

University Student Professionalism Board (USPB)
Revised/Updated Policy Approved by Administrative Council August 15, 2022
Effective August 15, 2022

UNIVERSITY STUDENT PROFESSIONALISM BOARD (USPB)

I. Purpose and Scope of the USPB

The purpose of the USPB is to decide findings of fact when a currently enrolled student does not accept responsibility for a formal charge that a student violated a *College's Code of Conduct** and when that violation could result in the student's College administration imposing a sanction that would result in 1) a delay in the student's expected graduation date, or 2) the student being suspended from the College that would result in a delay of the student's expected graduation date, or 3) the student being dismissed/expelled from the College.

The USPB is not intended to determine findings of fact 1) for incoming students (i.e., students who have not paid their tuition and fees and attended the first day of Orientation) or 2) when the alleged violation of a College's Student Code of Conduct occurred when the student was not enrolled at Roseman University or 3) when the sanction for the violation would not result in a delay in the student's expected graduation date.

The USPB will not recommend or impose sanctions.

*The phrase '*Code of Conduct*' includes, but is not limited to, referring to a College's published:

- Standards of Professional Conduct or
- Academic and/or Professional Misconduct and/or Clinical Misconduct or
- Student Professionalism / Honor Code

II. Composition and Terms of Service

The Board consists of six (6) members: three (3) faculty members, two (2) students and the Vice President for Student Affairs (VPSA).

The VPSA is an ex-officio, non-voting member of the Board. The VPSA serves as a liaison between the student, the representative(s) from the student's College to the USPB, and the members of the USPB. The VPSA facilitates the sharing of information between the student, the student's College USPB representative(s), and USPB members. The VPSA only answers a student's questions about USPB policies and procedures; the VPSA does not provide advice to a student regarding how to defend themselves against their College's charge(s) that the student violated the College's Code of Conduct. The VPSA only answers a College USPB representative's questions about USPB policies and procedures; the VPSA does not provide advice to a College USPB representative(s) regarding how to present their case to the USPB.

The Faculty Senate will elect three (3) faculty members to serve on the USPB. The three (3) faculty members are not allowed to have appointments in the same primary College (e.g., while the three faculty USPB members can't all be from the College of Pharmacy, two faculty members on the Board can be from the College of Pharmacy if the third faculty member of the Board is not a full-time faculty member in the College of Pharmacy). All

three faculty members of the USPB can be from the same campus. To be considered for election by the Faculty Senate to serve on the Board, a faculty member must:

- Be defined as holding a full-time faculty appointment at Roseman with the rank of Instructor or higher, e.g., adjunct faculty or part-time faculty are not eligible to serve on the USPB
- Not hold the rank of Assistant Dean or higher or serve in an administrative role of a Dean's Executive Committee

The faculty member's term will begin on July 1 and will be for three (3) years. A faculty member may seek reelection to the USPB.

The President of the Faculty Senate or their designee will appoint the USPB Chair from the three faculty members serving on the Board. When necessary, the President of the Faculty Senate or their designee will appointment a replacement for a USPB faculty member

Each Campus's University Student Government Association (SGA) will elect two (2) students from each campus to serve on the Board. The student must be enrolled full-time to be eligible to serve on the USPB. The two students can be from the same College (but the students can't be from the same campus as the student charged with a Code of Conduct violation). Students from the South Jordan campus will hear cases involving students from the Henderson campus. Students from the Henderson campus will hear cases involving students from the South Jordan campus.

A student's term will begin on July 1 and last for one (1) year or when the student graduates or withdraws from the University, whichever is sooner. A student may seek reelection to the Board.

When necessary, the appropriate Campus SGA President or their designee will appoint a replacement for a USPB student member.

If any member of the USPB is unable to attend a hearing, said member shall notify the VPSA. The VPSA or their designee is responsible for contacting the President of the Faculty Senate or their designee to replace a faculty member of the USPB and/or the SGA President or their designee to replace a student member of the USPB.

III. USPB Hearing Policy and Process

- The VPSA or their designee will inform the student in writing about the date and time of the hearing, and the student's specific Code of Conduct violation(s) (hereafter referred to as 'charge(s)') least five (5) business days before the start of the hearing. The VPSA will make a reasonable, good faith effort to answer the student's questions about USPB policies and procedures and the USPB Hearing process.

- The VPSA or their designee will inform the College USPB representative(s) in writing about the date and time of the hearing, and the specific charge(s) that are being presented to the USPB at least five (5) business days before the start of the hearing. The VPSA will make a reasonable, good faith effort to answer the College's USPB representative's questions about USPB policies and procedures and the USPB Hearing process.
- Except as provided below, the hearing will be closed to all individuals not directly involved.
- The student may ask the VPSA to allow a non-administrative faculty member (i.e., a faculty member who does not hold the rank of Assistant Dean or higher or serve in an administrative role of a Dean's Executive Committee) to serve in an advisory capacity to the student during the hearing. This faculty member must consent to serve as the student's advisor. This request must be sent to the VPSA or their designee via e-mail at least three (3) business days prior to the hearing and must identify the faculty member who consented to attend the hearing. A faculty member involved in the incident and/or who has been called as a witness is prohibited from serving in this role during the hearing. The role of a faculty member who agrees to assist a student called before the Board is limited to advising the student during the hearing and is therefore accordingly not allowed to make statements or question witnesses on behalf of the student. The student can ask the USPB Chair for a break to meet with the faculty advisor outside of the Board's presence. The faculty advisor will meet with the student and review the student's request for advice. The total amount of time for the faculty advisor to meet privately with the student during the hearing shall not exceed thirty minutes.
- The student has the right to make opening and closing remarks, pose questions to witnesses, and present evidence and witnesses defending themselves against the College's charge(s). All documentation (including written statements) and names of witnesses the student intends to present (either in person or linked to the hearing via telephone or videoconference) need to be provided to the VPSA or their designee via email at least three (3) business days prior to the hearing. Failure to do so will prevent said evidence and witness testimony from being considered by the Board.
- The College USPB representative(s) has the right, *but is not required*, to attend the hearing. This representative has the right to make opening and closing remarks, pose questions to the student, pose questions to witnesses, and present evidence and witnesses supporting the College's charge(s). All documentation (including written statements) and names of witnesses the College intends to present (either in person or linked to the hearing via telephone or videoconference) need to be provided to the VPSA or designee via email at least three (3) business days prior to the hearing. If the College USPB representative(s) complies with this three (3) business day deadline, the representative can submit evidence to the Board, including witness statements and the right to call witnesses to testify during the hearing, that was not presented to the student before the student's USPB Hearing. Failure to comply with the three (3) business day deadline will prevent said evidence and witness testimony from being considered by the Board.
- The VPSA or their designee will provide all documentation (including written statements) and names of witnesses that have been scheduled to testify during the hearing to the student, the

College USPB representative(s), and Board members at least one (1) business day prior to the start of the hearing.

- If no request to reschedule the hearing has been submitted to the VPSA or their designee and the student is not present at the start of the hearing, the Board will proceed with conducting the hearing no later than ten (10) minutes from the scheduled start of the hearing.
- All witnesses scheduled to testify during the hearing are subject to questioning by the student, the Board members, and a College USPB representative. If a witness is unable to attend the hearing, the hearing will not be rescheduled. Therefore, the student and the College USPB representative should submit written statements from witnesses scheduled to testify during the hearing to the VPSA by the required deadline.
- Board members and a College USPB representative have the right to ask the student questions during the hearing. If a student declines to answer questions during the USPB Hearing, Board members have the right to consider the student's decision to decline to answer a question when the Board member considers if it is more likely than not that the student violated their College's Code of Conduct.
- Upon conclusion of the hearing and consideration of the evidence presented to it, the USPB, by a majority vote, ***will determine whether it is more likely than not*** that each charge is true.

The USPB Chair and the VPSA shall forward the results of the Board's majority vote with respect to findings of fact to the appropriate administrator(s) designated by the College and to the student within (five) 5 business days of the hearing. The College/Program is responsible for imposing sanctions, if any, on the student.

Request to Extend Deadline / Reschedule USPB Hearing

The College USPB representative or the student may request that the VPSA or their designee consider a request to extend a deadline. To request a deadline extension, the party requesting the deadline must:

- submit a written request to extend the deadline to the VPSS before the deadline,
- the rationale for the extension, **and**
- propose a new date and time for the deadline

If the VPSA or their designee grants a request to extend a deadline, the extension will be granted to both parties.

A request to reschedule a hearing from the student or a College USPB representative must be submitted to the VPSA or their designee before the start of the hearing. The VPSA will only grant requests to reschedule the hearing when there *are extra-ordinary circumstances*. A USPB Hearing will not be rescheduled because a witness could not attend the Hearing.

A request for an extension of the Board's five (5) day deadline to forward their majority decision with respect to the findings of fact must be submitted in writing by the VPSA to the administrator responsible for supervising the student's Dean. The VPSA will also notify the student and the College's USPB representative that the Board has requested an extension. The designated administrator's decision to grant or deny the extension is final.

Definition of 'Business Day'

All of deadlines in this policy refer to business days. For this policy, an individual has the right to a complete business day, i.e., a day that starts at 8:00 am and ends at 5:00 pm Monday through Friday. When the University counts a business day toward meeting a deadline: 1) it will determine if communication was initiated before or after 8:00 am on a business day, 2) it will designate communication initiated before 8:00 am of a business day as occurring on the previous business day; communication initiated after 8:00 am of a business day is designated as occurring on the current business day, 3) it will count the first business day that starts at 8:00 am *after* the business day the communication was designated as occurring on as the first business day of the deadline. For example, communication between 5:01 pm Friday and 7:59 am Monday will be designated as occurring on Friday (the previous business day) and the first business day that would be counted towards meeting a deadline would be Monday; communication initiated *after* 8:00 am on Monday but before 7:59 am on Tuesday, will be designated as occurring on Monday (the current business day) and the first business day that will be counted towards a meeting a deadline would be Tuesday.

IV. Appeals Process

The student's College is not allowed to appeal the Board's decision. A student who wishes to appeal their College's sanction(s) must follow the appeals process outlined in the student's College Student Handbook.