



APPEAL AND HEARING BOARD PROCESS

In order to ensure that each student is treated fairly and receives due process with respect to student conduct disciplinary sanctions, the University has established a hearing board and appeal process.

OVERVIEW OF APPEALS

1. Resident assistants (RA) are authorized to issue personal cautions. Students may appeal decisions made by an RA to his or her respective resident director (RD).
2. RDs are authorized to issue or revoke personal cautions and official warnings. Students may appeal an RD's decision to his or her respective student life dean.
3. The student life deans are authorized to issue or revoke discipline up to and including the level of dismissal. Students may appeal a dean's decision of personal caution or official warning directly to the Associate Vice President for Student Development. Students may request that any decision of probation or dismissal be reviewed by a hearing board.

GROUNDINGS FOR APPEALS

The purpose of all appeals and hearings is to determine if the evidence is adequate, if the decisions were appropriate, and if the process was followed correctly. All appeals should be requested in writing within two business days of the previous decision unless otherwise noted. All appeals must expressly indicate at least one of the following exclusive grounds for appeal.

1. The evidence is not adequate for the determination or new evidence has become available that has not been considered.
2. The sanctions imposed are not appropriate according to the violation(s) of the Student Handbook.
3. The investigation and determination processes were not followed.

All judgments on the satisfaction of appeal criteria may be made solely on the information written in the appeal. The student will be provided written notification within twenty-four hours detailing the advance of the appeal to a Hearing Board or denial based on insufficient grounds.

In cases of allegations of sexual assault, students should consult the process outlined in the Title IX policy at Cedarville.edu/titleIX.

HEARING BOARD

The hearing board consists of three faculty members and two students who have the authority to make disciplinary decisions in cases that involve probation or dismissal. All five individuals must be present for the proceedings of the hearing board. The Student Life Deans and SGA work together to generate a pool of faculty and students who are selected to hear discipline cases subject to the approval of the Vice President for Student Life and Christian Ministries. The hearing board follows the guidelines listed below.

- The Associate Vice President for Student Development will preside over the hearing appeal board. This role will facilitate the hearing, determine who is allowed to attend (in addition to the accused) and what information is relevant in the case.
- The Student Life dean who issued the discipline will be the presenting dean and will present the disciplinary decision and logic he/she used in issuing discipline.
- The hearings are conducted in private, and the student receives written notification of the time, date, and location of the hearing.

- The student and hearing board are given a written description of the charges being considered and supporting evidence by the presenting dean.
- The student is given the opportunity to present witnesses who have firsthand information related to the charge. The student is also notified in writing of the names of all witnesses testifying against him or her when requested.
- The student is given an opportunity to respond to the testimony of witnesses testifying against him or her.
- Attorneys are not permitted to represent the student; however, the student may request the assistance of an advisor chosen by the student from the University faculty, staff, or student body.
- The rules of evidence commonly accepted in courts of law are not applicable to cases before the hearing board.
- Acceptable forms of evidence may include personal records, written statements, or exhibits. All decisions regarding the admissibility of evidence or other procedural issues are under the authority of the Associate Vice President for Student Development.
- The standard of "more likely than not" is used to determine guilt.
- After the hearing, the Student Life deans and the accused student are excused, and the hearing board will determine, by majority vote, whether or not the student has violated a University standard.
- The hearing board will then determine the recommended sanction(s), if any, and at the conclusion of the hearing board meeting, deliver verbal summary of its recommendation to the Student Life deans and to the student who has been accused of violating a University standard.
- The hearing board will appoint a writer to provide written recommendation to the Vice President for Student Life and Christian Ministries within 1 business day of the hearing board meeting.
- The Vice President for Student Life and Christian Ministries will accept the recommendation of the hearing board or provide a written response as to why the decision of the hearing board has been rejected or amended.
- If a student wishes to make a final appeal, written appeal must be provided to the Vice President for Student Life and Christian Ministries within two days of the hearing board decision.
 - The Vice President for Student Life and Christian Ministries will provide the following to the President's Cabinet for deliberation and final decision: (1) the initial decision of the Student Life dean, (2) the recommendation of the hearing board, (3) the appeal decision of the Vice President, and (4) the written appeal of the student to the President's Cabinet. The Vice President for Student Life and Christian Ministries will abstain from deliberation and voting.
 - The Vice President for Student Life and Christian Ministries will communicate the final decision of the President's Cabinet to the student.