

Office of Student Conduct Key Elements of the Student Conduct Process

Below we have outlined some key elements of *The Student Code of Conduct* and our student conduct process here at Youngstown State University of which all students should be aware. The full text of *The Student Code of Conduct* can be found online at: <http://cms.yosu.edu/administrative-offices/student-conduct/student-code-conduct>.

- 1) Our authority and jurisdiction over students is broad (Article II. A. 1-3). From the time that you apply for admission until the receipt of your degree you are held responsible for upholding *The Student Code of Conduct*. We have authority over any conduct that we feel adversely affects the university, regardless of the physical location where the conduct occurred.
- 2) A Conduct Conference is the first step in the investigation into alleged misconduct. Not all students who are contacted for a Conduct Conference are being charged or will be charged; they may be called in as a potential witness to the alleged misconduct.
- 3) The student conduct process does not have to look the same for every case (Article IV. A.). Additionally, there is flexibility in the sanctioning, as well. This flexibility allows us to meet the needs of each individual respondent and case.
- 4) As of June 2016 the Office of Student Conduct can now levy fines against a student for certain violations of *The Student Code of Conduct*. These fines range from \$25.00 to \$250.00, and fines can be “stacked” in cases where a single incident involves multiple fineable offenses. A full list of the current fine structure can be found online at: <http://cms.yosu.edu/administrative-offices/student-conduct/fines>.
- 5) Anyone can report alleged misconduct to the Office of Student Conduct, YSUPD (including via their anonymous reporting form at <http://cms.yosu.edu/administrative-offices/police/confidential-tip-form>), or to a staff member in the Office of Housing & Residence Life (Article IV. A. 2.).
- 6) Every respondent (student or entity charged with alleged violations of misconduct) has the right to an advisor if they are being referred for a Student Conduct Board hearing (Article IV. E. 1.(c)). Additionally, if a student files a complaint of misconduct, they also have the right to an advisor as the complainant if the misconduct is being heard through a Student Conduct Board hearing (Article IV. E. 2.(d)).
- 7) In the event of a case of alleged misconduct that spans multiple jurisdictions, there may be cause for multiple parallel hearings to occur simultaneously. For instance, in the case of alleged misconduct that also violates local, state, or federal law, a student may be cited or summonsed to court, and will also be referred to the Office of Student Conduct for a hearing. These two cases, though related, do not have bearing on one another in terms of outcome (Article II. A. 3.).
- 8) The evidentiary standard for the YSU student conduct process is “a preponderance of the evidence” (Article IV. A. 4.), which is otherwise explained as “more likely than not” or “51% sure”. This is obviously different than a court of law, where the judge or jury has to believe the person is responsible “beyond a reasonable doubt” or “99.9% sure”. The reason for this difference in evidentiary standards is because the possible repercussions between of the two systems are also very different. In a court of law a person may lose their freedom (jail time), where the harshest sanction (penalty) that our student conduct process can levy against a student is the loss of opportunity to be a student specifically at YSU (expulsion).
- 9) If a student who is under the age of 21 is found responsible for a violation of our drug or alcohol policies, we are required by law to notify that student’s parents or legal guardians (Article VII.).
- 10) Students and/or student groups can be held liable for violations of *The Student Code of Conduct* if they are complicit in the violation of any one of the Student Conduct Standards. For these purposes complicity is defined as “allowing or enabling a violation to occur, failing to report a violation, or concealing, condoning, supporting, or encouraging a violation or an attempted violation” of *The Student Code of Conduct* (Article III. 4.).
- 11) Student organizations can be held liable for the actions of their individual members. We can hold either individual officers of the organization responsible, or we can hold the entire organization responsible. (See Article II. C., Article II. B. and Article III. for more information.)