

STUDENT JUDICIAL AFFAIRS

The purpose of the University Judicial Affairs Program is to provide a campus grievance mechanism for any person who believes that any Southwest Minnesota State student (whether living on or off campus) has violated his or her individual rights, community expectations of behavior or a campus code of conduct. It also provides the institution with a mechanism of dealing with students' behavior, on or off campus, when that behavior poses a direct threat to the safety or well being of those students or those around them.

This program provides the University a means by which to define accountability for the student who fails to meet these expectations and/or fails in the demonstration of adult responsibility to self and others. The focus of the Program is to hold students accountable for their choices and behaviors by providing the opportunity for an educational experience within a discipline procedure based on due process.

The following provides the sources of expectations for Southwest Minnesota State University students:

1. Campus Code of Conduct
2. Federal, State of Minnesota, and local ordinances, statues and law.
3. Southwest Minnesota State University (including areas and departments) and MnSCU Board regulations and policies.
4. Campus procedures established by the Student Association, RHA, and living unit communities.

The specific educational objectives of this Program are as follows.

1. To bring about a change in understanding and accepting the need for balance between personal and external control of behavior.
2. To develop empathy for the needs and rights of others, and to enhance understanding of the concepts of self-autonomy.
3. To demonstrate and enhance recognition and acceptance of the principles of personal accountability.
4. To assist individuals to achieve their educational and personal potential and to allow community members to resolve differences and grievances to their mutual benefit.
5. To maintain effective community standards and to protect the rights of individuals.
6. In this same regard, the community has the right to protect itself against the individual whose behavior consistently or repeatedly demonstrates a disregard for the welfare of the individual(s) who comprise the larger community.

How to Access the Program

Persons within the University community who believe that their rights have been infringed upon by any SMSU student's conduct may process a referral to the Coordinator of Student Judicial Affairs. Incident reports are typically referred to the Coordinator of Student Judicial Affairs from the Residence Life and Department of Public Safety, but an incident report be submitted by mail, e-mail or in person. The Coordinator, at her/his discretion, may refer an incident report for further investigation.

A judicial hearing with the Coordinator of Student Judicial Affairs is only one of the options available as response to an incident of student misconduct. the Coordinator may also elect:

1. To file a complaint with local police or County sheriff (in addition to pursuing a campus resolution).

2. To request that the incident be handles administratively by an appropriate staff member;
3. To request assistance in confronting the student personally;
4. or may request that no immediate action be taken after documenting the incident (although in some instances the University may be compelled to take action even without the complainant's cooperation);
5. to initiate an on-campus judicial hearing. Both on and off campus processes may be pursued simultaneously. If applied, on-campus hearing sanctions pertain only to the referred student's relationship to SMSU and its community members.