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Residence Life Peer Review Board Procedures

Residential students charged with violating a residence hall policy (found in the Student Handbook) or any other policy or procedure of Nebraska Wesleyan University will meet with a Residence Life Coordinator (RLC) in a conference to discuss their behavior. During that meeting the RLC may decide that the Peer Review Board is the best authority to settle the matter. In those situations, the following procedures will apply:

I. Establishment, Authority and Jurisdiction

- A. The Peer Review Board (PRB) derives its authority and recognition from the Office of the Vice President for Student Life, through the Department of Student Life / Residence Life, as a student judicial body empowered to resolve alleged violations of residence life or Nebraska Wesleyan University policies.
- B. The PRB shall hear alleged policy violations when: 1) a student does not accept responsibility for an alleged policy violation when the RLC believes that student to be responsible, 2) a student chooses the PRB to hear the case instead of the RLC, 3) a student fails to attend a conduct meeting with the Residence Life Coordinator, 4) the Residence Life Coordinator determines that the PRB experience would serve as an appropriate course of action, or 5) the incident involves multiple students, buildings, or violation types.
- C. Members of the PRB will also act as a mediating body for roommate, community, or personal disputes pertaining to residential communities.
- D. A Peer Review Board shall consist of five members with three members needed for a quorum. Board members are selected by the Residence Life Coordinators through an application and interview process.
- E. A full-time Residence Life Coordinator who acts as a Judicial Officer shall advise each meeting of the Peer Review Board. The role of the Judicial Officer is to protect the rights of the charged student and advise the board on procedural issues. The Advisor of the Peer Review Board does not have a vote in determining responsibility.

II. Residence Life Peer Review Board Procedures

- A. **Notification of Proceedings** – The student will be notified in writing of the scheduled hearing through their SMB no less than 5 class days in advance. A Residence Life Coordinator will meet with the student before the PRB hearing and explain to the student his or her rights during the PRB proceeding.
- B. The charged student will receive notification, in writing, of the location, date and time of the hearing and the charge(s) against him or her. The charged student is expected to attend the hearing.
- C. Failure to attend a hearing does not dismiss a charged student from pending action. If the

charged student fails to show for a hearing, the board will make a decision based on other testimony available. The charged student may appeal the decision of the board to the Associate Vice President of Student Life.

- D. The PRB will make a decision of “responsible” or “not responsible” for the violations listed in the complaint form.
- E. The PRB will also make a decision of “responsible” or “not responsible” for violations that are uncovered through the hearing process, though not initially addressed in the complaint form. In these instances, the PRB must verbally acknowledge in the hearing that they have heard testimony that incriminates the student in another policy violation and give that student an opportunity to give a plea of “responsible” or “not responsible” to this additional charge.
- F. **Spokesperson of Hearing** – Before each hearing begins, the Judicial Officer, in consultation with the board, will select a spokesperson or Chair of the PRB who shall preside over the hearing. The PRB Chair is responsible for maintaining the orderly conduct throughout the hearing.
- G. **Student’s Rights** – Each charged student shall be afforded the following rights throughout the hearing process. This applies to both a hearing with a Peer Review Board and with a Judicial Officer.
 - 1. The charged student will have written notice of the location, date and time of the hearing at least 5 class days before the hearing.
 - 2. A quorum must be present in order for the hearing to be conducted. Quorum for the Peer Review Board shall be three board members
 - 3. The charged student has a right to have an advisor present with him or her during the hearing. The advisor may not address the board nor address any other person attending the hearing. The role of the advisor shall be limited to consultation with the charged student. Failure to abide by this rule or causing any other disruption during the hearing may cause the advisor to be asked to leave.
 - 4. The student shall receive any written documentation pertaining to the alleged violation. Such written material will normally be sent along with the hearing notice.
 - 5. Any member of the Peer Review Board who has a pre-existing relationship with the charged student that might cause a conflict of interest shall dismiss him or herself from participation for the duration of the case.
 - 6. The student has the right to bring his/her own witnesses and present any other relevant information on his/her own behalf.
 - 7. The student has the right to respond to all information presented against him/her.
 - 8. The student has the right to not present information against him or herself, or answer any questions asked by the board.
 - 9. The student has the right to a written outcome of the hearing.
 - 10. The student has the right to appeal the decision by the board through the process outlined below.
 - 11. The student’s RLC will meet with the student prior to the hearing to verify that the student knows and understands these rights.

H. **The Hearing**

- 1. Hearings shall be closed to the public.
- 2. It shall be the responsibility of the PRB to keep a written record of the hearing. The Peer Review “Decision Form” shall be the official written record of the hearing.

3. Verbal testimonies given by witnesses and the charged student will be given more weight in the decision process than any written materials.
4. Pertinent records, exhibits, and /or written statements may be accepted as evidence for consideration by the board under the discretion of the chair and the advisor.
5. The student is responsible for presenting his/her own case.
6. Advisors may not address the board
7. Based on the evidence presented, both written and oral, the board will determine whether or not the student more likely than not violated the policy.
8. The student will be informed of his or her right to appeal, as well as the appeal process, at the conclusion of the hearing.

I. Appeal

1. The student may appeal the decision and/or the sanction of the Peer Review Board.
2. The student must submit an appeal, in writing, within five working days of receiving the hearing decision to the Associate Vice President of Student Life.
3. The appeal will be made by the Associate Vice President of Student Life based on the criteria for appeals that the President uses, found in the Student Handbook.
4. The student shall receive a written decision of the appeal.
5. The appeal decision is final and conclusive.

III. Sanctions & Conditions

The following sanctions and conditions may be imposed on any charged student found to have violated any residence hall policies.

A. Sanctions

1. Residence Life Reprimand – A written warning indicating that the charged student's "good standing" with Residence Life is in *jeopardy* and that further violations of residence hall or University policies may result in more serious sanctions.
2. Disciplinary Probation in the Residence Halls – This sanction places the charged student on a probationary status during the time specified. During this time the student is NOT in "good standing" with Residence Life & Housing. Future violations of residence hall or university policies may result in Residence Hall Expulsion, Disciplinary Status, and /or Residence Hall Suspension.

B. Conditions

1. RLC Conference – This condition mandates that the student meet with a Residence Life Coordinator to discuss his/her behavior related to the incident.
2. Community Restitution – This condition mandates that a student complete a set number of community restitution hours.
3. Fine/Restitution – This condition mandates that the charged student pay for part or all of the damages incurred during the incident(s) in which the rule was broken.
4. Visitation Restriction – This condition places a restriction on the charged student with regard to either being permitted to have guests or to visit another residence hall for a designated period of time.
5. Loss of Ability To Re-contract – This condition is a recommendation to the Associate Vice President of Student Life that the charged student should not be allowed to re-contract.
6. Loss of Privilege – This condition renders the student unable to use certain facilities within the residence hall (i.e., computer lab) or unable to use a particular device in his or her room (i.e., radio).
7. Educational Project – This condition mandates the charged student to complete a proj-

ect related to the violation in an attempt to gain a better understanding why the behavior was inappropriate.

8. University Judiciary – The PRB may decide that the violations are beyond their residence hall jurisdiction and forward the case to the University Judiciary to make a decision on the issues.

Failure to complete a condition received as a result of going through the student conduct process will result in subsequent charge of “Abuse of the Judicial System.”