

JUDICIARY BOARD

At the direction of the Dean of Students, the Judiciary Board is convened by the Associate Dean of Students to review complaints which may result in a student's suspension or dismissal from the College. The Dean of Students may convene the Board when (1) the Dean judges he/she is unable to hear a situation impartially; (2) the matter at hand is of sufficient complexity and/or has such high import or impact on community standards; or (3) the option of a Board hearing is offered in particular situations such as dispute resolution, harassment or assaults. The Board is an impartial body designed to ensure that such matters are heard and decided in a fair manner.

Structure of the Judiciary Board

Board Membership

The Judiciary Board is composed of seven (7) regular members: two (2) students, two (2) members of the faculty, two (2) administrators (one of the latter designated by the Dean of Students) and (1) the Associate Dean of Students. Each has a corresponding alternate. Members and alternates are appointed by the Vice President for Student Affairs on an annual basis.

The Hearing Process

In a closed-door hearing, the Board may question the complainant, the accused Student (s) and witnesses; and may review other relevant credible evidence. Both the accused Student and complainant will have an opportunity to respond and to make final summary statements.

The Board will conduct closed-door deliberations. The determination of a finding of "responsible" for a violation or "not responsible" will rest solely with the Judiciary Board. In cases of a finding of responsible, the Board will also determine appropriate sanctioning. The Dean of Students will enforce any and all sanctions decided upon by the Board.

Operational Philosophy of the Board

Keeping in mind that a person in his/her capacity as a citizen may have the right to do things which a college student may not do at a private institution of higher education without incurring the penalty of college laws, rules and regulations, the Judiciary Board is established to protect the rights of the College Community and its individual members in cases of serious violations of the rules of the College. Specifically, the Board's primary responsibility is to consider if an alleged violation of College Community Standards, Policies, or Guidelines which, as established in the *Student Handbook*, is serious enough to warrant suspension or dismissal of the Student from the College. In all cases, the Board shall await initiation of action in such cases by the Dean of Students.

Every Student who is accused of an allegation of violation of policies, rules, or regulations which may result in possible suspension or dismissal will be given (1) the opportunity to address the alleged violation (s) during formal Judiciary Board unless it involves unusual situations as outlined in the Preamble; (2) within a reasonable period of time prior to the proceedings an accused Student will be presented with a copy of the written statement of complaint as prepared by the Associate Dean of Students; (3) the accused Student also has the right to request an appeal of the Board's decision.

The Dean of Students also has a right to request an appeal the Judiciary Board's sanction (s).

The Dean of Students has the authority to take action if the Judiciary Board is unable to reach a decision within two (2) class days after the conclusion of a hearing.

Appeal Procedure

A. The student may request an appeal of proceedings. A letter of request must be submitted within three (3) days of the decision of the Judiciary Board. The request for appeal must be made in writing to the Vice President of Student Affairs and must specify the exact nature of the intended appeal, namely:

- * New evidence, unavailable at the time of the initial hearing, that could impact the outcome;
- * Procedural error or conflict of interest that had a material impact on the outcome;
- * Sanction is disproportionate to the severity of the violation.

The Vice President for Student Affairs makes his own determination on whether or not the appeal will be granted. If an appeal is granted, the Vice President for Student Affairs will determine the manner in which the appeal will then be heard. In all circumstances, the decision of the Vice President is final.

B. The Dean of Students may appeal a Judiciary Board decision to the Chairperson of the Board for a re-hearing on the question of sanctions, if assigned sanctions are not consistent with the general policies of the College or previous outcomes of the Dean of Students Office. Upon review, the Board's decision will be final.

For additional information, please contact the Dean of Students Office: 603-641-7600

Frequently Asked Questions

Can I have a parent or lawyer present with me when I meet with the Judiciary Board?

No. The Judiciary Board hearing is a closed-door meeting. The only persons to enter the hearing are those that are invited in.

Do I have to testify if I do not want to?

No. However, the Judiciary Board has an expectation that those individuals (either complainant or accused) invited into the meeting will participate fully. If you choose not to participate, you will be excused from the hearing. The Board will continue with their work and take into account your lack of cooperation when they deliberate the case. If the Board finds that you have violated any Community Standard, you can expect that the Board will impose a sanction (s).

What kind of sanctioning can I expect from the Judiciary Board?

The Judiciary Board generally meets to hear cases that have a potential resulting in either a lengthy suspension or dismissal. The Board is not limited to these two sanctions and does have the authority to impose any and all sanctions as listed in the Student Handbook.

Can I have witnesses appear on my behalf?

Yes. The summoning of witnesses is the responsibility of the Associate Dean of Students. The accused Student will furnish the name (s) of any substantive witnesses to the Associate Dean of Students within 48 hours of the scheduled hearing. Character witnesses are not permissible.

When will I hear the results of the Judiciary Board's hearing?

The Chairman of the Judiciary Board will generally meet in person with all accused students within two class days of the hearing to render the Board's decision. The individual bringing the complaint forward will learn of the Board's decision from the Dean of Students.