

FREQUENTLY ASKED QUESTIONS about the Student Disciplinary Process

The following are commonly asked questions by students accused of violating University regulations. As such, the answers are written as if the student is the audience. However, the information may be generally useful to any audience.

Q I received an email from judaffrs@vps.msu.edu stating that I need to attend a meeting? What does this mean?

A A faculty, staff or student member of the University filed a complaint alleging that you violated one or more University regulations. If you have a **CLASS** conflict or personal emergency, you may call and reschedule.

Q What if I do not attend the meeting?

A A hold will be placed on your registration. Registration holds prevent students from registering for classes, adding or dropping classes, and may eventually cancel a student's classes if it is not resolved in a timely manner.

Q What will happen at this initial meeting?

A You will receive a copy of the incident report, have the opportunity to respond to it, and learn about your due process rights and responsibilities. Before the meeting is concluded, you may accept responsibility for the alleged violations, or deny the allegations and request a formal hearing (see below).

Q What if I accept responsibility?

A If you ask the administrator with whom you meet to determine a sanction, he or she may do so at that time. You may instead request that a hearing board schedule a meeting with you at a later date. Either way, a variety of factors are considered, including the nature and severity of the behavior, the impact your behavior had on the campus/community, your behavioral history at the University, and desired educational outcomes. Ultimately, the goal of the student disciplinary process is support responsible citizenship and a healthy learning environment.

Q I am also facing the legal process through the courts. Isn't this double jeopardy?

A No. The term *double jeopardy* applies only to the criminal justice system and relates to a legal prohibition against trying someone in court for the same violation of law, more than once. In the case of a student disciplinary matter, the issue is whether or not a University regulation was violated, not whether a law was broken. As such, students enrolled at MSU have explicitly and implicitly agreed to abide by the University's regulations, and there can be consequences for violating them.

Q Who has access to my disciplinary record?

A The Family Rights and Privacy Act (aka, FERPA) is a federal law that severely restricts disclosures of non-directory information about students. In other words, if the information is not in the MSU People Search, then it is not public information.

University employees with a *legitimate educational interest*' (e.g., a College Dean or Residence Life Director) may review your record without your written permission. There are additional exceptions, including but not limited to health and safety emergencies or compulsion by a legal subpoena.

If you would like your information released to anyone else (e.g., a parent, attorney), you must provide the Department of Student Life with written permission. Forms requiring your signature are available in 101 Student Services.

Q If I'm found responsible, does something appear on my transcript?

A No information will appear on your transcript; HOWEVER a formal education record will be maintained by the Department of Student Life. If future employers or educational institutions require you to sign a waiver as part of their application process your record may be released to them.

Q Is my behavior off campus governed by University regulations?

A Yes, to a degree. Students who participate in activities sponsored by the University (e.g., Study Abroad), or a Registered Student Organization (RSO) event are governed by University regulations. Also, students who participate in an illegal civil disturbance (e.g., a riot) are subject to University discipline as well.

Q What happens if I don't complete an assigned educational sanction by the deadline?

A A hold will be placed on your registration, and which may eventually result in your classes being cancelled.

Q Can I appeal the outcome of my case? If so, who hears the appeal?

Yes. You may appeal the outcome of any judicial decision, first to the University Student Appeals Board, and finally to the Vice President of Student Affairs and Services. Guidelines and materials required for an appeal are included in all decision letters.

Q How are members of hearing boards selected?

A Student members are selected by a committee comprised of current board members, and are confirmed through student governance process. Faculty members are nominated by Academic Governance and are confirmed by the President of Michigan State University.

Q May I have someone present with me at a formal hearing?

A Yes. You may ask that a faculty, staff or student member of the MSU community attend with you. However, you will have the primary responsibility for presenting your side of the case. Your advisor can be most effective in helping you prepare for the hearing, and by offering support or advice during the hearing itself.

Q What happens if I withdraw from school, graduate or transfer to another institution before this is resolved?

A The student disciplinary process may continue with or without your participation. In addition, a registration hold may be placed which could prevent you from obtaining transcripts or seeking reenrollment at a later date.