

## **STUDENT CONDUCT PROCESS: Individual**

### **INCIDENT TO A CASE**

- Individual student - can be violation of The Code of Student Rights & Responsibilities, The Guide to Residence Hall Living, Title IX policy, and/or Federal or State law.
- An incident report or investigative report is created in Maxient.
- It is routed to the appropriate person(s) within Maxient.
- The case is assigned to a Conduct Officer.
- The Conduct Officer will investigate the case as necessary, including interviewing witnesses, reviewing safety and police reports, and accessing information as available.
- If a violation is believed to have occurred, a charge letter is generated in Maxient.

### **CHARGE LETTER**

- The charge letter outlines the policy that was violated, where/when the incident occurred, a summary of the violation and initial witnesses to the incident.
- The charge letter states when, where, and with whom the conduct meeting will be held, the option of bringing an Advisor, as well as possible ramifications of not responding or participating in the conduct process.
- The charge letter is sent to the Responding Student via Maxient to their University email address. In some cases (over the summer, off-campus student, and/or student is not responding), it may be sent certified mail or special mail to the residence hall.
- The Responding Student retrieves the charge letter by opening the email, clicking on the link in the email, and opening the letter with their M-number.
- When the Responding Student opens the charge letter, a "read receipt" is sent to the sender for notification the student has read the letter. *(However, if the Responding Student does not open the letter, the process continues forward, as policy states that University email is formal communication for enrolled students)*
- Upon receipt of the email to the Responding Student's email mailbox, responding to the charges or any rescheduling due to conflict with the meeting time ultimately becomes the responsibility of the Responding Student.

### **CONDUCT MEETING**

- The Conduct Officer meets with the Responding Student, and the student has the opportunity to provide their information regarding the incident. *(If a student fails to attend, the meeting will continue in their absence and the Conduct Officer may make a decision of responsible or not responsible based upon the information available to them.)*
- During the meeting with the Responding Student, the Conduct Officer may choose to further investigate the violation, or they may make a finding of responsible or not responsible.
- If the student is found NOT RESPONSIBLE, they are asked to electronically sign the Case

Resolution Form (CRF), the CASE IS RESOLVED, and Maxient is noted as such and the case is closed.

- If the student is found RESPONSIBLE AND the Conduct Officer's chosen consequence does not include any separation between the student and the University, the student is assigned consequences, asked to sign the Case Resolution form (CRF). The case information is sent to the Administrative Assistant for processing. A Conduct Meeting Outcomes Letter is also sent to the student via Maxient in their University email reiterating findings, details of the consequences, and information on appeal options.
- If the student is found RESPONSIBLE AND the Conduct Officer's chosen consequence includes a consequence separating the student from the University, the Responding Student will have the right to request a hearing in front of a Hearing Authority.
- The student may appeal the decision to the Dean of Students or their designee for one of the following reasons: procedural error or new information.
- If the Responding Student chooses the hearing option, the Administrative Assistant will schedule a pre-hearing meeting with an Office of Student Conduct Staff Member.

### **HEARING** *(In cases of university housing separation and/or separation from the University)*

- The Responding Student is given the option of a hearing with a hearing authority.
- Both the Responding Student and the Complainant have the right to review any investigation reports, exhibits, and/ or audio tapes prior to the hearing. Both parties are asked to make these requests to review information at least one (1) business day prior.
- The Responding Student signs for and receives a Hearing Packet at the pre-hearing meeting containing detailed information of hearing procedures and policies. *(As well as how the hearing proceeds if they choose not to attend)*
- A conduct hearing is then coordinated by the Administrative Assistant/ OSC Staff Member, with consideration of the Responding Student's academic schedule, and the student is notified through Maxient of the date, time, and place of the conduct hearing, as well as instructions on informing the office of the names of the Responding Student's Advisor, if they choose to bring one, and/or Witnesses they will be bringing. *(Certified or regular mail may also be used for notification, depending on information available and participation of the Responding Student in the process thus far.)*
- The Administrative Assistant/ OSC Staff Member will coordinate a pre-hearing meeting with the hearing authority and hearing advisor to review information submitted by both parties.
- Notification of the conduct hearing date and time is sent via University email through Maxient to the Complainant, Complainant's Advisor, Respondent, Hearing Authority, Hearing Advisor, and Witnesses brought in by the Complainant by the Administrative Assistant/ OSC Staff Member, unless otherwise instructed by the Director of Student Conduct.
- Reminders of the hearing date and time are sent to the Responding Student via University email through Maxient appropriately utilizing the hearing checklist.
- The Hearing Advisor and/ or Office of Student Conduct Staff Member will review the details of the assigned charges and consequences with the Responding Student, as well as full information regarding their appeal rights.

- The Responding Student will electronically sign a Case Resolution Form (CRF).
- A Hearing Outcomes Letter, is sent to the Responding Student via Maxient in their University email, and the Responding Student is then responsible for the violations and completing the consequences assigned by the Hearing Authority unless they are appealing.
- If the Responding Student does not attend the conduct hearing, the hearing will proceed without them, and they are notified of the decision/outcome via Maxient in University email.

## **APPEAL**

- A student may file an appeal within five (5) University business days of the conduct meeting/hearing using the Appeal form, provided on the Student Conduct website
- In Title IX cases, both parties may appeal a conduct decision.
- An appeal may be considered ONLY on the grounds of one of the following:
  - o Procedural error
  - o New information
- Appeals not received within five (5) University business days will not be reviewed.
- An appeal decision is made, and the Responding Student is notified via Maxient in their University email, certified mail, traditional mail, or all of the above.
- In Title IX cases, the complainant will be notified as well by the conduct officer.
- Once the appeal options have been exhausted, the CASE IS RESOLVED, and the Responding Student is then responsible for any consequences assigned to them at the hearing. If the appeal is granted, the case may be remanded back to the Hearing Authority, or the finding may be reversed.

## **Consequences**

- If the responding student is to complete consequences, the consequences are listed within the Outcomes Letter.
- The date and steps for completion of the consequences are listed out in the letter, which is signed by the responding student.
- If a student fails to complete the consequences by the date listed, a hold will be placed on the student account preventing them from registering for future semester(s) and failure to comply charges may follow. The student will be notified via Maxient of their outstanding consequences.
- Once the students completes all consequences, the case is resolved and closed.