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Student Rights and Responsibilities Committee Report #1987-88-2: Revision to the Student Judicial System Appeal Procedure

University of Rhode Island Faculty Senate

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THE UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE
BILL

Adopted by the Faculty Senate

TO: President Edward D. Eddy
FROM: Chairperson of the Faculty Senate

1. The attached BILL, titled Student Rights and Responsibilities
Committee Report #1987-88-2: Revision to the Student Judicial
System Appeal Procedure,

is forwarded for your consideration.

2. The original and two copies for your use are included.

3. This BILL was adopted by vote of the Faculty Senate on March 31, 1988.
(date)

4. After considering this bill, will you please indicate your approval
or disapproval. Return the original or forward it to the Board
of Governors, completing the appropriate endorsement below.

5. In accordance with Section 10, paragraph 4 of the Senate's By-
Laws, this bill will become effective April 21, 1988,
three weeks after Senate approval, unless: (1) specific dates
for implementation are written into the bill; (2) you return it
disapproved; (3) you forward it to the Board of Governors for
their approval; or (4) the University Faculty petitions for a
referendum. If the bill is forwarded to the Board of Governors,
it will not become effective until approved by the Board.

April 1, 1988
(date)

Wendy B. Holmes
Wendy B. Holmes
Chairperson of the Faculty Senate

ENDORSEMENT

TO: Chairperson of the Faculty Senate
FROM: President of the University

Returned.

- a. Approved .
- b. Approved subject to final approval by Board of Governors _____.
- c. Disapproved _____.

April 19, 1988
(date)

Edward D. Eddy
President

THE UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE

STUDENT RIGHTS AND RESPONSIBILITIES COMMITTEE
REPORT #87-88-2

Revision to the Student Judicial System Appeal Procedure

Revised by the Faculty Senate on March 31, 1988

The existing section 9.24.10 of the University Manual reads as follows:

EXISTING

9.24.10 Following approval by the President or Director of Student Life (as appropriate) of the judicial action, the student shall have the right to submit an appeal request concerning the decision of a board or an administrator to the University of Appeals Board (5.21.10). Such appeal requests shall be based only on specific evidence, presented in writing, of fraud, denial of rights, procedural error, or on the claim of new evidence not previously available which would have materially affected the decision of the Board. Appeal requests must be filed within one week of receipt of the letter confirming the judicial action. If the Appeals Board determines that written request for appeal has merit, it shall re-hear the case. Upon completion of the appeal hearing, the Appeals Board may either uphold the original decision and sanction imposed, or adjust the original decision and/or sanction.

The Student Rights and Responsibilities Committee recommends that section 9.24.10 of the University Manual be amended to read as follows (changes are underlined):

PROPOSED

9.24.10 In cases where the University Board on Student Conduct or an administrative officer recommends judicial sanction, the accused student shall have the right to submit a request to the University Appeals Board (5.21.10) for a re-hearing of the case. Such appeal requests shall be based only on specific evidence, presented in writing, of fraud, denial of rights, procedural error, or on the claim of new evidence not previously available which would have materially affected the decision of the Board. Appeal re-

quests must be filed with the Director of Student Life within one week of receipt of the letter informing the accused student that a judicial sanction has been recommended. Extensions to the deadline for filing appeal requests may be granted for good and sufficient reason by the Director of Student Life. If the Appeals Board determines that written request for appeal has merit, it shall re-hear the case. Upon completion of the appeal hearing, the Appeals Board may either uphold the original decision and sanction imposed, or adjust the original decision and/or sanction. Following action by the Appeals Board, the case is forwarded to the President or the Director of Student Life, as appropriate.

Rationale:

The University Appeal Board currently reviews judicial decisions involving dismissal or suspension only after the President has approved the recommended action. The Student Rights and Responsibilities Committee believes that it is more appropriate that such a review occur before the case is forwarded to the President who has the final decision regarding implementation of the recommended judicial action.

Members of the Committee:

Norman Campbell, PHP
Leo Carroll, SOC, Chairperson
Robert Gough, PLS
Chet Hickox, MGT
Sandra Ketrow, SPE
Peter Ladd, student
Jeff Sochrin, student
Fritz Wenisch, PHL
Thomas Dougan, ex officio