

CONGRESS RESOLUTION NO. 08-12-24

Sponsor(s): Jim Snaza (Off-Campus), Nicole Hakes (Willkie), Chi Hoong Ng (Family Student Housing)
Co-Sponsor(s):

Filed on Nov. 25, 2008. Considered on 12/2/08 with a final disposition of Unanimous Approval.

RESOLUTION TO MODIFY THE BLOOMINGTON PROCEDURES OF THE CODE OF STUDENT RIGHTS AND CONCERNS TO ALLOW ADVISORS TO SPEAK ON BEHALF OF STUDENTS

1 **WHEREAS**, The current Bloomington Procedures of the IU Code of Student Rights, Responsibilities,
2 and Ethics currently forbids Advisors in the campus judicial process from speaking on behalf of students
3 on the Hearing Commission level; and,
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5 **WHEREAS**, The IUSA Department of Student Rights has responded to student requests to allow
6 Advisors in the campus judicial process to speak on behalf of students on the Hearing Commission level;
7 and,
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9 **WHEREAS**, Such a change will enhance students’ ability to present a complete and fair case during a
10 Hearing Commission,
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12 **THEREFORE LET IT BE RESOLVED**, That the IU Student Association supports a resolution
13 proposed to the Bloomington Faculty Council from the Student Affairs Committee that the Bloomington
14 Faculty Council modify the Bloomington Procedures of the Code of Student Rights, Responsibilities, and
15 Ethics to allow Advisors in the Bloomington Campus judicial process to speak on behalf of students at the
16 Hearing Commission level for personal and academic misconduct; and,
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18 **LET IT BE FURTHER RESOLVED**, that the aforementioned modifications include the following:
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20 1) That the following be deleted from lines 466 through 472 of the Bloomington Procedures of the Code
21 of Student Rights, Responsibilities, and Ethics:
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23 *“Except for Campus Review Board proceedings, however, advisors are limited to an advisory role and*
24 *may not speak for students. During Campus Review Board proceedings (final appeal process for*
25 *academic or personal misconduct cases), advisors are allowed to participate directly in the proceedings*
26 *with the clear understanding that the hearing will always remain under the control of the presiding officer*
27 *In addition, a student with a disability substantially affecting communication or a student who cannot*
28 *effectively communicate in the English language may seek a reasonable accommodation from the Office of*
29 *the Dean of Students to allow an advisor or interpreter to present or translate the proceedings”*
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31 2) That the following be added to “after a hearing” on line 477:
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33 *“During Judicial Conference proceedings (informal conference), advisors are limited to an advisory role*
34 *and may not speak for students. During Hearing Commission (formal hearing) and Campus Review Board*
35 *proceedings (final appeal process for academic or personal misconduct cases), advisors are allowed to*
36

37 *participate (as described below) directly in the proceedings with the clear understanding that the hearing*
38 *will always remain under the control of the presiding officer.*

39
40 *During Hearing Commission proceedings, advisors' participation may include making a statement both*
41 *before responsibility is determined and before the sanctioning phase. During Campus Review Board*
42 *proceedings, advisors are allowed to represent students in accordance with Appendix A or Appendix C of*
43 *the Procedures. In all instances, advisors may only speak on a student's behalf if the student is present. In*
44 *the case of a student with a disability substantially affecting communication or a student who cannot*
45 *effectively communicate in the English language, the Office of the Dean of Students may provide*
46 *reasonable accommodation and allow an advisor or interpreter to speak for the student in both the*
47 *Hearing Commission and Campus Review Board proceedings."*

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