



Donald Suit, director of the Office of Conduct Standards

University discipline system 3 forums hear student cases

By STEVE IVEY
Collegian Managing Editor

You're having a party in your dorm room. Some of the kids are drinking and the rest are smoking dope. There's a knock at the door and when you open it, three policemen walk in and say that all of you are under arrest.

What happens next?
The University maintains its own system of judging and punishing students who allegedly violate the Code of Student Conduct or town, state or federal laws. The system is made up of three forums that may hear the case and two possible appeals levels.

Student Standards Boards, the University Hearing Board and Donald Suit, director of the Office of Conduct Standards, may hear cases and impose sanctions ranging from warning letters to expulsion. Their decisions may be appealed to the University Appeals Board and, in some cases, to University President John W. Oswald.

Each residence hall area has an SSB which hears cases arising from violations committed in that area. The SSB members are students living in that area.

The UHB hears cases of alleged student misconduct occurring off campus, involving students from more than one dorm area, or occurring on campus but not in a dorm area. This board may hear cases involving academic dishonesty, although they are usually handled by the college involved.

Two students, one faculty member, one administrator and a senior faculty member who acts as the chairman, compose the UHB.

Suit may hear cases personally only if the student involved:

— requests in writing that his case be heard by Suit.

— is informed in writing and waives in writing his right to a hearing before the UHB or SSB; and

— does not dispute the validity of the charges against him.

Students wanting to appeal Suit's decision or that of the SSB or UHB must submit a written request for an appeal to the University Appeals Board within five days of his hearing.

The UAB does not have to review every case — only those involving separation of a student from the University. Reviews of other cases are left up to the discretion of the UAB members.

The UAB is composed of one undergraduate, one graduate student, two faculty members, and one administrator. None of these people can also be UHB members.

UAB decisions may be appealed to Oswald only when the sanction involves separating the student from the University. His decision is final.

As Conduct Standards director, Suit receives all complaints against students from University agencies or departments, state and local agencies, and from the general public.

"If the complaint is serious, we will charge the student," Suit told the Daily Collegian. "If it is a minor or first offense, I may just send the student a warning letter." This letter is unofficial, and the student can contest its assumption of guilt.

Suit notifies the student in writing of the specific charges against him and of his rights, and the hearing procedure an possible sanctions are explained.

At a pre-hearing interview Suit has with each charged student, he tells them the exact details of the charges and evidence against them.

Although students are not allowed lawyers in discipline hearings, they may choose a member of the University community to advise them during the hearing. The adviser must be an administrator, faculty member or fellow student.

The adviser can help the student prepare and present his defense, accompany him at all hearings and help prepare appeals. He cannot directly question witnesses, only the accused student can do that.

The hearings do not require the same standards of procedural due process as criminal proceedings. The accused is allowed to call witnesses, cross-examine and challenge board members for being prejudiced or predisposed about the case.

The burden of proof, however, is on the University at all times.

After hearing all of the evidence, the board meets privately to decide the case, usually by consensus. A student's past record is not presented to the board until after the board has reached a decision. Then it is taken into account when the board determines what sanctions to apply.

The student has five days to appeal the board's decision. Grounds for appeal are that:

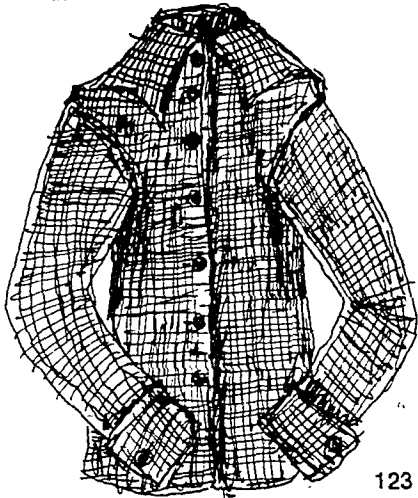
— the student has been deprived of his rights;

— the facts appear to be insufficient to establish his guilt; or

— the sanction recommended by the original board are not justified by the nature of the offense.

The Code of Student Conduct and the sanctions that may be imposed upon students breaking those rules are given in the Student Handbook available at registration and from resident assistants.

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Code governs students

The Code of Conduct governing the behavior of members of the University must insure the basic rights of individuals as well as reflect the practical necessities of the community.

The code must reconcile the principles of maximum freedom and necessary order. Sanctions for violations of the Code shall be commensurate with the seriousness of the offense and may include separation from the University. Repeated violations justify increasingly severe sanctions.

Misconduct which may result in disciplinary action consists of the following offenses:

1. Violation of written University policy or regulations contained in any official publication or administrative announcement of The Pennsylvania State University.

2. Violations of local, state or federal law on University property, or off campus when such violation of the law has an adverse effect upon the University or upon individual members of the University community.

3. Academic dishonesty including, but not limited to, cheating and plagiarism.

4. Disruption of operations of the University as defined in the Statement on Open Expression and Disruption as set forth below.

5. Furnishing false information to the University or other similar forms of dishonesty in University-regulated affairs, including knowingly making false oral

or written statements to any University discipline board.

6. Forgery, alteration, destruction or misuse of University documents, records, identification cards, or papers.

7. Failure to comply with directions of or to present identification to University officials acting in the performance of their duties, or refusal to respond to a request to report to an administrative office.

8. Unauthorized entry into or use of University facilities.

9. Use, possession or carrying of firearms (including, but not limited to, pistols, rifles, shotguns, or ammunition), handbilly, dirk knife or other dangerous knives, explosives or other dangerous weapons while on University owned or controlled property or at University sponsored or supervised activities, except by authorized law officers and other persons specifically authorized by the University.

10. Use, possession or distribution of alcoholic beverages except in individual residence hall rooms. Use, possession or distribution of alcoholic beverages on University property shall comply with laws of the Commonwealth of Pennsylvania. It is unlawful for a person less than twenty-one years of age to attempt to purchase, consume, possess, or transport any alcohol or malt or brewed beverage within the Commonwealth. It is unlawful to sell, furnish or

give any liquor or malt or brewed beverage, or to permit any liquor or malt or brewed beverage to be sold, furnished or given to any minor.

11. Use, possession, distribution or being under the influence of narcotics or dangerous drugs, except as permitted by law.

12. Theft of or damage to property of the University or to property of any of its members or visitors.

13. Physical abuse of any person on University-owned or -controlled property or at a University sponsored or supervised function, or conduct which threatens or endangers the health or safety of a person.

14. Disorderly conduct or lewd, indecent, or obscene conduct on University-owned or -controlled property or at University-sponsored or supervised activities.

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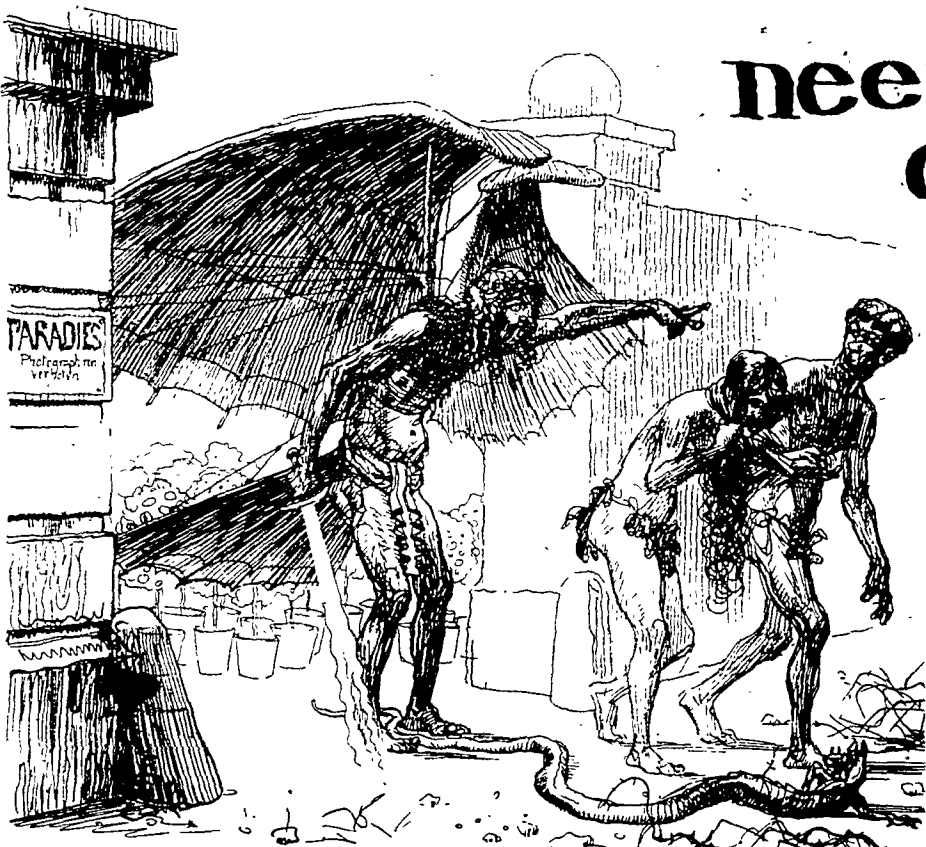
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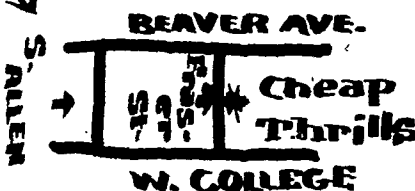
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