



## Appendix D: Hearing Panel & Appeals Process

### Hearing Panel

The Hearing Panel will consist of the Associate Dean of Students, one Residential Life Professional Staff member, and one student.

### ***Hearing Procedures***

Formal rules of evidence and procedure shall not apply to hearings. Hearing Panels shall make decisions regarding procedural or evidentiary questions arising during hearings. Normally, hearings will be conducted in person at the college, but they may be conducted by phone under certain circumstances as determined by the Associate Director of Residential & Campus Life. All hearings will be conducted in private. Attorneys may not be present at hearings.

### ***Witnesses***

The charged students and the individual bringing the charge may bring witnesses to present information relevant to the case. The charged student, the individual bringing the charge, and members of the Hearing Panel may address questions to the witnesses. Witnesses will remain in the hearing room only while presenting information and answering questions.

### ***Basis of Decision***

Following the conclusion of the hearing, the panel will meet in closed session to determine, by majority vote, whether an Alcohol or Other Drug Policy violation has occurred. In reaching its determination, the Hearing Panel will evaluate only information introduced during the hearing. The Panel will not consider any prior Drug Policy violation when determining whether the violation occurred. The determination that a violation has occurred will be based on information sufficient to convince the majority of the Panel that more likely than not, the violation occurred.

### Appeals

To file an appeal of a Hearing Panel finding, a student must submit to the Dean of Students a written statement enumerating the grounds, along with any additional information, within ten business days after notification of the sanction. Sanctions for violation of the Alcohol or Other Drug Policy may be appealed upon discovery of significant factual material not previously available or significant procedural error. The Dean of Students will forward the written appeal to the Hearing Review Panel if it meets the threshold requirement of presenting facts which raise a genuine issue pertaining to the discovery of significant factual material or significant procedural error. Upon consideration, the Hearing Review Panel may deny the appeal or remand the case for a full rehearing by a new Hearing Panel.