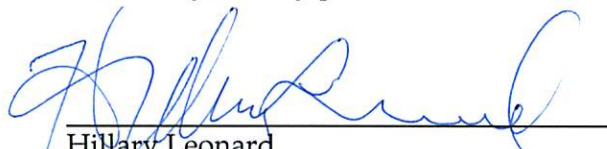


Serial Number #18-19-6

TO: President David Dooley
FROM: Hillary Leonard, Chairperson of the Faculty Senate

1. The attached BILL titled, Report of the Students Rights and Responsibilities Committee, University Manual Sections 5.74.20 and 9.21.22, is forwarded for your consideration.
2. This BILL was adopted by vote of the Faculty Senate on October 18, 2018.
3. After considering this bill, will you please indicate your approval or disapproval. Return the original, completing the appropriate endorsement below.
4. In accordance with Section 10, paragraph 4 of the Senate's By-Laws, this bill will become effective November 8, 2018 three weeks after Senate approval, unless: (1) specific dates for implementation are written into the bill; (2) you return it disapproved; or (3) the University Faculty petitions for a referendum.



Hillary Leonard
Chairperson of the Faculty Senate

October 18, 2018

ENDORSEMENT

TO: Chairperson of the Faculty Senate

FROM: President of the University

- a. Approved .
- b. Approved subject to Notice of the Council on Postsecondary Education ____.
- c. Disapproved ____.



Signature of the President

10.24.18

(date)

**Report of the Student Rights and Responsibilities Committee
October 18, 2018 Faculty Senate Meeting
University Manual Changes**

Proposed University Manual Changes:

5.74.20 Hearing Panels. For each case to be adjudicated, a hearing panel shall be drawn from the ~~Judicial Conduct~~-Board. Panel members shall be appointed from the ~~Judicial Conduct~~ Board members by the ~~Office of Student Life~~ Dean of Students Office, Office of Community Standards. Faculty or staff who have been ~~Judicial Conduct~~ Board members in the past and who are conversant with the current system may be asked to serve on individual hearing panels when a sufficient number of current ~~Conduct~~ Board members ~~is~~ are not available. For non-academic cases, each panel shall comprise ~~four-one~~ student members ~~and~~, one faculty and one staff member. In cases where faculty or staff are unavailable, two faculty or two staff members would be sufficient. For academic cases involving undergraduate students, each panel shall comprise ~~four-two~~ faculty members and ~~three-one~~ undergraduate student members. For academic cases involving graduate students, each panel shall comprise ~~four-two~~ faculty members and ~~three-one~~ graduate student members, ~~including at least one graduate student~~. For cases involving sexual misconduct and relationship violence involving undergraduate students each panel shall comprise three faculty and/or staff members. Each hearing panel shall also have an advisor, to be appointed by the Dean of Students. The role of the advisor, who shall not be considered as a member of the panel, is spelled out in 9.21.10. ~~#04-05-32 #05-06-2E~~

9.21.22 Right to Question Witnesses, Right to View Evidence, and Rules for Written Testimony. The accused student shall have the right to question the complainant and all witnesses through the hearing panel chair, and to view and question all evidence presented to the panel during the hearing. Written testimony from absentee witnesses may be received for consideration only if the panel advisor and its chair deem it appropriate. If the panel advisor and the chair disagree as to the admissibility, they shall refer the matter to the panel for disposition. The authorship of such testimony must be verified by certification from a notary public.

With Changes Incorporated:

5.74.20 Hearing Panels. For each case to be adjudicated, a hearing panel shall be drawn from the Conduct Board. Panel members shall be appointed from the Conduct Board members by the Dean of Students Office, Office of Community Standards. Faculty or staff who have been Conduct Board members in the past and who are conversant with the current system may be asked to serve on individual hearing panels when a sufficient number of current Conduct Board members are not available. For non-academic cases, each panel shall comprise one student member, one faculty and one staff member. In cases

where faculty or staff are unavailable, two faculty or two staff members would be sufficient. For academic cases involving undergraduate students, each panel shall comprise two faculty members and one undergraduate student member. For academic cases involving graduate students, each panel shall comprise two faculty members and one graduate student member. For cases involving sexual misconduct and relationship violence involving undergraduate students each panel shall comprise three faculty and/or staff members. Each hearing panel shall also have an advisor, to be appointed by the Dean of Students. The role of the advisor, who shall not be considered as a member of the panel, is spelled out in 9.21.10. [#04-05-32](#) [#05-06-2E](#)

9.21.22 Right to Question Witnesses, Right to View Evidence, and Rules for Written Testimony. The accused student shall have the right to question the complainant and all witnesses through the hearing panel chair, and to view and question all evidence presented to the panel during the hearing. Written testimony from absentee witnesses may be received for consideration only if the panel advisor and its chair deem it appropriate. If the panel advisor and the chair disagree as to the admissibility, they shall refer the matter to the panel for disposition. The authorship of such testimony must be verified by certification from a notary public.