
Dean of Students Review Council Procedures

Updated 1/16/14

I. INTRODUCTION

A. Purpose. The Dean of Students Review Council is an educational process. The Council is designed to protect the mission of the university and provide the reported student with a fair process.

B. Administrative Responsibility. The Dean of Students, or their designee, serves as the Chair of the Dean of Students Review Council.

II. ORGANIZATION OF THE DEAN OF STUDENTS REVIEW COUNCIL.

A. Composition of the Council. The Dean of Students Review Council consists of five members including the Dean of Students or their designee, who will serve as the Chair, three students appointed by the Dean of Students, and a university employee.

B. Secretary. The Chair will designate a secretary to be present at every meeting of the Council. They will be responsible for taking brief, summary minutes of the meeting. These minutes will be the official record of the proceedings. No verbatim recording of the meeting will be made.

III. PROCEDURES

A. Request for a Dean of Students Review Council

1. The student may request a review of a decision resulting in a disciplinary action of Suspension or Expulsion. In the Review proceedings, the student has the burden to show one or more of the following: (i) the decision is not supported by the information found during the investigation, (ii) the Student Honor Office failed to follow applicable procedures *and* as a result the student was not given adequate notice of the nature of the reported Honor Code violation(s) or did not have a meaningful opportunity to respond, (iii) the disciplinary action imposed is inappropriate for the violation of the Honor Code, or (iv) the investigation or decision exhibited prejudice or bias, that affected the outcome. The request for the Dean of Students Review will be made by contacting the director of the Student Honor Office or their designee, within two business days of receiving notice of separation. The director will review the request with the student and schedule the review.

B. Dean of Students Review Council

1. The Dean of Students Review Council is an educational process. Individuals with relevant information may be allowed to participate and will be invited into the Council at the appropriate time. Character witnesses may not participate in the Council. The student may be accompanied to the meeting by an advisor of their choice. The advisor may be a faculty or staff

member, fellow student, parent, or other person so long as the availability of the advisor does not impede the timeliness of the Council meeting. The advisor may not be an attorney unless he or she is a parent of the student. The university may not be represented by legal counsel in the meeting. The advisor will not be permitted to address the Council. The student will be expected to speak for themselves at all times. The advisor may be asked to leave the Council meeting if they become disruptive.

2. If a council member prior to the meeting determines they are unable to render a fair and impartial decision, the member has a duty to disqualify themselves. The Chair may disqualify any member of the Council if the reported student shows that a bias exists.

3. A council meeting involving more than one student involved in the same incident, may be conducted either separately or jointly at the direction of the Chair.

4. The reported student may, prior to the meeting, request a change of schedule to allow for more time to prepare. Such requests will be considered by the Chair. If there is compelling reason to postpone the review, the Chair may reschedule the review.

5. The Chair may accommodate concerns for personal safety of any person participating in the review Council. Accommodations could include participation by telephone, or other means at the direction of the Chair.

6. The Council shall proceed as follows: (a) the student will present the reason they requested the review. The Council may ask questions of the student. (b) The administrator from the Student Honor Office will present information. The Council may ask questions of the administrator. (c) The reported student, members of the Council, and/or administrator may direct questions to any witness at the direction of the Chair. (d) Pertinent records, exhibits, eye witnesses, and written statements may be accepted as information for consideration by the Council. (e) After all information has been presented to the Council, the SHO administrator, the student, and advisors will be excused. (f) The Council will render a decision.

7. The Chair has the responsibility to ensure that appropriate procedures are observed during the review process, including resolving any procedural questions that may arise.

8. If a student does not appear before the Council at the appointed time, the decision of the Student Honor Office will stand.

C. Dean of Students Review Council Decisions

1. The decision of the Council is confidential and by majority vote. All discussion by the Council is confidential. After reviewing the information, the Council shall render a decision. The Council will uphold the decision if they determine the decision was (i) reasonably supported by the information gathered during the investigation, (ii) applicable university procedures were followed (iii) the disciplinary action imposed is appropriate for the violation, and (iv) the investigation and decision did not exhibit prejudice or bias.

The Council may refer the matter back to the Student Honor Office should the Council determine that the university erred as claimed by the student.

Upon completion of the Review, the Chair will deliver a written decision to the student and the Student Honor Office. The decision of the Council is final.

D. Student Status Pending Review

The student requesting a Review will generally not be restricted or excluded from class attendance or from participation in university functions and activities. However, if the university, acting through the Student Honor Office, determines that such attendance and/or participation is likely to be disruptive or pose a threat to the functioning, integrity, or reputation of the university or safety of others, then the student will be restricted. The Student Honor Office will advise the student of any restrictions and/or exclusions, pending the final outcome of the Review.