

# DEFINITIONS

## Advisor

An advisor is a member of the DePaul University community who may act as a support person for either the complainant or referred student. All students involved in a Student Conduct Process have the right to bring one advisor to any meeting or hearing related to the Student Conduct Process. An advisor may attend any related meeting but may not directly address the members of the University Board, an administrative hearing officer, or anyone else present at a meeting or hearing.

The Dean of Students retains a pool of faculty and staff that are trained to serve as advisors for students and can be provided at the student's request. Furthermore, if a student selects an advisor who is not part of this trained pool, the Dean of Students Office offers information and consultation on the role of the advisor and training, if needed and requested by the student or their advisor. All advisors must be approved in advance by the moderator, administrative hearing officer, or other University designee.

Because an advisor must be a current member of the DePaul community, students are prohibited from having an attorney or legal representative who is not a current member of the DePaul community be an advisor during the Student Conduct Process. Students may choose to consult or retain independent legal counsel as a result of their participation in the Student Conduct Process, but such legal counsel may not attend any meetings or hearings, and does not have a role in the Student Conduct Process. More information for attorneys can be found at <https://law.depaul.edu/academics/experiential-learning/legal-clinics/croak-community/student-legal-resources/Pages/default.aspx>

For student conduct cases involving the Sexual & Relationship Violence Prevention and Response (<https://offices.depaul.edu/secretary/policies-procedures/policies/Documents/Sexual%20and%20Relationship%20Violence%20Prevention%20and%20Response.pdf>) policy, please refer to the information on advisors in that policy.

For student conduct cases involving the Formal Title IX Sexual Harassment Policies and Procedures (<https://offices.depaul.edu/secretary/policies-procedures/policies/Documents/Formal%20Title%20IX%20Sexual%20Harassment.pdf>), please refer to the information on advisors in that policy.

## Administrative Hearing

An administrative hearing is a hearing process in which a student conduct case is reviewed by an administrative hearing officer. The administrative hearing officer will review all of the information, determine responsibility and sanction if appropriate. The procedures for an administrative hearing are set forth in the "Administrative Hearing Process" section of the Code of Student Responsibility.

## Administrative Hearing Officer

An administrative hearing officer is the individual who serves as the hearing officer in an administrative hearing.

## Complainant

A complainant is a student who is alleging a potential violation of a policy and participating in the Student Conduct Process in this role. An individual may allege a potential violation of a policy but then choose not to participate in the Student Conduct Process as a complainant.

Under some circumstances (for example, where a non-student has alleged a policy violation or when a student chooses not to participate in the Student Conduct Process in the complainant role), the University may serve as the complainant in a Student Conduct Process. In these instances, the individual who has alleged a potential violation of a policy is given the opportunity to provide information through the University representative.

## Moderator

A moderator is a designated University staff member (typically a Dean of Students Office staff, or other Student Affairs professional) who is responsible for managing the University Board hearing process. The moderator has no voting role in the outcome of any University Board hearing, but all determinations by a University Board panel as to whether a violation has occurred or related sanctions will be reviewed with the moderator.

## Referred Student

A referred student is a student who has been referred to the Dean of Students Office for a potential violation of a policy.

## Student

For purposes of the Code of Student Responsibility and the Student Conduct Process, an individual becomes a student at the time they are admitted to the University and remains a student until one or more of the following occurs:

1. they graduate;
2. they have not been in attendance at the University for three consecutive quarters such that they would need to reapply prior to enrolling;
3. they withdraw from the University; or
4. they are dismissed.

The term student includes both degree-seeking and non-degree seeking individuals. The term student includes individuals who are taking courses for credit or not for credit (for example, students in the English Language Academy and Continuing Professional Education). The term student also includes registered student organizations.

The Code of Student Responsibility shall apply to a student's conduct even if the student withdraws from DePaul while a Student Conduct Process is ongoing.

## Student Organization

A student organization is any student organization registered with the Office of Student Involvement for that academic year. The Office of Student Involvement will maintain comprehensive policies and procedures for registering as a student organization and for maintaining that status.

Student organizations and their advisors are expected to abide by all University policies, including the policies in the Code of Student Responsibility.

## University Board

The University Board is a pool of DePaul community members who are recruited, selected and trained by Student Affairs to comprise the panel for a University Board hearing. All members of the University Board will receive annual training regarding student conduct principles and

techniques, student development, DePaul policies, the Student Conduct Process, and various other information, including information as required by applicable legal mandates. Attendance at the annual training is mandatory. The members of the University Board are current students, faculty and staff consisting of

- Current students with at least second-year status, including students appointed by the Student Government Association;
- Faculty members appointed by the Faculty Council; and
- Staff members including staff members appointed by the Staff Council, and may include staff from the Dean of Students Office

Individuals panels selected to serve on a hearing are determined on a case-by-case basis with consideration that the panel be representative of the diversity within the larger campus community.

### **University Board Hearing**

A University Board hearing is a hearing process by which a student conduct case is brought before a University Board panel for the purposes of reviewing information to determine finding of responsibility and appropriate sanctions to the Dean of Students Office. The University Board hearing process is managed by a moderator. The procedures for a University Board hearing are set forth in the “University Board Hearing Process” section of the Student Conduct Process.

## **University Board Panel**

A University Board panel is chosen by the Dean of Students Office and is comprised of three individuals from the general University Board membership (with representation across several populations, such as student, faculty member and staff member).

The absence of a student, faculty or staff member will not prevent the panel from hearing a case. The Dean of Students or their designee may use discretion to appoint a three personal panel that may be composed of any combination of administrators, faculty and students. This may occur due to the nature of the case or because a standard panel (one student, one faculty member and one staff member) cannot be convened to resolve the case in an appropriate time frame.

The University Board panel is charged with reviewing all the information and determining responsibility and sanctions if appropriate.

## **Witness**

A witness is an individual who has information to present that directly bears upon the circumstances of a conduct case or has supporting statements to add to those of the complainant or referred student during the Student Conduct Process. Generally, a witness must be a current member of the DePaul community (faculty, staff or student) and must be approved in advance by the University.

In general, witnesses must present their information in person. Except as detailed in the Formal Title IX Sexual Harassment Policies and Procedures, it is the responsibility of a complainant or a referred student to make sure that a witness who is appearing on their behalf can attend an administrative hearing or University Board hearing. In some cases, the University will, in its discretion, approve the use of written statements from witnesses, or remote participation by witnesses.