

Buffalo State College Student Judicial System

INFORMATION FOR THE ACCUSED STUDENT IN A JUDICIAL BOARD HEARING

The following is a guide to assist you in preparing for a student judicial hearing.

The Judicial Board hearings are convened when there is a direct dispute of fact between parties involved in the case.

Please review the Code of Conduct and charge letter thoroughly to familiarize yourself with the charges that have been filed against you. The Code, which also contains a list of student rights, is available on line at the Buffalo State College Judicial Affairs website. It is highly advised that any accused student review their rights and the violations they have been charged with. Any questions may be directed to the Office of Judicial Affairs.

You have been charged with a violation of the Buffalo State College Code of Student Conduct. Although you have been charged with a violation, you are presumed not responsible unless you accept responsibility or until you are found responsible by a hearing board comprised of students, faculty and staff. Responsibility for violations is determined using a “more likely than not” standard.

You have the right to have an advocate assist you in preparing for and to be present at the hearing. An advocate is a Buffalo State faculty or staff member who has agreed to help students in preparing for hearings under the College’s student judicial system. Advocates may be obtained through the Office of Judicial Affairs.

You may also consult with and bring an advocate of your own choice to the hearing, at your own expense.

The advocate is not permitted to speak on your behalf, or to participate directly in any way during the hearing. He/She can help you do the following:

- Review the charges against you;
- Aid in the preparation of opening and closing statements;
- Think of questions you will want to ask of your witnesses and the witnesses called to testify against you;
- Take notes during the hearing
- Help you to remain calm and in control during the proceedings.

Please submit the name of your advocate to the Director of Judicial Affairs at least (3) business days prior to your hearing date.

You will be allowed to bring witnesses to support your testimony. Please submit a list of your witnesses to the Office of Judicial Affairs at least (3) business days prior to your

hearing. *You are responsible for contacting your witnesses and informing them of the date, time, and location of the hearing.*

Information for the accused student in a judicial board hearing.

You will be allowed to ask questions of witnesses present at the hearing for both complainant and accused. Written statements by anyone not present at the hearing will not be accepted. *If you believe that you have evidence that is pertinent to your case (e.g. documents, pictures, etc) you must submit it to the Office of Judicial Affairs at least (3) business days prior to your hearing.* The hearing board has the option whether or not to consider evidence that has not been received prior to the hearing.

All testimony will be heard by a hearing board consisting of students, faculty and staff. They are there to: (1) hear the testimony objectively, (2) formulate an opinion regarding whether it is more likely than not that you engaged in the prohibited conduct presented to them, and (3) if so, issue a sanction. The hearing board seeks to provide an impartial review, so please do not allow yourself to become defensive or argumentative with the hearing board members.

Arrive at the hearing location 10-15 minutes prior to the beginning of the hearing. (If in doubt of time and date contact the Office of Judicial Affairs at 878-4618 to verify). If you do not appear for the hearing, **the hearing board will proceed in your absence.**

Except in extraordinary circumstances, requests to postpone the hearing will not be considered. A postponement request must be made in writing to the Director of Judicial Affairs, citing a valid reason, within (3) business days prior to the hearing. This request must be approved by the Office of Judicial Affairs for the postponement to take effect.

Accused students are advised to prepare an opening and closing statement. However, these statements are optional and are not required.

Be prepared to address the facts of the case and the particular incident being presented. You should take the student judicial process seriously and prepare carefully.

If you have any additional questions contact Dr. Latonia Marsh, Director of Judicial Affairs, at 878-3051.