3341-2-34 Sanctions.

<table>
<thead>
<tr>
<th>Applicability</th>
<th>All University units</th>
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<tbody>
<tr>
<td>Responsible Unit</td>
<td>Dean of Students</td>
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<tr>
<td>Policy Administrator</td>
<td>Assistant Dean of Students</td>
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(A) Policy Statement and Procedure

The purpose is to articulate students’ and student organizations’ appeal rights when they accept responsibility for policy violations of the Code of Student Conduct (informal resolution process) or the outcome of formal resolution process.

(B) Sanctions

(1) The following sanctions may be imposed upon any student found to have violated the Code:

(a) Warning—Notice in writing that continuation or repetition of prohibited conduct may be cause for additional conduct action.

(b) Conduct Probation—A written reprimand specifying the violation for which the student is held responsible. Students on probation are not considered to be in good standing with the University. Probation is for a designated period of time and includes the probability of more severe conduct action if the student is found in violation of any University policy during the probationary period.

(c) Deferred Suspension—Separation from the University for a defined period of time unless specified educational sanctions are successfully completed. Upon successful completion of educational sanctions, conduct probation will be assigned
for a defined period of time. Failure to complete educational sanctions will result in suspension from the University.

(d) Suspension—Separation of the student from the University for a defined period of time, after which the student is eligible to return, and a permanent notation on one’s transcript. Conditions for readmission may be specified.

(e) Expulsion—Permanent separation of the student from the University, and a permanent notation on one’s transcript.

(f) Residence Hall Suspension—Separation of a student from one or more of the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

(g) Residence Hall Expulsion—Permanent separation of a student from the residence halls.

(h) Educational Sanctions —Work assignments, service to the University, or other related educational assignments.

(i) Restrictions and Loss of Privileges—Denial or restriction of certain privileges for a designated period of time.

(j) Restitution—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(2) Minimum sanctions related to drug and alcohol policy violations can be found in the Policies and Procedures section of the Student Handbook.

(3) Members of the University community who are part of the sanctioning decision will also be notified of the final decision, including but not limited to the Counseling Center, Campus Activities, Office of Residence Life, Intercollegiate Athletics, Center for Leadership, University Police Department, ROTC officials, and Accessibility Services.
(4) The following sanctions may be imposed on any organization found in violation of the Code:

(a) Any of the sanctions listed in Section 10.A. of the Code of Student Conduct.

(b) Loss of status as a recognized student organization for a defined period of time or permanently. Campus Activities shall notify any national or regional governing body with which the organization is associated or that sponsors social, academic, or sports events when such action is taken.

(c) Loss or withdrawal of all student general fee dollars or other University funding for the remainder of the academic year.

(d) Loss of small-group housing privileges at Bowling Green State University for a defined period of time or permanently.

(5) More than one of the sanctions listed above may be imposed for any single violation.

(6) Failure to complete sanctions or attend a Code of Student Conduct meeting may result in a University hold being placed on a student’s ability to register for subsequent semesters or change a class schedule.

(C) Appeals

(1) Right to Appeal

A Complainant and Respondent may appeal the sanction imposed by a staff member in the Office of the Dean of Students or designee (informal disposition) or the decision rendered by the Dean of Students or designee (formal disposition.)

(2) Grounds for Appeal

(a) Appeals must be based on the issue of substantive or procedural errors which are prejudicial and which were committed during the conduct meeting or hearing.
(b) The specifics to be addressed on appeal are:

(i) Were the procedures of the Code of Student Conduct followed?

(ii) If a procedural error occurred, were the rights of the student or organization violated to the extent that the student or organization did not receive a fair hearing?

(iii) Was the meeting or hearing conducted in a way that permitted the student or organization adequate notice and the opportunity to present its version of the facts?

(iv) Was the information presented at the meeting or hearing sufficient to justify the decision and/or sanctions reached?

(v) Was there information existing at the time of the meeting or hearing that was not discovered until after the hearing?

(3) Appeal of Informal Disposition (Individual Hearing Officer)

Appeals shall be made to the Dean of Students or designee within five days of the date that the Complainant, Reporting Party or Respondent/Responding Party was emailed the sanction notification letter rendered by a staff member in the Office of the Dean of Students or designee. The appeal shall be in writing, stating the ground(s) for appeal. The decision of the Dean of Students or designee is final.

(4) Appeal of Formal Disposition (UCC/ARB)

Appeals shall be made to the Vice President for Student Affairs and Vice Provost or designee within five days of the date that the Complainant, or Respondent were emailed the sanction notification letter of the decision of the Dean of Students or designee. The appeal shall be in writing, stating the ground(s) for appeal. The decision of the Vice President for Student Affairs and Vice Provost or designee is final.
(5) Appeal Proceedings

(a) An appeal is confined to the criteria set forth in Section 10. (B) of the Code of Student Conduct.

(b) No appeal may be taken where no discipline is imposed and no transcript notation is entered.

(c) An appeal is confined to the subjects presented at the hearing. No new matters may be presented on appeal except those which, through the exercise of reasonable diligence the appellant could not have discovered prior to the hearing.

(d) The written appeal and the supporting documents will be reviewed in determining the outcome.

(e) There will typically be no oral argument before the appeal officer. However the appeal officer may choose to meet with the Complainant, Reporting Party, and/or Respondent/Responding Party before determining the outcome.

(f) The appeal officer’s review is confined to reviewing the proceedings below to determine if there were violations of the procedure or if there was substantial error.

(6) Potential Appeal Outcomes

(a) Uphold, modify, or eliminate the original sanction(s) in both the informal and formal disposition processes;

(b) Dismiss the case or individual charge(s) against the student in the formal disposition process; or

(c) Refer the case to a new hearing board to be reheard in the formal disposition process. This process includes a new recommendation on responsibility and, if applicable, sanctions. Potential Appeal Outcomes (a-c) are final and may not be appealed.

(7) Implementation of Sanction(s)
Sanctions are effective immediately upon notice. Upon submission of appeal, sanctions will be placed on hold until the appeal process has been exhausted. New deadlines may be reassigned as necessary. The Vice President for Student Affairs and Vice Provost may impose sanctions during the appeal process to ensure the safety and well-being of members of the University community or preservation of University property.

Registered Date: March 12, 2015
Amended Date: February 16, 2016, October 25, 2018