

Preparing for Your Conduct Hearing

Prior to the Hearing

1

Review the alleged violations and your conduct file.

Carefully read the alleged violations that will be reviewed during your hearing. Your conduct file will include the initial report to the Office of Student Conduct (OSC), any notes from meetings with OSC staff and any supporting documentation. You may choose to add materials to your file that you would like reviewed at the hearing, but should do so at least two business days in advance so that the materials can be shared with the University Representative and decision maker.

2

Contact any witnesses you wish to appear on your behalf.

You may choose to have any person who can provide factual information pertaining to your case attend your hearing as a witness. These individuals should have direct knowledge about the incident being reviewed. You may also choose to bring a character witness to the hearing if you are found responsible. In the sanctioning phase of a hearing, a character witness can help the decision maker understand your decision-making processes and past behaviors that may be relevant when developing a University response to any misconduct for which you have been found responsible.

3

Prepare for your hearing with a Hearing Assistant or OSC staff member.

You may seek the assistance of another person in preparing for your hearing. For an Administrative Hearing this is usually a full-time OSC staff member. For a Conduct Board hearing, this is usually a student Hearing Assistant. This individual is there to help you prepare for your hearing by explaining your rights, the student discipline procedures, and how you can effectively participate in your hearing. In no way does this individual represent you, nor will this individual present your case to the decision maker. Full responsibility for understanding the procedures and presenting the case remain with the respondent even where an adviser provides assistance. Students who are represented by an attorney or non-attorney advocate are not permitted to also be advised by a hearing assistant. (Student Discipline Procedures 6.2)

4

Prepare your statement and any questions.

Your statement should be a chronological narrative of what happened during the incident from your perspective. The decision maker will be interested in a focus on your decisions and behaviors during the incident. You should also prepare for a sanctioning conversation, should you be found responsible, where you will provide information on your personal history, your motivations during the incident, your behavior since that time, and your goals for the future. You may also prepare any questions that you have for the University Representative or other witnesses after careful review of the information in your conduct file.

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During the Hearing

- 1 Be on time.
- 2 Be prepared.
- 3 Be succinct, but complete, in your statement.
- 4 Take notes about any information that generates questions you would like to ask.
- 5 If you get confused, feel free to consult with your student Hearing Assistant or the OSC staff member by requesting a recess.

After the Hearing

You will receive a letter from the decision maker reiterating the outcome of the hearing.

- 1 **Appeals**
If you choose to appeal, please refer to the **Appeals Process** information and the Student Discipline Procedures. A copy of the Appeal Form is in your pre-hearing packet. You will have 10 (ten) calendar days from receipt, or attempted delivery, of the formal written outcome to file an appeal.
- 2 **Suspension and Expulsion Outcomes**
If you are suspended or expelled, please refer to the **Suspension and Expulsion** information in your pre-hearing packet for frequently asked questions and a checklist for managing your responsibilities if you are separated from the University.
- 3 **Other Sanctions**
If you have other educational sanctions to complete, make a note of the deadlines for completion and take immediate steps to complete your sanctions on time. If you have questions about those sanctions, direct them to OSC staff, even if you participated in a Conduct Board Hearing.
- 4 **Completion of Sanctions**
When you have completed your sanctions, be sure to provide proper verification to the Office of Student Conduct in order to ensure accuracy in your file and avoid any unnecessary holds on your record which may prevent registration for classes or the release of a transcript.

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Frequently Asked Questions

Q. What type of hearing should I choose?

A. You have the option of an Administrative or Conduct Board hearing. As conduct board members are selected and trained by OSC staff, bound by the same expectations and guidelines and will be reviewing the same information, the outcome is likely to be similar regardless of hearing type. Your decision about the type of hearing should be based on your comfort with the group or individual setting and the effectiveness of your communication style in either format.

Q. May my parents attend the hearing?

A. You may bring an observer to your hearing. This individual does not participate in the hearing, but is present as a support person. Individuals who serve as observers may not play any other role in the hearing. (Student Discipline Procedures 6.3)

Q. May my attorney be present?

A. The student disciplinary process is not a legal one, but for allegations of non-academic misconduct, you may be represented by an attorney or non-attorney advocate. Students who are represented by an attorney or non-attorney advocate must provide notice of that representation and have their representative certify that he or she is aware of and understands University policies, regulations, and procedures at least three business days prior to a scheduled disciplinary proceeding. (Student Discipline Procedures 6.1)

Q. What should I wear to my hearing?

A. Although neither hearing setting is a formal event, you should dress appropriately for a business-like setting and be well-groomed.

Q. Can I bring notes into my hearing?

A. Absolutely. Your statement should be prepared in any format that makes the most sense to you, in order for you to most effectively present it to the decision maker.

Q. Am I automatically found responsible?

A. No. A hearing has been determined as the most appropriate resolution for this incident because suspension and expulsion will be considered if you are found responsible. A finding of responsibility occurs if the decision maker determines that a violation is "more likely than not" to have occurred.

Q. Does going to a hearing mean I will automatically be separated from the University?

A. No. Going to a hearing means that if you are found responsible, suspension or expulsion will be considered as possible outcomes. Sanctions for a finding of responsibility may range from disciplinary probation up to expulsion, and may include any number of semesters of suspension in between. The Code outlines various elements that are taken into consideration when determining if suspension or expulsion is an appropriate sanction for a violation of University expectations. Repeated or aggravated violations may also result in suspension or expulsion. (Code of Student Conduct Sections 9 and 11)

Self-Care

Students whose behaviors are reviewed by the student disciplinary process often feel a great deal of stress. For some students, that additional time taken by the hearing process further aggravates their discomfort.

If you are finding that you are having difficulty focusing on your daily activities or you are finding that stress resulting from your current disciplinary status is manifesting itself in other negative ways in your life, please contact the **University Counseling Center at 919.515.2423**.