

Student Conduct Code Procedure: Rochester

PROCEDURE

Table of Contents

- Introduction and purpose
- To whom does this policy apply
- Complaints of violations of Board of Regents Policy: Student Conduct Code
- Informal Resolution
- Formal Resolution
- Possible sanctions for violations of Board of Regents Policy: Student Conduct Code
- Interim Student Suspension
- Appeal
- Appendices

Introduction and purpose

This procedure implements Board of Regents Policy: *Student Conduct Code* and explains the Rochester campus's process for actions initiated against students or student organizations by the University under Board of Regents Policy: *Student Conduct Code*. Procedures governing resolution of student-initiated complaints against the University are provided pursuant to Board of Regents Policy: *Student Conflict Resolution Process*.

The purpose of the student disciplinary process is to provide a framework for resolving complaints about violations of Board of Regents Policy: *Student Conduct Code*, so that:

- **Informal resolution is encouraged.** The disciplinary process encourages informal resolution of complaints where appropriate.
- **Student development is emphasized.** The disciplinary process emphasizes the educational purpose in student discipline, including helping students understand and accept responsibility for their own behavior.
- **Community interests are met.** While the emphasis of the disciplinary process is on responsible student self-development and restorative justice principles, the nature of the offense may require, in fairness to the community, the imposition of disciplinary sanctions.
- **Students receive fair treatment.** Most disciplinary matters are resolved informally, with the agreement of the student. When the people involved are unable to reach agreement, however, Board of Regents Policy: *Student Conduct Code* requires that students have the opportunity to receive a fundamentally fair hearing and a campus-wide appeal.

To whom does this policy apply

In general the Rochester Student Conduct Code Procedure applies to students in programs administered by the Rochester campus.

In addition, in most cases, the Rochester Procedure also applies to students enrolled in Rochester based programs administered by other campus. Exceptions may include violations of Section V, subdivision 1 (Scholastic Dishonesty) of the Student Conduct Code or alleged violations occurring on another University of Minnesota Campus. The Assistant Vice Chancellor of Student Affairs will determine for each alleged violation if the Rochester process will be applied to the student or be referred to the student's home campus after consulting with the student, administration in the student's college unit, and the disciplinary office of the student's home campus. In these instances the Rochester Office of Student Affairs will inform the student discipline office on the student's home campus of complaints and resolutions. If a complaint is not resolved informally and a hearing is scheduled, a member of the student's home campus will be invited to join the hearing body.

Complaints of violations of Board of Regents Policy: *Student Conduct Code*

Complaints of violation of Board of Regents Policy: *Student Conduct Code* may issue from the Office of Student Affairs or an instructor in the case of a grade sanction for scholastic dishonesty. Students are entitled to notification of the alleged violations and explanation of the basis for the allegations. Complaints should be made as soon as possible after the event takes place.

Informal resolution

The offices and administrators that informally resolve complaints under Board of Regents Policy: *Student Conduct Code* are:

- **Office of Student Affairs**

The Office of Student Affairs seeks to informally resolve complaints of violations of Board of Regents Policy: *Student Conduct Code*. Office of Student Affairs administrators will meet with the student and consult with affected instructors, administrators, and community members to develop a proposed written resolution, including sanctions where appropriate. Students may accept the proposed informal resolution, or may choose to go to a hearing. The Office of Student Affairs may also choose to send a complaint to a hearing, rather than informally resolve it.

The Office of Student Affairs handles complaints of violations of Board of Regents Policy: *Student Conduct Code* other than scholastic dishonesty; however, the Office of Student Affairs may be involved in resolving complaints of scholastic dishonesty, especially when those complaints involve repeat violations, other misconduct under Board of Regents Policy: *Student Conduct Code*, or occur in multiple administrative units.

Record Hold. Students who refuse to respond to the Office of Student Affairs upon receiving a complaint of violation of the Student Conduct will have a hold placed on their record, preventing them from registering or obtaining an official transcript until they respond to the complaint.

- **Instructors and colleges for scholastic dishonesty complaints**

Allegations of scholastic dishonesty frequently are first raised by the affected instructor and are resolved simply by the assignment of a grade or other academic consequence in the class and the acceptance of that grade or consequence by the student. Instructors or their units should report all cases of scholastic dishonesty to the Office of Student Affairs, even if the matter is resolved. The Office of Student Affairs is the central repository for all reports of scholastic dishonesty violations.

Formal resolution

If a complaint under Board of Regents Policy: *Student Conduct Code* is not resolved informally, the student is entitled to a hearing. The hearing procedure varies depending on the circumstances of the complaint. The hearing body is the Committee on Student Conduct (CSC).

The Committee on Student Conduct (CSC) is a campus-wide hearing body comprised of faculty, staff, and students who hear complaints and decides outcomes under the Student Conduct Code. See Appendix A: CSC Hearing Procedures. The CSC has authority to hear all types of complaints under Board of Regents Policy: *Student Conduct Code*.

A fundamentally fair hearing process usually allows for students or student organizations to:

- be notified in writing of the alleged violation and the underlying factual allegations; the time, date, and place of the hearing; and the range of possible sanctions;
- receive a prompt hearing;
- present their case, including witnesses;
- hear all evidence against them;
- question adverse testimony;
- be confronted by their accusers (subject to reasonable procedures to address concerns for safety or well-being);
- be accompanied by an advocate of their choice;

- be found responsible only if the information as a whole shows that it is more likely than not that the student's conduct violated Board of Regents Policy: *Student Conduct Code*;
- receive a written decision following the hearing; and
- receive notification of the procedure for a campus-wide appeal of the decision.

Fundamental fairness in a University hearing depends on a number of factors, including the seriousness of the potential penalty.

A formal record, audio or video recording, or a transcript of the hearing procedure must be kept for appellate purposes. Board of Regents Policy: *Student Conduct Code* hearings are not court cases, and court rules of process, procedure, or evidence do not apply.

Possible sanctions for violation of Board of Regents Policy: *Student Conduct Code*

The Board of Regents Policy: *Student Conduct Code* outlines the range of sanctions for violation of Board of Regents Policy: *Student Conduct Code*. When hearing cases of violations of Board of Regents Policy: *Student Conduct Code*, the CSC is authorized to apply the full scope of sanctions available to the University, including expulsion from the University.

Interim student suspension

The chancellor may impose an immediate interim suspension on a student or student organization pending a hearing before the appropriate disciplinary committee (1) to ensure the safety and well-being of members of the University community or to preserve University property, (2) to ensure the student's own physical or emotional safety and well-being, or (3) if the student or student organization poses an ongoing threat of disrupting or interfering with the operations of the University. During the interim suspension, the student or student organization may be denied access to all University activities or privileges for which the student or student organization might otherwise be eligible, including access to University housing or property. The student or student organization has a right to a prompt hearing before the chancellor on the question of whether the interim suspension should remain in effect until the full hearing is completed. The student must be informed in writing of the terms of the suspension, the reasons for it, and the opportunity to be heard on the limited questions described above. The underlying Board of Regents Policy: *Student Conduct Code* case will be heard and decided by the appropriate hearing body, and the case generally will take precedence over other cases pending before that body.

Appeal

Students are entitled to a campus-wide appeal of disciplinary decisions made in the hearing process. The chancellor uses the Chancellor's Appeal Committee (CAC) to hear appeals and make recommendations. Students seeking an appeal should consult Appendix B: Chancellor's Appeal Committee Procedures, which outlines the procedures governing the CAC including the grounds for an appeal, the procedures for filing and hearing an appeal, and the nature of appellate review. The chancellor is the final authority regarding student discipline.

Academic (grade) decisions by the hearing body are implemented immediately, even pending appeal. Disciplinary sanctions affecting the student's status/attendance at the University generally are stayed pending appeal.

Appendices

- Appendix A: Committee on Student Conduct Hearing Procedures
- Appendix B: Chancellor's Appeal Committee Procedures