

Office of Student Conduct & Resolution MSUM

Disciplinary Procedures

1. **Report of Misconduct:** filed by RAs, Public Safety officers, or others on and off campus
2. **Investigation & Process Initiated:** hearing officer will review the case information
3. **Written Notice of Alleged Policy Violations:** the hearing officer will send a letter, including informing the accused student of her/his responsibility to meet with the hearing officer.
4. **Preliminary Conference & Hearing:** this meeting (informal administrative hearing) is to discuss the disciplinary process and due process rights, review the alleged complaint, and discuss relevant procedures. *Serious offenses may be referred to the Student Conduct Committee for a hearing.*
5. **Appeal Process & Grounds:** Regardless of the outcome of the case, the complainant and the respondent have the right to appeal in writing within six (6) school days after the date of the receipt of notification of sanction. Grounds are detailed in the Student Conduct Code (Student Handbook).

Disciplinary Sanctions

A sanction is an outcome given to a student for violating specified University policy. Violations of the policy are addressed from an educational perspective. In all conduct proceedings, it is recognized that MSUM is an educational institution and not a court of law. One or more sanctions will be selected from the following list based on the facts of the case, the type and severity of the behavior, and any prior record of violations.

Written Warning: At this time, the student should have a clear understanding of what the university expects of his/her behavior. Inherent in this sanction is additional penalties may be assigned if further misconduct occurs.

University Disciplinary Probation: A specified period of review during which the student must demonstrate the ability to comply with University rules and regulations, and any other sanctions as outlined above and/or conditions which have been imposed in writing. The specific terms of the probation will be determined on a case by case basis. Notification may be given to other University officials as necessary. Further misconduct may result in additional penalties to be assigned.

Other possible sanctions include:

Loss of Privileges: A student may be denied the right to privileges and services of the University.

Educational Opportunity: Mandatory educational activities include workshops and writing assignments.

Note: University Alcohol and Other Drug policy violations are prescribed to a strict set of outcomes. Please refer to the University Alcohol and Other Drug Policy.

Community/Campus Service: Assigned volunteer hours on-campus or in the community.

Participation in a Specific Program: A student may be required to participate in a specific program(s), such as a counseling program, community service, an alcohol education program, an educational class, or other program participation as assigned.

Restitution: Required services, payment or reimbursement of funds to the University or to other persons, groups, or organizations for damages incurred.

Restricted Access to University Facilities: A student or other person(s) may be removed from and/or have access restricted to specified campus facilities, including relocation in or removal from the residence hall system.

Confiscation: Goods used or possessed in violation of University rules and regulations, including falsified information or identification will be confiscated.

For full details of the judicial policies and procedures at MSUM, please refer to the Student Handbook or the OSCAR webpage: www.mnstate.edu/student-handbook

Notification insert

Tennessean Warning

The University is asking you to provide information which includes private information under State and Federal law. The University is asking for this private information so that the conduct complaint can be investigated.

This information will be used to determine information to be factual and what behavior was engaged in.

You are not legally required to provide the information the University is requesting, and you may refuse to provide some or all of the information requested. However, the University may not be able to fully understand your participation in the events if you do not provide sufficient information.

With some exceptions, unless you consent to further release of private information, access to this information will be limited to the individuals involved in the investigation and decision making processes. However, federal and state laws do authorize release of private information without your consent to:

- Other school officials, including faculty within the University, who have legitimate educational interests in the information;
- Other school officials in which you seek or intend to enroll, or are enrolled, if you are first notified of the release;
- The federal Comptroller General or other federal, state, or local education officials for purposes of program compliance, audit, or evaluation;
- As appropriate in connection with your application for, or receipt of, financial aid;
- The juvenile system, if you are a juvenile, and the information is necessary, prior to adjudication, to determine the juvenile justice system's ability to serve you;
- An alleged victim of sexual assault, if you are the alleged perpetrator of the assault, and the release is of the results of the disciplinary proceeding against you related to the alleged crime;
- Your parents, if your parents claim you as a dependent student for tax purposes;
- A court, grand jury, or state or federal agency, if the information is sought with a subpoena;
- An institution engaged in research for an educational institution or agency related to testing, student aid, or improved instruction;
- An accrediting organization in connection with its accrediting functions;
- Appropriate persons in connection with an emergency, if necessary to protect your health or safety or the health or safety of others;
- If required by a court order, or permitted by other state or federal law.

*You will be asked to verbally agree to providing information at the beginning of your meeting. Please seek clarification from the hearing officer *identified in your letter of notification* or the Assistant Dean of Students: (218) 477-2174; troy.schmidt@mnstate.edu; Flora Frick 153.