

Procedures of the University Review Board
adopted by unanimous vote of the URB

I. General Rules and Guidelines

- A. Members of the URB shall consider all information and material coming before the Review Board to be of a confidential nature and shall in no way divulge the proceedings of a hearing – public hearings excepted. All deliberations of the Review Board shall be held in Executive session and shall at all times be strictly confidential.
- B. No new evidence may be introduced into the record on appeal. New evidence discovered after the hearing below shall be considered by the URB only to the extent necessary to decide whether to remand the case to the University Hearing Board (UHB) for a new hearing.
- C. A case heard privately by the UHB shall be heard privately by the URB, unless no party to the case objects to a public hearing and the URB approves of it. A case heard publicly by the UHB may be heard privately by the URB, if no party to the case objects and the URB approves.
- D. All Grounds upon which an appeal is based must be introduced through the Appeal Request Form which must be filled out and submitted to the Office of the Judicial Administrator. The decision shall be based solely upon such grounds.
- E. The URB may arrive at any of the following decisions regarding any appeal before if:
 - 1. uphold the Hearing Board decision;
 - 2. reverse or modify the Hearing Board decision, however, the URB may not increase a penalty;
 - 3. remand the case to the Hearing Board – either to the same panel that heard the case below or to new panel.
- F. URB members may request that legal counsel be retained to advise the URB. Should a URB member request legal counsel, such request shall not necessarily halt the hearing of the case, unless the Board so moves. However, in no case shall the panel proceed to consideration of a decision until counsel has been consulted or a Board member withdraws his/her request.

II. University Review Board Hearings

- A. The URB chairperson shall preside at all hearings of the Board. The chair shall cause the written record of the UHB panel's hearing and other pertinent documents to be circulated before the hearing.
- B. All hearings shall be conducted in an orderly manner. The chair of the Review Board may request that anyone disrupting the decorum either refrain from further disruption

or leave. If any person shall continue to be disruptive, s/he may be excluded from the hearing. Any rights attendant on her/his presence at the hearing will be deemed to have been waived.

- C. The appellant (person who filed the appeal) will present his/her case first, followed by the appellee. The parties may present the cases themselves, or by and through their advisor. Normally, the cases presented to the URB will be in the form of appellate argument based upon the record of the proceedings before the UHB.
- D. Those cases where new evidence is presented to the URB in the form of witnesses, the URB chair may at his/her discretion, fix a limit to the length of the witness' testimony, should it appear to belabor the point or become too repetitious.
- E. The URB chair may adjourn the hearing until another day under exceptional circumstances. The Board shall consult all interested parties before fixing the date for reconvening the Board.
- F. Prior to entering executive session, the URB shall reserve privilege of recalling witnesses who are still present for the purpose of clarifying points of those witnesses' testimony. This privilege shall not impair the right of the parties to the appeal to question the witnesses.
- G. The URB may interrupt the executive session for the purpose of clarifying specific testimony or specific arguments.
- H. The appellant shall be informed without delay of the decision of the Board. Such decision shall be read into the verbatim record of the hearing by a member of the URB.

III. Public URB Hearings

- A. The procedures for a public hearing shall be the same as for a private hearing, except that:
 - 1. the appellant and the appellee shall submit a list of witnesses, if any, who will be called at the hearing. The list shall be presented to the Review Board chair prior to the commencement of the hearing. The chair may, at his/her discretion, allow witnesses to testify whose names are not on the list;
 - 2. those directly involved in the hearing (witnesses, counsel, etc.) shall be located separately from the public.
- B. All deliberations of the Board shall be held in executive session.

IV. Appellant's Failure to Appear

It is to the appellant's advantage to appear in person. However, the hearing may proceed in his/her absence, or with his/her designated advisor, unless the appellant applies in writing to the chairperson of the URB for a postponement. The Review Board may either grant or deny the petition for postponement.

V. Records of Decisions

- A. Pursuant to the University Assembly legislation, a verbatim record shall be kept of all hearings of the URB.
 1. The record shall indicate the names of the members of the URB who are hearing the appeal.
 2. The record shall include the names of the appellant and all others appearing before the Board, including their status in relation to the hearing.
 3. Any member of the URB may append a separate opinion (dissenting or concurring) to the record within two weeks of the conclusion of the hearing.
 4. The record shall be signed by the URB chair to certify the record as an accurate report of the proceedings.
- B. A written record of the decision of the URB, including rationale and dissenting opinions, shall be filed with the chairperson as well as with the Judicial Administrator. This report, with the exclusion of the names of individuals involved, shall be made available to the public upon request.

VI. Miscellaneous

- A. The URB shall review and update its procedures as needed. Amendment shall be by a majority vote of the membership of the Board.
- B. These Procedures have been developed in accordance with the Campus Code of Conduct. To the extent that these Procedures are inconsistent with the Code, or any amendments thereto, they are null and void.
- C. A copy of these Procedures of the University Review Board shall be made available to all appellants and appellees, as well as to other interested parties, in the offices of the Judicial Administrator and Judicial Advisor.