



HEARING GUIDELINES

Hearings are closed and confidential.

? The party charged with a violation and the Judicial Board Members have the right to present questions for witnesses who testify orally.

? After the decision has been made, the Coordinator of Judicial Programs or designee is responsible for forwarding the written decision of the Judicial Board to the charged party. This decision shall contain the findings of the board, sanction(s), if apply, and a statement regarding the right to appeal and the appeal procedures.



The community of scholars at Bowie State University is dedicated to personal and academic excellence.

Choosing to join the community obligates each member to a code of civilized and ethical behavior.

(While at BSU.....)

I will practice personal & academic integrity;

I will respect the rights and property of others;

I will discourage bigotry, while striving to learn from differences in people, ideas and opinions;

I will demonstrate concern for others, their feelings and their need for conditions which support their work and development.

Allegiance to these ideas requires that you refrain from and discourage behaviors which threaten the freedom and respect every individual deserves.



STUDENT'S GUIDE TO THE

JUDICIAL HEARING PROCESS



Office of Student Affairs
Judicial Programs

14000 Jericho Park Road
Bowie, MD 20712
(301) 860-3394

RIGHTS & RESPONSIBILITIES

OPTIONS FOR RESOLUTION

Informal Administrative Hearing

An Administrative Hearing occurs when the student has accepted responsibility for all charges in a case and the Hearing Officer is able to sanction the student.

Formal Administrative Hearing

When a student does not accept responsibility for charges or accepts responsibility for some but not all charges, a Formal Administrative Hearing may be held. The Coordinator of Judicial Programs will interview all witnesses, review facts, determine responsibility and, if appropriate, decide upon a suitable sanction.

Residence Hall Conduct Hearing

An Administrative hearing or a formal Board Hearing conducted by the Coordinator of Rights and Responsibilities for Residence Life, solely designed to hear cases involving only residence hall violations.

University Judicial Hearing

This formal hearing occurs before the University Judicial Board comprised of students, faculty and staff members.

Mediation

Mediation is a structured process where a neutral third party assists disputing parties in identifying and satisfying their interests relative to the dispute. Mediation is an option only when all the parties involved and the Hearing Officer agree to use it.

? All statements, information or comments given during the hearing shall be held in strictest confidence by the Judicial Officer/Board member, and advisors before, during and after deliberation in keeping with relevant law and policy.

? You have the right to be notified in writing of your rights in the judicial process.

? You have the right to be notified in writing of any charges in sufficient time to prepare for a hearing.

? You have the right to be notified of the date, time and place of Judicial hearings at least three University business days prior to the hearing.

? You have the right to know the nature and source of the evidence used in a hearing process.

? A student may elect not to appear at the hearing, in which case the hearing shall be conducted in the charged student's absence.

? A student may refuse to answer any questions or make a statement. However, the hearing authority shall make its decision solely on the basis of information introduced at the hearing.

? A student may challenge hearing board members or officers for cause. Cause is defined as: personal bias, prior involvement or inappropriate access to information concerning the incident.

? You must inform the Office of Judicial Programs or Judicial Affairs Officer of the name(s), address(es) and phone number(s) of any witness(es) you wish to have present at the hearing at least forty-eight (48) hours before the hearing is to occur.

? You may choose to have an advisor present at the hearing. Your advisor may:
...Advise you in preparing and presenting your case.
...Accompany you to the hearing.
...Have access to the materials you receive relating to the case.
...NOT talk directly to the board members, witness(es) or other participants during the hearing.

Appeals

Decisions of the Judicial Board may be appealed to the Dean for Student Affairs. The only reasons for an appeal are:

? The Judicial Board committed a procedural error in hearing the case which significantly prejudices the hearings.

? NEW evidence, which could not have been available at the time of the hearing and which is material to the outcome of the case.

? To appeal, a student must submit a written statement specifically addressing the reason for appeal. This letter must be submitted to the Dean for Student Affairs within ten (10) University business days of receipt of the original written decision.

This description of student rights and hearing procedures is intended to provide a general understanding of the Judicial Hearing Process. The contents of this description are summarized from the Bowie State University Student Handbook.

? It should be understood that these procedures differ significantly from criminal or civil court procedures. The purpose of this non-adversarial investigative process is to complement the institution's effort to maintain a community which fosters the ethical development and responsible judgment of its students. Decisions regarding student's responsibility for an alleged violation are based on a **(preponderance of the evidence presented)**.

? Parties charged with violations are expected to participate fully in the University disciplinary process. A prompt response to all correspondence is expected. If charged parties do not respond by the required date, they may forfeit some of their rights, including a choice of hearing options. Should this occur a hearing will be scheduled before the University Judicial Board. Charged parties are notified of the hearing date, time and location; the process is completed with or without the benefit of their participation. All related correspondence is sent to the charged parties' address on file with the University.