

A Guide to the Loyola Student Conduct Process



preparing for your
conduct meeting



When an alleged violation of the Community Standards occurs, a student has one of the conduct meetings described below:

EDUCATIONAL (ED) CONFERENCE

- Meet with a Graduate Residence Coordinator or Assistant Director
- Typically used for first offenses or minor violations of the Student Code of Conduct
- Discussion about the alleged violation, nature of the incident, and sanctions when a student is responsible for the violation
- Student and hearing officer aim to come to a mutually agreed upon decision about responsibility and sanctions.

PEER CONDUCT BOARD (PCB)

- Meet with a group of 3-5 undergraduate students and 1-2 non-voting advisors, usually a Graduate Residence Coordinator
- Typically used for minor violations or situations which impact the larger community in which students live

ADMINISTRATIVE HEARING

- Meet with Director of Student Conduct, Assistant Director of Student Conduct, Assistant/Associate Director(s) of Student Life, or other administrators
- Typically used when a resolution doesn't occur during an ed conference, a student fails to attend an ed conference, or the severity of the alleged violation or the student's prior conduct history warrants an administrative hearing
- Discussion about the alleged violation, nature of the incident

UNIVERSITY BOARD ON DISCIPLINE

- Comprised of 1 faculty, 1 student, and 1 administrator
- If sexual misconduct appeal, comprised of at least 1 faculty and up to 2 administrators
- Hears most appeals for the sanction of suspension from the residence halls, suspension or expulsion from the University
- Can also hear cases designated by the Director of Student Conduct

Preparing for your meeting:

- When you receive your charge letter by email, review the alleged charges and the attached incident report. This letter will also inform you about the type of meeting you are having, the person you are meeting with and the date/time/location of your meeting. If you have a conflict, it is important to email the hearing officer immediately!
- If you need any accommodations or modifications for any part of the student conduct process, please contact Marcia Wiedefeld, Director of Disability Support Services, at mwiedefeld@loyola.edu or 410.617.2062.
- The alleged charges outlined in your letter are decided on by your hearing officer based on the incident report for your case. These charges are not created by the Resident Assistant(s) or Campus Police Officer(s) who wrote the incident report.
- Before your scheduled meeting, be sure to read the Student Rights and Responsibilities on the next page. The Student Rights and Responsibilities apply for administrative hearings and PCB hearings. Consult the Community Standards and review your specific charges. You may notice that some charges carry standard sanctions. For the most part, students receive the standard sanctions, especially for first time alcohol violations. However, there have been some circumstances in which alternatives to the standard sanctions have been used.
- Be prepared to have a conversation with the hearing officer about what occurred. Some students find it helpful to bring notes to refer to in case they get nervous.
- Students are able to bring fact witnesses to administrative hearings and PCB hearings. Contact your hearing officer if you are bringing a fact witness or if a character witness statement is being submitted in writing.
- Your hearing officer will likely take some time during your meeting to talk about your experience at Loyola outside of this incident. We do this because sometimes there are resources we are able to offer beyond our meeting. Additionally, we know there is more to you than the situation that led you to our process.
- If you have questions, don't hesitate to contact your hearing officer prior to the hearing.



Student Rights and Responsibilities in the Hearing Process

The intent of the hearing process is not to replicate a court proceeding, but rather to be educational. A hearing is not a formal process such as a civil or criminal trial. Students are not permitted to bring attorneys or parents into the hearing room, except for cases of sexual misconduct if attorneys or parents are serving as the advisor of choice. Students do not have the right to cross-examine witnesses but may request that the panel, board, or hearing officer ask particular questions of witnesses. Failure to attend a scheduled hearing will result in the hearing being heard in the student's absence. Loyola University Maryland uses a preponderance of the evidence standard to evaluate all alleged violations of the Student Code of Conduct.

The following is a list of principles to ensure fairness during the hearing process.

- The student shall be informed in writing of the charges against them in sufficient time to afford preparation of a response. Usually, the student is given two University business days to prepare.
- The student has a right to bring an advisor of their choice to the hearing. Except for cases of sexual misconduct, the advisor must be a full-time member of the University community (faculty, administrator, staff, or student) and may not be an attorney or hold a law degree. For cases of sexual misconduct, both the complainant and the respondent may have an advisor of choice, which can include parents, attorneys, or others who are not full-time members of the University community. Students are required to notify the Office of Student Conduct one University business day in advance of the hearing date if a student plans to bring an advisor. Advisors can request an outline of their role and expectations for their participation in the student conduct process. The advisor may meet with the student to discuss the student's case prior to the hearing. If the student or the advisor has any questions, they should contact the hearing officer. The advisor's role is to provide personal counsel and support to the accused, but not to present the case or address the panel, board, or hearing officer. The advisor may not serve as a witness in the conduct proceeding. Disruptive advisors will be removed from the process and the process will continue.
- The student will receive documentation pertinent to the case, normally at least two University business days prior to the hearing.
- The student has the right to bring fact witnesses to the hearing to testify on their behalf. There is no limitation placed on the number of fact witnesses; however, students are limited to two character witnesses written statements. Students are required to notify the hearing officer of fact witnesses attending the hearing at least one University business day in advance of the hearing. In the event that a fact witness cannot attend a hearing, the witness may email or personally deliver a signed written statement directly to the hearing officer in advance of the scheduled hearing.
- The hearing officer or conduct body may call witnesses to provide information at a student conduct hearing. Witnesses are expected to appear for a hearing when requested.
- The hearing will be private. All participants are expected to maintain confidentiality regarding the proceedings. Students who receive any information (reports, transcripts, pictures, etc.) that is used in an investigation or a conduct proceeding are prohibited from disclosing that information to any third party (other than the student's parent/legal guardian or legal counsel).
- A record of the hearing will be kept. Students may request to listen to the recording of their own administrative hearing (to be done in the Office of Student Conduct). A student may request that a written transcript of their own hearing be prepared, at the student's expense.
- At the completion of the hearing, the hearing officer will indicate a time and place at which the student will receive the decision of the hearing. If the student is found responsible, the hearing officer or conduct body will then review the student's conduct history in order to determine sanctions.
- A decision letter will be sent to the student listing the charges, the decision on each charge, and any sanctions imposed. If the student is found responsible, the letter will also indicate the process for appealing the decision. The decision letter will be placed in the student's conduct file.
- The student must complete all sanctions by the specified deadlines as directed by the hearing officer or the conduct body. Those students who have not completed or complied with the sanctions may be charged and found responsible for the violation "Failure to Comply with Conduct Sanctions" described in the Code.

For additional information about the student conduct process, including an online copy of the Community Standards, please visit our website at:

<https://loyola.edu/studentconduct>

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