



University Conduct Board

Formal Hearing Outcomes

Lunch & Learn

Fall 2024



Training Note

This training was created for University Conduct Board (UCB) members at East Stroudsburg University in Pennsylvania.

Training materials are available on the Student Conduct and Community Standards website for reference purposes and to adhere to the 2020 Title IX Federal Regulations.

Training materials may also be reviewed within the office.

Questions about UCB training materials can be directed to SCCS.

Learning Outcomes

1. Participants will review the preponderance of the evidence standard used in the Student Conduct process.
2. Participants will construct educational outcomes based on sample cases.
3. Participants will select (or design) appropriate sanctions based on the chosen outcomes.

Remember Our Approach to Conduct

- **Office Mission Statement**

- To engage students in the recognition of responsibility and commitment to being a productive citizen of the communities in which they belong.

- **Office Values**

- Holistic Approach
- Education-Based --- Learning Opportunities
- Respectful of Students
- Rights in the Process

What are Hearing Outcomes?

■ Hearing Outcomes

- This describes the determinations made at the end of the Hearing process by the Administrative Hearing Officer or University Conduct Board. This includes:
 1. Hearing Officer/Board **Determines if student is “Responsible” or “Not Responsible”** for any alleged violations of community standards (*which includes writing the Rationale Statement for each determination*)
 - If student is found responsible: a review of prior conduct and educational sanctions
 2. Development of appropriate **Learning Outcome(s)** based on the incident and violation(s) of community standards
 3. Determination of appropriate **Educational Sanction(s)** to address the Learning Outcome(s)

What are Learning Outcomes?

- **Learning Outcomes are Clearly Articulated Statements that:**
 - Specify what learners will know or be able to do as a result of the learning activity.
 - Are expressed as knowledge, skills or attitudes that the students are expected to exhibit.
 - Must be expressed in observable & measurable terms.
 - Focus on the learning resulting from an activity, rather than the activity itself.
- **Questions to Consider:**
 - What are the most essential things they need to know or be able to do?
 - What specific skills or strategies do they need?
 - Does the potential audience's level of awareness need to be raised?
 - Are there things they need to unlearn?

Educational Sanctions

- **What are Educational Sanctions?**
 - Educational Sanctions are part of the Hearing Outcome **if** a student is found responsible for one (or more) alleged violations of community standards.
 - All educational sanctions should relate to the learning outcomes developed for the student.

Let's Discuss: In what ways can educational sanctions assist a student found responsible for violation(s) of community standards?



Quote Card Credit: [Dare to Lead Resource Hub](#)

Things to Consider when Determining Educational Sanctions

- **Things to Consider when Determining Educational Sanctions**
 - Student's Intent (if known) and Consequences/Potential Consequences of Actions
 - Student's Attitude and Perspective
 - Review of Prior Conduct Record & Sanctions (*if applicable*)
 - Individualization of Outcomes
 - Explaining "Why" and Addressing Learning Outcomes
- **Additional Considerations:**
 - Was Alcohol and/or Other Drugs Involved in the Incident/Violation(s)?
 - Is Restitution to the University Needed for Property Damage/Repair?
 - Is the Educational Sanction Appropriate to the Circumstances and Violation(s)?



Take a moment to review the following sample scenarios and the determinations for the alleged violation(s) of community standards.

Then, we will develop appropriate learning outcomes and discuss possible educational sanctions.

Note: Alleged Violations of Community Standards reference the ESU Student Code of Conduct (Academic Year 2024 – 2025)

Let's Apply Our New Knowledge

Putting it Into Practice – Scenario #1

■ **Sample Incident & Determination(s):**

- *Incident Details:* A suite with four Students had a fire alarm activate in the middle of an afternoon. When University Police checked the room, there was a vape pen on the floor of the living room near the smoke detector. Nothing was obstructing the smoke detector and none of the residents returned to the room after the fire alarm was cleared.
- *Student is found responsible for:* One student is found responsible for Smoking/Tobacco Use. The other three students are found responsible for Complicity.
- *Prior Conduct:* All students have no prior reportable conduct history.
- **What are the Learning Outcome(s) for the Referred Student? What Educational Sanctions may be appropriate?**

Putting it Into Practice – Scenario #2

- **Sample Incident & Determination(s):**
 - *Incident Details:* University Police Officers were conducting a walkthrough in Hemlock Suites and encountered a student smoking cannabis in the main lounge area. Student was compliant and provided the Officers a small amount (less than one gram) of cannabis. Student also admitted to obstructing the smoke detector in the lounge area with tape and a plastic bag. In the hearing, the Student stated they have and use medical marijuana. Student expressed regret for risking the safety of the community by covering the fire alarm.
 - *Student is found responsible for:* Campus Safety - a and Narcotics and Drugs
 - *Prior Conduct:* Student has one prior reportable conduct incident related to a Residence Hall (Quiet Hours) violation and completed an Official Warning.
- **What are the Learning Outcome(s) for the Referred Student? What Educational Sanctions may be appropriate?**

Putting it Into Practice – Scenario #3

- **Sample Incident & Determination(s):**
 - *Incident Details:* A 20-year-old student was found in the stairwell of Hemlock Suites with signs of alcohol consumption including slurred speech, impaired walking, and glassy eyes. Student also had an empty handle of vodka in their left hand. When the RA addressed the student, this student smacked the RA's arm (with an open palm) and began yelling at the RA staff member. Student was later found by ESU Police.
 - *Student is found responsible for:* Misuse of Alcohol – c and Disruptive Conduct – d.
 - *Prior Conduct:* Student has one prior conduct situation relating to alcohol misuse. Prior completed sanctions include an online alcohol education program and an official warning. Student also had one prior incident related to a guest violation in the residence hall.
- **What are the Learning Outcome(s) for the Referred Student? What Educational Sanctions may be appropriate?**

Putting it Into Practice – Scenario #4

- **Sample Incident & Determination(s):**

- *Incident Details:* Student was sending text messages to their roommate which stated, in part, “next time u don’t wash the dishes I’m going to f u up!” and “u better watch ur back when u walk back today”. The roommate reported the concerns to their RA and later that night the Student engaged in a physical altercation with their roommate. Student was cited by University Police and plead guilty to the citation in Court.
- *Student is found responsible for:* Threat of Harm, Physical Harm, and Policy or Law.
- *Prior Conduct:* Student has no prior reportable conduct incidents.

- **What are the Learning Outcome(s) for the Referred Student? What Educational Sanctions may be appropriate?**

Putting it Into Practice – Scenario #5

- **Sample Incident & Determination(s):**
 - *Incident Details:* Professor alleges that a student used Artificial Intelligence (AI) to complete an academic assignment. During the hearing, Professor provides information from three different AI-detectors, all showing more than a 40% likelihood of AI writing. Student denies using any sort of AI program to write or edit their paper. When asked for information about the paper's topic, student replies with general information and sometimes contradicts their own paper information.
 - *Student is found responsible for:* Academic Misconduct - b.
 - *Prior Conduct:* Student has no prior reportable conduct.
- **What are the Learning Outcome(s) for the Referred Student? What Educational Sanctions may be appropriate?**

Putting it Into Practice – Scenario #6

- **Sample Incident & Determination(s):**
 - *Incident Details:* Professor alleges that a student plagiarized a paper submitted for course credit with approximately 80% of the paper showing up as plagiarized by Turn It In. During the hearing, Professor provides two web sources showing multiple paragraphs of the student's paper appearing verbatim on the websites. Student states in the Formal Hearing that they did not plagiarize the paper and wrote it themselves with no outside sources. Student denies any use of the websites and states that they knew the information on their own from previous assignments/course work.
 - *Student is found responsible for:* Academic Misconduct - e.
 - *Prior Conduct:* Student has no prior reportable conduct.
- **What are the Learning Outcome(s) for the Referred Student? What Educational Sanctions may be appropriate?**

Things to Remember

- **Hearing Outcomes include:**
 - The determination of “Responsible” or “Not Responsible” for each alleged violation.
 - If a student is found “Responsible”, this also includes:
 - Learning Outcome(s)
 - Educational Sanction(s).

Remember – Hearing Outcomes are always based on the “Preponderance of the Evidence” as our standard for making determinations

Things to Remember

- **Educational Sanctions should be based on the situation, the student, and the behavioral concern(s) that needs to be addressed.**
- **We use Learning Outcomes and Assign Appropriate Educational Sanctions to:**
 - Help a student through/over a mistake that was made.
 - Provide tools to assist with their future success.
 - Connect students with resources and information for their success.

Outcomes are an important part of the student conduct process and serve as an opportunity to help student(s) learn if found responsible for a violation of our community standards.

Thank You!



*Thank you for participating in today's training!
Please complete the training survey before you leave.*

We appreciate your commitment to East Stroudsburg University, the Office of Student Conduct and Community Standards, and, to our students.

Please remember to contact SCCS with any questions about your role on the University Conduct Board.

Resources and References

Resources:

ESU Student Code of Conduct: Available on the [SCCS Webpage](#)

University Conduct Board Training Manual: Available on the [UCB Training Materials Webpage](#)

Related Trainings to Review on SUNY SCI:

- Decision-Writing Basics in Conduct Hearings
- Mock Hearing – Parts 1, 2, and 3