

Subject: Violation Response
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PROCEDURES FOR RESPONDING TO VIOLATIONS

Violation Response

Step 1: Documentation (typically, an Incident Report) will be completed by a witness, who will likely be a member of the Housing Office or USCB staff. Students/residents may also submit incident reports if they witness an incident. However, false information and/or hearsay are prohibited.

Step 2: The report is forwarded to the Resident Director, who will review the documentation and determine if there are alleged policy violations. If there is a determination that policies were violated, the Resident Director will choose one of four options:

1. The Resident Director will send a hearing notification to the accused resident.
2. The matter will be immediately referred to the University.
3. Alternative interventions may be administered; the decision to administer alternative interventions would be made by the Housing Office, and, in the event of interim removal or relocation, after consulting with the University.
4. The Resident Director may send a policy clarification letter in lieu of a hearing notification. The purpose of this letter is to inform the resident that information was received alleging that they violated a policy, remind the resident of the policy and explain the rationale behind the policy. Should the resident wish to contest the policy clarification letter and have a disciplinary hearing instead, a written request must be sent via e-mail and directed to the Resident Director within two business days.

Step 3: The Resident Director will send notification to the resident(s) identified in the documentation/Incident Report, including the allegation(s), the date and time of the alleged violation, and a request for an appointment to be made.

Step 4: The Resident Director will utilize a registered letter to provide notification. *Please note that at certain times of the year (e.g. during break periods) there may be a delay in the dissemination of notices and subsequent administrative processes, based on staff availability.*

Step 5: Residents found *responsible* for violation(s) will be administered a 'sanction'. A sanction is the consequence for violation of policies. Severity of sanctions can vary based on several factors: initial or repeat offense; type of policy violated; and compliance during the disciplinary/conduct process, etc. Thus, it is possible for a resident's housing contract to be terminated upon the first offense, while another

resident may have more than one incident and retain the privilege of living in Palmetto Village. However, residents with multiple incidents risk being removed for 'chronic misbehavior.'

Appeals Process

Students have the right to request an appeal of the Resident Director's decision. Residents found responsible for violations may submit a written appeal (via their USCB e-mail account or in writing) to the Housing Office requesting a review of findings and/or sanctions. An appeal/review does not constitute a re-hearing of the case, but a review of the process. For an appeal to be considered, the following guidelines **must** be adhered to:

- a. Letters of Appeal must be received in writing (hand-delivered or via e-mail) by the Housing Office no later than 5:00 pm, three business days from the date of the Sanction/Findings letter and directed to the Resident Director. The Resident Director will forward the appeal request to the appropriate person. Failure to appeal within the allotted time will render the original decision final and conclusive.
- b. Grounds for Appeal: A written statement outlining the specific issues for which review is sought, and the grounds upon which exception is taken to the original finding or ruling. Grounds for appeal are limited to the following:
 - Evidence not available at the hearing which, had it been available, would in all reasonable likelihood have produced a different finding (*responsible or not responsible*)
 - Substantial procedural irregularity, based on procedures as described in *Palmetto Pride*
 - Sanctions administered are grossly disproportionate to the violation
 - Resident received a sanction of relocation or contract cancellation. **Please note:** if students appeal a dismissal from Palmetto Village, they may be required to move off campus until the appeal process can be completed.

HOUSING POLICIES AND REGULATIONS

Housing is responsible for promoting positive community standards and responding to violations of policies published in the Housing Contract and the Student Code of Conduct. Students are advised to read these guidelines to understand expectations for their behavior while in or on the premises of the University. Students who violate terms of their Housing contract, the Student Code of Conduct or other Housing policies may be subject to disciplinary action. Regulations may be changed or added to in the best interest and protection of persons and property. Residents will be advised promptly of such changes and/or additions through normal channels of communication.

Removal from University Housing

Termination of the resident's housing contract requires the resident to vacate his or her

room. The resident will be given a reasonable time, usually no less than two (2) calendar days, to vacate University Housing after the decision to terminate his or her housing contract. In certain instances, residents may be required to immediately vacate their apartments (see *Emergency Relocation or Removal Policy and Summary Suspension*). Students removed from University Housing are not permitted to return to any University apartment without special permission from University Housing or the Office of Student Services. A student removed from University Housing is not entitled to a refund for the remainder of the term of their Housing contract. In certain instances, parents/guardians may be informed about policy violations and sanctions.

Appeal Process for Formal/Informal Administrative Hearings by Hearing Officers

All appeals of decisions by Housing Hearing Officers in Administrative Hearings or Formal Administrative Hearings will be automatically referred to the Director of Housing and Residence Life for resolution through a Conduct Hearing.