



# PROCEDURES & SAFEGUARDS FOR STUDENTS IN THE ROCKHURST DISCIPLINARY PROCESS

As a Rockhurst student charged with a violation of the Student Code of Conduct, you are provided certain rights and processes in the University's Disciplinary system. The process began when a member of the University community alleged that you violated the rules and regulations of the Student Code of Conduct. Although additional investigation may be done, charges have been initiated and you will receive a letter outlining the process and the specifics of the charges.

A Hearing will be scheduled between you and a Hearing Examiner. At the Hearing, the Hearing Examiner will explain the process and the allegations against you. You will have the opportunity to discuss and respond to the allegations.

**The Assistant Dean of Students or designate** will determine whether it is more likely than not that you are responsible for the alleged Student Code of Conduct violations, and if so, will impose appropriate sanctions.

**If you plan to appeal**, a Notice of Intent to Appeal must be filed in writing to the Associate Vice President for Student Development in the Office of Student Development (Massman 1) within three (3) business days of your receipt of the decision (or attempt to deliver). The intent must specify the basis on which you are appealing, the decision or part of the decision including sanctions you are appealing, and the facts in support of the appeal. An appeal is not a rehearing and is not granted on the basis of disagreement with the original decision. Acceptable basis for an appeal is limited to the following:

- a. There was a denial of a fair hearing;
- b. There is new and additional evidence not available at the time of the hearing;
- c. There was insufficient evidence to establish the student's misconduct or responsibility for the misconduct;
- d. The decision was arbitrary and capricious.

The appropriate University administrator will review documents relevant to the appeal and speak with the Hearing Examiner or Committee Member or the appealing student as needed. The student may request a hearing before the appropriate University administrator, which can be granted or denied by that administrator. If a hearing is granted, the appealing student will meet with the appropriate University administrator. Any decision to grant or deny a hearing on appeal is not appealable.

An appeal may result in one of the following actions:

- a. Leaving the original sanction intact;
- b. Reversal of the original decision or sanction(s);
- c. Modification of the sanction(s), including changes that could result in either a reduction or increase in sanctions, appropriate to the misconduct or based on new information considered during the appeal.

Please refer to page 39 of your Student Handbook for the complete appeal procedure.

**Throughout the Disciplinary process, you may have an advisor present.** Your advisor's role is to counsel you in a manner that does not disrupt the proceedings. Written or whispered words are appropriate. Your advisor may not represent you, or address other parties, witnesses or the Hearing Board.

My signature, below, indicates that I understand my rights and responsibilities as a member of the Rockhurst community charged with a violation of the rules and regulations of the Student Code of Conduct, and that I am making an informed decision in reference to the charge(s) in question. I understand:

- 1) my right to review relevant information and documents included in my disciplinary file,
- 2) the sanctions possible for my alleged behavior,
- 3) my right to have an advisor present throughout the process,
- 4) my choice whether to appear at the hearing or answer questions and the fact that the hearing may proceed in my absence or despite my silence and a decision be made based upon the available information, and
- 5) the appeal process.

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Student Printed Name: \_\_\_\_\_ ID#: \_\_\_\_\_

Incident Date: \_\_\_\_\_ Log #/\_\_\_\_\_



# Residence Life Hearing Form

Student is charged with violating the following Student Code of Conduct Rules:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Student was not in attendance at Conference
  - Rescheduled conference for \_\_\_\_\_
  - Adjudicated student without them being present

Please check one:

- Student is found Responsible     Student accepts responsibility (Mutual Consent)     Sent student to Board Hearing

Violation(s) \_\_\_\_\_  
 Violation(s) \_\_\_\_\_  
 Violation(s) \_\_\_\_\_

**Sanctions and Conditions** (include brief summary. Give in depth outline in Sanction letter)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I understand that I am being found responsible for the above violations and that I am responsible for completing the outlined sanctions and conditions. I also understand that I am able to appeal this decision based on the Rockhurst University appeal policy found on page 39 of the Student Handbook.*

\_\_\_\_\_  
**Student Signature**

\_\_\_\_\_  
**Date**

**If student agrees to a mutual consent:**

*I understand the above sanctions and conditions have been given as a result of my acceptance of responsibility for the violations noted above. I am aware that failure to abide by and/or complete the sanctions and conditions may result in additional judicial charges. I know that students taking responsibility and choosing to use Mutual Consent are not allowed to appeal the agreed upon violations and sanctions.*

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I rescind the following charge(s):

\_\_\_\_\_  
\_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title/position: \_\_\_\_\_