

Judiciary Appeal Process

In observance of the rights of students, and to meet the requirements of fairness, the University has established procedures to ensure that an accused student is accorded due process pursuant to University procedures before being suspended or expelled from the University. In cases involving dismissal offenses, the procedures and guidelines described below will normally apply.

- A. The student shall receive written notice of the following:
 - (1) The charge(s) against him/her;
 - (2) The date, place and time of the scheduled hearing, and consequences of not appearing;
 - (3) A brief statement of his/her rights and limitations at the hearing.

- B. The scheduled hearing will be conducted by the University Judiciary Board, and will be normally held not less than one (1) class day nor more than five (5) class days after the student is notified.

- C. The student shall have the right to testify in his/her own behalf to present witnesses, or oral or written sworn affidavits on his/her behalf. He/she will be responsible for his/her own witnesses and defense.

- D. The accused student may be assisted in his/her defense, and/or represented at the hearing by a campus advisor of his/her choice, but legal counsel is not permitted on either side at or during the hearing.

- E. University hearings are not intended to be analogous to proceedings in a court of law, nor are they required to conform to strict rules of evidence in arriving at a decision; however, they will be conducted in a fair and judicious manner.

- F. Within five (5) class days of the hearing, the Judiciary Board shall issue a written report, including its findings, decision, and notification of right to appeal, to the accused student and other University personnel who have an official "need to know." Disciplinary-related documents are not for distribution to those who do not have an official "need to know."

- G. The student will have 48 hours after receiving the Judiciary Board's report to exercise his/her appeal rights in writing to the chief Student Affairs officer. The chief Student Affairs officer will issue a response to the appeal of the student (if applicable) within five (5) class days after receipt.

- H. The student may appeal the decision of the chief Student Affairs officer within 48 hours, to the President of the University, who in turn will render a final decision to the student within five (5) class days (if applicable).

The above procedures and guidelines will not apply when it is determined that the accused student's conduct or presence poses an imminent danger or serious concern for the life or health of him/herself or others. In such cases, the accused student is subject to immediate disciplinary action with the right of review.