

NCTA Disciplinary Procedure

The Nebraska College of Technical Agriculture (NCTA) Disciplinary Procedure is adapted for NCTA from *Article IV: Student Code of Conduct Disciplinary Procedures* of the UNL Student Code of Conduct found here: <http://stuafs.unl.edu/dos/code>.

1. General

1.1 Right to Disciplinary Proceeding. Except in cases of temporary suspension ordered by the Dean as hereafter provided, suspension, expulsion or other disciplinary sanction for misconduct may not be imposed without a disciplinary proceeding in accordance with these Disciplinary Procedures.

1.2 Conduct Officer. The Conduct Officer shall mean the Associate Dean authorized by the Dean to impose sanctions upon students or Recognized Student Organizations (RSOs) found to have violated the Student Code or other published University policies and regulations prescribing standards of student conduct.

2. Rights of the Complainant and Respondent

2.1 Complaint. Any member of the University community may file a written misconduct complaint against a student or RSO alleging misconduct under the Student Code or other policy. Misconduct complaints shall be filed in the Office of the Associate Dean.

2.2 Responsibility of the Conduct Officer. If the Conduct Officer determines that the misconduct alleged in a complaint warrants the institution of disciplinary proceedings, he or she shall ensure compliance with these Disciplinary Procedures.

2.3 Disqualification of Conduct Officer. In the event the Conduct Officer may be a material witness in any disciplinary proceeding or for any reason cannot perform his or her duties under these Disciplinary Procedures, the Dean shall appoint an acting Conduct Officer to perform such duties.

2.4 Review of Complaint. The Conduct Officer shall make a preliminary investigation of each complaint to determine whether it may be disposed of without institution of disciplinary proceedings. Within 20 school days after receipt of a written misconduct complaint against a student or RSO, the Conduct Officer must decide on one of three courses of action: (a) dismiss the complaint, (b) propose an administrative disposition to the student or RSO, or (c) initiate a disciplinary proceeding before the University Conduct Board.

2.5 Informal Meeting. The Conduct Officer may conduct an informal meeting with a student or RSO accused of misconduct to discuss the misconduct alleged. Prior to any such informal meeting the student or RSO accused of misconduct shall be apprised in writing of the following:

- a. The source and nature of the misconduct complaint which has been filed.

- b. That the student or RSO is entitled to be accompanied by legal counsel or an adviser at the expense of the student or RSO at any meeting or hearing relevant to the misconduct alleged in the complaint.
- c. That the student or RSO is under no obligation at any time to admit the misconduct alleged or to make any other statement at any meeting or hearing relevant to the misconduct alleged.

During any informal meeting, the Conduct Officer may proceed with administrative disposition of a complaint pursuant to Section 4.2 of these Disciplinary Procedures if the Conduct Officer determines that administrative disposition is appropriate and if the same is accepted by the student or RSO as provided in Section 4.2.

2.6 Failure to Appear. If a student or RSO accused of misconduct fails to appear at an informal meeting requested by the Conduct Officer, the Conduct Officer may initiate disciplinary proceedings before the University Conduct Board.

3. Temporary Suspension

Pending initiation of disciplinary proceedings by the Conduct Officer, the Dean may at any time temporarily suspend a student from the University or deny a student readmission when the Dean believes, from information coming to his or her attention, that the presence of the student on the University campus would seriously disrupt the University or constitute a danger to the health, safety or welfare of other persons, the students, or property of the University or members of the University community. If a student is temporarily suspended, the Dean shall promptly instruct the Conduct Officer to initiate appropriate disciplinary proceedings against the student within two (2) working days after temporary suspension is imposed. If a student placed on temporary suspension is ultimately found not guilty of misconduct, such student shall be allowed if at all possible to make up academic work missed while on temporary suspension.

4. Administrative and Conduct Board Disciplinary Proceedings

4.1 General. If the Conduct Officer determines that the institution of a University disciplinary proceeding for alleged misconduct is in the best interests of the University and/or the University community, such proceeding shall be instituted against the student or RSO accused of misconduct in accordance with the procedures for administrative disposition or the procedures for conduct board disposition hereinafter provided.

4.2 Administrative Disposition. The Conduct Officer, in the exercise of his or her reasonable judgment and when agreed to in writing by the student or RSO, shall have authority by administrative disposition of a disciplinary proceeding to impose any of the disciplinary sanctions provided in sections 7. The proposed administrative disposition shall list all Student Code violations with which the student or RSO is being charged as a result of the alleged misconduct. Where an administrative disposition proposed by the Conduct Officer is not accepted in writing by the student or RSO, the student or RSO shall have the right to have the matter of the alleged misconduct referred to the University Conduct Board. The student or RSO shall have three (3) school days within which to accept or reject an administrative disposition

proposed by the Conduct Officer. If the student or RSO fails to accept or reject the proposed administrative disposition within such three-day period, rejection will be presumed and the matter shall be referred to the University Conduct Board as provided in Section 4.3.

4.3 **Conduct Board Disposition.** If a student or RSO rejects administrative disposition of a disciplinary proceeding proposed by the Conduct Officer, the Conduct Officer shall institute a disciplinary proceeding against the student or RSO before the University Conduct Board for the misconduct alleged in the complaint. The disciplinary proceeding so instituted shall be limited to those Student Code violations listed in the rejected administrative disposition, unless new evidence becomes available after the administrative disposition was rejected. Further, the Conduct Officer in the exercise of his or her reasonable judgment may institute a disciplinary proceeding for alleged misconduct directly before the University Conduct Board without first offering administrative disposition to a student or RSO accused of misconduct.

4.4 **Jurisdiction.** The University Conduct Board shall have general original jurisdiction under these Disciplinary Procedures to hear and decide any disciplinary proceedings against a student or RSO accused of misconduct.

5. University Conduct Board Procedure

5.1 **Notice.** All disciplinary proceedings before the University Conduct Board shall be instituted by written notice delivered to the student accused of misconduct or delivered to an officer of the RSO accused of misconduct. Such written notice shall contain the following information:

- a. Source of the misconduct complaint.
- b. Statement of alleged facts constituting misconduct under the Student Code or other policy.
- c. Citation of the specific provision(s) of the Student Code of Conduct or other policy alleged to have been violated.
- d. Description of the pertinent information (e.g. records, statements, images or other information) to be presented in support of the alleged misconduct.
- e. Date, time and place of the hearing before the Conduct Board. Each hearing shall be at least three (3) school days after the date of receipt of the written notice.
- f. A statement that the student or RSO accused of misconduct may be accompanied by legal counsel or other adviser at the hearing before the Conduct Board, to be provided at the expense of the student or RSO, and that such legal counsel or adviser may advise the student or RSO, but may not directly participate in the hearing.
- g. That the student or RSO accused of misconduct is under no obligation to admit the truth of the alleged misconduct or to make any other statement at the hearing relevant to the alleged misconduct, and that refusal to testify or make a statement will not be considered as an indication of guilt.
- h. That the student or RSO accused of misconduct has the right to inspect before the hearing in the Office of the Associate Dean pertinent information that the Conduct Officer intends to present at the hearing, and that the student or RSO will be advised in writing prior to the hearing of any pertinent information subsequently discovered, which the

Conduct Officer intends to present at the hearing and given an opportunity to inspect such information.

5.2 Failure to Appear. The student accused of misconduct or a student officer of the RSO accused of misconduct will be expected to be present at the hearing before the Conduct Board. If the student or a student officer of the RSO fails to appear at the time and place designated for the hearing, the Conduct Board shall proceed with the hearing if a majority of the Conduct Board members present are satisfied that the student or RSO has received written notice as required by Section 5.1. The Conduct Board will then proceed in the absence of the student or RSO and render a decision, based upon the information presented at the hearing.

5.3 Quorum. Every student or RSO accused of misconduct in disciplinary proceedings before the Conduct Board is entitled to a hearing by a quorum of the Conduct Board. A quorum will consist of at least two faculty members and three student members of the Conduct Board. If a quorum is not present, the student or student officer of the RSO, as the case may be, and the Conduct Officer may stipulate and agree in writing that the Conduct Board hearing may be conducted and the case may be decided by those Conduct Board members present even though a quorum has not been established. If there is no such stipulation, the hearing shall be rescheduled as soon as is reasonably possible.

5.4 Status Pending Conduct Board Proceedings. The status of a student accused of misconduct shall not be altered and the right of a student to be present on campus and to attend classes shall not be suspended during the time of any pending disciplinary proceeding against the student unless the Dean determines that suspension of the student is required for compelling reasons, including but not limited to the protection of the health, safety or welfare of the student, other persons, or the property of the University and/or the members of the University community. The status of an RSO accused of misconduct shall not be altered pending any disciplinary proceeding unless the Dean determines that suspension of the RSO from the University is required for compelling reasons in order to protect the health, safety or welfare of the members of the University community, their property or that of the University.

5.5 Disqualification of a Conduct Board Member

- a. If any member of the Conduct Board believes that associations, relationships, or other circumstances exist such that he or she is unable, or is perceived to be unable, to render a fully fair and impartial decision, such Conduct Board member shall disqualify himself or herself from participation in the proceeding. Additionally, a member may elect not to serve on the Conduct Board for a particular proceeding if the member in the exercise of reasonable discretion believes there may be an appearance of impropriety by serving as a member of the Conduct Board for that proceeding. The foregoing shall not relieve the Conduct Board from the requirement of maintaining a quorum as required by Section 5.3 above.
- b. At the beginning of any hearing before the Conduct Board, prior to any presentation of pertinent information related to the alleged misconduct, each member of the Conduct

Board shall state and affirm on the record that to the best of their knowledge and belief, he or she is able, and knows of no reason why, he or she would be unable, or would be perceived as unable, to render a fully fair and impartial decision for the matter before the Conduct Board.

5.6 Conduct Board Hearings Closed. All hearings of the Conduct Board shall be private and closed to the public; provided that the Complainant, the Respondent and their advisors, if any, shall be allowed to attend the entire portion of the hearing at which information is presented. Admission of any other person to the hearing shall be at the discretion of the Conduct Board in consultation with the Conduct Officer. Neither the Complainant, nor the Respondent, nor their advisors, if any, shall be allowed to attend the deliberations of the Conduct Board.

5.7 Right to Separate Hearing. In any proceeding involving more than one Respondent, any Respondent may request and the Conduct Board, at its discretion may grant, a separate disciplinary proceeding before the Conduct Board.

5.8 Hearing. During the 15th Week, Finals Week and Summer Sessions. Conduct hearings may not be available during the last two weeks of each semester (15th Week and Finals Weeks) and during summer school sessions. During these time periods, the Dean may designate one or more hearing officers who shall be authorized to serve as the Conduct Board, to conduct hearings and render decisions in disciplinary proceedings in accordance with the procedures governing the Conduct Board to the extent reasonably applicable.

5.9 Decisions. The Conduct Board shall render a written decision in each proceeding in accordance with the requirements of Sections 7.1 and 7.2 of these Disciplinary Procedures.

6. Rules Applicable to the Conduct Board Hearing

6.1 Pertinent Information and Summary Presentations. Pertinent information related to the alleged misconduct shall be submitted in the following order: (i) information presented by the Conduct Officer in relation to the alleged misconduct, (ii) information presented by the student or RSO accused of misconduct, and (iii) further information or explanation presented by first, the Conduct Officer, followed by the accused student or RSO, such presentations to be confined to rebutting the other's information presented at the hearing. After the presentation of all pertinent information, the Conduct Officer shall be given the opportunity to make a presentation summarizing the information and position of the University, followed by a presentation by the student or RSO summarizing the Respondent's position.

6.2 Witnesses. The Conduct Board, the Complainant and the Respondent may arrange for witnesses to present pertinent information to the Conduct Board. Witnesses will provide information to and answer questions from the Conduct Board. Questions may be suggested by the Complainant or the Respondent to be answered by each other or by other witnesses. This will be conducted by the Conduct Board with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the chairperson of the Conduct Board.

6.3 **Attorney or Adviser Not Allowed to Participate in Hearing.** An attorney or other adviser for a Complainant or a Respondent may be present at the hearing solely to advise and may not directly participate in the hearing. Without limiting the generality of the foregoing sentence, an attorney or other adviser shall not be permitted to make oral presentation or arguments, ask questions of the Conduct Board, examine or cross-examine a witness, or object to testimony of a witness or to introduction of other evidence. Failure of an attorney to abide by this section may result in a ruling against the Attorney's client for noncompliance with these Disciplinary Procedures. Each of the Complainant and Respondents are expected to present their own pertinent information and, therefore, advisors are not permitted to speak or to participate directly in any hearing before the Conduct Board.

6.4 **Evidentiary Rules.** Formal rules of process, procedure, and technical rules of evidence, like those applied in criminal or civil court, are not used, nor are they applicable, in proceedings before the Conduct Board. Incompetent, irrelevant, immaterial, and unduly repetitious information may be excluded. The Conduct Board shall in its sole discretion determine whether information shall be heard at the hearing and/or considered in its deliberations.

6.5 **Verbatim Record.** The Conduct Board shall make a confidential verbatim record of each hearing. Such verbatim record shall be made by such method of recording or recording device as the University deems suitable. The recording shall be the property of the University. Copies of such record may be obtained by a Respondent upon payment of the cost of duplication and used only for the purpose of an appeal under these Disciplinary Procedures or as otherwise required by law. In no event shall the record of a Conduct Board hearing be used in a manner which violates the privacy or other rights of any students, University employee or other person, whether such rights are set forth in law or the policies of the University/University of Nebraska. Any form of distribution of the recording, other than as permitted above, shall constitute a separate and actionable violation of the Student Code.

7. Conduct Board Decision

7.1 The Conduct Board's decision shall be made on the basis of whether it is more likely than not that the Respondent violated the Student Code. After hearing and considering the pertinent information presented, the Conduct Board shall, by a majority vote, render a decision as follows:

- a. Not in Violation. Misconduct has not been proved; **or**
- b. In Violation. Misconduct has been proved. In this case, the Conduct Board may decide not to impose a disciplinary sanction if mitigating circumstance warrant that no sanction be imposed, or it may decide to impose one or more, or any combination, of the disciplinary sanctions as follows:
 1. Warning – A notice in writing to the Respondent that the Respondent is violating or has violated specific designated section of the Student Code.
 2. Probation – A written reprimand for violation of specific designated section of the Student Code:
Probation is for a designated period of time and includes the probability of more severe

disciplinary sanctions if the Respondent is found to violate the terms of the probation or any provision of the Student Code during the probationary period.

3. Loss of privileges – Denial of specified privileges for a designated period of time.
4. Fines – Previously established and published fines may be imposed.
5. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
6. Discretionary Sanctions – Work assignments, essays, service to the University, or other related discretionary assignments.
7. Residence Hall Suspension – Separation of the Respondent from the residence halls for a definite period of time, after which the Respondent is eligible to return. Conditions for readmission may be specified.
8. Residence Hall Expulsion – Permanent separation of the Respondent from the residence halls.
9. University Suspension – Separation of the Respondent from the University for a definite period of time, after which the Respondent is eligible to return. Conditions for readmission may be specified.
10. University Expulsion – Permanent separation of the Respondent from the University.
11. Revocation of Admission and/or Degree – Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violation committed by a student prior to graduation.
12. Withholding Degree – The University may permanently withhold awarding a degree, or withhold the award of a degree pending the completion of the Disciplinary Procedures, including the completion of all sanctions imposed, if any.

7.2 Written Decision Delivery. The Conduct Board shall render its decisions in writing within ten (10) school days after the conclusion of a hearing. Each decision shall contain findings of fact as well as the Conduct Board's disposition of the proceedings and shall be delivered to the Office of the Dean together with the verbatim record of the Conduct Board hearing. Within one school day of rendering the decision, a copy of the decision shall be mailed to the Respondent by the U.S. post at the address of record as verified at the hearing or e-mailed to an address designated by the Respondent at the hearing.

In disciplinary proceedings involving crimes of violence, the Conduct Officer will, if requested by the alleged victims, disclose to the alleged victims whether the Respondent was found in violation of the Student Code. The disciplinary sanctions imposed on any Respondent may be disclosed to the victims at the discretion of the Conduct Officer. Violations of the Student Code which may be considered crimes of violence include, but are not limited to, physical abuse, sexual assault, and hazing.

8. Procedural Interpretation

Supplemental Rule Questions of interpretation arising with respect to the Student Code and its Disciplinary Procedures shall be determined in the discretion of the Conduct Officer. The Conduct Board may adopt supplemental rules and regulations, not in conflict with the provisions of these Disciplinary Procedures, which the Board shall determine to be necessary for the fair

and impartial conduct of its proceedings.

9. Rehearing

A student or RSO found in violation of the Student Code by the Conduct Board may petition the Conduct Board to rehear the proceedings upon the discovery of new and pertinent information within 90 days from the date of the decision of the Conduct Board, except that in cases of suspension a petition for rehearing request may be filed anytime during the term of suspension, and in cases of expulsion there shall be no time limit on the filing of a petition for rehearing. The Conduct Board will judge the sufficiency of the new information, and no appeal may be taken from its decision to either grant or deny the request to rehear the disciplinary proceedings. IF a rehearing is granted, the verbatim record of the original hearing shall be fully admissible and considered by the Conduct Board. In order to prevail, the Respondent must demonstrate that, based upon the new information, the original decision is wrong and should be modified or rescinded.

10. Conduct Board Composition and Term of Office

10.1 Membership. The University Conduct Board shall have five student members and four faculty members. The Student Senate shall provide the Dean with fifteen (15) recommendations from which he or she will select five regular student members and five alternate student members to serve on the Conduct Board. The Faculty Senate shall provide the Dean with eight (8) recommendations from which he or she will select four regular faculty members and four alternate faculty members to serve on the Conduct Board. All members shall attend a Conduct Board training session prior to serving on the Conduct Board.

10.2 Vacancies. Vacancies on the Conduct Board, including temporary vacancies, may be filled by the Dean or his or her designee from the list of alternate members appointed by the Dean. Should the need arise, the Faculty Senate and the Student Senate shall at the request of the Dean submit additional lists of alternate members to the Dean. Should the Faculty Senate or the Student Senate refuse or for any reason fail to submit any of the above-mentioned lists of alternate members to the Dean when requested, the Dean shall directly make any appointment required to fill a vacancy on the Conduct Board.

10.3 Term of Office. Student members of the University Conduct Board shall be appointed for a term of one academic year from the first day of Fall term classes extending through the last day of Spring term classes. Faculty members shall be appointed for a term of three academic years, with at least one new three-year term commencing each year. Members may be reappointed provided their names are included on the lists submitted to the Dean pursuant to Section 10.1. Members may not serve more than two consecutive terms.

10.4 Chairperson. The Conduct Board shall select a student chairperson and a faculty chairperson, either of whom may preside at Conduct Board hearings.

10.5 Removal from the Conduct Board. If any of the following situations occur, a member may be removed from the Conduct Board by the Dean:

- a. A member fails to respond to meeting notices more than twice in a single semester.
- b. A student member is found to be in violation of the Student Code.
- c. A member is found to be in violation of the privacy or other rights of any member of the University community who is involved in a disciplinary proceedings, whether such rights are set forth in law or the policies of the University/University of Nebraska.
The Dean determines, in his or her discretion, that a member has engaged in conduct that so adversely impacts and reflects upon the member's honesty, integrity, or moral values, so as to render him or her unable to meaningfully and credibly participate in the hearing, deliberations, or decision of the Conduct Board.

11. Appeals and University Appeals Board Procedure

11.1 Right of Appeal. A student or RSO found in violation of the Student Code by the University Conduct Board shall have the right to appeal to the University Appeals Board which has exclusive appellate jurisdiction in all disciplinary proceedings.

11.2 Timeliness. Any appeal must be submitted in writing to the University Appeals Board and received in the Office of the Dean within fourteen (14) calendar days after the date of mailing or e-mailing the Conduct Board decision to the Respondent.

11.3 Issues to be Considered on Appeal. The Appeals Board will consider only the following issues on appeal:

- a. That the information presented to and received by the Conduct Board was not sufficient to support its decision.
- b. That sanctions imposed by the Conduct Board were excessive and not in keeping with the gravity of the misconduct.
- c. That the Conduct Board failed to follow the Disciplinary Procedures and that as a result of such failure the student or RSO did not receive a fair and impartial hearing.
An appeal which does not clearly raise in writing one or more of the three issues listed above shall be dismissed without further consideration. The Appeals Board shall limit its review to the issue or issues raised in the written appeal and not others. The Appeals Board shall complete its review of the written appeal within 20 school days after its receipt, and shall promptly issue written notice of the Appeals Board decision to the student or student RSO.

11.4 Oral Presentations. In considering an appeal, the Appeals Board may ask either the student or RSO making the appeal and the Conduct Officer to make an oral presentation. In this case, the student or RSO making the appeal shall first make an oral presentation followed by an oral presentation by the Conduct Officer. The Appeals Board may ask questions of all parties.

11.5 Record of Proceedings Before the Conduct Board. Upon request by the Appeals Board, the Conduct Officer shall deliver to the Appeals Board the record of the Conduct board

proceedings, including the recording of the Conduct Board hearing.

11.6 Disposition by Appeals Board. After reviewing an appeal complying with the requirements of Section 11.3, the Appeals Board may decide as follows:

- a. Affirm the Conduct Board decision, or
- b. Modify or rescind any sanction imposed by a Conduct Board if the Appeals Board finds that good cause exists for the modification or rescission.

11.7 Status Pending Appeals Board Proceedings. Any sanction imposed by a Conduct Board shall be suspended until an appeal is decided by the University Appeals Board. The status of a student shall not be altered and the right of a student to be present on campus and to attend classes shall not be suspended during the time of any appeal proceeding, unless the Dean determines that suspension of the student is required for compelling reasons, including but not limited to the protection of the health or safety or welfare of the student, other persons, or property of the University and/or the members of the University community. The status of an RSO shall not be altered pending any appeal proceedings unless the Dean determines that suspension of the RSO from the University is required for compelling reasons in order to protect the health, safety or welfare of the members of the University community, their property, or that of the University.

11.8 Quorum. A quorum will consist of one faculty member and two student members. If a quorum is not present, the student or student officer of the RSO, as the case may be, and the Conduct Officer may stipulate and agree in writing that the appeal may be heard by those Appeals Board members present even though a quorum has not been established. If there is no such stipulation, the proceeding shall be rescheduled as soon as is reasonably possible.

11.9 Disqualification of an Appeals Board Member. If any member of the Appeals Board believes that associations, relationships, or other circumstances exist such that he or she is unable, or is perceived to be unable, to render a fully fair and impartial decision, such Appeals Board member shall disqualify himself or herself from participation in the proceeding. Additionally, a member may elect not to serve on the Appeals Board for a particular appeal proceeding if the member in the exercise of reasonable discretion believes there may be an appearance of impropriety by serving as a member of the Appeals Board for that appeal proceeding. The foregoing shall not relieve the Appeals Board from the requirement of maintaining a quorum as required by Section 11.8 above.

11.10 Attorney or Adviser Not Allowed to Participate. An attorney or other adviser for a Complainant or Respondent may be present at any proceedings of the Appeals Board solely to advise, but may not directly participate in the proceedings. Without limiting the generality of the foregoing sentence, an attorney or other adviser shall not be permitted to make oral presentations, arguments, or ask questions of the Appeals Board. The Complainants and Respondents are expected to present their own appeal and, therefore, advisors are not permitted to speak or to participate directly in any proceedings before the Appeals Board.

11.11 Verbatim Record. The Appeals Board shall make a confidential verbatim record of its

proceedings. Such verbatim record shall be made by such method of recording or recording devices the University deems suitable. The recording shall be the property of the University.

11.12 Appeals During 15th Week, Final Week and Summer Sessions. Appeals Board hearings may not be available during the last two weeks of each semester (15th Week and Finals Week) and during summer school sessions. During these time periods, the Dean may designate one or more hearing officers who shall be authorized to hear appeals to render decisions in accordance with the procedure governing the Appeals Board to the extent such procedures are reasonably applicable.

11.13 Appeals Board Proceedings Closed. All proceedings of the Appeals Board shall be private and closed to the public; provided that the Complainant, the Respondent, and their advisors, if any, shall be allowed to attend the entire appeal hearing.

11.14 Appeals Board Decision. The decisions of the Appeals Board shall be final and may not be further appealed within NCTA or the University of Nebraska.

12. Appeals and Board Composition and Term of Office.

12.1 Membership. The University Appeals Board shall have four student members and three faculty members. The Student Senate shall provide the Dean with eight recommendations from which he or she will select four regular student members to serve on the Appeals Board. The Faculty Senate shall provide the Dean with six recommendations from which he or she will select three faculty members to serve on the Appeals Board. Members shall attend a Conduct Board training session prior to serving on the Board.

12.2 Term of Office. Members of the University Appeals Board shall be appointed for a term of one academic year. Members may be reappointed provided their names are included on the lists submitted to Dean pursuant to Section 11.1. Members may not serve more than two consecutive terms.

12.3 Chairperson. The Appeals Board shall select a student chairperson and a faculty chairperson, either of whom may preside at Appeals Board hearings.

12.4 Removal from the Appeals Board. If any of the following situations occur, a member may be removed from the Appeals Board by the Dean:

- a. A member fails to respond to meetings notices more than twice in a single semester.
- b. A student member is found to be in violation of the Student Code.
- c. A member is found to be in violation of the privacy or other rights of any member of the University community who is involved in a disciplinary proceeding, whether such rights are set forth in law or the policies of the University/University of Nebraska.

13. Disciplinary Records

Transcripts of University Academic records will not include information concerning disciplinary

action, except in case of expulsion. Information from disciplinary and counseling files will not be made available to unauthorized persons without the express written consent of the person involved, or as otherwise authorized, or required by law. Disciplinary records shall be destroyed seven years after the last sanction was imposed, except in case of expulsion, where disciplinary records shall be permanently maintained.

14. Readmission after Expulsion

Any student who has been expelled from the University under these Disciplinary Procedures may at any time after seven (7) years from the date of expulsion request readmission to the University by written petition to the Dean, who may or may not grant readmission at his or her discretion.