

John Jay College Student Disciplinary Procedures Complaint Procedure

- Public Safety Incident Report received by the Dean of Students (DOS)
- Faculty, staff or student written complaint/allegation received by the DOS.
- The DOS can initiate a student complaint independently of an Incident Report.



**Student conduct file is created by the Director of Student Relations (DSR)
DSR sends letter of notification to student charged.**



Informal Conference (Preliminary Investigation)

The informal conference will:

- Acquaint the student with the conduct process
- Inform the student of his/her rights
- Advise the student of the alleged charge(s) against him/her
- Ask the student for a response to the alleged charge(s)

Following the preliminary investigation, which shall be concluded within thirty (30) calendar days of the filing of the complaint, the DSR, reports his findings to the DOS who then decides to take one of the following options for adjudication:



Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary actions. The DSR notifies the individuals involved that the complaint has been dismissed.



Refer the matter to conciliation (informal resolution). The DSR sends the accused student a copy of the notice required pursuant to section 15.3.e. of the CUNY bylaws. The DSR conducts the conciliation conference.



Prefer formal disciplinary charges. The DOS facilitates a formal process that includes a hearing. The Faculty-Student Disciplinary Committee determines whether a code of conduct violation occurred and sanctions are in order.



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Conciliation Conference

The DSR meets with the student to resolve the incident by mutual agreement. An informal resolution is achieved when the student accepts responsibility and agrees to fulfill sanctions, i.e. behavior contract, resolution contract, reflection paper, restitution, mediation, etc.

If no agreement is reached, or if the student fails to appear, the DSR shall refer the matter to the DOS who will prefer disciplinary charges.

The DSR is precluded from testifying in a college hearing regarding information received during the conciliation conference.

All letters, incident reports, preliminary investigation findings, case resolution forms, file update notes, pictures, outcomes and other related case materials are securely stored, in one file, by the DOS.

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Notice of Hearing and Charges

The notice of the charge(s) and the time and place of the hearing shall be personally delivered or sent by the DOS to the student at the address appearing on the records of the college, by registered or certified mail and a copy by first-class mail.

All letters, incident reports, preliminary investigation findings, case resolution forms, file update notes, pictures, outcomes and other related case materials are securely stored, in one file, by the DOS.

Faculty-Student Disciplinary Committee Management

The Secretary to the DOS shall be responsible for:

1. Sending a copy of the student charges/incident report, witness statement(s) and any other evidence to the committee chairperson and the two faculty members.
2. Ordering the audio equipment (for recording purposes).
3. Sending an email reminder to the committee members, a week before the hearing date, confirming the scheduled hearing date and time.

The Faculty-Student Disciplinary Committee shall follow the committee procedures as set forth in Section 15.3.f. of the CUNY bylaws.

Section 15.3 (f) (10) of the Bylaws requires that the student be sent a copy of the faculty-student disciplinary committee's decision within five days of the conclusion of the hearing. The DOS sends the decision letter.

The letter transmitting the decision to the student should state the student's right to appeal the decision of the faculty-student disciplinary committee.

In the case of student disciplinary penalties of expulsion (dismissal) and suspension for greater than one term (semester), the DOS should transmit that information to the Vice Chancellor for Student Affairs, who will transmit the information to the University and College admissions personnel to ensure University-wide implementation of the penalty.