

Discuss the burden of proof used in a campus conduct hearing.

The standard of proof is defined as ‘clear and convincing’, or demonstrating that it is substantially, or more highly probable than not, that a violation took place.

Help review the hearing documentation.

Once formally charged, students have a right to receive any written statements and incident reports that will be used at the conduct hearing.

Discuss providing relevant information to the Board.

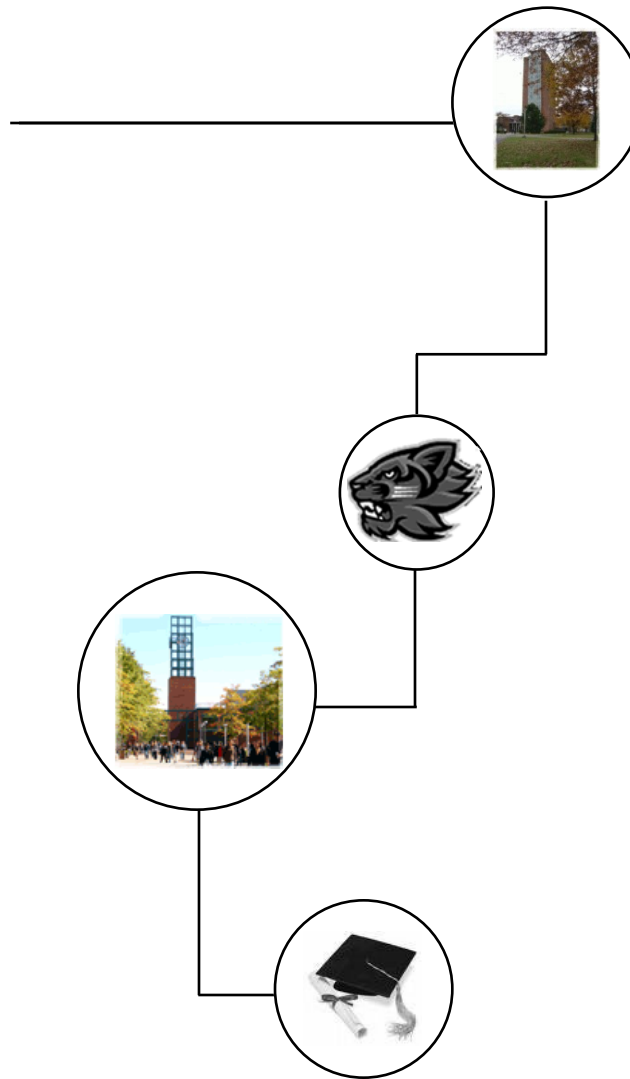
Boards want to understand the conditions surrounding the incident and the student's intent. Students should carefully consider what information to offer that will help the Board.

Explain the post-hearing process

1. The Board meets in private to determine responsibility and recommend sanctions. Sanctions will generally rely on the following factors:
 - a) the nature / seriousness of the offense
 - b) the ‘Conduct Sanctioning Guidelines’
 - c) student’s previous disciplinary history.

2. Decision letter sent to student.

Advisors and/or advisees may want to contact Student Conduct, several days prior to the hearing, to clarify any process or procedural questions.



Tips & Guidelines For Conduct Advisors

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TIPS & GUIDELINES FOR ADVISORS OF STUDENTS IN CONDUCT HEARINGS



This brochure is designed to help you prepare for your role as an ADVISOR for a student involved in the campus conduct process. Any questions about the campus conduct process or procedures can be referred to the Office of Student Conduct at (607) 777-6210 or conduct@binghamton.edu

The campus conduct process is an integral element of a student's overall learning experience. As such, hearings are part of the educational process that necessitates a student's active participation. Hearings provide an opportunity for all parties to present all relevant information and documentation regarding alleged violations of the Code of Student Conduct.

The campus conduct process is not nor does it attempt to simulate a court of law. Hence, although an advisor may be an attorney, he/she is not acting in a legal capacity by representing students, in the traditional courtroom sense, at their conduct hearing. Advisors can assist students throughout the process and play an important role in hearings by providing advice and support.



As an Advisor you may:

- Review the charge(s) and the campus conduct process with your advisee
- Clarify charge(s) and hearing procedures for your advisee
- Consult with your advisee in a quiet, non-disruptive manner, during the disciplinary proceeding
- Assist your advisee in clarifying his/her response to questions asked of them
- Help your advisee prepare an opening and closing statement
- Help develop questions for your advisee to ask those called to provide information during the hearing
- Help your advisee remain calm and in control
- Provide moral support to your advisee during the hearing
- Help prepare a letter of appeal



Guidelines for Advisors

The primary role of an Advisor is to assist students in preparing information to be presented during the conduct process. Advisors should consider the following points in fulfilling their responsibilities:

Clarify your role.

It is not the sole responsibility of the Advisor to prepare a student's case for them (this should be a collaborative effort), nor is it their role to represent the student at the hearing. Advisors take no direct part in hearings unless permitted to do so by the chair of the hearing board.

Talk to your advisee about confidentiality.

University conduct board hearings are confidential and closed to persons not directly involved in the case. All parties, advisors, witnesses, and hearing board members are expected to respect and maintain the confidentiality of the conduct process.

Review the student's due process rights.

Emphasize that the hearing is not a legal proceeding, but rather an educational and administrative process designed to educate all parties involved.

Review the format of the hearing with the student.

Explain that hearings are recorded and students are responsible for bringing any witnesses on their behalf. Clarify that the University's expectation is that everyone will tell the truth and there are conduct consequences for doing otherwise.