

West Coast University (WCU) students who are alleged to have engaged in a violation (or violations) of the University Student Code of Conduct (the “Respondent”) will be provided (in advance of the hearing) with written notice of the hearing process and their rights therein. The purpose of the Student Conduct Hearing Procedures Guide is to provide an overview of what to expect during the Student Conduct Process. the complete Student Conduct Policies and Procedures can be found [here](#).

1. The authority for holding conduct hearings, reviewing evidence, and making a determination sits with the University Director of Student Affairs and is delegated to each WCU Campus Student Conduct Committee. *The Campus Conduct Committees are the only authorized committees at WCU with the authority to impose sanctions; including but not limited to suspension and dismissal.*
2. Each Campus Student Conduct Committee will comprise no less than three (3) faculty members and the Campus Director of Student Affairs (who serves as Conduct Committee Chair). All four (4) committee members must be in attendance in order for a scheduled Conduct Hearing to proceed.
3. A formal summons to appear at the Conduct Hearing will be sent to the Respondent(s) via e-mail. It is the Respondent’s responsibility to regularly monitor their University e-mail account and to ensure their WCU student record is up to date with the Respondent’s contact information.
4. The Conduct Hearing must be scheduled within 30 days of the Campus Director of Student Affairs’ receipt of the Incident Report.
5. Complainants and Respondents must be notified of the Conduct Hearing at least ten (10) days in advance of the scheduled date.
6. Respondents may request to change the date and/or time of the Conduct Hearing only in the event of extraordinary circumstances. The Respondent(s) must submit their request to the Campus Director of Student Affairs within five (5) business days of the scheduled hearing date and must include documentation with the request that supports the circumstances.
7. Respondents may request to waive their right to advance notification of their Conduct Hearing. Requests from Respondents to accelerate their hearing date will be considered on a case-by-case basis based on the availability of the Conduct Committee members.
8. The Campus Director of Student Affairs must provide the Respondent with reasonable access to the evidence related to the alleged violation.
9. Respondents have the right to submit a written response to the allegations for consideration by the Conduct Committee. Responses must be submitted to the Campus Director of Student Affairs at least one (1) business day prior to the scheduled hearing date. Responses received after the deadline will not be reviewed by the Conduct Committee.
10. Respondents have the right to request a support person to be present during the Conduct Hearing. Attorneys are not permitted to serve as a Respondent’s support person, nor are they permitted to attend Conduct Hearings.

11. Any costs related to the support person's time are the responsibility of the Respondent(s). Support persons are not permitted to address the Conduct Committee during the Conduct Hearing. The support person must be a neutral party and cannot be related in any way to the alleged incident.

12. If the Respondent(s) choose(s) not to appear for the hearing, the Conduct Committee will review the evidence and make a determination on the case in the Respondent's absence. The Respondent(s) waive(s) his/her/their right to appeal by not appearing for the hearing.

### **Conduct Hearing Process**

1. West Coast Student Conduct Hearings are conducted in private, whether they are held in person or via Zoom.

2. The hearing is overseen by a presiding officer, typically the Conduct Committee Chair.

3. If the Respondent(s) fail(s) to appear for the scheduled Conduct Hearing, the Conduct Committee will continue with the hearing, review the information available, and render a decision. The Respondent(s) waive(s) the right to appeal the Committee's decision by choosing not to appear.

4. The Presiding Officer convenes the meeting by introducing themselves, then the Conduct Committee members, and then provides an explanation of how the hearing will proceed.

5. The Respondent(s) (and the Complainant(s) and/or witnesses, if in attendance) will be asked by the Presiding Officer to affirm for the record that all statements they make during the hearing will be truthful and forthcoming.

6. The Presiding Officer will read the alleged violations.

7. Following the reading of the alleged violations, the Respondent(s) will deny or admit responsibility for the alleged violation(s). If the Respondent(s) admit(s) responsibility, the Conduct Committee may choose to dismiss the Respondent(s) from the hearing in order to deliberate and render a decision.

8. If the Respondent(s) deny/denies the alleged violation(s), the Conduct Committee will ask questions of the Respondent(s) based on the Committee's review of the evidence.

9. The Complainant(s), if present, may be asked by the Conduct Committee to provide additional information regarding the alleged violation(s).

10. The Respondent(s) will be granted an opportunity by the Presiding Officer to respond to the alleged violations.

11. The Presiding Officer will provide the Complainant(s) and Respondent(s) an opportunity to make closing statements.

12. Once closing remarks are heard, the Presiding Officer will excuse the Complainant(s), Respondent(s), and any witnesses/support persons in attendance.

13. The Conduct Committee will deliberate in private, and will either determine that further investigation is required or render a decision.

14. If the Respondent(s) is/are found NOT RESPONSIBLE for violating the Student Code of Conduct, the case is closed, the findings recorded, and the Complainant(s) and Respondent(s) are notified in writing by the Presiding Officer.

15. If the Respondent is found RESPONSIBLE for violating the Student Code of Conduct, the Conduct Committee will begin discussing appropriate sanction options. A final determination will be made by the Conduct Committee at the end of the discussion. Past conduct history of the Respondent may be taken into consideration by the Conduct Committee.

16. The Presiding Officer will notify the Respondent(s) in writing of the sanctions imposed and of their right to appeal and the appeal process. *Respondent(s) who choose not to attend their Conduct Hearing waive their right to appeal.*

17. The Presiding Officer will notify the Complainant(s) that the Conduct Hearing process has concluded, but is prohibited from disclosing the specific sanctions imposed against the Respondent(s).

18. The Presiding Officer will ensure all written records of the Conduct Hearing are preserved in the designated, secure University system(s). This will be the official and only written record included in the disciplinary file. The record will include the following:

- Statement of alleged violation
- Summary of the information reviewed [including statements and documents from the Respondent(s) and Complainant(s)]
- Decision statement
- Sanctions imposed

(Updated March 7, 2023)