



STUDENT DISCIPLINE APPEALS BOARD

Policy No. 605

TITLE: Student Discipline Appeals Board

PURPOSE: The Student Discipline Appeals Board is assembled if a student wishes to challenge disciplinary sanctions imposed due to a Student Code of Conduct violation (Policy 600 & 601) or if either the Reporting Individual or Respondent is dissatisfied with the final determinations made under the Policy Against Sexual Misconduct, Dating Violence, Domestic Violence & Stalking (Policy #124). That person may file an appeal with the Appeals Boards due to the results of either the investigation, sanctions or the interim accommodations and safety measures outlined in Policy #124.

POLICY: A student who wishes to challenge the disciplinary sanctions proposed by the Chief Student Affairs Officer or designee due to a Code of Conduct violation of Policy 600 or the Reporting Individual or Respondent dissatisfied with either the investigation, sanctions or the interim accommodations and safety measures outlined in Policy #124 may request a review by the Student Discipline Appeals Board. The grounds for the appeal will be limited to the following:

- There is new and compelling evidence that was not available at the time of the initial investigation that could significantly impact the outcome of the case.
- There were procedural irregularities that substantially affected the outcome of the case to the detriment of the Reporting Individual or the Respondent.
- The sanction is substantially disproportionate to the factual findings.

The decision of the Student Discipline Appeals Board is final.

PROCEDURES:

1. If a student wishes to challenge the disciplinary sanctions issued by the Chief Student Affairs Officer or designee, he/she must submit a written request for review to the Student Discipline Appeals Board within five (5) business days of receiving written notification of said sanctions. This request should be directed to the Student Discipline Appeals Board in care of the Office of the President.
2. The written request must show evidence of meeting one of the aforementioned grounds of the appeal process.
3. The Chief Student Affairs Officer or designee will inform the other party that the appeals process has been initiated.
4. The Student Discipline Appeals Board could consist of the following:
 - Faculty members appointed by the Faculty Senate.
 - Staff members appointed by the Staff Advisory Council.
 - Student members appointed by the Student Association
 - One Administrator, appointed by the President to act as chairperson, excluding the Chief Student Affairs Officer or designee.

A quorum of the Student Discipline Appeals Board shall consist of three members, an odd total number and a majority vote will be necessary in deciding all cases.

5. The Student Discipline Appeals Board will determine if the appeal meets the grounds of the appeal process. The Chairperson will send a letter within five (5) business days of receiving the written appeal outlining if the submission met the grounds for the appeal process. This decision is final.



6. If the Student Discipline Appeals Board determines that the written appeal did meet the grounds of the appeal process, the student must be notified of the date, time, and place of the review at least five (5) business days in advance of the date. The review will be within at least (10) ten business days after the submission of the appeal.
7. Students may have a silent advocate of his/her choice present during the appeal process. The advocate may not participate directly in the hearing, but may only render advice to the student.
8. The student must submit the name of his/her silent advocate to the Chairperson of the Student Discipline Appeals Board within twenty-four (24) hours in advance of the review to be allowed into the appeal meeting.
9. If the student appealing the disciplinary sanction does not appear for the Student Discipline Appeals Meeting, then the original sanction will stand.
10. The chairperson will read the Student Discipline Appeals Board procedures at the onset of the proceedings.
11. The Student Discipline Appeals Board Chairperson will lead introductions of every person in the meeting and the purpose of his/her presence will be identified.
12. All presenters should address the Student Discipline Appeals Board only.
13. The Chief Student Affairs Officer or designee will present his/her findings to the Student Discipline Appeals Board. The student appealing the disciplinary decision will present their case, specifically providing a foundation for contesting the sanctions imposed by the Chief Student Affairs Officer, or designee.
14. Both the Chief Student Affairs Officer or designee and the student appealing the disciplinary decision may bring in witnesses to speak on their behalf. The Chairperson will bring in one witness at a time to speak.
15. Following each presentation, the Student Discipline Appeals Board may ask questions of all parties, including witnesses for clarification.
16. Both sides may respond to any statements made in an orderly fashion directed by the chairperson of the Student Discipline Appeals Board.
17. The Student Discipline Appeals Board reserves the rights to call for an executive session at any time if so warranted.
18. Following the presentations and questions, the Student Discipline Judicial Board shall go into executive session to render a decision. .
19. The Chairperson of the Student Discipline Judicial Appeals Board will provide the decision, in writing to the student and Chief Student Affairs Officer, or designee within two (2) business days of the conclusion of the appeal process.
20. The decision of the Student Discipline Appeals Board is final.

No student whose case is pending review by Student Discipline the Judicial Appeals Board shall be barred from classes or campus functions, except if a situation indicates that there is a possible danger, in order to protect the campus community or a student's physical or emotional safety and well-being.



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