

Appeal Process

Grounds for Appeal

The Respondent or Complainant (if applicable) (hereinafter Appellant) may appeal the determination on responsibility and/or the determination on sanction(s) based on the following grounds:

1. a violation of due process; or
2. a material deviation from this Code of Conduct.

Request for an Appeal

A student may appeal the verdict and/or sanction determined by the Civitas Council or in a conduct hearing. A formal typed appeal must be submitted to the Dean of Students within five days of receiving the decision. In the appeal letter, the student must state whether they are appealing the verdict and/or the sanction or raising a question of fair process, and must provide substantive reasons and/or evidence to support the appeal, including any issues relating to the fairness of the conduct hearing process. If the sanction is suspension or expulsion, the appeal must be submitted to the Dean of Students within 24 hours of receiving the decision.

Appeals Board Members

The Appeals Board is composed of the Dean of Students (Chair), five members of the faculty appointed by the President of the University, two students from each class year appointed by the Executive Committee of the SGA, and an Academic Dean or Associate Dean.

Appeals Hearing

The Dean of Students (or Associate Provost in case of a conflict of interest) will review the appeal and determine if the appeal meets the criteria for a hearing. If it is determined that evidence warrants review, the Chair will notify the Board members of a hearing, will coordinate the timing of the hearing and will notify the student who requested the appeal.

Members are expected to remove themselves from the proceedings if a conflict of interest occurs. Quorum for appeals hearings must include an academic Dean or Associate Dean, three students, and two faculty members. If one member of the Board cannot participate, the Board will proceed. If the Board does not have quorum, the case will be rescheduled.

The proceedings of the hearing will be recorded but deliberations will not.

The Chair of the Honor Board/Civitas and one other Honor Board/Civitas member, or a designee in the case of a special hearing, will present needed information from the case to the members of the Appeals Board. The student who requested the appeal is encouraged to be present to hear all evidence presented.

Following the presentation of the Honor Board members, the student who requested the appeal will have the opportunity to present their case to the Appeals Board members. The decision of the Board will be based on a simple majority vote. The Appeals Board has the authority, when reviewing a case, to either uphold or overturn the verdict, and to modify any sanctions. The decision of the Appeals Board

will be the final decision regarding honor violations. It will be the responsibility of the Chair of the Appeals Board to notify the student and the Honor Board, and other pertinent person's (e.g. faculty member, Registrar) of the Board's decision.

Special Circumstance/Hearing

A modified board with representatives from the Honor Board, Civitas Council, Appeals Board and/or Student Government Executive Committee is authorized to hear cases involving Civitas violations or appeals during the week prior to exams, exam week in the case of a graduating senior, during times when members of the Honor Board are not on campus, and when deemed necessary by the Dean of Students.

Administrative Action

The chair of each Judicial Board (Honor Board, Civitas Council, Appeals Board), and the Advisor to these Boards, has in their discretion the authority to defer a student case for administrative action by the Dean of Students or their designee. The Dean of Students may convene members of the Honor Board, Civitas Council, Appeals Board, and/or Student Government Executive Committee to adjudicate a case. Reasons for deferring a student case may include but are not limited to, a conflict of interest with the Board, extenuating and/or sensitive circumstances surrounding the case, scheduling conflicts that prevent a timely trial, university exams and/or official university breaks.

Serious Disciplinary Cases

The Administration of the University is authorized by the Board of Trustees to suspend or expel any student who poses a threat to others or to the institution, persistently violates the regulations of the university, or whose influence, whether by word or deed, is, in their opinion, injurious to the best interest of the student body or the institution. No diploma or certificate will be awarded to any student who is guilty, before the date of graduation, of any serious breach of university regulations or good conduct. If an action occurs before graduation and the students who have graduated are found responsible for a serious sanction after graduation, a sanction of degree revocation may be utilized.

The ultimate authority of the Student Code of Conduct and its outcomes resides with the President of the University. When deemed necessary, as in the case of exigent circumstances, the Provost and/or the President may take action in the best interest of the University.