

## **Procedures for Appeal through the President to the Board of Regents**

1. Any student desiring to appeal a decision of the University Disciplinary Committee for review by the Board of Regents shall do so by filing a written statement of notice of intent to appeal with the President of the University. No appeal will be considered unless such notice is received in the Office of the President within five days, excluding holidays or weekends, following notification of the Committee's decision.
2. Ordinarily, the student suspended or expelled by the University Disciplinary Committee will be allowed to continue in status pending the results of the appeal.
3. The student shall include for the Board's consideration on appeal a written statement of the reasons why the student thinks the decision is erroneous, unfair or too harsh. The Office of Student Life will submit a brief written statement of response. The student's statement shall be submitted within ten calendar days from the date on which the student is furnished a copy of the transcript of the Committee's proceedings.
4. Only information contained within the record of the proceedings of the University Disciplinary Committee will be reviewed on appeal. No information will be considered that was not furnished to the University Disciplinary Committee. The student may within the ten-day period instead submit any pertinent information, newly discovered or initially withheld for good cause, to the University Disciplinary Committee with a request for another hearing or reconsideration by the Committee.
5. When an appeal is filed, the entire record of the University Disciplinary Committee's proceedings and its decision, the student's appeal statement, and the Office of Student Life's response shall be forwarded to the Office of the President.
6. The President, at his discretion, may review the record before transmitting it for Board consideration. The President is authorized to modify the decision of the University Disciplinary Committee in any manner found appropriate that serves the welfare of the student and the best interest of the University.
7. If the President does not review the decision, or after review does not modify it, the President shall transmit a copy of the record to each member of the Board of Regents for consideration as herein provided.
8. A subcommittee of the Board of Regents will serve as the official body to consider the appeal and render a decision on behalf of the Board of Regents.
9. The Committee may meet at times and places deemed by it to be necessary to provide a timely and expeditious consideration of appeals.
10. The Committee is authorized on behalf of the full Board to review the University Disciplinary Committee's record, the student's written appeal, and the Office of Student Life's response. The committee shall determine:

- (1) whether the decision was made in accordance with the provisions of and the procedural safeguards specified in the Statement of Student Rights and Responsibilities; or
- (2) whether, in its view of the entire information before it, the decision is erroneous; or
- (3) whether, in its view of the entire case, the welfare of the student or the best interest of the University will be served by applying no sanction or a lesser sanction or providing that the sanction shall commence on a date different from that specified by the University Disciplinary Committee.

In addition to its consideration of the student's written statement, the Committee may upon its own motion arrange for a personal appearance in conference with the student for the purpose of inquiring into circumstances of extenuation or mitigation. Otherwise, the review will be based upon the written record.

Upon concluding its review, the Committee may sustain, reverse, modify or return for further consideration the decision of the University Disciplinary Committee. The decision of the Disciplinary Appeals Committee shall be filed with the Secretary of the Board, and the Secretary of the Board will furnish a copy of the decision to each member of the Board of Regents. The full Board may, at its sole discretion and upon its own initiative, decide to consider the appeal en banc at its next meeting. Applications from the student for full Board en banc review are not entertained. Appropriate written notice to that effect shall be furnished the student at the time the student receives a copy of the Committee's determination, which shall constitute the final decision unless the full Board takes the action provided above.