

POLICY & PROCEDURES MANUAL

WAYLAND BAPTIST UNIVERSITY

cooperation and compliance may have bearing on sanctions imposed. Sanctions may also be imposed on students for reasons of deterrence.

- C. Each disciplinary issue will differ in circumstance, severity, and situation. Accordingly, differing sanctions may be imposed in similar cases at the discretion of the university officials if such sanctions are considered by university officials to be appropriate and without arbitrary discrimination.
- D. Sanctions may be appealed through the appeals process in the section of this GRFXPHQW HQWLWOHG 3\$SSHDOV
- E. Plainview campus: The executive director of student services (EDSS) has authority to temporarily sanction a student, if deemed necessary for the well-being of the university community and the educational process, pending the outcome of the disciplinary process or a criminal or civil prosecution. Sanctions under appeal will be considered if the appeal is upheld and sanctions are overruled.
- F. External campuses: The executive director/campus has authority to temporarily sanction a student, if deemed necessary for the well-being of the university community and the educational process, pending the outcome of investigations or criminal or civil prosecution. Sanctions under appeal will be considered if the appeal is upheld and sanctions are overruled.
- G. WBUonline: The director of WBUonline has authority to temporarily sanction a student, if deemed necessary for the well-being of the university community and the educational process, pending the outcome of investigations or criminal or civil prosecution. Sanctions under appeal will be considered if the appeal is upheld and sanctions are overruled.

DEFINITION OF SANCTIONS

Fines

Fines may be levied by the executive director of student services, judicial council, housing staff and dormitory staff. Fines are a reminder that further violation of university rules and regulations may result in more stringent disciplinary action. A list of fines is available in the Housing Office and th

Restitution

Restitution entails reimbursement for the university or other affected parties for damages to property, or for the replacement of lost or stolen articles.

Formal Reprimand

Formal Reprimand entails the following sanctions: a stern warning that any further violation of university rules and regulations during the probationary period could result in disciplinary probation, suspension or expulsion.

Disciplinary Probation

May entail any or all of the following sanctions;

1. restriction from representing the university in any fashion. This sanction includes all public performances or appearances under the auspices of the university.
2. restriction from any university sponsored travel
3. restriction from holding offices in any university organizations.
4. restriction from receipt of any scholarship assistance (federal financial aid, state aid, or gifts directly to students from outside entities are not affected by this sanction.)

Disciplinary Suspension

Entails the following sanctions:

1. The student will be restricted from enrollment during the period of suspension.
2. Re-enrollment after suspension will be contingent upon approval of the executive director of student services or the vice president of academic affairs.

Disciplinary Expulsion

- c. SCIs are not involved in the adjudication process beyond their contribution of the Investigative Summary. They may be called as a witness by the adjudicator/adjudicating body if the adjudicator/adjudicating body deems such testimony as necessary in their deliberations.

The following process will occur in cases where the EDSS chooses, given the nature of the alleged violation and the evidence available in the initial report, to move directly to a Student Conduct Hearing. The EDSS may, at any point in this process, decide to 1) submit the case to the Judicial Council or 2) refer the case to the senior vice president of operations and student life. Each of these processes are outlined later in this document. The process for moving directly to a Student Conduct Hearing is as follows:

- 1) Administrative Summons - Students will receive an Administrative Summons and appear before the EDSS. This Summons will include, at minimum, the date, time and location of the Student Conduct Hearing and the student's Wayland email address. Other forms of communication such as text messaging and hard copy letters may be used in conveying the details of a Student Conduct Hearing, but students are ultimately responsible for any official university communication delivered to their Wayland email address. Under normal circumstances the Summons will be delivered at least 24 hours prior to the Student Conduct Hearing. The university reserves the right, particularly in cases where the immediate safety of students, faculty and staff may be at issue, to require a Student Conduct Hearing less than 24 hours from the receipt of an Administrative Summons. An Administrative Summons takes precedence over all other activities, and failure to appear in response to an Administrative Summons will be considered a violation of the Student Conduct Policy which lists *failure to comply with other conduct standards as set forth in university publications or by university officials* as a violation. As such, failure to appear in response to an Administrative Summons may result in disciplinary action.
- 2) Notification of Charges - Students receive notification of which violations in the Student Conduct Policy are being investigated prior to, or at minimum at the beginning of the Student Conduct Hearing. The Notification of Charges will be delivered, at a minimum, to the student's Wayland email address. Other forms of communication such as text messaging and hard copy letters may be used in conveying the alleged violations, but students are ultimately responsible for receiving such communication.

- ii. The advisor may only support and advise the student during the hearing. They may not make statements or involve themselves in any way in the proceedings.
 - iii. Advisors who disrupt the proceedings in any way will be removed immediately.
- 4) Notification of Resources ±Students will receive notification of resources available to them regarding the Student Conduct Process prior to, or at minimum at the beginning of the Student Conduct Hearing. These resources may include counseling services, victim advocacy services, addiction recovery services, academic support, financial aid counseling and resources that students might find helpful during the Student Conduct Process. The Notification of 5 HVRXUFHV ZLOO EH GHOLYHUHG DW PLQLPXP WR WKH VW communication such as text messaging and hard copy letters are used in conveying available student resources, but students are ultimately responsible for any official university communication delivered to their Wayland email address. In some cases, the Notification of Resources may be included with the Administrative Summons.
- 5) Student Conduct Hearing ±Students will appear before the EDSS at the appointed time, at the appointed location for the Student Conduct Hearing. This hearing will serve as an opportunity for the EDSS to hear statements from the student and review any evidence provided by the student.

In cases where the EDSS designates a Student Conduct Investigator (SCI) to conduct an investigation into the alleged violation, the following process will occur with regard to the investigation:

- 1) the EDSS will forward an Incident Report that includes information about the alleged violation(s) to the SCI. The SCI will a) conduct interviews b) review/collect evidence and c) evaluate pertinent information regarding any alleged violation of the Student Conduct Policy.
- 2) Students will receive an Administrative Summons to interview with the SCI. This Summons will include, at minimum, the date, time and location of the Student Conduct Interview. The Administrative Summons will be delivered to the student.

the case objectively because of a conflict of interest. 1) Challenges must be submitted to the EDSS via em

iii. Advisors who disrupt the proceedings in any way will be removed immediately.

- 5) Notification of Resources ±Students will receive notification of resources available to the regarding the Student Conduct Process prior to, or at minimum at the beginning of the Judicial Council Hearing. These resources may include counseling services, victim advocacy services, addiction recovery services, academic support, financial aid ~~and~~ and/or other resources that students might find helpful during the Student Conduct Process. The Notification of 5 HVRXUFHV ZLOO EH GHOLYHUNG DW PLQLPXP WR WKH VW communication such as text messaging and baby letters may be used in conveying available student resources, but students are ultimately responsible for any official university communication delivered to their Wayland email address. In some cases, the Notification of Resources may be included in the Administrative Summons.
- 6) Judicial Council Hearing ±Students will appear before the Judicial Council at the appointed time, at the appointed location for the Judicial Council Hearing. During the Judicial Council Hearing students who are alleged to have committed a violation of the Student Conduct Policy will be required to appear. Other students who may have been involved or witnessed events related to the allegation will also be required to appear. The Judicial Council will consider the Investigative Summary submitted by the SCI as part of the case record. The Judicial Council may also review any evidence or interview collected or conducted by the SCI during the process of the investigation. Judicial Council Hearings will be recorded.
 - a. The student will have the opportunity to make an oral presentation to the Judicial Council.
 - b. The student will answer questions posed to him/her by the Judicial Council.
 - c. The student will have the opportunity to present any pertinent evidence to the Judicial Council.
 - d. The student may present written statements from witnesses. These statements must LQFOXGH WKH ZLWQHVVHV¶ :D\ODQG , QXPEHU DQG PXV

along with a rationale for the decision and any related sanctions, will be delivered to the student within five business days of the conclusion of all hearings related to the case. ~~The Ruling~~
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such as text messaging and hard copy letters may be used in conveying the Ruling, but students are ultimately responsible for any official university communication delivered to their Wayland email address. Grounds and instructions for filing an appeal can be found in the section below

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the evidence indicates that the student is more likely than not to have committed the alleged student conduct violation. This ruling, along with a rationale for the decision and any related sanctions, will be delivered to the student within five business days of the conclusion of all KHDULQJV UHODWHG WR WKH FDVH 7KH 5XOLQJ ZLOO EH GH email address. Other forms of communication such as text messaging and hard copy letters may be used in conveying the Ruling, but students are ultimately responsible for any official university communication delivered to their Wayland email address. Grounds and instructions for filing an appeal can be found in the section below entitled *Appeals*.

If the SVP elects to form an *ad hoc committee* (AHC) of three faculty/staff representatives to adjudicate the case as designees, the following process will be utilized:

- 1)

- 7) Ruling ±Upon the conclusion of all hearings related to a case, the AHC will submit a ruling. The AHC may rule that the student is 1) Not Responsible for violating the Student Conduct Policy, or 2) Responsible for violating the Student Conduct Policy. A finding of Responsible will be based on *preponderance of evidence* standard. In other words, in finding a student responsible for violating the Student Conduct Policy, the adjudicator/adjudicating body will have determined that the evidence indicates that the student is more likely than not to have committed the alleged student conduct violation. The AHC will, when appropriate, recommend sanctions.
- 8) Sanctions ±In cases where students are found to be Responsible for violating the Student Conduct Policy, the SVP will consider the recommendations made by the AHC and will administer sanctions. Sanctions are the exclusive responsibility of the SVP. The Ruling, along with a rationale for the decision and any related sanctions, will be delivered to the student within five business days of the conclusion of all hearings related to the case. The Ruling will be delivered, at P L Q L P X P W R W K H V W X G H Q W ¶ V : D \ O D Q G H P D L O D G G U such as text messaging and hard copy letters may be used in conveying the Ruling, but students are ultimately responsible for any official university communication delivered to Wayland email address. Grounds and instructions for filing an appeal can be found in the section below titled *Appeals*.

IV. STUDENT DISCIPLINE APPEALS

Students found Responsible for violating the Student Conduct policy may appeal the decision or sanctions in writing by completing the Student Conduct Appeal Form within five business days of delivery of the Student Conduct Ruling. Students may appeal a ruling sanctions for any of the following reasons:

- 1) New evidence (evidence not previously presented during the adjudication process) has become available that could change the ruling.
- 2) The student was not afforded due process as described in section WAYLAND BAPTIST UNIVERSITY ADJUDICATION PROCEDURES.
- 3) The sanction administered in the adjudication process was not consistent with the violation according to the Wayland Baptist University Student Handbook and/or Wayland Baptist University Policies and Procedures.

Appeals must be referred to an adjudicator/adjudicating body that is able to *meet objectivity requirement*. In other words, the adjudicator/adjudicating body must not have been involved in the investigation or adjudication of the Student Conduct case in which the appeal was produced. Upon receipt of the Student Conduct Appeal Form, the executive director of student services (EDSS) will forward the completed form to the senior vice president of operations and student life (SVP). The SVP may then choose to do one of the following:

- 1) Adjudicate the appeal.
- 2) Appoint a designee to adjudicate the appeal.
- 3) Refer the appeal to the Judicial Council
- 4) Form an ad hoc committee of three faculty/staff representatives to adjudicate the appeal as designees of the SVP.

If the SVP decides to adjudicate the appeal, the following process will apply:

- 1) Notification of Designation ±The SVP will notify the student of his/her decision to consider the D S S H D O 7 K H 1 R W L I L F D W L R Q R I ' H V L J Q D W L R Q Z I L O E H G H O L

email address. Other forms of communication such as text messaging and hard copy letters may be used in conveying the details of an Appeal Hearing, but students are ultimately responsible for any official university communication delivered to their Wayland email address.

- 2) Ruling on Grounds - The SVP will examine the Student Conduct Appeal Form to determine whether or not grounds actually exist for an appeal. The appeal adjudicator/adjudicating body is solely responsible for determining whether or not grounds for an appeal exist.
 - a. If none of the three criteria previously mentioned are, in the determination of the adjudicator/adjudicating body, present in the appeal, the appeal will be denied.
 - b. If one or more of the previously mentioned criteria are ~~met~~ in the appeal, then the appeal process will be allowed to continue.
 - c. Students will receive notification regarding the status of their appeal within five business days.
 - d. The Ruling on Grounds will be delivered to the student's Wayland email address. Other forms of communication such as text messaging and hard copy letters may be used in conveying the details of the ruling, but students are ultimately responsible for any official university communication delivered to their Wayland email address.
- 3) Review of Record - If the SVP determines that grounds do, in fact, exist for an appeal, then the SVP will review the case record. The SVP may review any or all of the materials entered into the case record including, but not limited to evidence collected, investigative summaries and any or all student conduct interviews conducted during the course of the investigation. The SVP may also review the proceedings of any student conduct hearing related to the case. Where no new evidence has been presented as part of the appeal, the appeal process will proceed to Appeal Ruling.
- 4) Appeal Hearing - Appeal hearings will be convened by the adjudicator/adjudicating body only in cases where new evidence is alleged to become available that could change the ruling.
 - a. Administrative Summons - Students will receive an Administrative Summons to appear

- 5) Appeal Ruling ±The SVP will render a decision regarding the appeal. This ~~decision~~ will be based on the case record and the Student Conduct Appeal form submitted by the student. In cases where new evidence has been submitted as part of the appeal process, that evidence, as well as the proceedings of the Appeal Hearing, will be ~~considered~~ as well. The student will be notified of

investigation. The designee may also review the proceedings of any student conduct hearing related to the case. In cases where no new evidence has been presented as part of the appeal process will proceed to Appeal Ruling.

34143 (Appeal Hearing Appeal Proceedings) will be reviewed by the Adjudicator/Adjudicating Body. In cases where new evidence is alleged to have become available that could change the ruling.

- a. Administrative Summons- Students will receive an Administrative Summons to appear before the designee. This Summons will include, at minimum, the date, time and location of the Appeal Hearing, as well as the name and title of the designee. The Administrative Summons will be delivered to the student through various forms of communication such as text messaging and hard copy letters may be used in conveying the details of an Appeal Hearing, but students are ultimately responsible for any official university communication delivered to their Wayland email address. The Summons will be delivered at least 24 hours prior to the Appeal Hearing.
- b. Appeal Hearing ±Students will appear before the designee at the appointed time, at the appointed location for the Appeal Hearing. This hearing will serve as an opportunity for the designee to review new evidence that is being presented as part of the appeal and to interview the student regarding the new evidence.
 - i. The student will have the opportunity make a presentation to the designee.
 - ii. The student will answer questions posed to him/her by the designee.
 - iii. The student will have the opportunity to present any new evidence to the designee.
 - iv. The student may present written statements from witnesses. These statements will be reviewed by the designee.

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students are ultimately responsible for any official university communication delivered to their

opportunity for the Judicial Council to review new evidence that is being presented as part of the appeal and to interview the student regarding the new evidence.

- i. The student will have the opportunity make an oral presentation to the Judicial Council.
 - ii. The student will answer questions posed to him/her by the Judicial Council.
 - iii. The student will have the opportunity to present new evidence to the Judicial Council.
 - iv. The student may present written statements from witnesses. These statements must be prepared in the presence of a university official. The university official must also sign and print their name on the document in order to confirm the identity of the witness.
 - v. Students who fail to appear for the Student Conduct Hearing will have their case adjudicated in their absence.
- 5) Appeal Ruling ±The Judicial Council will render a decision regarding the appeal. This decision will be based on the case record and the Student Conduct Appeal form submitted by the student. In cases where new evidence has been submitted as part of the appeal process, that evidence, as well as the proceedings of the Appeal Hearing, will be considered as well. The student will be notified of the decision within 20 business days of the submission of the Ruling on Grounds. The university will use forms of communication such as text messaging and hard copy letters may be used in conveying the details of the ruling, but students are ultimately responsible for any official university communication delivered to their Wayland email address. All Appeal Rulings will be final.

The SVP may also decide to appoint an ad hoc committee (AHC) to consider the appeal. Each member of the committee must be 1) a member of the faculty or staff at Wayland Baptist University and 2) able to meet the basic objectivity requirement. In cases where the SVP has appointed a committee to consider an appeal, the following process will apply:

- 1) Notification of Designation ±The SVP will notify the student of his/her decision to appoint the AHC to consider the appeal. The notification from the SVP will include the names and titles of all members of the AHC and their Wayland email address. Other forms of communication such as text messaging and hard copy

- a. If none of the three criteria previously mentioned are, in the determination of the adjudicator/adjudicating body, present in the appeal, the appeal will be denied.
- b. If one or more of the previously mentioned criteria are met by the appeal, then the appeal will process will be allowed to continue.
- c. Students will receive notification regarding the status of their appeal within five business
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- d. The Ruling on Grounds will be delivered HG DW PLQLPXP WR WKH VWXGHQ

of the ruling, but students are ultimately responsible for any official university communication delivered to their Wayland email address. All Appeal Rulings will be final.

V. EXTERNAL CAMPUS STUDENT DISCIPLINE PROCESS

The executive director/campus dean for each external campus will determine appropriate courses of action for investigating and adjudicating issues of alleged violation of the applicable standards of conduct outlined in Section II above. The process used is outlined below.

- A. The executive director/campus dean will notify the student accused of the violation within seven working days after the incident is reported to the executive director/campus dean. The notification will include which alleged violations of the Student Conduct Policy are being investigated, as well as an explanation of possible outcomes of the investigation into the incident, including the possibility of any of the sanctions outlined in Section III above.
- B. The executive director/campus dean will investigate allegations of violations of conduct standards and will recommend any sanctions deemed appropriate to the vice president of external campuses within 20 work days of notification to the student. An ad hoc committee of faculty, staff and/or students may be convened at the discretion of the executive director/campus dean to assist in the investigation and in formulating recommendations for the vice president of external campuses.
- C. The vice president of external campuses will review the recommendation and will resolve any questions arising from that review in conjunction with the executive director/campus dean. The vice president of external campuses will notify students of the results of the investigation and of any sanctions to be imposed within 10 work days of receipt of the recommendation from the external campus.

VI. APPEAL PROCESS FOR EXTERNAL CAMPUS STUDENTS

Students found Responsible for violating the Student Conduct Policy may appeal the decision or sanctions in writing by submitting an appeal letter via email to the vice president of external campuses who will deliver the appeal to the senior vice president of operations and student life (SVP). Students may appeal a ruling or sanctions for any of the following reasons:

- 1) New evidence (evidence not previously presented during the adjudication process) is available that could change the ruling.
- 2) The student was not afforded due process as described in section III. PLAINVIEW CAMPUS ADJUDICATION PROCEDURES.
- 3) The sanction administered in the adjudication process was not consistent with the violation according to the Wayland Baptist University Student Handbook and/or Wayland Baptist University Policies and Procedures.

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notification of the decision. The SVP, his/her designee, or ad hoc committee will make a ruling on the basis of the record and will notify the student of the decision within a reasonable time, not to exceed 20 work days from receipt of the appeal. The decision of the SVP, his/her designee, or ad hoc committee is final and no further appeal can be made.

VII. ONLINE STUDENT DISCIPLINE PROCESS

Any student who is affiliated solely with WBU Online will be referred to in this policy as an online student. An online student may request to participate in the required hearings via teleconference or web

conference. For those online students who are geographically displaced from the Plainview campus, the university will accommodate differences in time zones and provide a hearing at a reasonable time for parties.

The director of WBUonline will determine appropriate courses of action for investigating and adjudicating issues of alleged violation of the applicable standards of conduct outlined in Section II above. The process used is outlined below

- A. The student accused of the violation will be notified within seven working days after the incident is reported to the director of WBUonline. The notification will include which alleged violations of the Student Conduct Policy are being investigated, as well as an explanation of possible outcomes of the investigation into the incident, including the possibility of any of the sanctions outlined in Section III above.
- B. The director of WBUonline will investigate allegations of violations of conduct standards and will recommend any sanctions deemed appropriate to the vice president of academic affairs within 20 work days of notification to the student. An ad hoc committee may be convened at the discretion of the director of WBUonline to assist in the investigation and in formulating recommendations for the vice president of academic affairs. The ad hoc committee, appointed by the director, will be comprised of two full-time faculty with online teaching experience at Wayland, two students (at least one online student), one university staff member, and the director of WBUonline (non-voting).
- C. The vice president of academic affairs will review the recommendation and will resolve any questions arising from that review in conjunction with the director of WBUonline. The vice president of academic affairs will notify students of the results of the investigation and of any sanctions to be imposed within 10 work days of receipt of the recommendation from WBUonline.

VIII. APPEAL PROCESS FOR ONLINE STUDENTS

Students found responsible for violating the Student Conduct Policy may appeal the decision or sanctions in writing by submitting an appeal letter via email to the vice president of operations and student life (SVP). Students may appeal a ruling or sanctions for any of the following reasons:

- 1) New evidence (evidence not previously presented during the adjudication process) has become available that could change the ruling.
- 2) The student was not afforded due process as described in section III. PLAINVIEW CAMPUS ADJUDICATION PROCEDURES.
- 3) The sanction administered in the adjudication process was not consistent with the violation according to the Wayland Baptist University Student Handbook and/or Wayland Baptist University Policies and Procedures.

Appeals must be submitted within ten working days of receipt of the notification of the decision. The SVP, his/her designee, or ad hoc committee will make a ruling on the

