roles**

It is important to preserve evidence when reporting sexual misconduct. If possible, students should not shower or wash their clothing following sexual misconduct as that may aid in the

investigation. There is no time limit when reporting sexual misconduct to the Title IX Compliance Coordinator or Fairhaven Police Department. Victims may be assisted by campus authorities in contacting law enforcement authorities and also have a right to decline to notify such authorities.

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

##### 1. Fairhaven Police Department

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

Services available through the Fairhaven Police Department include:

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

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

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

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

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

#### B. Reporting Sexual Misconduct

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

##### 1. Reporting by College Employees

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

XVII, Chapter 19, Section 21. If the employee is a mandated reporter, she/he must comply with Massachusetts's mandated reporting laws.

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

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

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

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

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

While a Northeast Maritime Institute employee may advise the complainant of sexual misconduct that any conversation, they have with the complainant will be private (will not be shared unnecessarily with others), they may not tell a complainant that the conversation will be confidential unless that employee is subject to privilege by law to maintain confidentiality of an adult victim.

## 2. Self-Reporting

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

sexual violence claim. Victims of sexual misconduct can file a standard, formal incident report with the Title IX Compliance Officer at any time.

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

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

### 3. Peer Reporting:

Peers of victims of sexual misconduct can file an incident report or anonymous report with the Title IX Compliance Coordinator/Investigator on someone else's behalf. If a peer wishes to support another who has experienced sexual violence, the peer reporter has many options:

- Provide support by encouraging the victim to seek help with the available resources on and off campus,
- Reinforce that it is not the victim's fault. Validate the victim's feelings and do not investigate the story,
- Peer reporters and friends should let their peer know they are there are receptive to all conversations,
- The peer who experienced the sexual misconduct may experience secondary trauma, and there are many resources available through outside services.

### 4. Anonymous Reporting

Reports of sexual misconduct can also be made anonymously with the Title IX Compliance Coordinator/Investigator, meaning that the report does not contain the name of the complainant or the alleged offender. An Anonymous Report will be kept in the file of the Title IX Compliance Coordinator/Investigator and recorded for purposes of the Jeanne Clery reporting disclosure requirements. Anonymous Reports allow the College to track reported incidents of sexual misconduct and to provide the complainant with information about options and resources available to her/ him. An Anonymous Report does not constitute a formal Incident Report, a Police report, or a Title IX Sexual Misconduct Complaint. Accommodations and protective measures for victims of sexual misconduct will be kept confidential, to the extent that maintaining such confidentiality will not impair the ability of the College to provide the accommodations or protective measures.

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

Title IX Sexual Misconduct Complaint, Investigations, and Disciplinary Proceedings

A. Title IX Sexual Misconduct Complaint

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

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

#### B. Title IX Investigations

A Title IX Compliance Coordinator/Investigator who receives annual training in investigations and the issues relating to dating violence, domestic violence, sexual assault, and stalking, will conduct a prompt, thorough, and impartial investigation into all incidents of sexual misconduct of which they are made aware. The investigation conducted by a Title IX Compliance Coordinator/Investigator is independent from any investigation by law enforcement; however, a Title IX Compliance Coordinator/Investigator will look to coordinate with law enforcement to access their investigative findings to supplement their fact gathering efforts.

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

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

A Title IX Compliance Coordinator/Investigator will inform the complainant if he or she receives a report of sexual misconduct from a third party (e. g., College employee) and seeks to obtain the complainant's consent to investigate the incident before commencing the investigation.

If a complainant of sexual misconduct makes a request for confidentiality or a request not to investigate, a Title IX Compliance Coordinator/Investigator will take all reasonable steps to investigate and process the matter consistent with the complainant's request. In all cases in which a complainant requests that his/her name and other identifiable information not be disclosed to the alleged perpetrator, the College will evaluate the request in context of its obligation to provide a safe non-discriminatory environment for all students. In weighing the complainant's request, the College will consider such factors as the seriousness of the alleged

sexual misconduct, the complainant's age, whether there have been other complaints against the alleged offender, and the alleged offender's right to receive information about allegations against him or her. The College retains the discretion to disclose, among other things, a complainant's name and other identifiable information, as may be necessary to conduct their investigation. In such cases, a Title IX Compliance Coordinator/Investigator will inform the complainant if confidentiality can or cannot be maintained.

Typically, the fact-finding portion of the investigation will be concluded within 60 days of the filing of a Title IX Sexual Misconduct Complaint and/or receipt of notice of an incident of sexual misconduct. However, the timeframe may vary depending upon the complexity of the investigation, unavoidable delays, and/ or the severity and extent of the sexual misconduct. At the conclusion of a fact-finding portion of the investigation, the Title IX Compliance Coordinator/ Investigator will share his/her findings with the Office of the Dean of Students. Based on the findings of the investigation, the Office of the Dean of Students will decide whether to pursue charges under the Student Code of Conduct.

### C. Disciplinary Process and Proceedings

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

Remedial corrective actions include, but are not limited to:

- no-contact orders.
- on-campus housing changes and escorts.
- ensuring the complainant and alleged offender do not attend the same classes.
- schedule arrangements to allow for counseling and medical services.
- academic support services, academic accommodations, and/or changes in a victim's transportation or working situation, etc.

When providing a complainant and/or alleged offender with remedial corrective options, a Title IX Compliance Coordinator/Investigator will seek to minimize the burden as much as is reasonably possible. In most circumstances where sexual misconduct is alleged, both the complainant and the alleged offender will meet separately with a Title IX Compliance Coordinator/Investigator and will be provided with a written statement setting forth the rights of both parties when going through the disciplinary process. After reviewing the written statement, both the complainant and the alleged offender can ask questions of the Office of the Dean of Students and have the hearing process explained in greater detail. Both the complainant and the alleged offender are entitled to opportunities to present relevant statements and witnesses during a formal conduct proceeding. When the hearing is held, all appropriate steps will be taken to ensure both a full and fair examination of the evidence, as well as the protection of the rights and safety of the victim and the alleged offender. The standard of proof for these cases is

more likely than not (also known as a preponderance of the evidence standard), and the definitions as well as the description of consent as used herein shall apply.

The hearing process typically is concluded within 30 days from the date the Office of the Dean of Students makes a recommendation to initiate disciplinary proceedings. A notice of outcome will be sent to both the complainant and the alleged offender within two business days of the conclusion of the disciplinary hearing. When a determination of responsibility is made, the complainant and the alleged offender will be notified of the decision as well as sanctions, if any, assigned. In cases of sexual misconduct, the typical sanction is dismissal or expulsion, as well as no-contact orders. Students may appeal a decision by the Dean of Students by written application to the Chief Academic Officer. If the Chief Academic Officer denies an appeal, then the student may appeal to the College President and his/her decision shall be final.

#### D. Education and Other Preventative Initiatives

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

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

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

Compliance Coordinator/Investigator.

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

Additionally, the DOS or Title IX Coordinator may utilize any of the following:

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

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

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



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

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

**The Designee for Investigating the Grievance:**

The Student Disability Coordinator will identify the appropriate person, "the designee," to investigate the grievance. When grievances are filed regarding academic matters such as academic adjustments, the designee will be the Chief Academic Officer because that individual has the most relevant knowledge of the academic requirements and applicable technical standards for the program of study. When grievances are filed regarding nonacademic matters such as facilities, operations, events, outside contractors, or parking, the designee will be the Dean of Students. When grievances relate to employment, the designee shall be the Director of Human Resources.

**Procedure:**

The designee will determine if the investigation of the grievance will follow an informal process or a formal process.

For informal processes, the designee will speak directly with the complainant to gather all relevant information and will also seek information from any other parties mentioned in the written grievance. The complainant must agree to proceed with the informal process.

For formal processes, the designee will meet with all involved parties. This includes but is not limited to administrators, faculty members, witnesses, health care providers, the complainant, and legal advisors. In circumstances where legal advisors are present for the complainant, the legal advisor may consult with the complainant but may not lead or participate in the meeting. During the meeting, the designee will hear all relevant information from involved parties. The complainant will have the opportunity to voice his/her grievance and to present any evidence or witnesses to support his/her case. The designee will be committed to impartial investigation of grievances and will include the opportunity for all parties to present witnesses and evidence.

**Timing:**

Academic grievances related to the implementation or denials of accommodations are to be filed as soon as possible but no later than the end of the subsequent term in which the alleged discrimination occurred. Non-academic grievances and employment grievances should be filed as soon as possible but no later than 180 days after the alleged discrimination occurred.

When proceeding formally, the meeting will be scheduled within ten working days of the filed grievance and no later than 30 calendar days from the filing unless extenuating circumstances arise. For both formal and informal procedures, the designee will provide his/her response to the complainant within ten working days, unless extenuating circumstances arise.

**Resolution:**

During deliberation, the designee is encouraged to communicate with the College's General Counsel for guidance regarding the legal standards and basis of the decision under the circumstance of the complaint.

Once the designee has made a determination, he/she will respond to the grievance in writing, give reasoning for his/her determination, and outline any additional actions that will need to take place. If the designee determines that disability discrimination occurred, the College will take steps to correct any discriminatory effects on the complainant and others, if appropriate. The Student Disability Coordinator will be made aware of the response for tracking purposes and to answer any questions or concerns that the complainant has. Other appropriate parties involved in the grievance who have an administrative need to know, e.g. faculty member involved, program director, facilities director, supervisor, Human Resources, etc., will also be informed of the determination as appropriate.

Previously determined accommodations that are being grieved will remain in place until a determination has been made. The designee may decide to approve an alternative temporary accommodation while the grievance procedure is followed but will be clear with the complainant that the alternative accommodation is temporary in nature.

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

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

### **Appeals Process for Violations of Code of Conduct**

Should students wish to appeal a decision or sanction put forth by the Office of Dean of Students, they must first bring the appeal to the CAO in writing no later than seven (7) days after the student receives the initial decision. If the student alleged offender of a violation is dissatisfied with the outcome of the appeal made to the CAO, the student may submit a final appeal in writing to the President no later than seven (7) days after the CAO's decision and/or recommendations are made. Initiating an appeals process does not halt or suspend any sanctions.

**Student Acknowledgments:**

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

Student Printed Name

Date

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

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

Signature

Date