

Hearing Procedures

Administrative Conduct & Conduct Council Hearing Procedures

The following procedures apply when a complaint has been assigned to be resolved through an Administrative Conduct Hearing or Conduct Council Hearing.

The accused student shall be sent written notice (Notice to Appear) of the specific charges at least two (2) business days prior to a scheduled hearing unless more immediate action is required. Please note all official correspondence will be sent primarily via email to the student's Niagara University email account. Such transmission will constitute sufficient notice of receipt.

Contents of the Notice to Appear

- date of the alleged violation;
- rule(s) violated;
- date/time/location of the hearing;
- information on how to obtain evidence prior to and during the conference/hearing;
- information on how to reschedule a conference/hearing when there is a documented class conflict.

The hearing shall occur between the Hearing Officer/Conduct Council and the accused student, and the following shall occur

- the accused student shall be informed of the alleged violations of the Student Code of Conduct;
- the accused student may make a statement regarding the allegations;
- the hearing officer/Conduct Council shall be asked questions for clarification/follow-up;
- the accused student may bring forth witnesses if deemed pertinent by the hearing officer or Conduct Council.

Upon completion of the hearing, the hearing officer/Conduct Council shall make a determination of responsibility for the incident. This determination shall be based upon the facts of the incident, and whether it is more likely than not that the student is responsible for the alleged violations.

Following a hearing, the hearing officer/Conduct Council shall advise the accused in writing of the decision of the hearing and of the sanctions imposed, if any, and information on the normal appeals process. Decisions shall be sent to the student's Niagara University email account within five (5) business days after the hearing.

Attorneys, legal counsel, advisors, parents, guardians and/or friends are not permitted to participate in the above means of resolution.

A record shall be kept of all hearings and shall cite the violation(s), the decision (responsible or not responsible), a brief statement of the facts upon which the finding is based, and the rationale for the conduct sanction(s). There shall be no audio/visual recordings of hearings.



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