

FREQUENTLY ASKED QUESTIONS

Student Conduct Process

The following are commonly asked questions by respondents (aka, accused students) involved in the student conduct process. As such, answers are written as if respondents were the only audience. However, the information herein may be generally informative to all parties involved in the process (i.e., complainants, witnesses, etc).

Q. I received an email stating that I need to attend a meeting with someone in the Dean of Students Office? What does this mean?

A. A member of the University (faculty, staff or student) has filed a complaint alleging that you violated one or more University regulations. If you have a **CLASS** conflict or personal emergency (i.e., something over which you have no control), you may call 517 884-0789 and reschedule.

Q. What if I do not attend the meeting?

A. You may be found responsible for violating University policy and sanctioned based solely on the allegation, without the benefit of sharing your own perspective. Alternatively, a hold may be placed on your registration in advance of a formal hearing to review the matter. Registration holds prevent students from registering for classes, adding or dropping classes, obtaining their transcripts, and may eventually drop the student's previously scheduled classes.

Q. What will happen at this initial meeting?

A. You will receive a detailed account of the allegations, and learn about your rights and responsibilities in terms of responding to the allegations. If you accept responsibility for violating University policy, the case may be resolved informally at that time and a sanction issued. You may then appeal that outcome.

Q. What if I accept responsibility?

A. You may ask the administrator to recommend a sanction (which you could then appeal), and the matter can be resolved at that time. You may also request to meet with a hearing board to have them recommend a sanction. In either case, you will be asked to reflect on the incident (what happened and who was affected) and consider ways in which you can learn from the experience and how harm can be repaired.

Q. What if I deny responsibility?

- A. Then you have a right to a formal hearing, during which the burden of proof will be on the complainant to convince a third party (your choice of an *administrator* or *board*) that you violated the regulation(s) in question. There is more about hearings outlined below.

Q. I am also facing potential legal consequences. Isn't this double jeopardy?

- A. *Double jeopardy* is criminal justice concept which prevents a person from being "tried" more than once for the same alleged crime. At issue here is whether or not your alleged behavior violated University policy. Whether or not the alleged behavior also violated the law is irrelevant. By nature of their association with the University, faculty, staff, and students have agreed to abide by University policy, and the University has both the right and responsibility to enforce those policies.

Q. Who has access to my disciplinary/conduct record?

- A. University employees with a "*legitimate educational interest*" may review your education record without your written permission. Student conduct records, which are a specific type of education record, can be viewed by DOSO staff members, REHS Community Directors (for on campus students), hearing boards, appeal officers/boards, the Office of Education Abroad, and the Office of the Registrar. There are additional exceptions, including but not limited instances where there is a health and safety emergency, or if the University receives a lawfully executed subpoena (which is exceedingly rare).

Q. Do conduct records appear on transcripts?

- A. **No.** However, the Office of the Registrar can release disciplinary information to future employers, should they receive a request that is accompanied by a waiver signed by you (common in many job applications). Finally, the University does not need your permission to release your disciplinary record to another college or university, should we become aware that you are seeking to enroll there.

Q. Is my behavior off campus governed by University policy?

- A. Yes, but with some limitations. Regulations which prohibit acts of violence, rioting, harassment, bullying, hazing and sexual/relationship violence all apply off campus, as is misconduct that interferes with a University program, function or service, or a Registered Student Organization (RSO).

Q. What happens if I don't complete a sanction by the deadline given?

- A. A hold will be placed on your registration, and which will prevent you from registering for classes, adding or dropping a class, obtaining a transcript, and other University services.

Q. Can I appeal the outcome of my case? If so, who hears the appeal?

- A. You may appeal an adverse decision on the basis that: 1) You should not have been found responsible (by a hearing board or administrator); 2) The sanction is too harsh; 3) Proper procedures were not followed; and 4) The board or administrator who decided your case had a conflict of interest. All first level appeals are reviewed by the University Student Appeals Board (comprised of faculty, staff and students). Where suspension or dismissal are recommended, a final appeal may be submitted to the Dean of Students.

Q How are members of hearing boards selected?

- A. Student members are appointed by the appropriate student governing body (RHA, ASMSU or COGS). Faculty members are nominated thru Academic Governance and are confirmed by the President. Staff are appointed by Human Resources.

Q May I have someone accompany me to a formal hearing?

- A. You may invite a faculty, staff or student member of the MSU community to join you as an advisor. However, advisors may not represent you at a hearing, and generally may not speak for you. An advisor can be most helpful in terms of preparing for a hearing, and offering support or advice during the hearing itself.

Q. What happens if I leave the University before this is resolved?

- A. The process may continue without you. In addition, we may place a hold on your registration in order to prevent you from obtaining transcripts or seeking reenrollment at a later date.