3341-2-31 Residential Conduct Process.

<table>
<thead>
<tr>
<th>Applicability</th>
<th>All University units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible Unit</td>
<td>Office of Residence Life</td>
</tr>
<tr>
<td>Policy Administrator</td>
<td>Director of Residence Life</td>
</tr>
</tbody>
</table>

(A) Policy Statement and Purpose

The purpose is to articulate the rights and responsibilities to students how matters of alleged misconduct in those unit will be investigated, the informal and formal processes available to resolve allegations of misconduct, sanctions that may be assigned when students accept responsibility or are found responsible in a formal hearing for violations of the Code of Student Conduct and/or the Community Living Standards, their appeal rights, under what circumstances they may be referred to the university level of the student conduct process for resolution of the alleged misconduct, and the length residential student conduct files are maintained.

(B) Residential Conduct Process

Members of the university’s residential community are responsible for their own actions as well as for the actions of their guests. It is the expectation of the university community that each member of the community will respect all community members and their property. However, some members of the community may, either by error or intent, violate community standards. At these times it will be necessary to hold the community members responsible for their actions. It is the intent of the university to approach these violations from an educational perspective, when appropriate. However, other sanctions or requirements may be necessary to insure that the residential community continues to be a positive living and learning environment. It is the responsibility of each student to be aware of the policies and expectations the university community has for individual action.
Any resident who violates a policy faces the possibility of being charged with allegedly violating the Code of Student Conduct. When students are allegedly involved in incidents which occur in university residences and violate the Code of Student Conduct, they will be involved in the Residential Conduct Process.

(C) Conduct Meetings

A conduct meeting is an informal conduct proceeding conducted as part of the Residential Conduct Process. Conduct meetings will be held between a member of the Residence Life staff and the accused student to discuss and, if possible, resolve the student’s alleged misconduct. This required meeting provides students with the information necessary to make informed decisions about the conduct process, including the options available to them through the process. Failure on the part of a student to schedule and/or attend a conduct meeting may result in a resolution being made in his/her absence and/or further conduct action.

Resolution Options:

(1) Informal Resolution

(a) The conduct meeting is the first step toward informal resolution. Informal resolution provides an opportunity for the student and the Residence Life staff member to quickly resolve the student’s alleged misconduct. Informal resolution of a conduct matter occurs when:

(b) The student does not dispute the facts leading to the charge made by the residence staff. Therefore, a formal hearing or further proceeding may not be required.

(c) Neither suspension nor expulsion is a possible sanction and the student wishes to resolve the case informally.

(2) Formal Resolution

If the student disputes the investigative findings that a violation(s) has been committed or rejects an informal resolution, the case shall be resolved through the formal resolution procedures as follows:
(a) A conduct meeting with a member of the Residence Life staff where a student has requested a Residential Conduct Committee (RCC) hearing, the student shall be contacted by the Assistant Dean of Students or designee by phone or email, to schedule a time to discuss the hearing process and receive additional hearing information.

(b) The Residential Conduct Committee shall be composed of at least three students who live in university-owned housing and is chaired by a staff member from the Office of the Dean of Students.

(3) The case is heard by the RCC. The RCC serves as a conduct body for the formal resolution option. Depending upon the nature of the misconduct, formal resolution may involve the presentation of witness information, the presentation of information by the accused resident and the questioning of all involved parties. RCC hearings are recorded and the recording remains the property of the university.

(4) The RCC forwards a recommendation regarding its findings along with recommended sanctions, if appropriate, to the Assistant Dean of Students or designee. The Assistant Dean of Students reviews the recording of the hearing, the contents of the conduct file and the written RCC recommendation and finalizes the decision, which is then forwarded in writing to the Respondent.

(D) Students’ Rights in the Residential Conduct Committee

(1) The Complainant and the Respondent have the right to inspect before the hearing any documents which are to be submitted at the hearing.

(2) The Complainant and the Respondent may bring witnesses to testify on their own behalf. The coordinator of the RCC process must be provided with the names of all witnesses and their expected testimony no later than twenty-four hours prior to the RCC hearing.

(3) The Respondent and the Complainant may be accompanied by an advisor of their choice. An advisor is anyone who will provide the
Respondent or the Complainant with support throughout the hearing. Advisors are not permitted to speak or to participate in the hearing.

(4) The Respondent is under no obligation to make any statement(s) relevant to the charge(s) nor answer any questions relevant to the charge(s) and this cannot be used to the Respondent’s detriment.

(E) Appeals

Any student has the right to appeal the sanctions imposed by a conduct officer in an informal disposition or the final decision of the Assistant Dean of Students or designee in a formal disposition. Appeals must be filed, in writing, within five university working days of receipt of the decision and are directed to the Director of Residence Life or his/her designee.

(F) Referral to the University Level of the Student Conduct Process

In the event that the alleged behavior is deemed egregious and/or repeated misconduct, the case may be referred to the university level of the student conduct process.

(1) Residential Conduct Records

Residential conduct files will be purged after seven years from the year in which the offense occurred.

Registered Date: March 12, 2015