

Section IX: University-Wide Disciplinary Hearing Boards and Hearings; Administrative Hearings and Officers; Appeals Hearings and Boards; Administrative Appeal hearings and Officers

The adjudication of alleged violations of the Code is conducted by a duly appointed University-Wide Disciplinary Hearing Board, or by an Administrative Hearing Officer.

The Dean of Special Student Services reserves the right to assign a case to a Disciplinary Hearing Board or to an Administrative Hearing Board. Those cases involving charges which may result in possible indefinite suspension, withdrawal or expulsion will be remanded to a Disciplinary Hearing Board.

1. Disciplinary Hearing Boards

There shall be University-wide disciplinary hearing boards as follows:
University-Wide Disciplinary Hearing Board for Undergraduate matters;
University-Wide Appellate Board for Undergraduate matters;
University-Wide Disciplinary Hearing Board for Graduate and Professional Student matters;
University-Wide Appellate Board for Graduate and Professional Student matters.

Members of the University-wide disciplinary hearing boards shall be selected from a pool of students, faculty members, and administrators trained by ODSSS. The pool of board members consists of those qualified appointees submitted by University officers, Deans of the schools and colleges, the Faculty Senate, ODSSS, the Howard University Student Association (HUSA), and any other undergraduate or graduate student governing bodies approved by the Vice President for Student Affairs. Organizations shall select potential appointees according to their internal policies and procedures. Volunteers may also be part of the pool if they meet the qualifications for the category of their status at the University and they submit the "Offer to Volunteer for University Disciplinary Program" form to ODSSS. ODSSS shall provide at least two written requests for names to officials and organizations. In the event that appointments are not made by the deadline by the appropriate student and faculty organizations, ODSSS shall appoint persons to the board pool from the faculty and student body, subject to the approval of the Vice President for Student Affairs.

The disciplinary hearing boards have jurisdiction over all students subject to the Code. They are responsible for reviewing and evaluating all of the relevant information, conducting hearings, rendering a decision of "Responsible" or "Not Responsible" and making recommendations for sanctions, if any, to the Dean for Special Student Services.

2. Disciplinary Hearing Board Membership

The membership of the disciplinary hearing boards is as follows:
Each board shall be comprised of seven (7) members. No more than three (3) members can be students who meet the qualifications outlined below. The remaining members shall be from the pool of qualified faculty and administrator appointees, or volunteers, who meet the qualifications outlined below.

A minimum of five (5) members will constitute a quorum.

A. Undergraduate Students:

Validated for the semester(s) of service.

In good academic, disciplinary and financial standing.

At least 24 credits earned at time of appointment.

Can serve for two (2) academic years or until graduation.

B. Graduate/Professional Students:

Validated for the semester(s) of service.

At least one (1) semester of enrollment by the time of appointment.

In good academic, disciplinary, and financial standing.

C. Faculty:

Must have been a member of the University faculty for a minimum period of one (1) year at the time of appointment.

Administrator/Staff:

Must have been an employee of the University for a minimum of one (1) year at the time of appointment.

F. Chair:

The Dean for Special Student Services shall appoint a faculty member or administrative staff member of each board to act as Chair.

3. Administrative Hearings

Resolution of a violation of the Code may also be handled through an administrative hearing process conducted by an Administrative Hearing Officer rather than through a judicial board. An administrative hearing may be used under any of the following circumstances: A student charged with a violation will be assigned to the administrative hearing process, unless the violation merits indefinite suspension, withdrawal or expulsion.

The Dean for Special Student Services determines that it is not possible or practical to convene a disciplinary hearing board or appeal board at the time the case is scheduled (e.g., summer sessions, semester breaks, lack of a quorum, spring break, etc.) and that it is in the University's best interest to have the case heard expeditiously.

The nature of the case is such that the Dean for Special Student Services believes the best interest of the student and/or the University would be served by the use of an Administrative Hearing. If the Complainant or the Accused Student objects, either may appeal this decision in writing to the Vice President for Student Affairs, within ten (10) business days following notice of the Administrative Hearing. The Vice President shall render a decision within three (3) business days. The Dean for Special Student Services reserves the right to determine which cases are to be heard by a University-wide Disciplinary Hearing Board. In most cases, the use of an Administrative Hearing Officer is prescribed. In cases, which could result in the indefinite suspension or expulsion of a student, a University-wide Disciplinary Hearing Board is warranted.

4. Administrative Hearing Officers

Administrative Hearing Officers shall be selected by the Dean for Special Student Services from a pool of qualified and trained administrative staff members and faculty members. The Administrative Hearing Officer is responsible for reviewing all of the relevant information, conducting a hearing, rendering a decision, and making recommendations for sanctions, if any, to the Dean for Special Student Services. The hearing officer shall be the sole judge of the relevancy and admissibility of evidence presented for consideration.

5. Appeal Boards

Any student found “Responsible” for violating the Code by a University-Wide Disciplinary Hearing Board or Hearing Officer and, thereby subject to sanctions, may appeal the decision. (See Section XVI: Appeal of a Disciplinary Hearing Decision). A request for reconsideration of a decision or recommended sanction(s) shall be submitted by the Dean for Special Student Services to the appropriate Appeal Board.

Each Appeal Board shall be comprised of five (5) members. No more than two (2) members shall be qualified students. The remaining members shall be qualified faculty members, administrator appointees or volunteers.

Members of the Appeal boards must meet the same qualification standards as members of the University-Wide Disciplinary Hearing Board. However, a member serving on a University-Wide Disciplinary Hearing Board shall not serve on an Appeal Board on the same case. A faculty member or administrator who is a member of the board will be appointed by the Dean for Special Student Services to serve as Chair of each Appeal Board. A majority of four (4) will constitute a quorum.

6. Administrative Appeal Hearing

An appeal of a decision by a University-Wide Disciplinary Hearing Board may be handled through an administrative hearing process by an Administrative Appeal Hearing Officer rather than through an Appeal Board. An administrative Appeal Hearing will be convened at the discretion of the Dean for Special Student Services. If the Accused Student objects, she/he may appeal this decision in writing within five (5) business days to the Vice President for Student Affairs. The Vice President will render a decision within three (3) business days. In addition, a student filing an appeal may elect to request such a hearing.

7. Administrative Hearing Appeal Officers

Administrative Appeal Hearing Officers are selected and trained by the Dean for Special Student Services. The Administrative Appeal Hearing Officer is responsible for meeting with the Chairperson of the University-wide Disciplinary Hearing Board, reviewing all documents from the case file and hearing, and for conducting the appeal hearing. The Officer shall be the sole judge of the relevancy and admissibility of evidence presented for consideration. The qualifications for an Administrative Appeal Hearing Officer shall be the same as for an Administrative Hearing Officer. The Administrative Hearing Appeal Officer shall have no engagement in the pending appeal brought for his review.