APPEAL HEARING RIGHTS

1. Students may, when recognized by the Committee Chair, ask questions of the referring parties or witnesses on their own behalf. Questioning will be conducted in a civil manner as defined by the Committee Chair who will also determine the relevance of questions posed by all parties.
2. Each hearing will be digitally recorded and the recording will be maintained in accordance with the time allocated for potential appeal. In the event of the imposition of suspension or removal from the University for 10 days or more, or expulsion or dismissal from the institution as sanctions,[1] this recording will be transcribed. The Coordinator of Student Judicial Affairs will maintain both the original recording and hard copy transcription for the current academic year. All recordings remain the property of Southwest Minnesota State University and appropriate access to these materials is pursued through the Associate Vice President for Student Affairs in accordance with the Minnesota Government Data Practices Act.
3. Students may bring in a third party to act as an advisor if desired.[2] Examples of such an advisor could include another student, a staff or faculty member, or attorney.[2] This advisor is not an active participant in the hearing and may not engage in questioning or interrogation of other parties. The advisor's function is one of support to students: the advisor may suggest areas of questioning for them to pursue, may seek clarification of particular questions so that they might most accurately respond, or may assist them in fully conveying their input.
4. Reasonable sanctions and expectations will be established which will directly relate to the behaviors that caused the referral.
5. The hearing committee will act in good faith with students and strive to maintain confidentiality regarding judicial referrals and matters discussed within a hearing as permitted by law. Students need to understand that they are encouraged to uphold this same standard of confidentiality.
6. Students will be provided information on how to pursue the appropriate avenues of appeal.

[1] When a referral is also subject to a court proceeding, or when the behavior is such that suspension of more than ten days or dismissal from the University may result as a sanction, the referred student is encouraged to consider having an attorney present.

[2] If a third party advisor is to be an attorney, the student must inform the Coordinator of Student Judicial Affairs.

Note: While every effort is made to ensure accuracy, SMSU reserves the right to correct any clerical errors herein. Also, you can submit feedback.