



RUTGERS POLICY

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Policy:

CODE OF STUDENT CONDUCT

PREAMBLE

A university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Its rules should be conceived for the purpose of furthering and protecting the rights of all members of the University community in achieving these ends.

All members of the Rutgers University community are expected to behave in an ethical and moral fashion, respecting the human dignity of all members of the community and resisting behavior that may cause danger or harm to others through violence, theft, or bigotry. All members of the Rutgers University community are expected to adhere to the civil and criminal laws of the local community, state, and nation, and to regulations promulgated by the University. All members of the Rutgers University community are expected to observe established standards of scholarship and academic freedom by respecting the intellectual property of others and by honoring the right of all students to pursue their education in an environment free from harassment and intimidation.

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This document, and the accompanying annotations¹, describe the University's Code of Student Conduct. It specifies prohibited types of behavior, the sanctions that can be applied, and the jurisdiction, structure, and operation of the University system for adjudicating student disciplinary cases. It supersedes those documents pertaining to student disciplinary hearing procedures, in conflict herewith, currently in force in any division of the University. It is the responsibility of all University students to familiarize themselves with these regulations.

AUTHORITY FOR STUDENT DISCIPLINE

1. Ultimate authority for student discipline is vested in the Board of Governors of Rutgers, The State University of New Jersey. Disciplinary authority may be delegated to University administrators, faculty members, students, committees, and organizations, as set forth in this Code, or in other appropriate policies, rules, or regulations adopted by the Board.

RATIONALE

2. The primary purpose for the imposition of discipline in the University setting should be to foster the personal, educational, and social development of those students who are held accountable for violations of University regulations, to ensure the orderly functioning of the University, and to protect the University community and its integrity.

DEFINITIONS

3. When used in this Code:
 - (a) the term "college" means any academic division of the University.
 - (b) the term "campus" means any of the three major geographic divisions of the University; *i.e.*, Camden, Newark or New Brunswick/ Piscataway.
 - (c) the term "Vice President for Student Affairs" means that official or that individual(s) to whom the Vice President has assigned any one or more of his or her responsibilities under this document.
 - (d) the term "Provost" means that official or that individual(s) to whom the Provost has assigned any one or more of his or her responsibilities under this document.
 - (e) the term "Dean of the College" means that official or his or her equivalent at the division of the University involved.

¹ The accompanying footnotes shall have the same force and effect as any other part of this Code.

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- (f) the term "Dean of Students" shall mean that official or the person(s) at that division designated by the Dean of the College to have the responsibilities assigned to the Dean of Students by this document.
- (g) the term "respondent" means any student who has been accused of an act prohibited under this Code.
- (h) the term "complainant" means any member of the University community who has elected to serve as the complaining party in Hearings or Conferences conducted under this Code.
- (i) the term "Campus Adviser" means a member of the University community who has been trained to assist a respondent or a complainant in Hearings or Conferences conducted under this Code.
- (j) the term "attorney" means a person who holds a J.D., LL.B. or LL.M. degree from an accredited college or university, who has passed a bar exam, and is not a member of the University community, as defined in Section 3 (q) of this Code.
- (k) the term "working day" means any day, except Saturday and Sunday, which is not listed as a University holiday on the University Calendar.
- (l) the term "notice sent to a student" means a notice delivered to the student or his or her residence by any reasonable means. Such means may include hand delivery or first class mail to a student's most recent college address as it appears in the Registrar's records. Notice may also be sent to the student's current home address, as it appears in the Registrar's records, unless directed otherwise by the student.
- (m) the terms "institution" and "University" mean Rutgers, The State University of New Jersey and all of its undergraduate, graduate and professional schools and colleges, divisions, and programs.
- (n) the term "student" means any person for whom the University maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations, and who has not yet been awarded his or her degree from the University.
- (o) the term "faculty" means any person who holds a current academic appointment within the University.
- (p) the term "administration or staff" means any person who currently holds a non-faculty appointment within the University. This does not include faculty who serve as department chairs.

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- (q) the term "member of the University community" means any student, faculty, administration or staff member at the University.
- (r) the term "University premises," for purposes of this Code, means buildings or grounds owned, leased, operated, controlled or supervised by the University.
- (s) the term "University sponsored activity" means any activity on or off campus which is initiated, aided, authorized or supervised by the University.
- (t) the term "weapon" means any object or substance designed or which may be utilized to inflict a wound, cause injury, or incapacitate. A harmless instrument designed to look like a firearm, explosive or weapon that is used by a person to cause reasonable apprehension of harm, or to assault another person, is expressly included within the meaning of weapon.
- (u) the term "aggravated violation" means a violation which resulted or foreseeable could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of University activities or University sponsored activities.
- (v) the term "distribution" means any form of sale, exchange or transfer.
- (w) the term "reckless" means conduct which one should reasonably be expected to know would create a substantial risk of harm to persons or property or which would otherwise be likely to result in substantial interference with University activities or University sponsored activities.
- (x) the term "shall" is used in the imperative sense.

INTERPRETATION OF REGULATIONS

4. Disciplinary regulations at the University are set forth in writing in order to give students general notice of prohibited conduct. This Code is not written with the specificity of a criminal statute and is not designed to define misconduct in exhaustive terms.²

INHERENT AUTHORITY

² Colleges and universities are not expected to develop disciplinary regulations which are written with the scope or precision of a criminal code. Rare occasions may arise when conduct is so inherently and patently dangerous to the individual or to others that the University must take extraordinary action not specifically authorized in this Code.

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5. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include taking disciplinary action against those students whose behavior off University premises indicates that they pose a substantial danger to others in the University community.³

VIOLATIONS OF LAW AND DISCIPLINARY REGULATIONS

6. Students may be accountable to both external authorities and to the University for acts which constitute violations of law and this Code. Action at the University will normally proceed during the pendency of administrative, civil or criminal proceedings arising out of the same or other events, and shall not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced, or are pending.⁴

INTERIM SUSPENSION

7. The Vice President for Student Affairs or his or her designated representative(s) may suspend a student from the University for an interim period pending disciplinary or criminal proceedings. The interim suspension shall become immediately effective without prior notice whenever the Vice President for Student Affairs determines there is a reasonable basis to conclude that the continued presence of the student at the University poses a substantial and immediate threat to himself/herself, to others, or to property. In such cases, a formal Preliminary Review need not be held.
8. A student suspended on an interim basis shall be given an opportunity to appear personally before the Vice President for Student Affairs

or a designee within two working days in order to discuss the following issues only:
 - (a) the reliability of the information concerning the student's alleged misconduct, including the matter of his or her identity.
 - (b) whether the conduct and surrounding circumstances reasonably indicate that the

³ The University will not routinely invoke the disciplinary process for student misconduct which occurs off University premises unless it occurs at a University sponsored activity. Nonetheless, it will be necessary to endeavor to protect the campus community when there are reasonable grounds to believe that a student may pose a substantial danger to others. Normally, such "substantial danger" will be manifested by a pending criminal charge, usually relating to a crime of violence, burglary, sexual assault, substantial theft or fraud, the distribution of illegal drugs, or the possession of substantial quantities of illegal drugs.

⁴ A member of the University community initiating a complaint under this Code is not precluded from filing civil or criminal charges outside the University.

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continued presence of the student on University premises poses a substantial and immediate threat to himself/herself, to others, or to property.

The Vice President may affirm or alter the decision to suspend on an interim basis based on such discussion. If the decision is affirmed, it shall be the responsibility of the Vice President for Student Affairs to notify the student in writing of the basis for this decision and to see that a University Hearing, as described in Parts 23-47, proceeds as expeditiously as possible. Any student placed on interim suspension will be given an opportunity to appear at a formal Hearing within ten working days of being placed on suspension⁵ or as soon as practical after the respondent is prepared to participate in a Hearing. If the University fails to provide the respondent such an opportunity, the interim suspension shall cease although the original charges shall not be dropped.

STANDARDS OF CLASSROOM BEHAVIOR

9. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful behavior that results in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. Longer suspensions from a class, or dismissal on disciplinary grounds, must be preceded by a Hearing or Disciplinary Conference, as set forth in Parts 23-47, 50-55, or 56-58 of this Code, or in accordance with Parts 7-8.⁶

VICE PRESIDENT FOR STUDENT AFFAIRS

10. The Vice President for Student Affairs is the chief administrator of the University disciplinary system. The Vice President has the following responsibilities under this Code:
 - (a) make decisions regarding interim suspension, in accordance with Parts 7-8 of the Code.
 - (b) in consultation with students, faculty and the Provosts on each campus, appoint qualified individuals who may serve as Hearing Officers in University Hearings.

⁵ A student who requests such a Hearing will be entitled to receive the notice of Hearing described in Part 30 of this Code five working days in advance of the scheduled Hearing date. Notice limits described in Parts 31, 33 and 34 of this Code will be reduced to two working days in such instances.

⁶ The term "prohibited or unlawful acts" would include behavior prohibited by a faculty member. It must be emphasized that this provision shall not be used to punish classroom dissent. The lawful expression of a disagreement with a faculty member is not in itself "disruptive" behavior. A student who believes that he/she has been treated in an arbitrary manner in this regard should contact his/her Dean of Students.

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- (c) in consultation with students, faculty, administration, staff, and the Provosts on each campus, appoint qualified individuals who may serve as Campus Advisers.
- (d) in consultation with students, faculty and the Provosts on each campus, develop a process for establishing a pool from which qualified students and faculty shall be selected, on a rotating basis, to serve as members of University Hearing Boards.⁷
- (e) implement training programs for Hearing Officers in University Hearings.
- (f) implement training programs for members of University Hearing Boards.
- (g) implement training programs for Campus Advisers.
- (h) assign Hearing Officers for University Hearings.

PROHIBITED CONDUCT

11. Students who engage in the following conduct on University premises, or at University sponsored activities, or at activities involving University recognized organizations may be subject to disciplinary action. Although violations of standards (a) through (p) may result in either expulsion or suspension from the University, lesser sanctions will be considered whenever appropriate. Violations of standards (q) through (u) may not, standing alone, result in expulsion or suspension from the University, except as specified in Part 12 of this Code.

Separable Offenses

- (a) violations of academic integrity.⁸
- (b) forgery, unauthorized alteration or unauthorized use of any University documents or records, or any instrument or form of identification.
- (c) intentionally furnishing false information to the University, or intentionally initiating or

⁷ All students and faculty will be notified by mail of the opportunity to serve as members of University Hearing Boards. The final selection process shall be consistent across all colleges and will directly involve both students and faculty in their respective processes. To ensure representation by each college, the composition of the student membership of this pool will be proportional to the size of its delegation to the University Senate. Faculty representation will be determined in a similar manner.

⁸ Standards of academic integrity are more particularly set forth in the academic policies of the University and its various campuses and colleges.

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causing to be initiated any false report, warning or threat of fire, explosion or other emergency.

- (d) use of force against any person or property or the threat of such force.
- (e) sexual assault or nonconsensual sexual contact.
- (f) hazing.⁹
- (g) violation of the University's Student Life Policy Against Verbal Assault, Defamation and Harassment.
- (h) unauthorized entry into, unauthorized use of, or misuse of University property, including computers and data and voice communication networks.
- (i) intentionally or recklessly endangering the welfare of any individual or intentionally or recklessly interfering with any University activity or University sponsored activity.¹⁰
- (j) use, possession or storage of any weapon, dangerous chemical, fireworks, or explosive, whether or not a federal or state license to possess the same has been issued to the possessor.¹¹
- (k) the distribution of alcohol, narcotics or dangerous drugs on University property or among members of the University community, if such distribution is illegal, or the possession of a sufficiently large quantity as to indicate an intention to distribute

⁹ A person is guilty of hazing if, in connection with initiation of applicants to or members of an organization, he/she knowingly or recklessly organizes, promotes, facilitates or engages in any conduct, other than competitive athletic events, which places or may place another person in danger of bodily injury. The consent of the victim shall not be a legitimate defense in hazing incidents.

¹⁰ This charge may include any willful act which disrupts or obstructs an academic class or lecture, an administrative or support function or official University event (including studying, teaching, research, meetings, interviews, ceremonies, public events, official University business, or fire, police or emergency services), other creative or productive activities, or public services rendered by the University.

¹¹ The possession and storage of personal protection devices such as small containers of mace, which are permitted under New Jersey law, are specifically excluded from this definition. The legal use of such devices is also excluded from this definition. Law enforcement officials who are authorized by law to carry firearms are also excluded from this definition.

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illegally.¹²

- (l) theft of University services or theft of, or intentional or reckless damage to, University property, or property in the possession of, or owned by, a member of the University community; including the knowing possession of stolen property.¹³

Intentional or reckless misuse of fire safety equipment shall be regarded as damage under this section of the Code.

- (m) the violation of the ethical code of one's intended profession either by graduate students enrolled in any of the University's professional or graduate schools or by undergraduate students in clinical courses or settings related to their intended profession.
- (n) violations of federal, state or local law where such violations have an adverse effect on the educational mission of the University.
- (o) failure to comply with the lawful directions of University officials, including campus police officers, acting in performance of their duties.
- (p) knowingly providing false testimony or evidence; disruption or interference with the orderly conduct of a Disciplinary Conference or Hearing; violating the terms of any disciplinary sanction imposed in accordance with this Code; or any other abuse of the

¹² Such prohibited distribution of alcohol shall include providing or facilitating the consumption of alcohol by any person without taking reasonable and prudent precautions to insure that the person is of legal drinking age in New Jersey.

¹³ Theft, as defined herein, shall include theft or other abuse of computer time, including but not limited to:

- (a) unauthorized entry into any computer file.
- (b) unauthorized transfer of a file.
- (c) unauthorized use of another individual's identification and password.
- (d) use of computing facilities to interfere with the work of another member of the University community.
- (e) use of computing facilities to send obscene or abusive messages.
- (f) use of computing facilities to interfere with the operation of the University computing.

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University's disciplinary procedures.¹⁴

Non-separable Offenses

- (q) disorderly conduct on University premises or at University sponsored activities.
 - (r) obstruction of the free flow of pedestrian or vehicular traffic on University premises or adjacent to University premises, or at University sponsored activities.
 - (s) violations of other published University regulations or policies, including those promulgated by each college, filed in the office of the Vice President for Student Affairs. Such regulations or policies may include regulations governing the use of computers and networks, the residence hall lease agreement and accompanying regulations, as well as those regulations relating to the use of amplifying equipment, parking office rules and regulations, and regulations governing student organizations.
 - (t) illegal use or possession of alcohol or any controlled substance or illegal drug.
 - (u) the willful failure or refusal to testify as a witness at a College or University Disciplinary Hearing.¹⁵
12. Repeated convictions for violations of established University rules and regulations regardless of the seriousness of the individual offense involved, or any aggravated violation, may result in either expulsion or suspension from the University.
13. Attempts to commit acts prohibited by this Code, or assisting others to commit acts

¹⁴ Other potential abuses of the University's Hearing procedures include, but are not limited to:

- (a) attempting to discourage an individual's proper participation in, or use of, the University's Hearing or Disciplinary Conference procedures.
- (b) attempting to unduly influence an individual participating in a Hearing or Conference prior to, and/or during the course of, any Hearing or Disciplinary Conference.
- (c) harassment (verbal or physical) and/or intimidation of an individual involved in a Hearing or Disciplinary Conference prior to, during, and/or after a Hearing or Conference.
- (d) influencing or attempting to influence another person to commit an abuse of the Hearing and Conference provisions of this Code.

¹⁵ Witnesses, as well as respondents, may invoke their privilege against self-incrimination.

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prohibited by this Code, shall be treated in the same manner as completed violations and subject to the same sanctions.

SANCTIONS

14. Sanctions for violations of disciplinary regulations consist of:¹⁶

- (a) Warning: Notice, orally or in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action. Notice of this action may appear on the student's academic transcript for up to one year.
- (b) Disciplinary Probation: Exclusion from participation in privileged or extra-curricular institutional activities, including ineligibility to receive honors or awards¹⁷, to represent the University in an official capacity, or to participate in intercollegiate athletics, for a specified period of time. Additional restrictions or conditions may also be imposed. Violations of the terms of disciplinary probation, or any other violation of this Code during the period of probation, will normally result in suspension or expulsion from the University. Notice of this action may appear on the student's academic transcript for up to two years.
- (c) Restitution: Repayment to the University or to an affected party for damages resulting from a violation of this Code.
- (d) Suspension: Exclusion from University premises, and other privileges or activities, as set forth in the suspension notice. Suspension is of two types, term and/or conditional. A term suspension shall be for a stipulated period of time after which the student may return to the University community at the commencement of a regular period of study for which he or she is eligible. A conditional separation shall condition re-entry of the student into the University community upon fulfillment of specified requirements. The suspension shall continue until the Dean of Students of the college of the student's registration determines that the conditions have been satisfied. Notice of this action shall appear on the student's academic transcript for the term of the suspension and may appear on the student's academic transcript for up to five years.
- (e) Expulsion: Permanent termination of student status, and exclusion from University premises, privileges and activities. This action shall be permanently recorded on the

¹⁶ A student may receive more than one sanction for a single incident. For example, a student found guilty of stealing may be suspended, be required to make restitution, and be required to complete some form of community service.

¹⁷ As used in this section, honors and awards does not include scholastic or athletic financial aid awards or loans, unless otherwise specified under strict terms of the award.

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student's academic transcript.

- (f) Other Sanctions: Other sanctions may be imposed instead of, or in addition to, those specified in sections (a) through (e) of this part. For example, students may be subject to removal from University housing for disciplinary violations. Likewise, students may be subject to restrictions upon or denials of University parking privileges for violations involving the use of registration of motor vehicles on campus and the loss of privileges for access to University computers or networks. Service or research projects may also be assigned and the student may be required to attend a specified University class or workshop at his or her own expense. For violations of academic integrity, appropriate academic penalties may also be applied.

STANDARDS OF DUE PROCESS

15. Students subject to expulsion or suspension shall have the right to a University Hearing as specified in Parts 23-47 of this Code. Students subject to less severe sanctions will be entitled to a College Hearing, as set forth in Parts 50-55. In either case, a student may request instead to have his or her case referred to a Disciplinary Conference, as set forth in Parts 56-58. This request must be approved by the Dean of Students who has been assigned responsibility for the Preliminary Review as described in Parts 17-21.
16. The focus of inquiry in disciplinary proceedings shall be to determine whether a student(s) has violated the University Code of Student Conduct. Formal rules of evidence shall not be applicable. Deviations from prescribed procedures shall not invalidate a decision or proceeding unless, in the opinion of the Hearing Officer, significant prejudice to a student respondent resulted from the deviation.

COMPLAINTS AND PRELIMINARY REVIEW

17. Any individual may report a student suspected of violating this Code to the Dean of Students of the college of the student's registration or to the Vice President for Student Affairs. However, individuals who are not members of the University community may not serve as the complainant in any proceedings conducted under this Code.¹⁸
18. If the individual initiating the complaint is a member of the University community, including members of the University police, he or she will normally be expected to serve as the complainant and to present relevant evidence in Disciplinary Conferences or Hearings that

¹⁸ In the event of cross-complaints, it shall be the responsibility of the individual conducting the Preliminary Review to determine who shall be assigned the roles of complainant and cross-complainant. In the case of multiple complainants, the individual conducting the Preliminary Review shall determine who will act as the complainant in any proceedings under this Code. (See also footnote 19).

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may result from his/her complaint. The complainant may request the assistance of a Campus Adviser, as set forth in Parts 60-61 of this Code. On occasion a Dean of Students may serve as the complainant, however that Dean may not conduct the Preliminary Review.¹⁹

19. In all disciplinary matters, except in cases of Interim Suspension as specified in Part 7, there shall be a Preliminary Review of information and evidence which may result in a charge(s) being brought against the student. The purpose of this Review shall be to determine if there is sufficient evidence to proceed with a Hearing. Disciplinary matters may be disposed of without the initiation of any formal hearing process if the individual conducting the Preliminary Review determines that there is not adequate cause or evidence to proceed with a formal Hearing or if the respondent elects not to contest the charge(s). If the accused student elects not to contest the charges, the individual conducting the Preliminary Review may assign any of the sanctions specified in Part 13. Any disciplinary determination for suspension or expulsion, as specified in Parts 13 (d) and (e), constitutes a recommendation to the Vice President for Student Affairs. It shall be the responsibility of the individual conducting the Preliminary Review to advise the respondent that they have the right to remain silent throughout any proceedings conducted under this Code and that this silence shall not be held against the respondent.
20. The Preliminary Review shall normally be conducted by the Dean of Students at the college of the respondent's registration. If the complaint involves students from more than one college or unit within the University, the Vice President for Student Affairs shall assign jurisdiction for the Preliminary Review.²⁰
21. The Dean of Students conducting the Preliminary Review shall make one of the following determinations, subject to the review of the Vice President for Student Affairs:²¹
 - (a) dismissal of the complaint.

¹⁹ For example, the victim of an alleged act of misconduct may not be a member of the University community or may be unwilling to serve as the complainant. In such circumstances, if the Dean of Students believes there is good cause for charges to be brought against the accused student in the interest of the University community, the Dean may serve as the complainant.

²⁰ If the Dean of Students at the college of the accused student's registration is the complainant, the Vice President for Student Affairs shall assign responsibility for the Preliminary Review to the Dean of Students at a different division of the University.

²¹ If the individual conducting the Preliminary Review makes the determination that the charges warrant a University or College Hearing, he or she may recommend to the Dean of the College that a hold be put on the student's transcript, including the awarding of the student's degree, until the Hearing process is complete.

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- (b) a charge(s) against the student which in the Dean of Student's opinion does not merit separation and which shall be referred to the College's Hearing procedure as described in Parts 50-55.
 - (c) a charge(s) against the student which in the Dean of Student's opinion may merit separation and which shall be referred to a University Hearing as described in Parts 23-47.
 - (d) a charge(s) against the student involving both separable and non-separable offenses, which offenses are related to a single incident or set of incidents, which shall be referred to a University Hearing as described in Parts 23-47.
 - (e) a decision to defer disciplinary proceedings for alleged minor violations of this Code for a period not to exceed ninety days. Pending charges may be withdrawn or pursued on or before the ninetieth day, at the discretion of the Dean of Students.²²
22. For cases which are referred to a University or College Hearing in Part 21, a respondent may request instead to have his or her case referred to a Disciplinary Conference as described in Parts 56-58 of this Code. Such requests shall not be granted unless the Dean of Students has obtained the agreement of the complainant. Respondents who admit guilt will be sanctioned through a Disciplinary Conference.

UNIVERSITY HEARING BOARD PROCEDURES

23. Except as specified in Part 47, University Hearings shall take place before a Hearing Board comprised of individuals from the campus of the University in which the respondent(s) is enrolled. The intent of University Hearings is to provide the University community a forum in which alleged incidents of student misconduct may be reviewed. University Hearings give the Hearing Board an opportunity to determine the relevant facts in a case upon which they may make an informed decision. To this end, both the Hearing Officer and members of the Hearing Board are expected to play investigatory and adjudicative roles. They shall be allowed to call witnesses, to question the complainant, and to question any witnesses appearing at a Hearing in an effort to determine the relevant facts about the complainant's charge(s) and the respondent's response. The Hearing Officer and the Hearing Board shall also be allowed to question the respondent if he/she waives his/her privilege against self-incrimination. It shall be the responsibility of the Hearing Officer to advise the respondent that he or she has the right to remain silent.
24. At the beginning of each academic year, a pool of qualified students, faculty and attorneys as

²² Students may be referred to a campus mediation service during this period. If the mediation is successful, the disciplinary charges will be dropped.

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defined in Section 3 (j) of this Code shall be established and trained as described in Part 10 of this Code to serve as Hearing Officers. University Hearings shall be held before a Hearing Officer selected from the pool on a rotating basis. In cases where there is the potential for the filing of criminal charges outside the University or where the respondent selects a Campus Adviser who holds a J.D., LL.B. or LL.M. degree from an accredited college or university, the Hearing Officer shall be a member of the University community who holds a J.D., LL.B. or LL.M. degree from an accredited college or university or an attorney as defined in Section 3 (j) of this Code. It will be the responsibility of the Vice President for Student Affairs to determine the number of external attorneys needed to supplement the Hearing Officer pool based on the availability of qualified internal Hearing Officers.

25. At the beginning of each academic year, a pool of qualified students and faculty eligible to serve on University Hearing Boards shall be established and trained as described in Part 10 of this Code.
26. A Hearing Board pool consisting of a minimum of nine students and six faculty members will be established on each campus.
27. When a University Hearing is to be convened, three students and two faculty shall be selected, on a rotating basis, from the pools described in Part 25 of this Code, to serve as a Hearing Board.²³ Should a selected individual be unable to serve for any reason, his/her replacement shall be the next name in the appropriate Hearing Board pool. If a Hearing Board member becomes unable to serve once a Hearing has commenced, the Hearing may proceed or continue provided that there remains a minimum of two students and one faculty member on the Board.
28. Ad Hoc Hearing Boards may be appointed by the Vice President for Student Affairs whenever any University Hearing Board is not constituted, is unable to obtain a quorum, or is otherwise unable to hear a case. Ad Hoc Hearing Boards shall consist of a minimum of two students and one faculty member and a maximum of three students and two faculty members.
29. Hearing Officers or members of a Hearing Board who are charged with a violation of this Code or a criminal offense may be suspended from their positions by the Vice President for Student Affairs, or his or her designee, during the pendency of the charges against them. Members found guilty of any such violation or offense will be disqualified from further participation in University disciplinary proceedings by the Vice President for Student Affairs, or his or her designee. Additional grounds and procedures for removal may be established by the Vice President for Student Affairs.

²³ Hearings shall not be delayed at the start of the academic year if a new Hearing pool has not yet been established. Rather, a Hearing Board shall be constituted of eligible members selected from the previous year's pool on a rotating basis.

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30. The referring Dean of Students shall give the respondent(s) notice of the Hearing and the specific charges against the student(s) at least ten working days in advance of the Hearing date. This notice shall contain: a statement of the charge(s) to be presented at the Hearing in sufficient detail to enable the student(s) to understand the nature of the offense(s) charged; the names of the Hearing Officer and the members of the Hearing Board for the case in question; the time and place of the Hearing as determined by the Hearing Officer whose decision shall be final, except as specified in Part 33; a listing of the names and addresses of available Campus Advisers; a copy of this document; and a list of the names of the witnesses who will testify at the Hearing on behalf of the complainant and a brief summary of the facts to which each will testify. Within five working days of the receipt of notice, the respondent(s) shall supply the Hearing Officer a list of witnesses who will testify on his/her behalf and a brief summary of the facts to which each will testify. The Hearing Officer may, at his or her discretion, allow a respondent(s) a greater period of time in which to prepare a list of witnesses. Witnesses whose names have not been submitted in accord with this provision will be allowed to testify only at the discretion of the Hearing Officer.
31. Any party may challenge the Hearing Officer or a member of the Hearing Board on the ground of personal bias²⁴ by delivering a written statement setting forth the facts on which he or she relies to the Vice President for Student Affairs at least five working days prior to the scheduled date of the Hearing. The Vice President shall determine whether the facts presented are grounds for disqualification and his or her decision shall not be subject to appeal. In the event of the disqualification of a Hearing Officer, he/she shall be replaced by the next person on the rotation list of the Hearing Officer pool established for their campus. In the event of a disqualification of a member of the Hearing Board, he/she shall be replaced by the next person on the rotation list of the Hearing Board pool established on his/her campus.
32. Respondents shall be accorded reasonable access to the case file, which will be retained in the office of the referring Dean of Students.²⁵ The case file shall contain a written summary of the Dean's Preliminary Review, as described in Parts 19-20. This summary will also be made available to the complainant, the Hearing Officer and members of the Hearing Board.
33. Written applications setting forth good cause may be made to the Hearing Officer by either party for a postponement of the scheduled Hearing. Except in emergency situations, no

²⁴ The term "personal bias" means animosity toward a party or favoritism toward the opposite party.

²⁵ Copies of Rutgers University Police Department reports will not be provided to any individual involved in a Hearing or Conference under this Code without the approval of the chief of the Rutgers University police or his/her designee. Reports which are not made available to the accused cannot be used as evidence in any Hearing or Conference.

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application for a postponement shall be considered unless received at least five working days before the scheduled Hearing date. The decision of the Hearing Officer shall not be subject to appeal.

34. At least five working days before the scheduled Hearing, respondents and complainants shall inform the Vice President for Student Affairs of their choice of Campus Adviser (Section 60), their choice of attorney (Section 59), and/or support person, if any, who will assist them in the Hearing. The respondent shall be free to pick any member of the University community as his/her Campus Adviser. If the respondent selects a Campus Adviser who holds a J.D., LL.B. or LL.M. degree from an accredited college or university, the complainant shall be free to do likewise. If, for whatever reason, the respondent selects a Campus Adviser who does not hold a J.D., LL.B. or LL.M. degree from an accredited college or university, the complainant shall not be allowed to do so.

35. The Hearing Officer:

- (a) shall conduct the University Hearing in such a manner as to insure a fair Hearing to all concerned. He/she shall take all necessary action to maintain an orderly Hearing.
- (b) shall exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the Hearing. Any person, including the respondent, who disrupts a Hearing may be excluded by the Hearing Officer.
- (c) may summon witnesses upon the request of either party or the referring Dean of Students. The Hearing Officer may also summon additional witnesses who he/she believes may provide pertinent information. A notice to appear as a witness may be delivered by any reasonable means, such as hand delivery or first class mail. Such notice will be sent to the most recent college address of the witness as it currently appears in University records. Such notice may also be sent to the home address of the witness, as it appears in University records, unless directed otherwise by the witness in advance. Members of the University community are expected to comply with a summons issued pursuant to this procedure, unless compliance would result in significant and unavoidable hardship. If either party believes that a fair Hearing cannot be held without the testimony of a particular witness and, after good faith attempts are made, the witness either fails to or refuses to appear, the Hearing Officer may postpone the Hearing until the witness agrees to appear, he/she may dismiss the charges against the respondent, or he/she may direct that the Hearing proceed without the witness.
- (d) shall make all necessary rulings on evidence. In the exercise of this responsibility, the following general guidelines shall apply. Formal rules of evidence shall not be applicable in disciplinary proceedings conducted pursuant to this Code. The Hearing Officer shall respect the rules of confidentiality and privilege, but shall otherwise admit all matters into evidence which reasonable persons would accept as having probative

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value in the conduct of their affairs.²⁶ The Hearing Officer may exclude evidence if its probative value is substantially outweighed by its potential to cause unfair prejudice, confusion, or needless delay of the Hearing or if the Hearing Officer deems that the evidence was not obtained in a good faith manner.

36. Respondents who fail to appear after proper notice shall be deemed to have pled no contest to the charges pending against them. Nonetheless, the complainant shall be required to present evidence to demonstrate that the respondent probably engaged in the conduct which is the subject of the charge.
37. University Hearings shall ordinarily be closed to the public, except for the respondent's Adviser, the respondent's attorney, the complainant, the complainant's Adviser and the complainant's attorney. The respondent and the complainant may each petition the Hearing Officer to admit one additional support person.²⁷ If the victim of an alleged act of misconduct is not the complainant, the Hearing Officer may also allow the victim to attend, subject to Part 61 of this Code. An open Hearing will be held if requested by the respondent unless the victim or complainant objects. In such cases, the Vice President for Student Affairs will be responsible for determining whether the Hearing is open or closed.
38. A tape recording of the Hearing, but not the closed deliberations of the Hearing Board, shall ordinarily be made and shall be preserved in the custody of the Vice President for Student Affairs. If a recording is not made for any reason, the decision of the Board must include a summary of the testimony and shall be sufficiently detailed to permit review by the Vice President for Student Affairs.
39. Witnesses shall be asked to affirm that their testimony is truthful and may be subject to charges of intentionally providing false information to the University, pursuant to Part 11 (p) of this Code.
40. The Hearing Officer and members of the Hearing Board shall be accorded an opportunity to question all witnesses who testify at a Hearing. After the Hearing Officer and the Hearing Board have completed their initial questioning of a witness, the complainant and then the respondent, or their Campus Advisers, will be accorded an opportunity to question that witness. However, the respondent and his/her Campus Adviser or the complainant and his/her Campus Adviser may not both question witnesses. Both the complainant and respondent shall elect at the beginning of any Hearing whether they or their Campus Adviser

²⁶ In cases involving allegations of sexual assault, the Hearing Officer will ensure that protections afforded under New Jersey's "Rape Shield Law" are followed.

²⁷ Any support person admitted to a University Hearing shall not be allowed to participate in the Hearing in any way. In rare instances, the Hearing Officer may admit more than one support person for either party.

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will question witnesses. This election will be binding throughout the Hearing unless the Hearing Officer permits a party to rescind his or her election.

41. At the discretion of the Hearing Officer, or upon request of the respondent, prospective witnesses, other than the complainant and the respondent, may be excluded from the Hearing during the testimony of other witnesses. All parties, the witnesses, and the public shall be excluded during Board deliberations, which shall not be recorded or transcribed.
42. Affidavits shall only be admitted into evidence if signed by the affiant and witnessed by the referring Dean of Students or a notary. Unless the individual making the affidavit personally appears at the Hearing, it may be used for the purpose of supplementing or explaining other evidence only, but shall not be sufficient to support a finding by itself.
43. Board members may take judicial notice of matters which would be within the general experience of members of the University community.²⁸
44. At the completion of the presentation of all the facts on the charge(s), the Hearing Board shall retire to closed deliberations. Each student charged shall be regarded as innocent unless the Hearing Board determines the contrary based on the facts adduced at the Hearing. The decision shall be by majority vote. Each Board member shall vote and may not abstain. The Hearing Officer shall not be considered a voting member of the Hearing Board, but shall be permitted upon request of the Hearing Board to entertain questions of a technical nature. Both parties shall be afforded the opportunity to be present when such questions are answered.
45. The standard of clear and convincing evidence shall be employed in all Hearings and Conferences conducted under this Code. This standard requires that the Hearing Board, (the Dean of Students in Disciplinary Conferences), be persuaded that there is a high probability that the allegations brought against the respondent are true; *i.e.*, that there is a reasonable certainty that the charges are true.
46. The decision shall be read by the Hearing Officer in a reconvened University Hearing and a copy mailed to each student charged who does not receive a copy at the Hearing. Any determination of guilt or innocence shall be supported by a brief written summary of the findings which will be placed in the case file and made available to the respondent.
47. Where more than one student is charged with an offense arising from a single occurrence or, in the opinion of the Vice President for Student Affairs, out of connected occurrences, a single Hearing may be held for all students so charged. The site of this Hearing will be established by the Vice President for Student Affairs. At least five working days before the

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It is not necessary to prove matters in a Hearing or Conference that would be common knowledge to members of the University community.

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scheduled Hearing, any student charged may make written application to the Vice President for Student Affairs for a separate Hearing setting forth the facts on which he or she relies to demonstrate that a consolidated Hearing would prejudice him or her. The decision of the Vice President shall not be subject to appeal.

DETERMINATION OF SANCTIONS

48. Any determination of guilt will generally be immediately followed by a supplemental proceeding in which the respondent, the complainant, the victim (if he or she is not the complainant), and the referring Dean of Students may submit evidence or make statements concerning the appropriate sanction to be imposed. The past disciplinary record of the respondent shall be supplied to the Board by the referring Dean of Students only if a determination of guilt has been reached. At the completion of any presentations, the Hearing Board shall retire to closed deliberations to determine a recommended sanction which shall be forwarded to the Vice President for Student Affairs as well as to the complainant and respondent. The recommended sanction shall be by majority vote and each Board member shall vote and may not abstain. The Hearing Officer shall not be considered a voting member of the Hearing Board, but shall be permitted upon request of the Hearing Board to entertain questions of a technical nature. Both parties shall be afforded the opportunity to be present when such questions are answered.
49. Prior to acting upon such recommendation, the Vice President shall give the respondent and the complainant at least five working days to submit written statements concerning the sanction recommended by the Hearing Board. The Vice President may also solicit written comments from the Hearing Officer assigned to the case and/or the Dean of Students who conducted the Preliminary Review. The Vice President shall mail notice of his/her decision to the student in a timely fashion and a copy shall be sent to the Dean of Students at the college of the student's registration. This notice shall include a brief explanation of the Vice President's rationale for his or her decision. In reaching his/her decision, the Vice President shall also take note of the student's prior disciplinary record and the penalties provided in previous cases involving similar offenses.

COLLEGE HEARING PROCEDURES

50. College Hearings shall be held in accordance with the College Hearing Procedure and Code of Non-Separation Offenses of the college of the student's registration.
51. Each college may prescribe a code of non-separation offenses in addition to those listed in Part 11 of this Code.
52. Each college shall establish a College Hearing Procedure and shall provide a mechanism for informing students of this procedure. This procedure shall be filed with the Vice President for Student Affairs. Deviations from established University Hearing Procedures require the

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approval of the Vice President for Student Affairs.

53. Any decision sustaining a charge will be supported by written findings which will be placed in the case file and made available to the respondent.

54. Sanctions permitted under a College Hearing shall be:

- (a) Formal Admonition: An oral statement to the student that he or she has violated University rules.
- (b) Warning: Notice, orally or in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action. Notice of this action may appear on the student's academic transcript for up to one year.
- (c) Disciplinary Probation: Exclusion from participation in privileged or extra-curricular institutional activities, including ineligibility to receive honors or awards²⁹, to represent the University in an official capacity, or to participate in intercollegiate athletics, for a specified period of time. Additional restrictions or conditions may also be imposed. Violations of the terms of disciplinary probation, or any other violation of this Code during the period of probation, will normally result in suspension or expulsion from the University. Notice of this action may appear on the student's academic transcript for up to two years.
- (d) Restitution: Repayment to the University or to an affected party for damages resulting from a violation of this Code.
- (e) Other Sanctions: Other sanctions may be imposed instead of or in addition to those specified in sections (a) through (d) of this part. For example, students may be subject to removal from University housing for disciplinary violations that occur in the residence halls. Likewise, students may be subject to restrictions upon or denials of University parking privileges for violations involving the use of registration of motor vehicles on campus. Service or research projects may also be assigned and the student may be required to attend a specified University class or workshop at his or her own expense. For violations of academic integrity, appropriate academic penalties may also be applied. Students who violate regulations governing the use of computers and networks may also lose their privileges for access to University computers and networks.

55. Written notice of the decision and of any sanction resulting from the College Hearing shall be

²⁹ As used in this section, honors and awards does not include scholastic or athletic financial aid awards or loans, unless otherwise specified under strict terms of the award.

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sent to the Vice President for Student Affairs and mailed to the student charged.

DISCIPLINARY CONFERENCES³⁰

56. A student who elects to participate in a Disciplinary Conference³¹ shall be accorded the following procedural protections:
- (a) written notice of charges at least five working days prior to the scheduled Conference.
 - (b) reasonable access to the case file prior to and during the Conference.³²
 - (c) an opportunity to respond to the evidence against them and to call appropriate witnesses on their behalf.
 - (d) the right to be advised by an attorney as provided in Part 59 of this Code.
 - (e) the right to be assisted by a Campus Adviser, as provided in Part 60 of this Code.
57. Disciplinary Conferences shall be conducted by the Dean of Students at the college of the student's registration or his or her designee. If the complaint involves students from more than one college or unit within the University, the Vice President for Student Affairs or his or her designee shall assign an individual to conduct the Disciplinary Conference.
58. Any of the sanctions specified in Part 13 may be assigned as the result of a Disciplinary

³⁰ The Disciplinary Conference is designed to reduce unnecessary proceduralism and contentiousness in disciplinary proceedings. A Disciplinary Conference will normally consist of an informal, non-adversarial meeting between the respondent and the Dean of Students or a designee. Complainants would not be required to participate, unless cross-examination was necessary to resolve a dispositive factual issue. Documentary evidence and written statements could be relied upon, so long as the respondent was given access to them in advance, and allowed to respond to them at the Conference. Respondents would also be allowed to call appropriate and relevant witnesses. Findings in Disciplinary Conferences are not subject to appeal.

³¹ Requests for Disciplinary Conferences shall not be granted unless the Dean of Students has obtained the agreement of the complainant. Respondents who admit guilt will be sanctioned through Disciplinary Conferences.

³² Copies of Rutgers University Police Department reports will not be provided to any individual involved in a Hearing or Conference under this Code without the approval of the chief of the Rutgers University police or his/her designee. Reports which are not made available to the accused cannot be used as evidence in any Hearing or Conference.

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Conference. Any disciplinary determination for suspension or expulsion as specified in Parts 13 (d) and (e) of this Code, constitutes a recommendation to the Vice President for Student Affairs.

ATTORNEYS AND ADVISERS

59. Both complainants and respondents may be advised by an attorney as defined in Section 3 (j). The role of this attorney shall be limited to consultation and he/she may not address Hearing Officers, Hearing Boards, speak in Disciplinary Conferences, or question witnesses.
60. The Vice President for Student Affairs will maintain a list of qualified individuals who are currently eligible to serve as Campus Advisers and who may be selected to assist complainants or respondents in Disciplinary Conferences, College Hearings or University Hearings on any campus. Campus Advisers shall be allowed to speak in Disciplinary Conferences and Hearings, make procedural objections, question witnesses, and make opening and closing statements. Attorneys, as defined in Section 3 (j) of this Code, shall not be permitted to serve as Campus Advisers.
61. Any respondent in a Disciplinary Conference, College Hearing or University Hearing shall have the option of selecting the Campus Adviser of his or her choice from the trained corps of Advisers described in Part 60. The complainant, subject to the limitations of Section 34, shall also have the right to be assisted by a Campus Adviser. If the victim of an alleged instance of misconduct is not the complainant, he/she may have a support person present, but shall not be entitled to have a Campus Adviser or attorney present at any Hearing. As a matter of University policy, the conversations between a Campus Adviser and a person being assisted by that adviser in a Hearing or Conference under this Code will be deemed confidential in subsequent University proceedings.

APPEAL PROCEDURES FOR UNIVERSITY HEARINGS

62. Any determination of guilt by a Hearing Board or determination of sanction by the Vice President for Student Affairs under this Code may be appealed to the Appeals Committee at the campus of the student's registration, as described in Part 83.³³
63. Requests for appeals must be submitted in writing to the office of the Vice President for Student Affairs who will transmit the appeal to the appropriate Appeals Committee. Such requests must be received within ten working days from the date of the letter notifying the respondent of the Vice President's determination of sanction. Such appeals may be submitted concerning the finding, the penalty, and the process by which the recommendation was reached and must set forth the basis for the appeal. Failure to appeal within the allotted

³³ Any determination of guilt or determination of sanction resulting from a Disciplinary Conference is not subject to appeal.

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time will render the original decision final and conclusive.³⁴

64. The Appeals Committee may solicit written clarification on any issue raised on appeal from the Hearing Officer assigned to the case, the Dean of Students who conducted the Preliminary Review, the Vice President of Student Affairs, the respondent, and/or the complainant. Such written comments shall be retained as part of the case record.
65. In the preparation of an appeal, the respondent may have access to the tape of the proceedings of the University Hearing. The respondent may not have custody of the original tape, but may obtain a copy from the Vice President for Student Affairs.
66. Appeals shall be decided upon the record of the original proceeding and upon written briefs submitted by any of the parties described in Part 64. A new hearing shall not be conducted by the Appeals Committee.
67. The Appeals Committee may:
 - (a) affirm the finding of the Hearing Board and the sanction imposed by the Vice President for Student Affairs.
 - (b) affirm the finding and remand the determination of sanction to the Vice President for Student Affairs. On remand, the Vice President may not increase the sanction originally proposed.
 - (c) remand the case to the original board, in accordance with Part 68.
68. Deference shall be given to the determinations of Hearing Boards concerning findings of guilt and to the Vice President for Student Affairs concerning the determination of sanctions.
 - (a) Sanctions may only be remanded if found to be grossly disproportionate to the offense.
 - (b) Cases may be remanded to the original board if new and significant evidence became available which could not have been discovered by a properly diligent respondent before or during the original hearing or if specified procedural errors or errors in interpretation of University regulations were so substantial as to effectively deny the respondent a fair hearing. In the latter case, the Board will be directed by the Appeals Committee not to repeat the specified errors that caused the remand. If the finding of the original Board is held to be arbitrary and capricious, the case shall be remanded to a new Hearing Board. In this case, no indication or record of the previous Hearing will

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An appellant may request an extension of the deadline for filing his/her appeal by written application to the Appeals Committee stating the reason(s) why such an extension is needed. Under unusual circumstances the Committee may grant such a delay.

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be introduced or provided to members of the new Board, except to impeach contradictory testimony at the discretion of the Hearing Officer.

69. The Appeals Committee will generally be expected to mail notice of its decision to the student within fifteen working days of the filing of the appeal by the student. A copy shall be sent to the Vice President for Student Affairs and Dean of the college of the student's registration.
70. Within ten working days of the decision of the Appeals Committee, the respondent may petition the President of the University, in writing, to review the finding and/or sanction. The decision to review or not to review shall be solely within the discretion of the President.
71. At the discretion of the Vice President for Student Affairs, the imposition of sanctions will normally be deferred during any appellate proceedings and the status of a student shall not change until the avenues of appeal described in this Code have been exhausted, except that a hold may be put on a student's transcript and no degree will be awarded to the student pending completion of the appeals process. Once these avenues have been exhausted, or when a convicted student elects to forego further appeal, it shall be the responsibility of the Dean of Students of the college of the student's registration to oversee the implementation of the imposed sanction. Where permitted by state and federal laws, it will be the responsibility of the Dean to notify the victim of an act of student misconduct of any sanction imposed.

APPEAL PROCEDURE FOR COLLEGE HEARINGS

72. Within ten working days of the receipt of the Notice of Decision and Sanction resulting from the College Hearing, the student may file an appeal with the Dean of his or her college. A copy shall be sent to the Vice President for Student Affairs. The Dean shall not be disqualified because of participation in the Preliminary Review.
73. The appeal shall be in writing only and shall set forth such grounds as the student considers appropriate to support his or her challenge of the decision and/or sanction.
74. The Dean of the College shall mail notice of his or her decision to the student within fifteen working days.

DISCIPLINARY FILES AND RECORDS

75. Case referrals may result in the development of a disciplinary file in the name of the respondent, which shall be voided if the respondent is found innocent of the charges. Voided files shall be so marked, shall not be kept with active disciplinary records, and shall not leave any student with a disciplinary record. Voided files will be destroyed at the end of six years.
76. The disciplinary files of respondents found guilty of any charges against them shall be

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retained as a disciplinary record for a minimum of three years from the date of the letter providing notice of final disciplinary action. Disciplinary records may be reported to third parties, in accordance with University regulations and subject to the Family Educational Rights and Privacy Act of 1974.

77. After all the terms of a sanction have been fulfilled, disciplinary records may be voided by the Vice President for Student Affairs for good cause, upon written petition of respondents. Factors to be considered in review of such petitions shall include:
- (a) the present conduct of the respondent.
 - (b) the conduct of the respondent subsequent to the violation.
 - (c) the nature of the violation and the severity of any damage, injury, or harm resulting from it.

TRANSCRIPT NOTATIONS

78. A hold may be placed on a student's University records by the Dean of Students who conducted the Preliminary Review, while disciplinary proceedings are pending.
79. Permanent notation of disciplinary action shall be made on the transcript whenever a student is expelled. Transcript notations of disciplinary action will also be made if a suspension is implemented. When the suspension has expired, the notation will be removed upon written request of the student to his/her Dean of Students.

COMMITTEE ON STUDENT CONDUCT

80. The Committee on Student Conduct shall be composed of the following members:
- (a) three faculty, one from each campus of the University. One of these members shall be designated as Chair.
 - (b) three administrators, one from each campus of the University.
 - (c) three undergraduate students, one from each campus of the University.
 - (d) three graduate students, one from each campus of the University.
81. The Provosts will be responsible for establishing procedures by which members of the Committee on Student Conduct shall be selected on their campus. It will be the responsibility of the President to ensure that these procedures are reasonable and fair.
82. The Committee on Student Conduct shall be responsible for reviewing the Code, suggesting

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appropriate amendments or modifications, and advising the Vice President for Student Affairs on issues pertaining to student discipline. It will be the responsibility of the Vice President for Student Affairs to inform the University Senate, the President and the Board of Governors on such issues.

APPEALS COMMITTEE

83. One student, the faculty member, and the administrative member of the Committee on Student Conduct from each campus shall serve as the Appeals Committee for that campus. If the respondent is an undergraduate, the student member of the Appeals Committee shall be the undergraduate student member of the Committee on Student Conduct for that campus. If the respondent is a graduate student, the student member of the Appeals Committee shall be the graduate student member of the Committee from that campus. If one of these members is unable to serve in this role for any reason³⁵, a replacement shall be named by the appropriate Provost. In all cases, however, the Appeals Committee shall consist of one student, one administrator, and one faculty member.

³⁵ Committee members who, in the opinion of the Vice President for Student Affairs, have played any role in a particular case shall be disqualified from the appeal process.

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