



Manchester College

Residential Life

Student Rights and Responsibilities in Conduct Cases

Persons charged with violating policies are informed in writing of their rights and the charges pending against them, with sufficient detail and in a reasonable time to ensure an opportunity to prepare a response. Rights in conduct cases include:

1. Students charged with violating policies are informed of the charges pending against them and expected to review their rights and responsibilities in the *MC Source*.
2. No form of harassment may be used to obtain admission of responsibility or information about conduct of other suspected persons.
3. Pending action on the charges, the conduct status of a person is not altered, including rights to be present on the campus and to attend classes. Exceptions may be made for reasons relating to the physical or emotional safety and well-being of students, faculty, and staff of the College.
4. Persons appearing before a Conduct Board or a College Hearing Panel have the right to be assisted by one advisor. Such advisor may not speak on behalf of the person. The Office of Student Development must be notified at least 24 hours in advance if an advisor will be present at the hearing (260-982-5052).
5. Persons hearing a case who have a particular interest in a case or who have a conflict of interest regarding the facts or the principal parties (Complainant or Respondent) in a case should be disqualified. Conflicts must be discussed with the hearing coordinator at least 24 hours prior to the hearing.
6. The respondent is presumed not-responsible unless sufficient information is presented to determine responsibility.
7. The respondent and complainant should be given an opportunity to speak on his or her behalf and present evidence and witnesses.
8. The respondent has the right to remain silent and need not present a response.
9. The decision in the case is based solely upon information introduced during the hearing.
10. The recommendation of the hearing body is final subject only to rights of appeal.
11. Respondents, witnesses, or complainants in a conduct action who are unable to participate in a hearing at the time and date set due to emergency or other serious circumstances must discuss the conflict with the conduct system coordinator at least 24 hours prior to the hearing.
12. Decisions of hearing bodies may be appealed by respondents or victims.
13. The hearing may proceed in the absence of a respondents or their witnesses.