

UNIVERSITY STUDENT PROFESSIONALISM BOARD (USPB) POLICY

Approved by Administrative Council 5/11/2017

Effective date 7/1/2018

The College/Program will complete an initial inquiry and determine if the problem can be resolved before it is forwarded to University Student Professionalism Board (USPB).

Step 1: An individual witnessing a Roseman student committing a perceived violation of academic or professional misconduct reports this allegation to the academic administrator specified in a College/Program's Student Handbook. A member of a non-academic unit referring an alleged professionalism violation to an academic administrator will also notify her/his supervisor and the Vice President of Student Services (VPSS). The designated academic administrator meets with the student to discuss the alleged violation.

Step 2: If the appropriate administrator from the College/Program identifies academic and/or professional misconduct that the student does not accept responsibility for, the administrator will refer the matter to the VPSS or designee. The VPSS or designee will refer the matter to the University Student Professionalism Board (USPB).

I. Purpose and Scope of the USPB

The purpose of the USPB is to make a determination of the findings of fact when a student contests an allegation of academic or professional misconduct. The USPB will not recommend or impose sanctions.

II. Composition and Terms of Service

The Board consists of six (6) members: three faculty members, two students and the VPSS who will serve as an ex-officio member.

The Faculty Senate will elect three (3) faculty members to serve on the USPB. The three (3) faculty members serving on the USPB must represent different college/programs. The term will begin on July 1 each year and will last for three years. A faculty member may seek reelection to the Board.

The President of the Faculty Senate will appoint the Chair from the three faculty members elected to the Board, and the President of the Faculty Senate or designee will appoint faculty member alternate(s) to the Board.

Each Campus's University Student Government Association (SGA) will elect two (2) students from each campus to serve on the Board. The students must be from different academic programs. The term will begin on July 1 and last for one (1) year. A student may seek reelection to the Board. When a student board member is unable to participate in a hearing, the student member's Campus SGA President or designee will appoint an alternate. 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.

If any member of the USPB is unable to attend a hearing or decides not to participate in a hearing because a conflict of interest in a particular case exists, said member shall notify the VPSS Chair. The VPSS or designee is responsible for contacting the President of the Faculty Senate or designee) to replace a faculty member of the USPB and/or SGA President or designee to replace a student member of the USPB.

III. Procedure for Hearings Regarding Alleged Violations of a College/Program's Standards of Professional Conduct

1. The VPSS or designee will inform the accused student in writing about the date and time of the hearing, the charges and offer to review the USPB process with the student at least five (5) business days before the start of the hearing.
2. Except as provided below, the hearing will be closed to all individuals not directly involved.
3. The student may petition the USPB to allow a non-administrative faculty member to serve in an advisory capacity during the hearing. This faculty member must consent to serve as the student's advisor. This petition must be sent to the VPSS or 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 meeting. 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 Chair of the Board 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.
4. The student may testify and present evidence and witnesses on his/her behalf. All documentation (including written affidavits) 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 VPSS or 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. Requests to reschedule a hearing because a student is unable to attend the hearing must be made in writing to the VPSS or designee before the start of the hearing. The VPSS will only grant requests to reschedule the hearing when there are extra-ordinary circumstances.
5. A representative from the student's academic program has the right to attend the hearing. This representative has the right to make opening and closing remarks, testify, and present evidence and witnesses supporting the academic program's allegation(s). All documentation (including written affidavits) and names of witnesses the academic program intends to present (either in person or linked to the hearing via telephone or

videoconference) need to be provided to the VPSS or designee via email at least three (3) business days prior to the hearing.

6. The VPSS or designee will provide all documentation (including written affidavits) and names of witnesses that have been scheduled to testify during the hearing to the student, the designated representative of the academic program and Board members at least one (1) business day prior to the start of the hearing.
7. All witnesses scheduled to testify during the hearing are subject to questioning by the student, the Board members, and a representative from the student's academic program. If a witness is unable to attend the hearing, the hearing **will not** be rescheduled. Therefore, the student and the academic program should submit written statements from witnesses scheduled to testify during the hearing.
8. Board members and a representative from the student's academic program have the right to ask the student questions. However, the student may exercise her/his right to decline to answer questions.
9. Upon conclusion of the hearing and consideration of the evidence presented, the USPB, by a majority vote, **will determine whether it is more likely than not** that the charges are true based upon the evidence presented.
10. When the USPB determines by majority vote that **it is more likely than not** that the charges are true, the Chair reserves the right to summarize the Board's position on the case.

The USPB shall forward its majority decision with respect to findings of fact to the academic administrators designated by the College/Program, the VPSS 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.

A request for an extension of the Board's five (5) day deadline to report to the academic administrators must be submitted in writing by the Chair of the USPB to the Chancellor responsible for supervising the student's Dean/Program Director. The Chair will also notify the accused that the Board has requested an extension. The designated Chancellor's decision to grant or deny the extension is final.

Deadlines and Request to Extend Deadline

The representative of the academic program and the student may request that the VPSS or 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 VPSS or designee grants a request to extend a deadline, the extension will be granted to both parties.

Definition of ‘Business Day’

All of deadlines in this policy refer to ‘business days’. For the purpose of 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 must follow the appeals process outlined in the student’s academic program’s Student Handbook.

Resolution of Allegation of Student Academic or Professional Misconduct Decision Flow Chart

Individual witnessing incident reports allegation to designated Academic Administrator (AA)



AA presents allegation to accused student (AS)



AS accepts responsibility for violation

AS contests allegation or doesn’t respond



AA imposes sanction

AA refers allegation to USPB



Student can appeal suspension and termination to Chancellor

VPSS informs AS, AA and Board members about USPB hearing date & deadlines at least 5 business days before the hearing



AA and AS must provide evidence and witness list to VPSS at least 3 business days before the hearing



VPSS provides AA, AS and Board members with evidence submitted to Board at least 1 business day before the hearing



USPB holds hearing, forwards finding of fact, to AA, VPSS, and AS within 5 business days of the hearing or when granted an extension by Chancellor



AA reviews USPB findings, and AA determines sanctions when applicable



Student can appeal suspension and termination to Chancellor