

14. Unauthorized distribution, possession, or use of any controlled substance or distribution, possession, or use of any illegal drug;
15. Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, or knives with a blade of longer than 5 ½ inches, including the storage of any item that falls within the category of a weapon in a vehicle parked on HT property;
16. Unauthorized presence on or use of University premises, facilities, or property, including camping, building a fire, or use of an unauthorized heating, cooking, or electrical device;
17. Unauthorized videotaping and/or audio taping of individuals and/or activities without the consent of the person(s);
18. Intentionally or recklessly misusing or damaging fire or other safety equipment;
19. Exposing one's own genitals, buttocks, or breasts, urination, defecation, or sex acts in a public place;
20. Theft or misuse of property or services on University premises, at University sponsored activities, or from University organization(s) or group(s), or knowing possession of stolen property or use of stolen services on University premises, at University-sponsored activities, or from University organization(s) or group(s);
21. Substantially interfering with the freedom of expression of others;
22. Failure to promptly meet financial responsibilities to the institution, including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity;
23. Failure of any student to accurately report an off-campus arrest by any law enforcement agency for any crime (including non-custodial or field arrests) to the Office of Student Conduct within seventy-two (72) hours of release;
24. Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
25. Interfering with normal University functions, University-sponsored activities, or any function or activity on University premises including, but not limited to, studying, teaching, public speaking, research, University administration, or fire, police, or emergency services;
26. Disregarding or failing to comply with the directive of a hearing body or University official and/or failure to identify oneself to these persons when requested to do so, including, but not limited to: Campus Safety, Residence Life staff, faculty member, cafeteria staff, or a campus safety or law enforcement officer acting in the performance of the officer's duties;
27. Disruption of University or other computer systems; unauthorized alteration, disclosure, gaining or providing unauthorized access; destruction of University or other computer files or systems; violation of copyright or proprietary material restrictions connected with the University or other computer systems, programs, or materials;
28. Violation of Information Technology's Acceptable Use Policy;
29. Posting information and/or communication that violates the Code on the Internet or other public spaces;
30. Disruptive behavior in class, including, but not limited to: cellular phone use while in session, profanity, acting in a hostile manner toward others, and non-compliance with the professor;

31. Violation of any government laws or ordinances, or of any University policies, or regulations. University departments have additional policies which include, but are not limited to: Residence Life, Campus Life, Library, Information Technology, Facilities, and Campus Safety;
32. Falsification, distortion, or misinterpretation of information before a hearing body;
33. Disruption or interference with the orderly conduct of disciplinary hearing proceedings;
34. Knowingly instituting disciplinary proceedings without cause;
35. Attempting to discourage an individual's proper participation in, or use of, the disciplinary system;
36. Attempting to discourage the impartiality of a member of a disciplinary body prior to or during the course of a disciplinary proceeding;
37. Harassment (verbal, physical, or written) or intimidation of a member of a disciplinary body, witness, complainant, or respondent prior to, during or after a disciplinary proceeding;
38. Knowingly violating the terms of any disciplinary sanction imposed in accordance with this policy; or
39. Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

7.5.2.9 Composition of Hearing Bodies

7.5.2.9.1 University Conduct Council

The University Conduct Council is established to hear non-academic disciplinary matters involving students in any division of Huston-Tillotson University. The University Conduct Council is composed of:

1. A Chair, appointed by the Provost and Vice President for Academic Affairs, who shall be a faculty or staff member and a voting member of the Council;
2. One voting faculty member appointed by the Provost and Vice President for Academic Affairs;
3. One voting staff member appointed by the Provost and Vice President for Academic Affairs; and
4. One to two voting student members appointed by the Dean of Student Affairs.

There shall be a pool of Council members that will receive at least 8 hours of training by the Dean of Students and Title IX Coordinator annually. The pool of faculty and staff shall be appointed by the Provost and Vice President for Academic Affairs. The pool of students shall be appointed by the Dean of Student Affairs. In complaints involving discrimination, sexual misconduct, or other sensitive issues, the Dean of Student Affairs will usually use three faculty/staff members for the panel. The Council must have three members present in order to convene. If a faculty or staff member, the Chair may count as the faculty or staff representative. For quorum, the three Council members must include a student, faculty, and staff member except in complaints involving discrimination, sexual misconduct, or other sensitive issues. If alternates are not available from the pool of Council members and a quorum cannot be reached, substitutes may be appointed as described above.

7.5.2.9.2 University Conduct Appeal Board

The University Conduct Appeal Board will be established at the beginning of every academic year to hear appeals from cases heard by any hearing body and will receive at least 8 hours of

training by the Dean of Students and Title IX Coordinator annually. The Board shall be composed of:

1. One voting staff member appointed by the Provost and Vice President for Academic Affairs;
2. One voting faculty member appointed by the Provost and Vice President for Academic Affairs; and
3. One voting student appointed by the Dean of Student Affairs.

If a faculty/staff panel is used to hear a sensitive issue, the Appeals Panel will also be comprised of only faculty/staff members. Substitutes may be selected as described above. A member of the University Appeal Board may not deliberate on or vote on any decision if that member participated in any way in the decision being appealed.

7.5.2.9.3 Conduct Investigation and Hearing Officers

Conduct Investigation and Hearing Officers are chosen from a pool of annually trained faculty or staff members selected by the Dean of Student Affairs.

7.5.2.10 Conduct Procedures – General

Disciplinary proceedings may be instituted against a student, group, or student organization that is alleged to have violated the Code. The proceedings are conducted in a manner that ensures fairness and is not restricted by the rules of evidence governing criminal and civil proceedings. Huston-Tillotson University (HT) is committed to providing a student conduct process that is fair and reasonable and not arbitrary or capricious. Conduct decisions will be based on the preponderance of evidence meaning that it is determined that it is more likely that prohibited conduct occurred than it did not. Accordingly, the University maintains a process that is educational, provides equal concern and dignity to all persons.

The general procedures outline the process HT will use to review alleged acts of misconduct.

7.5.2.10.1 Conflict Resolution

The Dean of Student Affairs has discretion to refer a complaint for appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution may be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Dean of Student Affairs may also suggest that complaints that do not involve a violation of the *Code of Student Conduct* be referred for appropriate conflict resolution.

7.5.2.10.2 Conduct Process – Individual Students

Anyone wishing to report an alleged incident of misconduct under this Code may make such report to the Department of Campus Safety or the Dean of Student Affairs. Reports generated by Residence Life, Campus Safety, and other University offices will be forwarded to the Dean of Student Affairs. A determination will be made whether action should be taken in response to a report by the Dean of Student Affairs. If it is determined that further action should be taken, the case will be assigned to a Conduct Officer by the Dean of Student Affairs or the Dean may serve as the Conduct Officer. For certain residence hall violations, the Dean may choose to have those matters handled through the Residence Hall Director.

7.5.2.10.2.1 Preliminary Meeting

The Office of the Dean of Student Affairs will notify the student in writing that he/she must make an appointment for a preliminary meeting within five days of the date of the written notice. Failure to schedule or attend this preliminary meeting will automatically result in the issuance of formal charges as described below.

The Conduct Officer will hold a preliminary meeting with the accused student to review the report as well as ascertain the accused student's perspective of the incident. The Conduct Officer will refer the student to the Code of Community Standards and Conduct. Copies of the Code are available on-line at the HT website and in the office of the Dean of Student Affairs. A copy will be provided upon request. In this meeting, the accused student will be asked to decide whether or not he/she wishes to accept responsibility for having violated the Code.

If a student accepts responsibility for having violated the Code and thereby waives the option of the hearing, the student shall have the following options as to how sanctions will be determined:

1. The student may have the Conduct Officer decide the appropriate sanction(s). The sanction(s) awarded shall be stated in writing and placed in the student's file; or
2. The student may choose to meet with another Conduct Officer to have that person recommend appropriate sanction(s).

This selection shall be made in writing and recorded by the Conduct Officer. A copy of this selection shall be maintained in the student's file.

If a student does not accept responsibility for having violated the Code, the Conduct Officer will conduct an investigation to determine if the matter will proceed to formal charges, or if it can be disposed of administratively by agreement of the parties involved on a basis acceptable to the Conduct Officer.

7.5.2.10.2.2 Investigation

The investigator(s) will take the following steps if not already completed by the Dean of Students or designee:

1. Initiate any necessary remedial actions on behalf of the victim (if any);
2. Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a University proxy or representative;
3. Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;
 - a. If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim;
 - b. Notify the victim of whether the University intends to pursue the complaint regardless of their involvement and inform the victim of their rights in the process and option to become involved if they so choose;
 - c. Preliminary investigation usually takes between 1-7 business days to complete;
4. If indicated by the preliminary investigation and authorized by the Dean of Student Affairs, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated University policy, and to determine what specific policy violations should serve as the basis for the complaint;
 - a. If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;
 - b. A comprehensive investigation usually takes between one day and two weeks;
5. Meet with the party bringing the complaint to finalize the Party bringing the complaint's Statement, which will be drawn up by the investigator or designee as a result of this meeting;

6. Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding student, who may be given notice of the interview prior to or at the time of the interview;
 - a. Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator(s);
7. Interview all relevant witnesses, summarize the information they are able to share and have each witness sign the summary to verify its accuracy;
8. Obtain all documentary evidence and information that is available;
9. Obtain all physical evidence that is available;
10. Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;
11. Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
12. Present the investigation report and findings to the responding student, who may:
 - a. accept the findings,
 - b. accept the findings in part and reject them in part,
 - c. or may reject all findings;
13. Share the findings and update the party bringing the complaint on the status of the investigation and the outcome.

7.5.10.2.3 Findings

The following options (1-3) describe how to proceed depending on whether the responding student is found responsible and whether the Responding Student accepts or rejects the findings and/or the sanctions either in whole or in part.

1. The Responding Student is Found “Not Responsible”

Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed. The party bringing the complaint, if any, may request that the Dean of Student affairs and/or Title IX Coordinator, as applicable, review the investigation file to possibly re-open the investigation or convene a hearing. The decision to re-open an investigation or convene a hearing rests solely in the discretion of the Dean of Student affairs or Title IX Coordinator in these cases, and is granted only on the basis of extraordinary cause.

2. The Responding Student Accepts a Finding of “Responsible”...

- a. The Responding Student Accepts a Finding of “Responsible” and Accepts the Recommended Sanctions.
- b. Should the responding student accept the finding that they violated University policy, the Investigator will recommend appropriate sanctions for the violation, having consulted with the Dean of Student Affairs and/or Title IX Coordinator, as appropriate. In cases involving discrimination, recommended sanctions will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the University community. If the responding student accepts these recommended sanctions, the sanctions are implemented by the Dean of Student Affairs and the process ends. [There will be a three-day period for review

between the date of acceptance and when the resolution becomes final. Should the responding student decide to reject the sanctions within that time period, Option 2B, below, will apply]. This outcome is not subject to appeal.

3. The Responding Student Accepts a Finding of “Responsible” and Rejects the Sanctions Recommended.

The student shall have the following options for a hearing:

- a. The student may choose a hearing with another Conduct Officer serving as the hearing officer and to determine the appropriate sanction(s), if any; or
- b. The student may choose a hearing with the University Conduct Council serving as the hearing panel which will be convened within 7 business days, barring exigent circumstances, and to determine the appropriate sanction(s), if any.

This selection shall be made in writing and recorded by the Conduct Officer. A copy of this selection shall be maintained in the student’s file.

If an accused student fails to respond to any notification in writing concerning the conduct process, the case will be automatically referred to a hearing with the University Conduct Council.

4. Responding Student Rejects the Findings Completely or In-part

A. Responding Student Rejects the Findings Completely

1. The student shall have the following options for a hearing:

- a. The student may choose a hearing with another Conduct Officer serving as the hearing officer and to determine the appropriate sanction(s), if any; or
- b. The student may choose a hearing with the University Conduct Council serving as the hearing panel which will be convened within 7 business days, barring exigent circumstances, and to determine the appropriate sanction(s), if any.

This selection shall be made in writing and recorded by the Conduct Officer. A copy of this selection shall be maintained in the student’s file.

2. If an accused student fails to respond to any notification in writing concerning the conduct process, the case will be automatically referred to a hearing with the University Conduct Council.

- a. At the hearing, the investigator(s) will present their report to the panel, the panel will hear from the parties, and any necessary witnesses. The investigation report will be considered by the panel, which renders an independent and objective finding. Full panel procedures are detailed below.
- b. If the panel finds the responding student not responsible for all violations, the Dean of Student Affairs will timely inform the parties of this determination and the rationale for the decision in writing. This determination is subject to appeal by any party to the complaint. Appeal review procedures are outlined below.
- c. If the panel finds a violation, it will recommend a sanction/responsive action to the Dean of Student Affairs, who will confer with the Title IX Coordinator as necessary and, render a decision within 5 business days of the hearing and timely notify the parties orally, as well as in writing. An appeal of sanction(s) may be filed by any party to the complaint as detailed below.

B. Responding Student Accepts the Findings in Part and Rejects in Part

1. The student shall have the following options for a hearing:

- a. The student may choose a hearing solely on the disputed allegations with another Conduct Officer serving as the hearing officer and to determine the appropriate sanction(s), if any; or
The student may choose a hearing with the University Conduct Council solely on the disputed allegations serving as the hearing panel which will be convened within 7 business days, barring exigent circumstances, and to determine the appropriate sanction(s), if any.
2. This selection shall be made in writing and recorded by the Conduct Officer. A copy of this selection shall be maintained in the student's file. If an accused student fails to respond to any notification in writing concerning the conduct process, the case will be automatically referred to a hearing with the University Conduct Council.

For all findings holding a responding student responsible for a violation, the University will follow the sanctioning process detailed below. If the Panel finds the responding student "Not Responsible" on any of the contested allegations, the process will move to the Sanctioning Phase on only the uncontested allegations, as detailed below.

7.5.10.2.4 Special Hearing Provisions for Sexual Misconduct, Discrimination and Other Complaints of a Sensitive Nature

All special hearings for sexual misconduct, discrimination, and other complaints of a sensitive nature under this section will be conducted by a three member Conduct Council drawn from the panel pool. For sexual misconduct, discrimination and other complaints of a sensitive nature, whether the alleged victim is serving as the party bringing the complaint or as a witness, alternative testimony options may be provided, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify from another room via audio or audio/video technology. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the responding student.

The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be highly relevant by the Conduct Council Chair. All such information sought to be admitted by a party or the University will be presumed irrelevant until a showing of relevance is made, in advance of the hearing, to the Chair. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, or in the form of previous good faith allegations, will always be relevant to the finding, not just the sanction. The parties will be notified in advance if any such information is deemed relevant and will be introduced in the hearing.

The party bringing any complaint alleging sexual misconduct, other behavior falling within the coverage of Title IX and/or a crime of violence will be notified in writing of the outcome of a hearing, any sanctions assigned and the rationale for the decision.

7.5.2.10.5 Conduct Process – Student Organizations

Anyone wishing to report an alleged incident of misconduct under this Code may make such report to the Department of Campus Safety or the Dean of Student Affairs. Reports generated by Residence Life, Campus Security, and other University offices will be forwarded to the Dean of Student Affairs. A determination will be made whether action should be taken in response to a report by the Dean of Student Affairs. If it is determined that further action should be taken, the case will be assigned to a Conduct Officer by the Dean of Student Affairs or the Dean may serve as the Conduct Officer.

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

Recognized fraternity and sorority chapters may be placed under restrictions (e.g., cease and desist), obligations, or other interim action(s) taken by other offices of the University to protect the well-being of specific persons, the community, or property. In cases pertaining to fraternities and sororities, matters will be referred to the respective national office, as appropriate.

The procedure for investigating and charging an individual student with a violation of the Code shall be used when a student organization is charged with a violation of this Code. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization. During student organizational investigations, student organizations, chapters, and/or individual students may be charged. In cases pertaining to student organizations, the organizational or chapter president will represent the organization during all conduct proceedings.

7.5.2.11 Withholding Diplomas and Transcripts

The University reserves the right to place a "hold" on the diploma, degree certification, official transcripts, or registration of a student who has been charged with a conduct violation under this Code even though he/she may have completed all academic requirements. The diploma, degree certification, official transcripts, or registration may be withheld until the conduct charges have been resolved and/or sanction(s) as well as other conduct obligations have been completed.

7.5.2.12 Interim Action

If the Dean of Student Affairs believes that the complaint against the student demonstrates the potential for violence, the student may be placed on interim suspension until a final decision is made regarding the complaint. Interim actions may include separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a campus hearing on alleged violation(s) of the *Student Code of Conduct*.

Within that time, the suspended student may request an immediate hearing from the Dean of Student Affairs to show cause why the interim suspension should be lifted. This hearing may resolve the allegation, or may be held to determine if the interim suspension should be continued. Interim suspension might include, but is not limited to, situations where an individual alleges violent crimes, sexual misconduct, hazing, and harassment. Specifically, a student may be temporarily suspended:

- To protect the safety and well-being of the campus community;
- To protect the student's own safety; or
- Where the student's behavior presents a threat of disruption or interference with normal campus operations.

If the Dean of Student Affairs believes one of these circumstances is present, he or she will consult with the Provost and Vice President for Academic Affairs and alert Campus Safety. An

action plan will be formulated for quickly and safely removing the student from campus while an investigation is conducted and a decision on the merits of the complaint is rendered.

During an interim suspension, a student may be denied access to University housing and/or the University campus/facilities/events. As determined appropriate by the Dean of Student Affairs, this restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible. At the discretion of the Dean of Student Affairs and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the responding student.

7.5.2.13 Hearing Procedures – Conduct Officer and University Conduct Council

The Dean of Student Affairs, Conduct Officer, or University Conduct Council may require any student of the University to attend and/or testify at any hearing or meeting regarding a conduct matter that is covered under this Code. The Dean of Student Affairs, Conduct Officer, or University Conduct Council may request faculty or staff members to attend and/or testify at a hearing or meeting or furnish a written statement.

7.5.2.13.1 Notification

Notification in writing of a hearing before a Conduct Officer or the University Conduct Council as well as the date, time, and place of this hearing will be sent to the student/organizational president at least five (5) calendar days before the scheduled date of the hearing. Notice will be in writing and may be delivered by one or more of the following methods: in person by the Dean of Student Affairs (or designee); mailed to the local or permanent address of the student as indicated in official University records; or emailed to the student's University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.

The letter of notice will:

1. Include the alleged violation and notification of where to locate the *Student Conduct Code* and University procedures for resolution of the complaint; and
2. Direct the responding student to contact the Dean of Student Affairs (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than two business days from the date of delivery of the summons letter.

A meeting with the Dean of student Affairs (or designee) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Dean of Student Affairs (or designee), whether they admit to or deny the allegations of the complaint.

7.5.2.13.2 Hearing by University Conduct Council

The Dean of Student Affairs will appoint one panelist as the Chair for the hearing. The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to notify the Dean of Student Affairs no less than three (3) days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three (3) day notice, or if the responding student fails to appear, the hearing will proceed as scheduled. If the party bringing the complaint fails to appear, the complaint may be dropped unless the University chooses to pursue the allegation on its own behalf, as determined by the Dean of Student Affairs.

The Dean of Student Affairs (or designee), the Chair and the Council will conduct hearings according to the following guidelines:

1. Hearings will be closed to the public.
2. Admission to the hearing of persons other than the parties involved will be at the discretion of the council chair and the Dean of Student Affairs.
3. In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the Dean of Student Affairs may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.
4. The parties have the right to an advisor/advocate of their own choosing, including attorneys. Typically advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the chair and suggest questions to their advisee.
5. The party bringing the complaint, the responding student, the panel, and the Dean of Student Affairs (or designee) will have the privilege of questioning all present witnesses and questioning all present parties (directly or through the Chair, at the discretion of the Chair). Unduly repetitive witnesses can be limited at the discretion of the University Conduct Council Chair and/or the Dean of Student Affairs, or designee.
6. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the council and the Dean of Student Affairs. Formal rules of evidence are not observed. The University Conduct Council Chair and/or the Dean of Student Affairs, or designee may limit the number of character witnesses presented or may accept written affidavits of character instead.
7. All procedural questions are subject to the final decision of the Dean of Student Affairs or University Conduct Council Chair.
8. After a panel hearing, the panel will deliberate and determine, by majority vote, the preponderance of evidence or whether it is more likely than not that the responding student has violated the Student Code of Conduct. The Dean of Student Affairs (or designee) will be available as a resource during all deliberations. At this hearing, a decision of "in violation" or "not in violation" will be made based upon the available information and evidence presented at the hearing, with or without the accused being present. Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The Dean of Student Affairs (or designee) is responsible for informing the panel of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student. The council Chairperson will prepare a written deliberation report and deliver it to the Dean of Student Affairs, detailing the recommended finding, how each member voted, the information cited by the panel in support of its recommendation, and any information the panel excluded from its consideration and why. This report should conclude with any recommended sanctions. This report should not exceed two pages in length and must be submitted to the Dean of Student Affairs within two (2) days of the end of deliberations.
9. The Dean of Student Affairs will consider the recommendations of the panel, may make appropriate modifications to the panel's report and will then render a decision and inform the responding student and party bringing the complaint (if applicable by law or University of the final determination within 3 days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: in person by the Dean of Student Affairs (or designee); mailed to the local or permanent

address of the student as indicated in official University records; or emailed to the student's University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

10. There will be a single verbatim record, such as an audio recording, for all panel hearings. Deliberations will not be recorded. The record will be the property of the University and maintained according to the University's record retention policy.

7.5.2.13.3 Advisors

All parties are entitled to an advisor of their choosing to guide and accompany them throughout the campus resolution process. The advisor may be a friend, mentor, family member, attorney, Chapter advisor in the case of a fraternity or sorority, or any other supporter a party chooses to advise them.

The parties are entitled to be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake, interviews, hearings and appeals. Advisors should help their advisees prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The university cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the university is not obligated to provide one.

Accused individuals may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)
- SAVE (<http://www.saveservices.org>),

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>), or
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim's Bar Association.

All advisors are subject to the same campus rules, whether they are attorneys or not. Advisors may not address campus officials in a meeting, interview or hearing unless invited to. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be given an opportunity to meet in advance of any interview or hearing with the administrative officials conducting that interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have and allows the university an opportunity to clarify the role the advisor is expected to take. Advisors are expected to refrain from interference with the university investigation and resolution.

Any advisor who steps out of his/her role in any meeting under the campus resolution process will be warned once and only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, he/she will be asked to leave the meeting. When an advisor is removed from a meeting, the meeting will typically continue without the advisor present. Subsequently, the Title IX Coordinator or a deputy will determine whether the advisor may be reinstated, may be replaced by a different advisor, or whether the party will forfeit the right to an advisor for the remainder of the process.

The university expects that the parties will wish to share documentation related to the allegations with their advisors. The university provides a consent form that authorizes such

sharing. The parties must complete this form before the university is able to share records with an advisor. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with 3rd parties, disclosed publicly, or used for purposes not explicitly authorized by the university. The university may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the university's privacy expectations.

The university expects an advisor to adjust their schedule to allow them to attend university meetings when scheduled. The university does not typically change scheduled meetings to accommodate an advisor's inability to attend. The university will however make provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video and/or virtual meeting technologies as may be convenient and available. A party may elect to change advisors during the process, and is not required to use the same advisor throughout.

1. At least three (3) days before any scheduled formal hearing, the following will occur:
 - a. The responding student will deliver to the Dean of Student Affairs (or designee) a written response to the complaint;
 - b. The responding student will deliver to the Dean of Student Affairs (or designee) a written list of all witnesses for the University/College to call at the hearing;
 - c. The responding student will deliver to the Dean of Student Affairs (or designee) all physical evidence the student intends to use or needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Dean of Student Affairs can arrange for its presence;
 - d. The party bringing the complaint will deliver to the Dean of Student Affairs (or designee) a written list of all witnesses for the University to call at the hearing;
 - e. The party bringing the complaint will deliver to the Dean of Student Affairs (or designee) all items of physical evidence needed at the hearing and will indicate who has possession or custody of such evidence, if known, so that the Dean of Student Affairs can arrange for its presence;
 - f. The party bringing the complaint and the responding student will notify the Dean of Student Affairs (or designee) of the names of any advisors/advocates who may be accompanying the parties at the hearing.
5. The Dean of Student Affairs (or designee) will ensure that the hearing information and any other available written documentation is shared with the parties at least two (2) days before any scheduled hearing. In addition, the parties will be given a list of the names of all the panelists in advance. Should any party object to any panelist, that party must raise all objections, in writing, to the Dean of Student Affairs immediately. Hearing officers will only be unseated if the Dean of Student Affairs concludes that their bias precludes an impartial hearing of the complaint. Additionally, any panelist who feels they cannot make an objective determination must recuse themselves from the proceedings.

Both the complainant and the accused student/organizational president are allowed to:

1. Be present at the hearing until such time as the hearing body retires to deliberate the decision. However, if either the accused, complainant, or their advisor(s) fail(s) to appear at the hearing, the hearing may be held in the absence of either or both;
2. Present tangible and documentary evidence; and evidence by witness, or signed written statements of witnesses who do not attend the hearing, including the signed written statements of the complainant or the accused. If witnesses fail to appear, the hearing shall be held in their absence;

It is the responsibility of the accused student and the complainant to notify any additional witnesses not called by the hearing body. Additional witnesses must have been disclosed to