

## If I disagree with my sanctions, what are my options?

You may submit an appeal petition letter to the University Judicial Hearing Board c/o the Office of the Dean of Students and Judicial Affairs in Tompkins, Suite 203.

## APPEAL PROCEDURES

### What are grounds for an appeal?

Per the Student Codes of Conduct the following are grounds for an appeal:

1. The sanction is substantially disproportionate to the offense.
2. The procedures provided for in the Student Conduct Code were not materially followed resulting in significant prejudice to the student.
3. New, relevant evidence is available which in the exercise of reasonable diligence could not have been produced at the time of the hearing.
4. The decision is not supported by substantial evidence.

### If I'm in the appeal process, am I required to complete my sanctions by their assigned deadline?

No. Once a letter of appeal has been submitted to the Office of the Dean of Students and Judicial Affairs all sanctions are held in abeyance until the University Judicial Hearing Board hears the appeal, unless otherwise stated in your decision letter. If sanctions are upheld, you will be issued new deadlines for completion by the University Judicial Hearing Board.

### Will I appear before the University Judicial Hearing Board?

No. Appeals are only considered in writing and the Committee is provided your written appeal along with information from your incident.

### If I submit an appeal, how will I receive the University Judicial Hearing Board's decision?

You will receive a decision letter via your university email account, in the same fashion that you received prior judicial communication.

### Who is on the University Judicial Hearing Board?

The University Judicial Hearing Board is made up of students, faculty, staff, and resident advisors with the exception of The University Sexual Misconduct Board shall be comprised of at least five (5) and not more than seven (7) members. Membership shall include faculty and staff selected by the Judicial Officer and approved by the Dean of Students.

### Are my disciplinary records confidential?

Records of student conduct actions are maintained in the Office of the Dean of Students and Judicial Affairs in compliance with the Family Educational Rights and Privacy Act (FERPA), Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), Alabama State law, and University regulations. Student conduct records are maintained separate and apart from all other student records.

Such record will be maintained for seven years after the date of the last incident which led to the initiation of disciplinary action. In cases where the final disposition is an expulsion, the Office of the Dean of Students retains student discipline records indefinitely. Disciplinary records and related information shall be made available to hearing boards and university personnel as necessary. Upon receipt of a request from professional schools, graduate programs, employers or others for the disciplinary records of a student, after the student provides an appropriate confidentiality waiver, the Office of the Dean of Students and Judicial Affairs will report COC violations consistent with attendant record keeping policies outlined above and align reporting with the educational underpinnings of a university disciplinary process.

### I have a disciplinary record. Can I participate in leadership opportunities on campus?

All students must receive clearance from the Office of the Dean of Students and Judicial Affairs. Any student with a judicial record may lose the opportunity to participate in a Leadership opportunities.

### Mission statement

Tuskegee University is a national, independent, and state-related institution of higher learning that is located in the State of Alabama. The university has distinctive strengths in the sciences, architecture, business, engineering, health, and other professions, all structured on solid foundations in the liberal arts. In addition, the University's programs focus on nurturing the development of high-order intellectual and moral qualities among students and stress the connection between education and the highly trained leadership Americans need in general, especially for the work force of the 21st Century and beyond. The results we seek are students whose technical, scientific, and professional prowess has been not only rigorously honed, but also sensitively oriented in ways that produce public-spirited graduates who are both competent and morally committed to public service with integrity and excellence.

Operating within the context of the university's mission, the Office of the Dean of Students and Judicial Affairs seeks to maintain the university's academic environment by educating and upholding community standards. The Office of the Dean of Students and Judicial Affairs supports the educational mission of the university by administering the Student Conduct Code in a manner that educates and holds Students accountable for Student Conduct Code violations and helps Students grow into more responsible and community-minded persons.

We live in a **community of scholars.**

**TUSKEGEE**  
UNIVERSITY

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Office of the Dean of Students  
and Judicial Affairs  
Division of Student Affairs

## JUDICIAL PROCESS

### I received a letter from Judicial Affairs. What should I do next?

Upon the filing of charges, the named student(s) will receive a Notice of Charge and will have two (2) business days to call the Office of the Dean of Students and Judicial Affairs to schedule a Disciplinary Conference. The Notice will contain a statement of the charges as outlined by the Codes of Conduct and a summary of the facts upon which the charges are based including the date and location of the incident. If a student does not respond to a Notice of Charge, the student may receive an in absentia finding.

If you have been assigned a hearing, attend the hearing. If not, call The Judicial Affairs Officer who sent you the letter (their phone number is provided in the letter).

### If I have questions about the judicial process where should I go?

Please contact the Office of the Dean of Students and Judicial Affairs.

### I would like to view a copy of the incident report prior to my hearing, how do I receive that?

If you live on campus and a residence life report has been generated, it will be included in the allegation letter sent from The Judicial Affairs Officer assigned to your incident. All other reports, including, but not limited to, Public Safety Reports, will be made available to you in the Office of the Dean of Students and Judicial Affairs, Tompkins, Suite 203; (334) 727-8422.

### Disciplinary Conference

At the Disciplinary Conference, the student(s) will meet with a member of the Dean of Students' staff to discuss the nature of the conduct reported, the student's responsibility for the allegations, and the options to resolve the matter. The student(s) will also be advised of the range of possible sanctions.

### Disciplinary Conference Outcomes.

At the end of the Disciplinary Conference the student(s) or group of students may be found not responsible, the Office of the Dean of Students and Judicial Affairs staff may issue a warning letter, the student(s) or group of students and the Office of the Dean of Students and Judicial Affairs staff may sign a Voluntary Administrative Review or the Office of the Dean of Students and Judicial Affairs staff may issue a Summary Administrative Review. In cases which may result in expulsion, suspension, or removal from housing imposed or deferred, the matter may be referred to a University Judicial Hearing Board.

- A. Finding of Not Responsible: After a review of the facts the student(s) or group of students may be found not responsible for some or all the charges after the Disciplinary Conference.
- B. Insufficient Information: If the Office of the Dean of Students and

Judicial Affairs staff concludes that there is insufficient information to hold the student(s) or group of students responsible for a violation of the Codes of Conduct, the case will be closed as Insufficient/Not Responsible. The University may make an educational assignment at its discretion.

- C. Warning Letter/Responsible: The university may provide notice to a student that her or his alleged behavior may have violated University expectations and if repeated such behavior may be subject to the conduct process. The university may make an educational assignment at its discretion. A warning is not a formal disciplinary record and cannot be appealed.
- D. Voluntary Administrative Agreement/ Responsible: If the Office of the Dean of Students and Judicial Affairs staff and the student(s) or group of student(s) can agree on the substantive facts in the case and the recommended sanction the case can be resolved by both parties signing a Voluntary Administrative Agreement. A signed Administrative Agreement constitutes acceptance of the sanction(s) and a waiver of a hearing or appeal.

Summary Administrative Review/Responsible: If the student(s) or group of student(s) agrees with the facts in a case, but disputes the appropriateness of the recommended sanctions, and the matter will not result in expulsion, suspension and/or removal from housing deferred or imposed, the Office of the Dean of Students and Judicial Affairs staff will issue a Summary Administrative Review.

- E. Hearing Board: In cases which may result in expulsion, suspension and/or removal from housing deferred or imposed, and where the student(s) or group of student(s) and the Office of the Dean of Students and Judicial Affairs staff cannot agree on the facts and/or sanctions, the matter will be referred to a Hearing Board.

### I want to bring a witness to my judicial hearing. How do I do that?

Notify the Judicial Affairs Officer in advance if you plan to bring a witness or witnesses to the hearing. The Judicial Affairs Officer will meet with you privately first. The Judicial Affairs Officer will then meet with each witness individually. Witnesses should be individuals who were witness to the actual incident and/or allegations. Character witnesses are disfavored.

### Am I permitted to have an Advisor at my judicial hearing?

Yes. Please notify The Judicial Affairs Officer in advance if you plan to bring an Advisor to the hearing. Be aware that Advisors must be members of the TU Community (provided that they are not attorneys) and cannot be related to you.

### What happens at a judicial hearing?

The university shall establish appropriate Hearing Boards to conduct hearings concerning alleged violations of the Codes of Conduct that could result in expulsion, suspension and/ or removal from housing deferred or imposed. Appointments to University Judicial Hearing Boards are made by the Dean of Students. Assistance for Charged and Complaining Students:

1. The charged and complaining student(s) may access assistance of an advocate from the university community to represent him/her, provided, however, that such an advocate may not be an attorney.
2. When there is a pending criminal case or when there is a reasonable likelihood that a criminal complaint will be sought against the student(s) arising out of the same facts as the charge(s), the student(s) may, at her or his own expense, be accompanied by an attorney who may not participate in the hearing. Any student who elects to be accompanied by an attorney must notify the Dean of Students at least three business days in advance of the hearing.

After the hearing you will receive a letter from Dean of Students and/or Judicial Affairs Officer informing you of the findings of the hearing and sanctions if applicable.

## SANCTIONING

### What are possible sanctions?

Depending on the offense, possible sanctions include, but are not limited to, disciplinary warnings, fines, educational sanctions, removal from University Housing, suspension and/or dismissal from the University.

Possible sanctions for first alcohol offenses may include, but are not limited to, a disciplinary warning, monetary fine, parental notification and attending an alcohol education program. Sanctions for subsequent alcohol violations may include additional fines, further education programs, removal from housing, probation and/or suspension from the University.

Possible sanctions for first marijuana offenses may include, but are not limited to, disciplinary and/or housing probation, monetary fines, education programs, removal from housing, suspension and/or dismissal from the university.

### How long can I be on probation or suspended from the University?

Depending on your case, you may be placed on probation anywhere from a semester to the remainder of your tenure at the University. Suspensions range from a semester to an indefinite period of time.

### Are the sanctions that I have been assigned consistent with other students' sanctions?

Cases are evaluated on an individual basis. For a list of possible sanctions, please reference the TU Student Handbook and the Code of Conduct, or visit [www.tuskegee.edu](http://www.tuskegee.edu) resources section.

If I don't complete my sanctions, what will happen to me? Failure to complete your sanctions may subject you to further disciplinary action. Please reference your decision letter for potential consequences for not completing your sanctions.