APPENDIX VII: STUDENT RELATIONS COMMITTEE (SRC)

VII-5 EMERGENCY SUSPENSION REVIEW HEARING

An emergency suspension is considered extraordinary and temporary in nature and subject to a Emergency Suspension Review Hearing ("Review Hearing") by the SRC.

In most circumstances a Panel will be convened within ten business days. However, in extenuating circumstances, the SRC Advisor, with the approval of the VPSA, may grant an extension of that timeframe. All Review Hearings will be scheduled as expediently as possible.

A. Procedures for a Review Hearing

The purpose of a Review Hearing is to hear information from both the student who has been placed under temporary suspension and the Dean of Students Office for consideration in determining if the temporary suspension should remain in effect until the matter is resolved. Final resolution of the matter will include an investigation by the Dean of Students Office and any necessary actions to follow, possibly to include a Full Hearing before the SRC. Under the Code, a student may be suspended on an emergency basis for behavior that the Dean of Students determines met at least one of the Criteria for Suspension.

B. Criteria for Suspension:

Student’s behavior poses a significant threat of danger and/or injury to self or others,

OR

Student’s behavior poses a threat of disruption of the educational process for others,

OR

Student’s behavior poses a threat of destruction of property.

C. Prior to the Review Hearing

1. The Dean of Students or designee shall confer with the SRC Advisor to establish a time, date, and place for the hearing.

2. Notice is provided to the accused student by the Dean of Students office. The date, time and place for the Review Hearing will be specified in the Review Hearing Notification Letter.

The Emergency Suspension Review Hearing Notification Letter shall:

a. Direct the accused student to appear at the date, time, and place specified.
b. Include the alleged violations of the Code.

c. Provide the name and contact information of the Process Advisor.

d. Advise the student that information provided to the Panel will be included in the deliberations.

e. Advise the student of the following rights:

   (i) To a closed hearing unless the accused student and the Judicial Officer agree to an open hearing.

   (ii) The opportunity to appear, alone or with a Process Advisor and/or Personal Advisor

   (iii) To challenge one member of the Panel for bias at the start of the hearing.

   (iv) To know the identity of each witness who will speak to the alleged events.

   (v) To serve as a witness, or not; to call witness(es); to submit documentary and other information; to offer
       information; and to speak in his/her own behalf.

   (vi) To question each witness, for the purpose of clarification.

   (vii) To have access to the record of the hearing after all proceedings are complete.

f. Advise the student that if s/he chooses an advisor who is an attorney that Guidelines for Attorneys who
 accompany accused students are available in the Dean of Students Office. Included in these guidelines is a
 requirement of a five-business day notice to the University of a student’s intent to be accompanied by an
 attorney.

D. Review Hearing Process

The accused student, the Judicial Officer, and each witness will sign an honesty oath, confidentiality statement,
 and Retaliation Prohibited statement prior to the hearing.

The Chair will convene the hearing at the designated time and location.

The Panel may proceed with a hearing in the absence of the accused student. Such an absence is not to be
 interpreted as an admission of responsibility nor as a basis for additional disciplinary action. The University will
 be required to document that a reasonable attempt has been made to provide notification of the hearing to the
 student.

The accused student and the Judicial Officer are given the opportunity to challenge one member of the Panel for
 bias. A confidentiality statement is read. The hearing shall be closed to the public unless the Judicial Officer and the accused student agree to an open hearing.
The SRC Chair will read the complaint as included in the Review Hearing Notification letter sent to the accused student by the Dean of Students.

The Judicial Officer presents the reason for emergency suspension.

Witnesses may be called to offer testimony for consideration in determining if the emergency suspension should remain in effect until the matter is resolved. Any one of Criteria for Suspension is sufficient for continuing the suspension pending further investigation. The Judicial Officer, the accused student, and Panel members will have an opportunity to question the witnesses.

The accused student may make a statement or call witnesses to offer testimony. The accused student, Judicial Officer, and Panel will have an opportunity to question the witnesses.

Members of the Panel deliberate and determine if the Emergency Suspension should remain in effect until the matter is resolved. After the Panel makes their determination, the SRC Chair and the SRC Advisor will meet with the accused student to announce the decision.

E. Review Hearing Decision Letter

A written notification of the outcome of the Emergency Suspension Review Hearing will be sent to the accused student within one week following the preliminary hearing, with copies provided to the VPSA, Dean of Students, and the SRC Advisor.

REVISION RECORD:
August 1, 2012 - Published