

# Procedure For Conducting The Hearing On Non-academic Misconduct

The Director of Student Services must submit a written notification informing the student that he or she has been charged with specific violations of the Student Conduct Code. Within five days (excluding Saturdays and Sundays and College holidays) of the formal charge being brought against a student, the written notification will be hand delivered to the student if at all possible; otherwise, it will be delivered by certified mail. The Director of Student Services must send a copy of the charge(s) and the investigation report to the Dean of Students. The Director of Student Services shall activate the Student Disciplinary Committee. Within five calendar days of the receipt of the charges, the Director of Student Services must set a time for the hearing and must notify all parties in writing of the time, date, and location of the hearing.

The procedure for conducting a hearing must contain the following elements:

1. No less than twenty-four hours before the disciplinary hearing (excluding Saturdays and Sundays and official College holidays), the Director of Student Services must submit a written notification of the date, time, and location of the hearing to the student charged with misconduct.
2. The hearing must be conducted in such a way as to afford due process to all parties involved.
3. The hearing must be private and confidential, except by consent of all parties.
4. The Chairperson will state the charge(s) and define the evidence based on the investigative report. The student must have an opportunity to examine evidence, cross-examine witnesses, offer witnesses on his/her behalf, and respond on his/her own behalf.
5. The student charged must be permitted the right to have a representative present. However, only the student may address the Committee or witnesses directly. In the case of an international student or a student with a disability, such as hearing or speech impairment, the Chairperson will determine the appropriateness of allowing a representative to speak on behalf of the student.
6. Either party may offer testimony (written or oral) of witnesses. Written statements shall be admissible; however, should the accused student challenge any significant part of the written statement, the Disciplinary Committee may choose to disregard the challenged portion in its study of evidence and testimony presented. If the Committee so desires, it may reconvene the hearing when the witness(es) may appear and be questioned by the Committee and the accused.
7. The burden of proof rests with the person(s) bringing the charge(s).
8. The student shall have the right to cross-examine any witness against the student or to refute any written testimony.
9. If the accused student fails—without good cause, in the judgment of the Chairperson of the Committee—to appear at the designated time of the hearing, the Chairperson may conduct the hearing without the presence of the accused.
10. The Committee members must deliberate in confidential discussion. A majority vote shall be required for the committee's decision.
11. The Chairperson will notify the student and any appropriate member of the College community within twenty-four hours in writing of the decision of the Committee.
12. The decision of the Committee shall be considered final except in case of appeal.