

PROCEDURES & SAFEGUARDS FOR ORGANIZATIONS IN THE ROCKHURST DISCIPLINARY PROCESS



As a Rockhurst student organization charged with a violation of the Student Code of Conduct, you are provided certain rights and processes in the University's Disciplinary system. The process began when a member of the University community alleged that you violated the rules and regulations of the Student Code of Conduct. Although additional investigation may be done, charges have been initiated and you will receive a letter outlining the process and the specifics of the charges.

A Hearing will be scheduled between your organization and a Hearing Examiner. At the Hearing, the Hearing Examiner will explain the process and the allegations against your organization. You will have the opportunity to discuss and respond to the allegations.

The Associate Dean of Students or designate will determine whether it is more likely than not that your organization is responsible for the alleged Student Code of Conduct violations, and if so, will impose appropriate sanctions.

If your organization plans to appeal, a Notice of Intent to Appeal must be filed in writing to the Vice President for Student Development & Athletics in the Office of Student Development (Massman 1) within three (3) business days of your receipt of the decision (or attempt to deliver). The intent must specify the basis on which you are appealing, the decision or part of the decision including sanctions you are appealing, and the facts in support of the appeal. An appeal is not a rehearing and is not granted on the basis of disagreement with the original decision. Acceptable basis for an appeal is limited to the following:

- a. There was a denial of a fair hearing;
- b. There is new and additional evidence not available at the time of the hearing;
- c. There was insufficient evidence to establish the student's misconduct or responsibility for the misconduct;
- d. The decision was arbitrary and capricious.

The appropriate University administrator will review documents relevant to the appeal and speak with the Hearing Examiner or Committee Member or the appealing student as needed. The student may request a hearing before the appropriate University administrator, which can be granted or denied by that administrator. If a hearing is granted, the appealing student will meet with the appropriate University administrator. Any decision to grant or deny a hearing on appeal is not appealable.

An appeal may result in one of the following actions:

- a. Leaving the original sanction intact;
- b. Reversal of the original decision or sanction(s);
- c. Modification of the sanction(s), including changes that could result in either a reduction or increase in sanctions, appropriate to the misconduct or based on new information considered during the appeal.

Please refer to page 146 of your Student Handbook for the complete appeal procedure.

Throughout the Disciplinary process, your organization may have an advisor present. Your advisor's role is to counsel your organization in a manner that does not disrupt the proceedings. Written or whispered words are appropriate. Your advisor may not represent your organization, or address other parties, witnesses or the Hearing Board.

By signing below it indicates that we understand our student organization's rights and responsibilities as a member of the Rockhurst community charged with a violation of the rules and regulations of the Student Code of Conduct, and that we are making an informed decision in reference to the process and charge(s) in question. We understand:

- 1) our right to review relevant information and documents included in my disciplinary file,
 - 2) the sanctions possible for my alleged behavior,
 - 3) our right to have an advisor present throughout the process,
 - 4) our choice whether to appear at the hearing or answer questions and the fact that the hearing may proceed in my absence or despite my silence and a decision be made based upon the available information,
 - 5) the appeal process, and
 - 6) our right to indicated my preference below knowing the Associate Dean of Students or designate will make the final decision on how to proceed.
- Proceed with the current Hearing Examiner
 Request to be assigned a different Hearing Examiner as soon as possible
 Request a Hearing Committee

Student Organization Representative Signature: _____ **Date:** _____

Student Organization Representative Printed Name: _____ **Position:** _____

Incident Date: _____ Organization: _____



STUDENT ORGANIZATION CODE OF CONDUCT HEARING FORM

Student organization is charged with violating the following Code of Conduct policies:

	<i>Responsible</i>	<i>Rescind</i>
Violation: _____	<input type="checkbox"/>	<input type="checkbox"/>
Violation: _____	<input type="checkbox"/>	<input type="checkbox"/>
Violation: _____	<input type="checkbox"/>	<input type="checkbox"/>
Violation: _____	<input type="checkbox"/>	<input type="checkbox"/>
Violation: _____	<input type="checkbox"/>	<input type="checkbox"/>
Violation: _____	<input type="checkbox"/>	<input type="checkbox"/>

Please check one:

- Student organization was in attendance at Hearing
- Student organization was not in attendance at Hearing

Please check all that apply:

- Adjudicated student organization without them being present at Hearing
- Reschedule Hearing with a different Hearing Officer
- Reschedule Hearing with a Hearing Committee
- Student organization accepts responsibility (Mutual Consent)

Sanctions and Conditions:

I understand that my organization is being found responsible for the above violations and that we are responsible for completing the outlined sanctions and conditions. I also understand that we are able to appeal this decision based on the Rockhurst University appeal policy found on page 146 of the Student Handbook.

Student Organization Representative Signature: _____ **Date:** _____

Student Organization Representative Title/Position: _____

Staff Signature: _____ **Date:** _____

Staff Title/Position: _____