

FREQUENTLY ASKED QUESTIONS

- 1. What, exactly, is a conduct hearing?** *A hearing is a proceeding before a decision-making body, called a hearing authority. During a hearing, arguments are made by a complainant and the respondent to resolve the question of responsibility of a conduct violation.*
- 2. Is this the same as a court hearing?** *No. The University conduct system is an educational process, and the formal rules of process, procedure, and/or technical rules of evidence as applied in criminal or civil court are not used in student conduct proceedings.*
- 3. Who will be present during the hearing?** *University hearings are closed to the public, therefore, only parties participating in the hearing may be in the room. This would usually consist of witnesses, complainant, complainant's advisor, respondent, respondent's advisor, the hearing advisor, and the decision-making body.*
- 4. Can I bring my attorney to represent me?** *No. You must represent yourself in your conduct hearing. However, as you are allowed to have an Advisor in the hearing, if you choose to have your attorney there in that capacity, that is your right. However, remember that Advisors are not permitted to speak or to participate directly in the hearing.*
- 5. Will my friends and/or family be allowed to attend?** *They are not allowed to be in the hearing room during the hearing, unless one of them is serving as your advisor.*
- 6. How do I dress when I attend my hearing?** *Conduct hearings are not formal. You may dress in what you would wear to class. However, it would be in your best interest to not wear items such as tank tops, short shorts, provocative or offensive attire.*
- 7. How long will the hearing last?** *We are not able to predict how long each hearing will last. They will vary according to the nature of the hearing, number of witnesses, type of hearing requested, etc. We always ask participants to allow for at least two hours to be safe.*
- 8. Am I allowed to know who the complainant is bringing in as witnesses?** *Yes. This information is usually provided to you in the initial charge letter. However, you may contact our office to request this information.*
- 9. Am I allowed to contact the complainant's witnesses before the hearing?** *NO.*
- 10. Can my attorney, or anyone else, call or come into the office on my behalf to retrieve information regarding my conduct information?** *As in accordance with the Family Educational Rights and Privacy Act, any information regarding your conduct record may be released only with a signed release form. (included in this pack or online)*

- 11. Will I know the identity of the hearing authority before the hearing date? What if I know them when I get into the room?** *The identity of the hearing authority is not disclosed before the hearing. And, to ensure that your hearing is as fair as possible, your name is submitted to them privately before the hearing so that they may excuse themselves if they know you or feel that serving in the hearing would be inappropriate or uncomfortable for either of you. However, if you are uncomfortable with any of them, you may ask the hearing advisor for a private conference to discuss this.*
- 12. Will the hearing authority be trained for this process so that I may have a fair hearing?** *Yes. A firm and adequate application and training process is required by persons who serve as hearing authorities.*
- 13. What if I change my mind on my plea or on my choice for a hearing before the hearing date?** *You may always change your decision on the hearing at any time up until the hearing date. However, proper notification is required. You must meet with the conduct office and rectify this BEFORE the hearing begins.*
- 14. If I have more questions about my hearing can I call, email, or come into the office and speak to someone about it again?** *Absolutely. It is very important that you understand the hearing process, the violations, the consequences, and all other aspects of the charges against you.*
- 15. What happens if I don't show up for my hearing?** *If you were properly notified of the hearing date and time, but chose not to attend, the hearing would proceed without you, and without any evidence or witness information you could otherwise provide with your attendance.*
- 16. What will my options be for an appeal following my hearing?** *A decision reached at a conduct hearing must be submitted utilizing the online appeals form within five (5) business days of the hearing decision. The Dean of Students may choose a designee (appeal authority) to review an appeal. In the event a conduct decision was made by the Dean of Students, the appeal shall be delivered to the Vice President for Student Affairs who will designate an appeal authority to review the appeal. In cases where the consequence is either of Suspension or Dismissal, the President of the University will be designated as the Appellate Authority.*

PLEASE SEE THE CODE OF STUDENTS RIGHTS AND RESPONSIBILITIES FOR MORE DETAILED INFORMATION FOR THE STUDENT CONDUCT PROCESS.