

Complainant and Respondent Rights in the Disciplinary Process

Rutgers, The State University of New Jersey, expects that all disciplinary proceedings will be handled fairly. All Rutgers University students shall therefore be granted the following rights in the disciplinary process under this Code:

VI. RIGHTS OF THE COMPLAINT PARTY AND THE ACCUSED PARTY

The University is committed to providing accessible, prompt, thorough, and fair methods of investigation and resolution of incidents reported under this Code to all University members of the Rutgers community. To this end, both the complaint party and responding student are entitled to the following rights throughout the disciplinary processes set forth in this Code, subject to the terms of this Code.

- A. To be treated with dignity by all persons involved in the disciplinary process.
- B. To equal access to information, evidence, and University resources, including information pertaining to counseling services.
- C. To a fair hearing.
- D. To information about this Code.
- E. To participate or to decline to participate in the disciplinary process.
- F. To have a support person present at all meetings and hearings. Support person availability is not sufficient grounds for postponing a meeting, Administrative Conference, or University Hearing.
- G. To have a Campus Advisor present at all meetings and hearings. Advisor availability is not sufficient grounds for postponing a meeting, Administrative Conference, or University Hearing.
- H. To written notice of all meetings and hearings, including the time and place.
- I. To present information and/or witnesses on their behalf during the disciplinary process. The relevance of witnesses shall be determined by the Conduct Officer or by the Presiding Officer during the disciplinary process.
- J. To choose to withhold information or testimony if the student feels information presented will lead to self-incrimination. Students are expected to fully cooperate with and participate in the University disciplinary system when notified, but no negative inference will be made should a student choose not to speak.
- K. To hear and respond to all information presented against them.

L. To one written copy, upon request, of the report stating the circumstances and allegations involved. This information will be made available after a student is notified of charges.

M. To notice of the charges, including what prohibited conduct is at issue.

N. To submit written materials relevant to the sanction decision, which may include written impact statements.

O. To be free from intimidation, harassment, bullying, or any other form of retaliation throughout the investigation and disciplinary process.

P. To written notification of the results of the hearing or other case resolution, including any sanctions imposed.

Q. To be informed of their right to appeal and of the process for doing so.

R. To written notification of the outcome of any appeal.

S. To privacy throughout the investigation and disciplinary process. The Office of Conduct/Community Standards office will not release information about a case unless legally bound.

T. To understand that information collected in the process may be subpoenaed in criminal or civil proceedings.

U. To have reasonable steps taken to prevent any unnecessary or unwanted contact with the other party or parties during the investigation and disciplinary process.