



Student Affairs

The disciplinary process seeks to be educational and is not a court of law. Therefore, determination of violation is based on preponderance of information. Hearings are not open meetings; only those individuals directly involved in the incident are permitted to attend as outlined in the Disciplinary Process. Note: The only exception is in instances of alleged sexual harassment/sexual misconduct, where students may select an advisor of their choice (see Equal Opportunity, Harassment, and Nondiscrimination Policy). Because of this, students are expected to be cooperative and honest in providing information. Also, Thomas does not give consent to having any portion of the disciplinary process, including hearings, recorded.

Incidents can be reviewed/heard at two levels: Judicial Officer and Judicial Review Board. [Note: Incidents involving alleged violations of sexual misconduct will be reviewed according to the Equal Opportunity, Harassment, and Nondiscrimination Policy.]

Typically, allegations are heard by the Director of Community Standards/Judicial Officer. Some violations of the Conduct Code and repeated offenses which show a disregard for the Thomas community may be referred to the Judicial Review Board for a hearing and determination of accountability and outcome. Depending on the nature of the violation, the Dean of Student Affairs/designee reserves the right to determine whether a case will be reviewed by a Judicial Officer, the Judicial Review Board, or in some situations take immediate action to protect the community and/or person(s) involved. [Note: During time when the Judicial Review Board is not in session, a Judicial Officer or the Dean of Student Affairs/designee will hear the incident and any related appeals in lieu of the Judicial Board.]

Disciplinary Process Overview:

- Alleged violation of campus policy
- Incident Report filed
- Judicial Officer e-mail notification to student of Judicial Hearing/Review
- Judicial Hearing/Review with Judicial Officer
- Judicial Officer collection of information from all students/staff involved
- Judicial Officer outcome based on preponderance of the evidence
- Outcome of No Violation issued to student via e-mail
- Outcome of Violation issued to student via e-mail
- Sanctions imposed and outlined in outcome letter
- Outcome of referral to Judicial Board
- Appeal process is available for 3 business days following delivery of outcome

Disciplinary Process Detailed:

1. A potential violation of the Conduct Code or campus policy is documented in an Incident Report and filed with the Student Affairs Office.
2. Incidents are reviewed by the Director of Community Standards and those serving as Judicial Officers.
3. Students involved in an alleged violation documented in an Incident Report will be notified by a Judicial Officer, as soon as possible, that an Incident Report has been filed.
4. Communication with students will be delivered in writing via campus e-mail or through campus mail. Students are responsible for retrieving their e-mail and campus mail within 48 hours. Failure to do so is not an acceptable excuse for delaying the judicial process or reason for appeal.
5. All persons involved in an incident may be required to meet with the Judicial Officer to gather information and details regarding an incident. This hearing/review will be scheduled by the Judicial Officer and those involved will be notified in writing of the scheduled hearing/review.
6. Students who fail to appear at the appointed time or fail to request to reschedule prior to the time of the original appointment, waive their right to a Hearing and may be found in violation for Failure to Attend a Judicial Hearing. In a student's absence, the Judicial Officer will determine responsibility based on information available at the time of the Hearing. A student forfeits their right to appeal any Judicial outcome if they missed a Judicial hearing/review.
7. At the Judicial Officer hearing/review, those persons involved with the incident will be given an opportunity to review the Incident Report and to voice their own account of the incident in individual meetings. The Judicial Officer will meet with people involved with the incident to determine if a violation has occurred or if the incident needs to be referred.
 - a. If it is determined that a violation has occurred, the Judicial Officer will impose an appropriate sanction and notify, in writing, the students involved.
 - b. If it is determined that a violation has occurred, and the student involved is a registered Athlete at Thomas College, the Athletic Director or designee will be notified.
 - c. If it is determined that a violation did not occur, the Judicial Officer will notify the student in writing of this outcome.
 - d. Students with repeated violations, or at the request of the Director of Community Standards or Dean of Student Affairs may be forwarded to the Judicial Review Board for review. The Director of Community Standards will notify the Judicial Review Board and coordinate this hearing.
 - e. If additional information is obtained through the hearing/review process, the notice of hearing and alleged violations may be updated or amended at any

time prior to an outcome based on newly obtained information during the process

8. Should a Judicial Review Board hearing be necessary, written notification of the date, time, and place of the Hearing will be sent to persons involved. Students who fail to appear at the appointed time waive their right to a Hearing and may be found in violation for Failure to Attend a Judicial Hearing. In a student's absence, the Judicial Review Board will determine responsibility based on information available at the time of the Hearing. A student forfeits their right to appeal any Judicial outcome if they missed a Judicial Review Board Hearing.
9. If a student has been found in violation, at any level, and a sanction is imposed, the student has 3 business days from the time of written notification to appeal a decision based on the criteria outlined (see Appeals).

Appeals

All appeals must be submitted in writing on the Appeals Form (located online on the Student Affairs webpage or in the Student Affairs Office) to the Dean of Student Affairs or designee within three (3) business days of having written notification sent of the hearing decision. The Dean of Student Affairs or designee will review the appeal or forward it to the appropriate Committee/Board as described below. All appeals will be reviewed in a timely manner. Judicial Decisions may be appealed based on the following criteria:

1. New information that was not available at the time of the original hearing (that could change the outcome)
2. When there is reason to believe that proper judicial procedures may have been violated.

Decisions may not be appealed solely based on dissatisfaction with the outcome/sanction or if the student did not attend the Judicial Hearing/Review.