PPM 6-22 STUDENT CODE, cont’d

VIII. JURISDICTION

A. Procedures which foster dialogue and promote resolution between the immediate parties involved in a dispute are encouraged. Every effort should be made to resolve disputes at the lowest possible level (i.e., individual, supervisor, department chairperson, program director, and/or dean). If resolution by these means is unsatisfactory, formal departmental or school procedures, if available, should be instituted and/or the office designated by the Vice President for Student Affairs should be notified. Students are also encouraged to contact their elected WSUSA representatives, if desired.

B. Procedures and hearings of all Weber State University bodies which have the potential of sanctioning students or providing relief to students will follow guidelines specified in the Student Code. Actions which seek redress from or imposition of sanctions on staff/faculty members of Weber State University and/or its administrative entities will follow guidelines and procedures outlined in the Weber State University PPM.

C. Issues relating to admission, residence halls, academic requirements, eligibility, residency, or parking violations are deferred to University venues especially designated to handle such issues, and appeals from those bodies will be considered only as outlined in section IX.

D. Scope:

1. In the absence of specific guidelines and procedures indicated elsewhere in the PPM, the due process provisions contained in the Student Code shall be followed.

2. Financial and business obligations such as payment of tuition, parking fees, residence hall charges, financial aid, etc., are considered business transactions and are covered by legal agreements in addition to the Student Code.

3. Generally, University jurisdiction and discipline shall be limited to conduct which occurs on University premises or which adversely affects the University community and/or the pursuit of its objectives.

E. Specific Issues

In order to promote the resolution of disputes in an efficient and effective manner, the power to resolve particular issues shall be exercised as follows:

1. Academic Issues

a. Academic Dishonesty

i) All members of the University community have the obligation to report instances of academic dishonesty to the responsible faculty member.

ii) Grievances pertaining to academic dishonesty shall be referred to the college in which they arise for resolution according to the procedures for student petitions listed below in ~~VII~~ VIII.E.1.d.

b. Academic Grade/Course Sanctions

Grievances regarding grading or the imposition of course sanctions not involving academic dishonesty shall be referred to the college in which they arise for resolution according to the procedures for student petitions listed below in ~~VII~~ VIII.E.1.d.

c. Admission/Standing in Restricted Enrollment Programs

Grievances regarding admission to or standing in a restricted enrollment program at the University shall be referred to the college in which they arise for resolution according to the procedures for student petitions listed below in ~~VII~~ VIII.E.1.d.

d. Procedures for Student Petitions for Academic Grievances

Whenever possible, complaints or grievances should be resolved at the lowest level ~~possible~~ (i.e. faculty member, staff member, director, etc.). Students with unresolved academic issues can invoke the following levels in petitioning their cases. Individuals must submit their petition within four (4) months after the event or issue being contested. Time frames may be waived to accommodate extraordinary circumstances. A student's petition must contain a statement of the relief sought (desired outcome) and a short account of the facts, reasons, and rationale to support the desired outcome.

The petition levels are sequential and students ~~mush~~ must exhaust their options at one level before proceeding to the next unless there are unusual or extenuating circumstances that warrant a petition going directly to the College Hearing Committee. The College Dean will make this determination.

**Petition Level 1:** Petition the College Department Chair (or Department Committee if applicable). The Chair or Department Committee will determine how to proceed and shall attempt to resolve the issue(s) within a reasonable time period. Once a decision has been reached, the department chair (or Committee Chair) will make a good faith effort to respond in writing to the student within 10 business days with a copy of the letter sent to the college dean. If a satisfactory resolution cannot be found the student may petition the college dean.

**Petition Level 2:** Petition the College Dean. The Dean shall attempt to resolve the issue(s) within a reasonable time period. Once a decision has been reached, the college dean will make a good faith effort to respond in writing to the student within 10 business days with a copy of the letter sent to the department chair. If a satisfactory resolution cannot be found, the student may petition the College Hearing Committee.

**Petition Level 3:** Petition the College Hearing Committee. The petitioning student has the opportunity to meet in-person and present his or her case to the College Hearing Committee. The student may also be accompanied by an advisor at his or her expense (this person is advisory only). The Committee ~~committee~~ shall review all relevant evidence presented and meet to render a decision within a reasonable time period. Hearings may be closed to the public where the chair, in consultation with Legal Counsel, determines it would be appropriate under the circumstances. A written summary of the significant assertions and findings of the hearing shall be kept. Decisions of the Committee ~~committee~~ must be in writing and should give the basis for the decision. The Committee ~~committee~~ will make a good faith effort to respond in writing to the student within 10 business days with a copy of the letter sent to the college dean. There are no appeals beyond the College Hearing Committee other than due process violations. (NOTE: Every college must have a five-member hearing Committee ~~committee~~ appointed by the Dean consisting of at least one student and four other members of the University community from the respective college with one person acting as chair - see PPM 6-22.XI.A.1). University Legal Counsel shall act as the Committee’s legal advisor on all aspects of the process. The College Hearing Committee is not bound by the formal hearing process outlined in Section XI.

**Petition Level 4**: Meet with the University Due Process Officer on claims of substantive or procedural due process violation(s). The Due Process Officer can rule only on due process issues and shall render a decision and communicate it in writing to the student with copies to the College Dean and College Hearing Committee. The Due Process Officer may take the following actions:

a. Affirm the decision of the College Hearing Committee;

b. Direct the College Hearing Committee to reopen the hearing for a particular purpose in order to safeguard due process;

c. Remand the case to the College Hearing Committee for a new hearing after consultation with University Legal Counsel in order to safeguard due process.

2. Administrative Issues

Decisions on all issues of an administrative nature, such as admission to the University, residency, tuition, course waivers, credit adjustment, graduation, program eligibility, participation in specific activities, financial aid, parking and traffic, and residence halls, will be resolved based on the procedures outlined in section IX.

3. Behavioral Issues

Unless otherwise specified herein, behavioral issues involving the alleged violation of the Student Code shall be referred to the Dean of Students for resolution according to the provisions hereof.

4. Student Grievances Against Faculty

Grievances against an individual faculty member on grounds other than grading, course sanctions, academic dishonesty, or admission/standing in restricted enrollment programs shall be referred to the appropriate department chair, dean, vice president, or other responsible administrator for resolution according to the provisions of Section 9 of the PPM. Specific guidance with respect to this procedure should be obtained from the Due Process Officer.

5. Student Grievances Against Staff/Administration

Whenever possible, complaints or grievances should be resolved at the lowest level possible (ie: staff member, supervisor, director, etc.). If unresolved, grievances against an individual member of the University staff or administration should be referred to the vice president having supervisory jurisdiction over the subject matter of the complaint for resolution according to the provisions of the Student Code or other relevant portions of the PPM. (see PPMs [3-2](http://www.weber.edu/ppm/Policies/3-2_EmployeeDefinations.html), [3-14](http://www.weber.edu/ppm/Policies/3-14_HourlyEmplyment.html), [3-15](http://www.weber.edu/ppm/Policies/3-15_PersonnelRelations.html) and [3-32](http://www.weber.edu/ppm/Policies/3-32_DiscriminationHarassment.html)). Specific guidance with respect to this procedure should be obtained from the Due Process Officer.

6. Off-Campus Behavior

Off-campus behavior by students or student groups acting as official representatives of the University or utilizing the name of the University in any capacity or by students or student groups charged with any violent crime may be referred by any interested party to the Dean of Students for review. If the behavior is in violation of the provisions of the Student Code and may endanger the safety or welfare of the University community, University action may be taken and sanctions may be imposed.

7. Criminal Activity/Civil Court Actions

a. The jurisdiction of federal, state, and local courts and law enforcement officials is recognized by the University with regard to criminal offenses and civil matters.

i) Courts have jurisdiction over cases involving violations of civil and criminal law.

ii) Weber State University has jurisdiction over violations of University rules and regulations.

b. When an act allegedly violates both civil or criminal law and University rules, there is concurrent jurisdiction.

c. University Police have the responsibility to investigate criminal acts and enforce court orders as mandated by the requirements of their duly constituted offices.

8. Referral Power

Issues that exceed the jurisdictional scope of a particular hearing committee shall be referred to the Due Process Officer for reassignment to the appropriate committee.