

# Student Procedural Rights and Responsibilities

## Student Procedural Rights

In cases where the University elects to pursue resolution under the Code of Student Conduct, the Conduct Review Administrator will utilize the Disciplinary Resolution Options provided in the Procedural Options for Resolution section of the Code of Student Conduct. In the case of a Conduct Review Meeting, the Conduct Review Administrator will schedule a meeting with the accused student (hereafter referred to as the “Respondent”), and will notify the Respondent in writing of the date, time and location of the meeting, the alleged violation(s) in question, the procedural rights and resolution options available, and the potential sanctions for the alleged violation(s).

At the Conduct Review Meeting, the alleged violations of the Code of Student Conduct are discussed, and the Respondent is afforded the opportunity to review the information which forms the basis for the allegation. If a student fails to respond to notice of a meeting with the Conduct Review Administrator, they may find the student responsible in their absence and sanction the student accordingly, and/or place a hold on the student’s record until the meeting takes place.

### Rights of the Respondent

1. The right to choose whether or not to participate in disciplinary proceedings, with the understanding that findings and sanctions may be imposed with or without such participation;
2. The right to notice of the allegation that a violation of the Code has taken place and of the factual allegations which form the basis for the complaint;
3. The right to notification of disciplinary proceedings related to the complaint and of prompt time frames anticipated for major stages of the complaint process;
4. The right to a prompt and impartial response and resolution of complaints;
5. The right to have the University or Complainant bear the burden of proof by a preponderance of the evidence;
6. The right to present relevant statements, materials and witnesses during disciplinary proceedings;
7. The right to the opportunity to review all written statements and materials presented at the proceedings;
8. The right to notification of any finding of responsibility;
9. The right to be free from retaliation for participating in the University’s investigation and fact-finding process; and
10. The right of appeal consistent with the provisions of this Code.

### Rights of the Complainant

1. The right to choose whether or not to participate in disciplinary proceedings;
2. The right to notice of the factual allegations based on any response by the Respondent;
3. The right to notification of disciplinary proceedings and of prompt time frames anticipated for major stages of the complaint process;
4. The right to a prompt and impartial response and resolution of the complaint;
5. The right to have the University bear the burden of proof by a preponderance of the evidence;
6. The right to present relevant statements, materials and witnesses during the disciplinary proceedings;
7. The right to the opportunity to review all written statements and materials presented at the proceedings;
8. The right to notification of the outcome of the complaint, [as set forth herein](#);

9. The right to be free from retaliation for filing a complaint or participating in the University's investigation and fact-finding process; and
10. The right of appeal consistent with the provisions of this Code.

## **Student Procedural Responsibilities**

1. Students are expected to appear for scheduled disciplinary meetings with the Conduct Review Administrator. If a student fails to respond to notice of a meeting, the Conduct Review Administrator may find the student responsible in their absence and sanction the student accordingly, and/or place a hold on the student's records until the meeting takes place.
2. Students are expected to comply with and carry out all conditions of a disciplinary sanction and other outcomes or measures. Failure to comply with a sanction will be considered a violation of the Code of Student Conduct and may result in a more severe sanction than the one already imposed, and/or a hold on the student's record until the sanction is complete.
3. Students identified as potential witnesses to alleged violations of the Code of Student Conduct are expected to participate fully in the process, as appropriate. Students who fail to comply may be in violation of the provisions of this paragraph and sanctioned appropriately.
4. Persons who participate in the conduct review process in any capacity (i.e., Complainant, Respondent, witness, etc.) should be free from harassment, intimidation, undue pressure or other unfair treatment before, during and after the process. Any conduct that can be reasonably viewed as an attempt to unduly influence the filing of a report, the filing of a complaint, or participation in the conduct review process will not be tolerated. Any adverse treatment of any person that can be reasonably viewed as directly related to their current or prior participation in the conduct review process will not be tolerated.