

Section 7.0 - General Provisions

GENERAL PROVISIONS

STU 7.0

Date of Last Update:

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Approved By:

- President

Responsible Office:

Office of Student Conduct and Conflict Resolution

POLICY STATEMENT

7.1 Hearing Boards/Hearing Officers

Hearing Boards are comprised of faculty, staff, and students, selected from the University Conduct Pool, who have participated in annual OSCCR training sessions regarding the Statement, and who accept the responsibility of administering the rules and regulations of the University in a fair and impartial manner as a matter of public trust for the University community. Hearing Boards will consist of three representatives and will always include one student representative, except when the alleged violation relates to academic misconduct. In cases of academic misconduct, the Hearing Board will be composed solely of faculty representatives. When a single Hearing Officer is requested or appointed by the Director of OSCCR, the Hearing Officer will be selected a faculty or staff representative.

7.1.1 Selection Process for Administrative/Professional Staff

All Administrative/Professional staff are eligible for appointment to the University Conduct Pool. The Provost (or designee) will make at least twelve (12) appointments to the University Conduct Pool no later than the first day of classes of each fall semester and may make additional appointments to fill vacancies as needed to assure the availability of twelve (12) members in the University Conduct Pool at all times.

7.1.2 Selection Process for Faculty Members

Faculty Members are elected by rules developed within each academic college: four (4) representatives from the College of Liberal Arts and Sciences, one (1) from each of the remaining colleges, and one (1) from University Libraries. In addition to the representatives

from academic colleges and University Libraries, the Provost (or designee) will appoint not fewer than four (4) members to the University Conduct Pool from the faculty at large. If appointments are not made by the first day of the fall semester, the Provost (or designee) is authorized to fill appointments from the faculty at large to assure all faculty positions are filled at all times.

7.1.3 Selection Process for Student Members

All students are eligible for appointment to the University Conduct Pool. Student representatives of the University Conduct Pool will be approved by the Director of OSCCR in consultation with Student Senate President via selection methods left to that consultation.

7.1.4 Hearing Board/Hearing Officer Eligibility

To be eligible to serve on a Hearing Board or serve as a Hearing Officer, faculty, Administrative/Professional staff, and student representatives of the University Conduct Pool must: complete an annual training organized by OSCCR regarding the Statement; commit to administer the policies and procedures of the University in a fair and impartial manner; agree to disqualify themselves if they are a witness for the hearing; have a personal interest in the outcome or if there is any other reason they cannot fairly serve or deliver a fair and impartial decision.

7.1.5 Special Circumstances

At times when a Hearing Board cannot be assembled, such as when student representatives are not available to attend the hearing, during final exams, or during spring/summer sessions, the CRF may assign the case to be heard by a single Hearing Officer from the University Conduct Pool.

7.2 Appeal Boards/Appeal Officers

Appeals are heard by either a single Appeal Officer or a three-person Appeal Board. Appeal Officers and Appeal Board members are selected in the same manner as Hearing Boards from the University Conduct Pool. A person may not serve as an Appeal Officer or on an Appeal Board member if they were a witness at the hearing being appealed, have a personal interest in

the outcome of the hearing, or if there is other sufficient reason to believe that they could not serve in a fair and impartial manner.

7.3 Parallel Proceedings

Alleged violations of federal and state laws may be investigated and addressed under the Statement. When an offense occurs over which the University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

7.4 Administrative Holds

An administrative hold will be placed on a student's academic record prohibiting registration transactions, as well as the release of their academic record and/or transcripts, if they fail to comply with a request from OSCCR to meet, attend conduct meetings or a hearing, or fail to complete assessed restorative measure(s). The hold will be lifted upon completion of the required action.

7.5 Record Retention

When a student has been found responsible for a violation of the Statement, a disciplinary record, including the hearing recording if applicable (separate from the student's academic record and not included on the student's transcript), will be maintained by OSCCR for seven years from the final resolution, and released only under appropriate University procedures and pursuant to Family Educational Rights and Privacy Act (FERPA) requirements.

7.6 Review and Revision

The Statement will be reviewed annually, and updated as needed, by the Director of OSCCR. A comprehensive review of policy and practice led by the Director of OSCCR should be conducted every three (3) years.

PROCEDURES

[Section 6.0 - Conduct Process and Resolution Procedures](#) outlines the procedures related to this policy.

For a summarized, visual overview of the University conduct process, please click [here](#).
