

FREQUENTLY ASKED QUESTIONS FOR PARENTS

Although this guide is designed to assist parents who have students interacting with the University Student Conduct System, it is strongly recommended that you review the Student Code of Conduct for complete details of the process follow the link below.

[Student Code of Conduct Link](#)

WHAT TO DO WHEN YOUR STUDENT IS INVOLVED IN THE STUDENT CONDUCT PROCESS

Sending your student to an institution of higher education is as much of a transition for families as it is for students. The relationship you have with your student will undoubtedly change. Students are expected to make decisions on their own, to learn to resolve conflict independently, and to take responsibility for their actions. At the same time they covet your love, respect your opinion, and generally operate on the values you instilled in them. So what should you do when your student becomes involved in the campus conduct system?

1. When your student receives paperwork regarding conduct procedures and has questions, direct him or her to contact a staff member in the conduct office for information. Staff members are not permitted

inform them of the various options for resolving their complaint. If a hearing is scheduled, the advocate may be permitted to attend with your student.

IF MY STUDENT IS CHARGED WITH A VIOLATION AND DOES NOT MEET WITH AN ADMINISTRATOR, BUT IS FOUND RESPONSIBLE ANYWAY, IS THIS NOT A VIOLATION OF DUE PROCESS?

No. Universities have to give the student notice of charges and an opportunity to be heard. When students are charged with a violation, they receive an electronic email that states the alleged violations and gives them the opportunity to schedule a meeting. If they choose not, or fail to schedule a meeting per the notice, they have still been given due process and the subsequent sanction is still valid. It may be important to discuss with your student how abdicating their right to speak for themselves is not in their best interest as it does not allow for their side to be taken into account.

HOW IS THE CAMPUS PROCESS DIFFERENT FROM THE CRIMINAL SYSTEM?

There are several differences between the systems.

- First and foremost, rules governing the handling of student conduct matters at institutions of higher education are different from criminal statutes. Criminal prosecutions take place only when violations of law are alleged. On campuses, there are many types of violations that may not be violations of the law but violate institutional community standards, such as academic dishonesty. There are other types of violations that mirror criminal statutes such as underage drinking. There are still others that may use similar terminology but are defined differently. Sexual assault and rape are good examples of these.
- A second major difference between the campus process and the criminal process is the standard of proof. On most campuses, there must be a preponderance of the evidence, enough evidence to tip the scales (i.e. 51% or "more likely than not"), before a student is found responsible for violating the student conduct code. In contrast, the standard in a criminal case is beyond a reasonable doubt, which is a 97%. Tuskegee University holds our process to the preponderance of evidence standard.
- Another difference is that the campus process is usually confidential whereas a criminal prosecution creates public records. Many states have laws defining public information and regulating its use.
- In addition, a campus' jurisdiction is more limited than the courts. Most institutions of higher education require some connection to the campus in order to address a violation of the code. The connection can be as mini

- Finally, as the student conduct process is considered an educational tool, the sanctions imposed

MY SON/DAUGHTER HAS A HEARING OR DISCIPLINARY CONFERENCE AND I HAVE SEVERAL QUESTIONS:

1. Can parents or guardians be present at the hearing?

Typically no. In most cases, parents are not permitted to attend a hearing, but would be allowed to observe if request is made well in advance. Your son or daughter is entitled to advisory assistance of their choosing as long as that person is a faculty member, staff member, or student at Tuskegee, and not an attorney except in special circumstances. The advisor's role is to assist, support, and advise students at any stage of the conduct process. The advisor may not, however, ask or answer questions for students or make summation statements on their behalf. This person is not a participant in the hearing except in speaking with the accused student. In matters involving allegations of sexual misconduct, both the complainant and the respondent may each be accompanied by an advisor of their choice, which may be a member of the University community, someone outside of the University community, legal counsel, or family members.

2. My son/daughter has a hearing, should we get a lawyer?

The Tuskegee University Student Code of Conduct states, “Generally, legal counsel shall not be permitted to attend the hearing to represent the student. However, in cases where there are pending criminal charges, the accused student may have legal counsel present as an advisor. If present, the counsel may not participate in the hearing in any way except in advising the accused student. In these cases, the Student Officer may request that university counsel be present in a non-participatory role.” In matters involving allegations of sexual misconduct, both the complainant and the respondent may each be accompanied by an advisor of their choice, which may be a member of the University community, someone outside of the University community, legal counsel, or family members.

2a. Why can't our lawyer be present at my student's hearing?

The process that Tuskegee University uses to resolve conduct cases is not a courtroom; it is a fundamentally fair process administered by educators. Attorneys, while experts in their particular area, are not experts in this process and may hinder resolution. When a student's rights in criminal court need to be protected the attorney may attend (see above).

3. Who will be determining if my son or daughter is responsible?

In the case of a hearing before the University Student Conduct Hearing Board, the panel making decisions is made up of trained members of the Faculty/Staff/Administrators, and a representative from the student body.

In the case of a Disciplinary Conference the Student Officer or a trained representative will be making that decision.

In the case of sexual misconduct a hearing before the Sexual Misconduct Board, the panel making decisions is made up of at least five (5) and not more than seven (7) trained members. Membership shall include faculty and staff selected by the Student Conduct Officer and

A student who is expelled/suspended from the University forfeits all payments for tuition and fees incurred for the semester the incident occurred.

The University may, in its sole discretion, place a hold on the student's academic records at the time of the incident, which will limit access to transcripts and other educational records until the disciplinary process is complete.

Please note that financial aid is not guaranteed for students who exceed 8 semesters of enrollment because of a disciplinary suspension.

HOW DOES THIS DISCIPLINARY CHARGE AFFECT MY STUDENT'S RECORD?

Graduate School Admissions

When a student applies to graduate school, most institutions of higher education will require what is known as a Dean's Certification. This is a document that Tuskegee University will complete for the student and it will outline the charges and primary sanctions (expulsion, suspension, deferred suspension, probation, or warning) imposed for any violations of the Code of Conduct that a student has been found responsible for. It is recommended that if a student has one or more violations of the Code of Conduct on their record that they provide a written statement along with a graduate school application outlining the incident and the actions they took to correct your behavior. It is always in the best interest of the applicant to be honest concerning a past conduct record.

Employers

Most employers do not require a review of your conduct record, but others especially those involving security clearances may. Again it is in a student's best interest to be honest about conduct violations when asked.