

- ~~(ix) — All procedural questions are subject to the final decision of the chairperson of the hearing panel. Any person disrupting a hearing or who fails to adhere to the decisions of the chairperson shall be removed from the hearing.~~
- ~~(x) — After the hearing, the hearing panel shall meet in closed session to determine, by majority vote, whether the student has violated each section of the code that the student is charged with violating.~~
- ~~(xi) — The decision of the hearing panel may be announced to the student immediately after the conclusion of the hearing and will be confirmed later in writing.~~
- ~~(xii) — The hearing panel's determination shall be made on the basis of whether it is more likely than not that the accused student violated the code.~~
- ~~(e) — The hearings shall be tape recorded.~~
- ~~(d) — The accused student and/or group/organization shall be afforded the following procedural due process:
  - ~~(i) — Written notice of the charge(s).~~
  - ~~(ii) — Written notice of the specific violations of the code alleged to be violated.~~
  - ~~(iii) — General information, including the nature and source of the information, unless prohibited by law.~~
  - ~~(iv) — Timely resolution.~~
  - ~~(v) — Written notification of date, time, and location of hearing and information about hearing procedures. The notice will be delivered in person or by certified or regular U.S. mail to the student's official address of record at the university. The~~~~

accused student shall also be notified by university email.

- (vi) — The right to question the impartiality of a student conduct board member's ability to participate fairly in a hearing. The student conduct administrator may reject any student conduct board member when just cause has been demonstrated.
  - (vii) — The right to be accompanied by an advisor. See paragraph (G)(4)(b)(iv) of this policy.
  - (viii) — The right to present witnesses on behalf of the accused during the hearing. If a witness cannot appear, a signed statement from the witness can be used as long as it is notarized by an appropriate official. The accused student shall not be required to testify against him/herself.
  - (ix) — Timely resolution of the matter.
  - (x) — Hearing shall be closed to the public to the extent allowed by law.
  - (xi) — Written notice of the final outcome of the case.
  - (xii) — The opportunity to appeal as outlined in the code.
- (e) — The complainant of a student conduct case will be afforded paragraph (G)(4)(d)(iv) to (G)(4)(d)(xii) of this policy, although disclosure of the outcome is limited by law and is typically not in writing. In addition, the complainant will be afforded the following:
- (i) — The right to be treated with respect and dignity by all university officials.
  - (ii) — Counseling, available medical resources, and academic assistance when requested.

- ~~(iii) — Changes in campus residence and/or classes, when reasonable and requested.~~
- ~~(iv) — The right to request that charges of misconduct be pursued.~~
- ~~(v) — Due process within any university student conduct proceeding.~~
- ~~(vi) — The right to provide information at the hearing in a seat not directly facing the accused, if the complainant requests. The student conduct board may accommodate concerns for the personal safety, well-being and/or fears of confrontation of the complainant, accused student and/or other witnesses during the hearing by providing separate facilities, by using a visual screen and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audiotape, written statement or other means, as determined in the sole judgment of the student conduct administrator to be appropriate.~~
- ~~(f) — A conduct sanction imposed or other action taken by any student conduct body shall become effective upon written notification to the accused student. The notification will be provided by personal delivery or by certified or regular U.S. mail delivery to the accused student and/or group/organization. Notification will also be sent to the accused student's office university email address. If the individual files a written letter of appeal with the student conduct administrator, and if the appeal is denied, the sanction shall take effect upon exhaustion of the appeals process and shall be retroactive to the effective date stated in the original notification to the student.~~
- ~~(g) — The student conduct administrator shall maintain records of information received, recording of the hearing, and action taken by any student conduct body. Public examination of these records shall be limited to the extent allowed by law.~~



~~(5) — Sanctions:~~

~~(a) — The following sanctions may be imposed upon any student that has been found responsible for a violation of the code. Sanctions shall be issued in a progressive fashion.~~

~~(i) — Warning — written statement that the student is violating or has violated the code. Continuation or repetition of inappropriate conduct may be cause for more severe student conduct action. A warning will remain in effect for a period not to exceed one academic year.~~

~~(ii) — Conduct probation — notice in writing that the violation of the code is serious, flagrant, or a repeated violation of policy and a warning that any subsequent violation(s) of university regulations may result in suspension or expulsion and/or imposition of restrictions or conditions consistent with the offense committed and the rehabilitation of the student.~~

~~(iii) — Conduct probation with restrictions — notice in writing that the violation of university regulations is a serious, flagrant, or repeated violation and a warning that any subsequent violation(s) of the code may result in suspension or expulsion. In addition, an order preventing the student from holding university elective office, student employment, participating in any intercollegiate activity or sport, participating in any university sponsored program/organization, or representing the university in any other manner will be attached to this sanction.~~

~~(iv) — Restitution — compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement and may be required in addition to other sanctions as described in this section.~~

- (v) ~~Academic/developmental sanctions—other sanctions may be imposed instead of or in addition to those specified above, e.g., community service, counseling, educational assignments.~~
- (vi) ~~Deferred suspension—separation of the student from the university and/or residence halls is deferred for a specified period (not to exceed one academic year). If the student is found in violation of any subsequent violations of the code, the suspension takes effect immediately and may not be appealed. Additional sanctions appropriate to the new violation may also be issued.~~
- (vii) ~~Residence hall suspension—separation of the student from the residence halls for a specified period of time (not to exceed one academic year), after which time the student is eligible to return. During the suspension period, the student is prohibited from accessing any university housing facilities.~~
- (viii) ~~University suspension—separation of the student from the university for a specified period of time (not to exceed one academic year), after which time the student is eligible to return. During the suspension period, the student does not have access to the university and is prohibited from participating in any academic or other university activities.~~
- (ix) ~~Residence hall expulsion—permanent separation of the student from the residence halls. An expulsion denies the student access to all university housing facilities on a permanent basis.~~
- (x) ~~University expulsion—permanent separation of the student from the university. An expulsion denies the student the right to participate in any academic or university activities on a permanent basis.~~

- ~~(xi) — Revocation of admission and/or degree — revocation of admission to or awardance of a degree from the university for fraud, misrepresentation, or other violation of university standards in obtaining the degree or for serious violations committed by a student prior to graduation.~~
- ~~(xii) — Withholding degree — withholding awardance of a degree otherwise earned until the completion of the process set forth in the code, including the completion of all sanctions imposed, if any.~~
- ~~(b) — More than one of the sanctions listed in this paragraph may be imposed for any single violation.~~
- ~~(c) — Other than university expulsion or revocation or withholding of a degree, conduct sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's conduct record and shall be kept confidential to the extent allowed by law. Upon graduation, the student's conduct record may be expunged of conduct actions other than resident hall expulsion, university suspension, university expulsion, or revocation or withholding of a degree upon application to the student conduct administrator. Cases involving the imposition of sanctions other than residence hall expulsion, university suspension, university expulsion, or revocation or withholding of a degree shall be expunged from the student's conduct record seven years after final disposition of the case.~~
- ~~(d) — The following sanctions may be imposed upon groups or organizations:~~
- ~~(i) — Those sanctions listed in paragraphs (G)(5)(a)(i) to (G)(5)(a)(v) of this policy.~~
  - ~~(ii) — Deactivation — loss of all privileges, including university recognition, for a specified period of time.~~



~~(e) — In each case in which a student conduct body determines that a student and/or group/organization has violated the code, the sanction(s) shall be determined and imposed by the same student conduct body. The student conduct administrator shall be responsible for recommending sanctions to the hearing panel and for ensuring that sanctions imposed by hearing panel and conduct officers are consistent with the violation and sanctions imposed for similar violations.~~

(68) Interim ~~suspension~~ measures. In certain circumstances, the ~~student conduct administrator~~ associate vice president for student experience may impose an interim measure ~~university or residence hall suspension~~ prior to a hearing or conference before the student conduct body, including but not limited to university or residence hall suspension.

- (a) Interim suspension may be imposed only:
- (i) To ensure the safety and well-being of members of the university community or to preserve university property;
  - (ii) To ensure the student's own physical or emotional safety and well-being;
  - (iii) If the student poses a threat of disruption or interference with the normal operations of the university; or
  - (iv) If a student is charged with the commission of a criminal offense as defined in section 2901.01 of the Revised Code.
- (b) In the event that an interim suspension is imposed, the student or group/organization will be notified either in person or by regular U.S. or certified mail of the cause for suspension. The student will also be notified by email to their current university address. The interim suspension becomes effective immediately upon notification. A hearing panel will convene as expeditiously as possible to

review the case. The hearing will follow the procedures outlined in [this policy paragraph \(G\)\(4\)\(b\) of this policy](#) and may proceed before, during, or after any criminal proceedings.

- (c) During the interim suspension, the student or group/organization shall be denied access to all housing facilities and/or to the campus (including classes) and/or all other university activities or privileges for which the student or group/organization might otherwise be eligible, unless determined otherwise by the student conduct administrator.

~~(79)~~ Appeals.

- (a) The decision or sanction imposed by a student conduct body may be appealed by the accused student or group/organization or complainant (“the appellant”) within ~~five~~ [\(seven \(7\) university working](#) days of notification of the decision. If an appeal is not received within this time frame, the decision reached by the student conduct body will be final.

- (b) Appeals shall be in writing and shall be mailed or delivered to the office of student ~~life~~ [conduct](#). The letter of appeal should indicate the grounds on which the decision is being appealed, referencing at least one of the grounds for the appeal [\(see \(d\) below\)](#) along with supporting information. ~~See paragraph (G)(7)(c) of this policy.~~

- (c) Once an appeal request has been submitted until the appeal decision has been communicated to the Appellant, all sanctions, except any issued as interim measures, such as interim suspensions, will be held in abeyance. The burden of proof rests with the Appellant filing the appeal.

- ~~(ed) Grounds for appeal. During the period of appeal, all sanctions, except interim suspensions, will be held in abeyance. The burden of proof rests with the appellant filing the appeal.~~ Appeals are not a re-hearing of the student conduct case. Except as required to explain the



basis of new evidence, an appeal shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following grounds:

- (i) A claim that the original hearing was conducted in violation of procedural requirements set forth in ~~t~~The [eCode of Student Conduct](#) and to determine whether these violations could have affected the outcome of the hearing.
  - (ii) A claim that the decision reached regarding the accused student or group/organization did not have a reasonable basis for the conclusion reached and that it was not based on proof by a preponderance of the evidence.
  - (iii) A claim that the sanction(s) imposed was/were disproportionate and without basis to the violation of ~~t~~The [eCode of Student Conduct](#) which the student or group/ organization was found to have committed.
  - (iv) A claim that there is new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing because such information and/or facts were not known by the appellant at the time of the original hearing.
- (~~e~~) The appellant may, in preparing the request for appeal, have access to records of the case, which must be reviewed in the office of student [lifeconduct](#).
- (~~e~~) Appeals of decisions or sanctions imposed by a conduct officer will be reviewed by the student conduct administrator. Appeals of decisions by a hearing panel will be reviewed by an appellate board. An appellate board is composed of three members from the student conduct board selected by the student conduct administrator who will review the appeal.

- (fg) The appellate board or the student conduct administrator will review the appeal to determine whether one of the grounds listed in ~~of~~ this policy has been met.
- (gh) If an appellate board or student conduct administrator determines that an appeal has met the grounds, the following options are available:
  - (i) The case may be remanded for reconsideration.
  - (ii) The appeals body may reverse the finding of responsibility in whole or in part.
  - (iii) The appeals body may uphold, reduce, or increase the sanctions.
  - (iv) The appeals body may dismiss the appeal if the appeal is not based upon one of the grounds listed in ~~paragraph (G)(7)(c) of~~ this policy.
  - (v) The appeals body may deny the appeal.
- (hi) The decision of the appellate board or student conduct administrator after an appellate review is final.
- (810) Conduct procedures for university housing. ~~Deputy C~~conduct officers have been designated by the student conduct administrator to review misconduct cases originating within university housing.
  - (a) The responsibility for the enforcement of rules and regulations governing student conduct in the residence houses, as outlined in the "~~Resident Handbook for Residents,~~" is delegated by the ~~vice president for student affairs~~ student conduct administrator to a conduct officer.
  - (b) Any student, faculty member, or university official may file a written report against any student living in a residence house for misconduct within the residence house, campus dining facilities, or at any residence house function.

- (c) Upon receipt of a written report, the deputy conduct officer will conduct an investigation to determine whether there is a reasonable cause to believe that a violation of ~~the~~ Student eCode of Conduct may have occurred. If so, the conduct officer will follow the procedures outlined in the hearing procdures section of this policy. ~~paragraphs (G)(1) to (G)(10) of this policy.~~
- (911) Student conduct record. The student conduct administrator shall maintain all student conduct records of information received and action taken by the respective student conduct bodies.
- (a) Conduct sanctions shall not be made part of the student's academic record but shall become part of the student's conduct record. ~~All s~~Student conduct records, except records shall be expunged seven years after final disposition of a case with the exception of residence hall expulsion, university suspension of a student, university expulsion, and revocation or withholding of a degree which shall be expunged seven-fifteen years after final disposition of the case. - University expulsion and university suspension of a student organization conduct records shall be kept indefinitely Upon graduation, the student may petition the student conduct administrator for removal of all files contained in his or her student conduct records. The student may appeal a negative response of the student conduct ~~administrator~~officer and/or the student conduct board to the student conduct ~~board~~administrator.
- (b) All material gathered from a substantiated conduct case (residence house, academic, and other) shall become part of any new case against the same individual(s) after the new charges have been substantiated.
- (c) Student conduct records are maintained only in the names of students found to have violated regulations.
- (102) Special procedures. To ensure continued participation of students, faculty, and administration in the student conduct process, and to ensure speedy disposition of conduct cases, the president of the university is empowered to develop a subcommittee structure in



the event of a large number of student conduct cases. Such subcommittee shall be empowered to hear and dispose of cases in accordance with the provisions of ~~†~~The [Student eCode of Conduct](#) and shall ensure that all elements of procedural due process delineated in this article are observed.

~~(H) Interpretation and revision.~~

- ~~(1) Any question of interpretation or application regarding The code shall be referred to the student conduct administrator for final determination.~~
- ~~(2) The code shall be reviewed every five years under the direction of the student conduct administrator.~~
- ~~(3) Any member of the university community may recommend a change to the code to the vice president for student affairs. The vice president shall distribute the recommendation to the appropriate areas and gather feedback. If the change is endorsed by the vice president, the change shall be presented to the board of trustees for adoption.~~

~~(I) Academic procedures.~~

- ~~(1) Undergraduate student academic grievance procedure.
  - ~~(a) Introduction.
    - ~~(i) This section applies to students taking courses in pursuit of an associate's or bachelor's degree and other students taking courses for undergraduate credit.~~
    - ~~(ii) Grievances filed concerning academic matters must conform to the process described in this paragraph.~~~~~~

~~(iii) — The student academic grievance subcommittee, an appointed chartered subcommittee of the academic senate, is the sole body responsible for adjudicating grievances concerning academic matters. The student academic affairs committee, an appointed chartered committee of the academic senate, is the sole appeals body for decisions made by a grievance hearing panel of the student academic grievance subcommittee. Any grievances concerning academic matters filed and adjudicated by bodies or processes not specified in this section are null and void.~~

~~(b) — Academic matters that may be grieved are the following:~~

~~(i) — Disposition and sanctions imposed by faculty regarding academic dishonesty. (See paragraph (1)(8) of this policy.~~

~~(ii) — Material deviation from the grading scale or weight distribution indicated on the course syllabus by the faculty member to the detriment of the individual student or the entire class.~~

~~(iii) — Material breach of faculty contractual obligations, as specified in the article on “Teaching Rights and Responsibilities” in the Faculty Collective Bargaining Agreement,” to the detriment of the individual student or the entire class.~~

~~Other areas of contention between a student and a faculty member may not be grieved under this section. The student should contact the department chair of the faculty member’s department or the dean of the college housing the faculty member’s department for further advisement in these situations.~~

~~(e) — Parties directly involved in the grievance procedure are as follows:~~

- (i) ~~Student/faculty—the party who files the grievance and the party against whom the grievance is filed.~~
- (ii) ~~Associate provost for academic administration, or designee.~~
- (iii) ~~Department chair—the chairperson of the department in which the faculty member resides.~~
- (iv) ~~Dean—the dean of the college in which the faculty member's department is housed.~~
- (v) ~~Student academic grievance subcommittee—an appointed chartered subcommittee of the academic senate charged with adjudicating undergraduate student academic grievances. The subcommittee is composed of six faculty members, with representation from each undergraduate college of the university; six undergraduate students, with representation from each undergraduate college of the university; and the associate provost for academic administration, or designee, who serves as judicial chair.~~
- (vi) ~~Grievance hearing panel—conducts the formal hearing and renders a decision about the grievance. The grievance hearing panel is drawn from the membership of the student academic grievance subcommittee and consists of a minimum of two faculty members, two undergraduate students, and the judicial chair.~~
- (vii) ~~Student academic affairs committee—an appointed chartered committee of the academic senate charged with making policy recommendations related to the academic sector of student affairs.~~
- (viii) ~~Appeal panel—considers appeals of decisions rendered by a grievance hearing panel. The appeal panel is drawn from the membership of the student academic affairs committee and consists of a~~



~~minimum of two faculty members, two undergraduate students, and the chair of the student academic affairs committee.~~

~~In all steps of the grievance process, both the student and the faculty member may avail themselves of the services of an advisor. Such an advisor may be drawn from within or outside the university community. Advisors may not present testimony or speak on behalf of the grievant.~~

~~(d) — Overview of the grievance process. Depending upon the disposition of the grievance, there are three possible phases of the grievance process. The three phases are:~~

~~(i) — Pre-grievance hearing activities;~~

~~(ii) — Grievance hearing;~~

~~(iii) — Appeal.~~

~~Agreement may be reached between the student and the faculty member at any time during the process. Such an agreement ends the grievance.~~

~~(e) — Phase one: pre-grievance hearing activities.~~

~~(i) — Upon discovery of an event the student wishes to grieve, the student may first attempt to resolve the conflict through discussion with the faculty member.~~

~~(ii) — If the matter is not resolved from any such student/faculty member discussion, the student may then initiate discussion with the department chair.~~

~~(iii) — If the matter is not resolved from the student/chair discussion, the student may then initiate discussion with the dean. This discussion with the dean is to occur as soon as possible after the student's discussion with the department chair in order to~~

~~meet the time deadline discussed in paragraph (I)(5)(d) of this policy.~~

- ~~(iv) — If the matter is not settled following these discussions, the student may submit a written statement describing the complaint on the standard grievance form available from the office of the provost. This completed form must be submitted to the office of the provost no later than five p.m. the fourth Friday in the semester following the incident. Specifically, the grievance form for incidents occurring in fall semester must be filed no later than five p.m. of the fourth Friday of the subsequent spring semester; the grievance form for incidents occurring in spring or summer semesters must be filed no later than five p.m. of the fourth Friday of the subsequent fall semester.~~
- ~~(v) — The associate provost for academic administration will assess the grievability of the complaint within fifteen university working days of receipt of the grievance form.~~
- ~~(a) — If the complaint is assessed as non-grievable, the student is informed in writing by the associate provost for academic administration and the matter is closed.~~
- ~~(b) — If the complaint is assessed as grievable, the associate provost for academic administration initiates phase two of the grievance process.~~
- ~~(f) — Phase two: grievance hearing.~~
  - ~~(i) — Within five university working days of initiating phase two of the grievance process, the office of the provost shall distribute copies of the completed grievance form to the student, faculty member, department chair, appropriate dean, and the chair of the student academic grievance subcommittee. In addition, the office of the provost shall distribute a~~

~~copy of this grievance procedure, an outline of each party's rights and obligations, and an acknowledgment/response form to the faculty member, department chair, and dean.~~

- ~~(ii) Within six university working days of receiving the completed grievance form, the copy of the grievance procedure, and the outline of each party's rights and responsibilities, the faculty member, department chair, and dean must return the acknowledgment/response form to the office of the provost. All these documents together constitute the grievance packet.~~
- ~~(iii) The office of the provost shall submit the entire grievance packet to the chair of the student academic grievance subcommittee within two university working days of receipt of all acknowledgment/response forms.~~
- ~~(iv) Upon receipt of the completed grievance packet, the chair of the student academic grievance subcommittee will form a grievance hearing panel to consider the complaint.~~
- ~~(v) A hearing date, time, and place will be established by the chair of the student academic grievance subcommittee. All affected parties will be notified so as to afford the parties an opportunity to be present. The grievance hearing notice shall be delivered by regular U.S. mail delivery, certified mail, or hand delivery. The notice shall also be sent by email to the student's university email address. If the faculty member cannot or refuses to participate in the hearing, the faculty member's department chair shall provide a substitute who will exercise all the rights and responsibilities of the absent faculty member.~~
- ~~(vi) Grievance hearing principles and procedures.~~



- ~~(a) — No member of a grievance hearing panel will hear a case directly affecting him/her.~~
- ~~(b) — Prior to the hearing, the grievance hearing panel members shall review all written materials in the grievance packet submitted by the affected parties.~~
- ~~(c) — The grievance hearing panel shall consider only the information contained in the grievance packet.~~
- ~~(d) — During the hearing, the following rights are guaranteed to the student and the faculty member: the right to be present, the right to be accompanied by an advisor of their choice, the right to speak in support of their argument, the right to present information directly supporting their written items in the grievance packet, including oral testimony, and the right to refute information presented.~~
- ~~(e) — After hearing both sides, the grievance hearing panel shall meet in closed session to review the information presented and reach a decision.~~
- ~~(f) — Both parties shall be informed of the grievance hearing panel's decision as soon as reasonably possible.~~
- ~~(vii) — Documentation of grievance hearing panel's decision:
  - ~~(a) — A written statement of the grievance hearing panel's decision shall be prepared and signed by the panel's chair.~~
  - ~~(b) — This written statement of the grievance hearing panel's decision shall be forwarded to the student, faculty member, department~~~~

~~chair, dean, and provost within three university working days of the grievance hearing panel's decision.~~

~~(e) — The forwarding of the written statement of the grievance hearing panel's decision ends the student academic grievance subcommittee's involvement in the disposition of the grievance.~~

~~(d) — A file of all pertinent documents of all grievances shall be kept by the office of the provost.~~

~~(viii) — At the discretion of the chair of the student academic grievance subcommittee, the timelines stated in paragraphs (I)(6)(a) to (I)(6)(g) of this policy may be extended.~~

~~(g) — Phase three: appeal.~~

~~(i) — There are three factors upon which a written appeal of the grievance hearing panel's decision may be based:~~

~~(a) — New information. Information not available at the time of the original hearing is found by the student or faculty member.~~

~~(b) — Insufficient evidence. The student or faculty member believes that evidence presented was not sufficient to justify the decision.~~

~~(c) — Procedural violations. The student or faculty member alleges one or more violations of the procedures leading up to and including the grievance hearing.~~

~~(ii) — Either the student or the faculty member may file a written appeal of the grievance hearing panel's decision. Such an appeal shall be filed at the office~~

~~of the provost within six university working days of receipt of the written notification of the grievance hearing panel's decision.~~

- ~~(iii) — The office of the provost shall forward the written appeal to the chair of the student academic affairs committee within two university working days.~~
- ~~(iv) — If the basis of the appeal is new information or insufficient evidence, as noted in paragraph (I)(7)(a) above, the appeal shall be reviewed by a quorum of the student academic affairs committee or an appeal panel of the student academic affairs committee within twelve university working days of receipt by the chair of the student academic affairs committee of the written appeal forwarded from the office of the provost. Such appeals are not heard as original cases and may be concluded by the student academic affairs committee on the basis of the written information provided.~~
- ~~(v) — If the basis of the appeal is alleged procedural violations, as noted in paragraph (I)(7)(a)(iii) of this policy, within twelve university working days of receipt of the written appeal forwarded from the office of the provost, the chair of the student academic affairs committee shall convene an appeal panel to consider the appeal. This panel shall rule only on whether procedural violations occurred.~~
- ~~(a) — If the appeal panel rules that no procedural violations occurred or that any procedural violations were minor and did not affect the grievance hearing panel's decision, the decision of the grievance hearing panel is upheld and the matter is closed.~~
- ~~(b) — If the appeal panel rules that procedural violations occurred and were substantive, the case will be referred to the full student academic affairs committee for further deliberation. Within twelve university working days of the appeal panel's~~