

Judicial Board Manual

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Introduction

THANK YOU for volunteering to be a member of Fort Hays State University Judicial Board! By volunteering, you are committing yourself to upholding the ideals and policies of the community here at FHSU. Also, by being selected to be on the Judicial Board, you are in a challenging position of leadership in the community. The Judicial Board offers students the opportunity to develop self-discipline and responsibility and to realize their impact in creating a community. With the responsibility of adjudicating violations of University policy you will further develop as an individual and recognize the importance of upholding community values.

This manual will serve as a resource for you as you serve on the Judicial Board. Included you will find expectations of Board members, the process by which to conduct a hearing and materials to assist you in being a model Judicial Board member. You will become familiar with Fort Hays State's Student Code of Conduct and understand these policies. Furthermore, you will hold community members accountable for their conduct.

This process would not be possible without your involvement. The community of faculty, staff and students at Fort Hays State University appreciates you!

Philosophy

Fort Hays State University Judicial Board approaches each student or student organization in a manner that allows students to exercise their rights and to recognize their responsibilities through a fair and consistent judicial process. The main goal of the Judicial Board is to help students understand how their behavior impacts the campus community and themselves by being educational with each and every person who comes before the Board. If a student is found responsible for violating a policy, the sanctions are not intended to punish but to educate. This allows the involved student an opportunity to understand the consequences of his/her behavior, foster respect for the rights of others, and encourage self-discipline. All members of the Judicial Board should strive to discover the educational significance of the Judicial Board's actions.

As a final word, there is no substitute for fairness, objectivity, and good judgment. The success of a Judicial Board is contingent upon the conviction of its members to maintain a nurturing, academic environment while affording individual students maximum personal freedom within institutional guidelines.

FHSU Student Code of Conduct

The University has a duty to establish rules and policies that all students are required to follow for the good of the community. Students have a right to expect enforcement of these rules and policies. The University also has a right to expect students to abide by them as responsible members of the learning community.

Note: If any infractions of the Student Code of Conduct are found to have an element of malice, the resulting sanctions may be more severe.

The University reserves the right to make a case-by-case determination as to whether conduct of a serious nature which occurs off of the premises of the University, but has an impact on the University community, may be addressed under this policy.

1. Compliance with General Laws

- Students, upon registration at FHSU, shall abide by all regulations, federal and state laws and city of Hays ordinances.
- Enrollment as a student in no way exempts any person from penalty in case of violation of local, state or federal laws.
- Any disciplinary action taken by the university may be taken independently of any action taken by an off-campus authority.

2. Vandalism/Damage of Property

- Willful, intentional or negligent vandalism or damage to and/or destruction of property is strictly prohibited.

3. Firearms and Other Deadly Weapons

- The unauthorized possession or use of firearms or other deadly weapons of any kind is prohibited.
- The use or display of any object or instrument in a dangerous or threatening manner is prohibited.

4. Flammable Materials and Fireworks

- The ignition or detonation of an incendiary device which could cause damage by fire, explosion or similar means to persons or property, or possession of anything in the nature of fireworks or explosives is prohibited on any property owned or operated by FHSU unless the student receives express permission to participate in a display or event sanctioned by the University.

5. Arson

- No person shall start a fire that causes or may cause damages or injury on University property without University authorization and willful damage to property (as described in conduct regulation 2 above) will be prosecuted as arson when appropriate.

6. Fire Alarms and Fire Equipment

- Making or causing a false fire alarm or emergency report of any kind is prohibited.
- No person shall tamper with, damage, disable or misuse fire safety equipment.

7. Theft or Misappropriation

- Theft of any kind, including seizing, receiving or concealing property with knowledge that it has been stolen or reasonably should have known that is stolen, is forbidden.
- Sale, possession or misappropriation of any property, including FHSU property, without the owner's permission, is also prohibited.
- This includes sale of a textbook by any student who does not own the book unless express prior written authorization has been given by the owner.

8. Disorderly Conduct

- Individual or group behavior which disturbs individuals or groups is prohibited.
- Such conduct includes (but is not limited to) assault, threats to the personal safety of one's self or others, throwing objects to create a danger, making excessive noise, unwelcome physical contact, hazing and any other type of interference with the normal operations of the University or its activities or any type of conduct that interferes with the ability of those who attend, visit or work at the University to enjoy the benefits of the purposes for which the University exists.

9. Misuse of University Documents

- Forgery, alteration or misuse of any University document or record is forbidden, including furnishing false information or withholding material information from the University.

10. Fraud or Lying

- Lying or fraudulent misrepresentation in or with regard to any transaction with the University, whether oral, written or by other means, is prohibited, including misrepresenting the truth before a hearing of the University or making a false report or statement to any University official.

11. Student Identification

- Using fake identification or falsely identifying oneself is prohibited.
- This includes furnishing false identification to the University or to any University employee or agent, including campus law enforcement or security officers, acting in good faith and in the performance of their duties.

12. Official Requests

- Students must comply with the reasonable and lawful requests of University officials acting in the performance of their duties.
- Students shall appear at disciplinary hearings to respond to allegations or testify as a witness when reasonably notified to do so.
- Failure to appear at a scheduled hearing is a violation of this student code of conduct
- and will not necessarily prevent the hearing from taking place, nor will it preclude a determination.

- A failure to properly comply with or complete a sanction or obligation resulting from a disciplinary hearing or adjudication may be considered a violation of an official request and may be treated as an independent violation.

13. Presence In and Use of University Facilities

- Unauthorized entry into, presence in or use of University facilities, equipment or property, which have not been reserved or accessed through appropriate University procedures, is prohibited.

14. Misuse of Keys

- No person may use or possess any University keys or access codes without proper authorization. No student is allowed under any condition to have a University key duplicated.

15. Misuse of Telephones

- Making or assisting in making annoying or harassing telephone calls, unauthorized use of long distance phone privileges or otherwise misusing or abusing FHSU telephone equipment is prohibited.

16. Alcoholic Beverages

- Students must comply with the published regulation concerning the transport, provision and consumption of beer, wine and other alcoholic beverages on campus or University property.

17. Drugs

- The unauthorized possession, use, manufacture, sale or distribution of any counterfeit, illegal, dangerous, “designer” or other controlled drug or other substance is prohibited.

18. Misuse of Computer Equipment

- The use of computer equipment and resources, including account numbers, interactive terminals, data storage media, other peripherals, local, state, national and international computer networks, mainframe and microcomputer systems and software for computing activities other than those authorized by the law and the University constitutes misuse and is strictly prohibited.

FHSU Discipline Procedures

The disciplinary process at FHSU strives to provide students with positive reinforcement for living within the guidelines for acceptable behavior. The standards of behavior are set forth in the Student Code of Conduct. The intent is to make discipline educational and not punitive. The encouragement and development of self-discipline is a primary goal of the educational process.

The judicial system established hereby is designed to further this process and, therefore, is not comparable to nor a substitute for jurisprudence under the criminal code. Only under extreme circumstances will the process be viewed as a method of terminating the student's relationship with FHSU. Students facing possible disciplinary action are assured that due process will be provided.

This means: [Due Process]

- They are told how the disciplinary process of the University functions,
- They will be made aware of the conduct alleged to have been in violation,
- They will have the opportunity to defend themselves by having witnesses appear on their behalf,
- They may have an advisor help them, and
- They may appeal the decision.

Appealing a disciplinary action must be done within a defined span of time, but usually the disciplinary action will not go into effect until the appeal is heard. The exception to this practice occurs only when delaying action until after an appeal would significantly compromise the safety and well being of the University community.

Procedurally, discipline is handled as close to the level of the problem as is possible and reasonable. In other words, residence hall behavior concerns are normally handled by the Residence Hall staff and/or Residence Hall Judicial Boards; Greek conduct questions are handled by the house of which the accused is a member, Interfraternity Council, Panhellenic Council, Greek Standards Review Board, etc. Local law enforcement authorities generally handle off-campus law violations. The University reserves the right to make a case-by-case determination as to whether some conduct which occurs off of the premises of the University may be addressed under this policy.

Violations of the Student Code of Conduct that do not fall under the jurisdiction of the judicial bodies listed above are normally handled by the Office of Student Affairs. This office also serves as the appellate body for Residence Hall Boards and the Greek Standards Review Board.

The Assistant Vice President for Student Affairs is responsible for the coordination of administrative judicial programs and proceedings.

In extraordinary circumstances having a detrimental impact on the University community, the Vice President for Student Affairs or his/her designee may determine that summary administrative suspension or dismissal is appropriate. If such a determination is made, the student will be so informed and provided with the opportunity to meet with the Vice President or his/her designee. After investigation and consideration of information presented by the student, if any, the Vice President or his/her designee will decide whether a sanction is warranted. This decision can be appealed to the President or his/her designee, whose decision will be final.

Reporting Violations

Incident reports describing the alleged violation will be sent to the Assistant Vice President for Student Affairs, a designee of the Vice President for Student Affairs.

The Administrative Officer will review and investigate the complaint in order to make a determination concerning whether the University will charge the student(s) with a Code of Conduct violation.

Student Conference

If the student is accused with a Code of Conduct violation, he/she will be sent a notice (or called when necessary) to report to the Administrative Officer in order to discuss the charges and disciplinary procedures.

If the Administrative Officer and the accused student can agree upon the facts and sanctions concerning the charges, the matter will be considered initially settled.

The matter will be considered resolved once the terms of the sanctions have been completed. The terms of the sanctions may range from dropping all charges to suspension (see Sanctions below).

The Administrative Officer will follow up the student conference with a letter to the student.

In all cases where the facts and sanctions concerning the charges cannot be agreed upon, the Administrative Officer will determine whether the student(s) facing possible disciplinary action will have their case heard by a Student Hearing Panel or an Administrative Hearing.

Administrative Hearing or Student Panel

Student Hearing Panel

The Administrative Officer will assemble the Student Hearing Panel, which consists of five students and a Panel Chair. Members of the Hearing Panel and the Chair are selected at the beginning of the fall semester by a committee comprised of

representatives from the Office of Student Affairs and the Student Faculty Court. The Administrative Officer will serve as an advisor to the panel. The hearing will consist of the following procedures:

- 1) The hearing will be closed, and all proceedings will be confidential. An exception will be allowed if both the accused student and the complainant agree to an open hearing.
- 2) The student accused may bring an advisor or legal counsel for assistance but must speak for him/herself. The role of the advisor or legal counsel will be restricted solely to advising the student.
- 3) The complainant and the accused student will have the opportunity to call and examine witnesses and to present and question other evidence. The student is responsible for having his/her witnesses at the hearing. The University can assist in obtaining the attendance of students and University personnel.
- 4) The Panel Chair will exercise control over the hearing. Rules of evidence as used in courts will not be applied in this type of hearing. Any person who disrupts the hearing may be asked to leave the hearing. Repetitious or irrelevant evidence may be excluded.
- 5) The standard of proof that will be used is the preponderance of evidence standard. In other words, a student will be found in violation of the Code of Conduct only when the evidence demonstrates that it is more likely than not that the student committed the violation.
- 6) The Student Hearing Panel will deliberate in closed session in order to render a decision.
- 7) Witnesses (other than the accused) will be present only during the time they are testifying.
- 8) The Panel Chair will be responsible for rendering the decision in writing to the accused student. The decision shall include a summary of the findings and the sanctions imposed.
- 9) The decision of the Student Hearing Panel shall be final unless the student files an appeal.

Administrative Hearing

The Administrative Officer will be the hearing official and may invite student(s), faculty, staff or other experts, whose knowledge may be beneficial to serve as the hearing panel, when appropriate. The hearing will consist of the following procedures:

- 1) The hearing will be closed, and all proceedings will be confidential. An exception will be allowed if both the accused student and the complainant agree to an open hearing.
- 2) The student accused may bring an advisor or legal counsel for assistance but must speak for him/herself. The role of the advisor or legal counsel will be restricted solely to advising the student.

- 3) The University and the accused student will have the opportunity to call and examine witnesses and to present and question other evidence. The student is responsible for having his or her witnesses at the hearing. The University can assist in obtaining the attendance of students and University personnel.
- 4) The hearing official will exercise control over the hearing. Rules of evidence as used in courts will not be applied in this type of hearing. Any person who disrupts the hearing may be asked to leave the hearing. Repetitious or irrelevant evidence may be excluded. Witnesses (other than the accused) will be present only during the time they are addressing the panel.
- 5) The standard of proof that will be used is the preponderance of evidence standard. In other words, a student will be found in violation of the Code of Conduct only when the evidence demonstrates that it is more likely than not that the student committed the violation.
- 6) The hearing official panel will deliberate in closed session in order to render a decision.
- 7) The hearing official will be responsible for rendering a decision in writing to the accused student. The decision shall include a summary of the findings and the sanctions imposed.
- 8) The decision of the hearing official shall be final unless the student files an appeal.

Appealing a Decision

An Administrative Action of a decision of an Administrative/Student Panel Hearing may be appealed to the Student/Faculty Court by delivering a letter of appeal to the designated representative of the Court within the time period specified in the decision (no less than five class days). The procedures of the Student/Faculty Court are available on request from the Student Affairs Office in Sheridan Hall 208.

The decision of the Student/Faculty court is final unless the student files an appeal to the President of FHSU. The procedures for filing an appeal with the President are available upon request.

Tenets of Judicial Programs

To regard each student as an individual, deserving individual attention, consideration, and respect.

To consider the facts fully and carefully before resolving any case.

To speak candidly and honestly to each student.

To hold each student to a high standard of behavior, both to protect the campus community, and to promote student moral development.

To recognize the reality of human fallibility, as well as the stresses associated with college life, and to demonstrate compassion, understanding, and a sense of humor.

To contribute to the educational mission of the University by designing policies, conducting programs, and offering instruction that contribute to the intellectual and moral development of the entire student body.

Ethical Standards for Judicial Board Members

The following Code of Ethics is adopted as a proper guide for all Board members, and as an indication of what the community has a right to expect of its Judicial Board.

1. The Board exists to promote justice and fairness, and thus to serve the individual student and campus interest.
2. A Board member's public and official behavior should be beyond reproach and free from impropriety.
3. Confidentiality must be maintained at all times. No case or pending case before the Judicial Board should be discussed outside the hearing by any Board member.
4. No Board member should hear or entertain the merits of any case except when sitting as a member of the Board in a hearing. An objective attitude must be maintained by members of the Board throughout the entire proceeding. Members have the obligation to disqualify themselves from a hearing when they feel that they cannot be impartial in reaching a decision.
5. A Board member should use discretion to disqualify him/herself from cases where he/she may be prejudiced either for or against the accused.

6. When considering a question of whether a violation occurred a Board member should always bear in mind that he/she is deciding whether a particular University regulation has been violated and not upon the validity of that regulation. However, a Board member should consider all relevant factors when deciding on the disciplinary sanction to be imposed upon a student.
7. Proceedings of the hearings should be conducted with fitting dignity and decorum and should reflect the importance and seriousness of the hearing. The dignity of the student charged and person bringing the charges must be respected at all times.

Residential Judicial Board Philosophy

The philosophy of conduct in the residence halls is couched in an educational framework. The focus is to foster the growth and development of individual students through the encouragement of self-discipline, accountability and responsibility to the residence community. A respect for the rights and privileges of others is the core of this philosophy.

The goals of the Residential Judicial Board discipline process are to redirect the behavior of students into acceptable patterns, to protect the rights and privileges of all resident students and to encourage educational development.

The advantages of Residential Judicial Boards lie in the ability of its members to influence the attitudes and behaviors of other students through a formally constituted Residential Judicial Board. Peer influences exercised through the Judicial Board can be more effective in redirecting the behavior of students than other methods available within a university setting. The residential judicial system promotes peer communication of those behaviors and attitudes appropriate to the creation and maintenance of a positive living and learning environment.

Making the final transition from the period of adolescence to adulthood is a developmental task facing a majority of college students. They are struggling for their independence to prove, both to themselves and others, their ability to control their own lives. This newfound freedom also brings with it a new realm of responsibilities and expected behavioral patterns. A major task of the student review board is to attempt to create this balance.

It should be understood that there exists a fundamental difference between the nature of student discipline and that of criminal law. Student discipline is meant to be in accordance with the mission of the university. The policies and procedures used are not meant to resemble those in the criminal process.

Finally, as has been mentioned, there are a number of legitimate functions of a Residential Judicial Board within the University residence halls. It will be the commitment of the students involved with the Board as well as that of the professional staff that will enhance the personal and educational goals of this system.

Judicial Board Member Responsibilities

1. Members are required to attend all training sessions and meetings coordinated by the Board's advisor.
2. Members are responsible for understanding Fort Hays State University's policies and procedures.
3. Members must attend any meeting at which they have agreed to be present.
4. All members must comply within the behavioral standards expected of them during a hearing.
5. Members must remove themselves from a hearing if they feel they cannot work with the case in an unbiased manner.
6. Members are responsible for reading all Incident Reports and supporting documentation before hearing the case.
7. Members are responsible for establishing lines of questioning appropriate to the case at hand.
8. Members are responsible for listening intently to the concerns of all the parties involved in the incident.
9. Members are responsible for asking clear and direct questions, relevant to the situation, and in an attempt to clarify the facts.
10. Members are responsible for understanding and implementing the educational mission of the Judicial Board in all decisions.
11. Members are responsible for rendering decisions of whether or not a violation has occurred regarding all charges.
12. Members are responsible for, when necessary, recommending appropriate sanctions for violations of policy.
13. Members should regard the confidentiality of all judicial hearings. Information should not be disclosed to any person, other than Board members and designated University employees. This includes any deliberation or the votes of individual members.
14. Any member who is placed on probation, withheld suspension or suspension status as a result of a violation of University policy must resign from his/her Judicial Board position.

Judicial Board Chair Responsibilities

1. The Judicial Board Chair is primarily responsible for administering and overseeing the hearing process.
2. He/she will start the hearings and oversee their orderly and fair progression.
3. The Chair is also an active member of the Board in that he/she may ask questions and participate in the voting in the case of a tie.
4. He/she completes the required paperwork at the conclusion of each hearing.
5. The Chair is responsible for meeting with the advisor to review upcoming hearings.

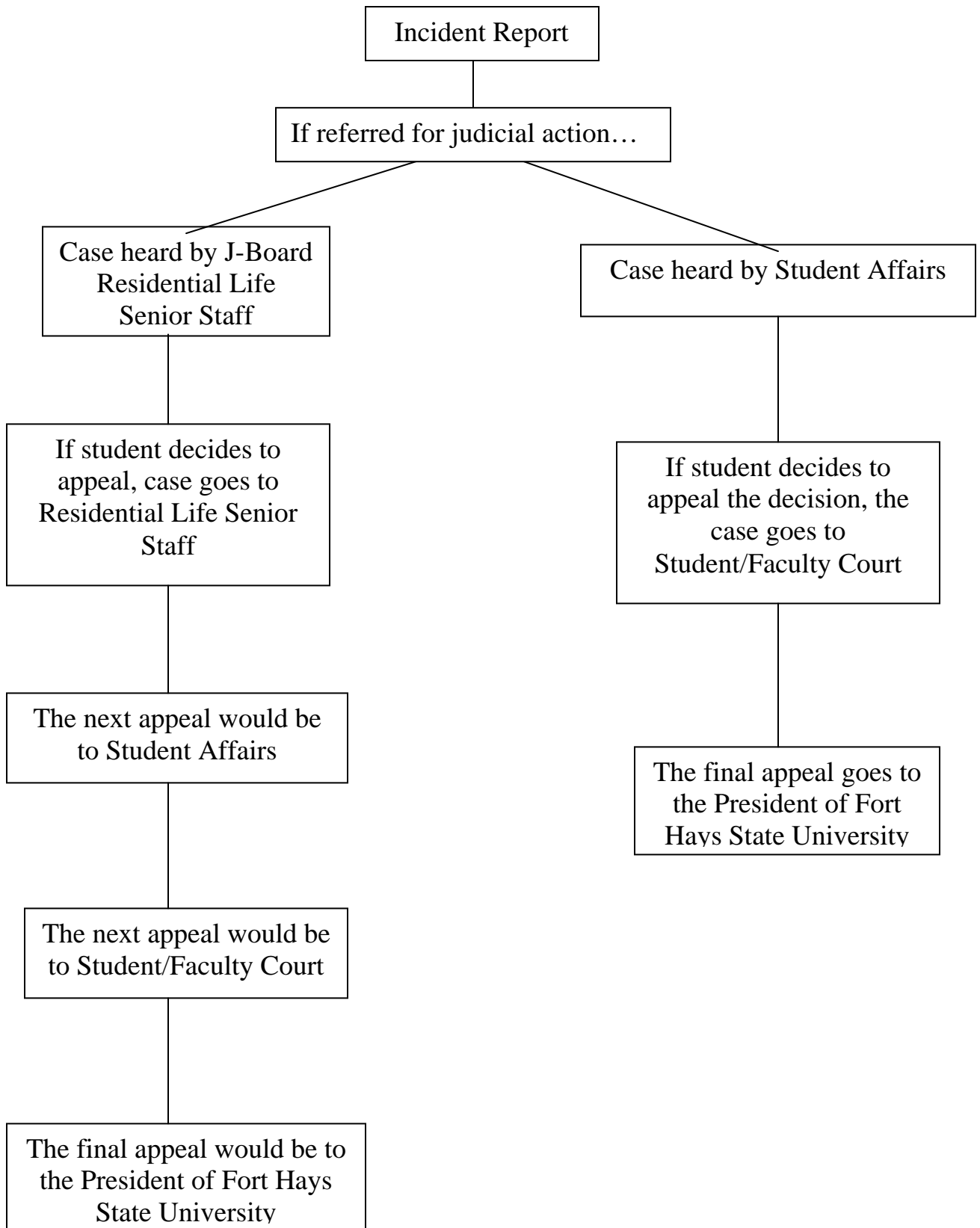
6. The Chair, supported by the advisor, is the primary person who speaks directly to the alleged violator outside of the questioning process.
7. The Chair can relate relevant events of the proceedings at later date if necessary (i.e., appeal hearings).
8. The Chair notes the existence of any prior violation *after* the Board has made the current determination of violation.

Judicial Board Advisor Responsibilities

1. He/she is responsible for the selection and training process.
2. During the hearings, the advisor will supervise the Chair in assuring that due process and fairness are maintained.
3. He/she is the University's representative during the hearings in answering the Board's questions regarding policies, infractions, and sanctions.
4. The advisor is not a member of the Board and does not take an active part in the proceedings. However, he/she may remain in the room when the Board is deliberating on decisions.
5. In the event of an unusual situation, the Advisor will assume control of the situation.
 - a. The Hearing may be recessed for a brief time
 - b. The hearing may be rescheduled for a later date
 - c. The case may be heard a later time by an Administrative Officer.
6. The Advisor can also facilitate the Judicial Board in its decision making process.
 - a. The Advisor remains unbiased at all times
 - b. The Advisor can relay precedents, but cannot suggest sanctions

Terms for Removal

A member of the Judicial Board is subject to dismissal for failure to comply with any of the responsibilities outlined in "Judicial Board Member Responsibilities." All suspected violations of the responsibilities as listed must be submitted in writing to the Director of Student Residential Life. All letters must be signed by the person bringing forward the violation. The accused will have the opportunity to speak to the allegations in a conference with the Director of Student Residential Life and the Judicial Board Advisor. If a person is dismissed, he/she will be informed verbally and by letter. Furthermore, if a Board member is allegedly involved in a violation of University policy, that member may not go before the Judicial Board. An administrative hearing officer will resolve the member's case.



Student's Rights in Judicial Proceedings

1. The right to a written statement of the charges in order for him/her to prepare a defense.
2. The right to have a Fort Hays University faculty, staff or student body member present to serve as an advisor during the hearing. The advisor may only speak with the accused student, and may be asked to leave by the Board or Administrative Hearing Officer if his/her presence is perceived as one of interference.
3. The right to know who brought the charges and knowledge of evidence against oneself.
4. The right to provide witnesses and evidence in one's own behalf.
5. The right to decline to make self-incriminating statements or appear at a hearing. Silence or non-presence is not to be interpreted as evidence of guilt.
6. The right to a timely decision. This decision will be given to the student in person (or telephone) if possible, and always in writing.
7. The right to not be tried twice for the same offense in the same judicial system.
8. The right to appeal the decision based on any of the following reasons:
 - i. The evidence of guilt did not warrant a finding of guilt.
 - ii. The sanction was too severe.
 - iii. Due process was not followed
9. The right to have access to the record of the hearing in order to present a case in the appeal. The record will remain in the custody of the University. In the case of Student/Faculty Judicial Board the hearing will be taped. A review of the tape of a hearing with an Administrative Hearing Officer present can occur at the student's request.
10. The right of disclosure. Decisions in judicial hearings are based on "preponderance of evidence." Information regarding a student's past conduct may be presented at the hearing for the determination of appropriate sanctions should he/she be found responsible for the present complaint. His/her past conduct may not be used, however, in determining violations. All proceedings are confidential.

Judicial Processes – Some Theory

When a student disregards a policy of the University, he/she has a reason for doing so. The primary purpose of education thorough is to uncover this reason, show the student why it is inconsistent with the campus community, and aid the student in coming to the realization that certain regulations are necessary. It is the further purpose of education through the judicial process to help the student realize that as a member of the campus community he/she must abide by those regulations, take what consequences may result from not doing so, or find necessary channels through which to change them.

The judicial process is a very dynamic exchange. The guidelines below address the educational process of the judicial process, which focus on the group as well as the individual. The basic responsibility is the realization that in dealing with a student we are dealing with a unique individual in every case.

1. The **student** should realize that as a member of the campus community he/she **has a responsibility to abide by certain standards for group living** to the extent that his/her actions are beneficial rather than detrimental to the progress of both him/herself and the group.
2. **The rights of all students must be respected.** This is but a reflection on the dedication to fair play.
3. The student who has behaved inappropriately should learn from the experience that results from the educational process. **The student must be aware that behavior has consequences.**
4. Each case must be viewed as a separate entity due to the fact of the individuality and uniqueness of each person. **No two people are identical.** It follows that the actions of two different people, while similar in themselves, will have different and often opposite motives.
5. **The student should arrive at the conclusion that in the process of maturing with experiences, discipline has to be self-imposed.** The responsibility of successfully mastering the complexities of life is basically the responsibility of the individual.
6. It is important to **distinguish between the delinquent individual and the delinquent act**, for the latter does not always imply the former.
7. **The judicial process should be considered a positive tool.** The process should never be used as a threat; threatening is a negative approach and will render the group ineffective.
8. The realization must be made that reasonable regulations are necessary for group living.
9. **All inappropriate behaviors should be approached with an open mind.** There is not a set disciplinary sanction for each incident because there are too many variables involved to establish a universal set of rules.

Important Elements of the Judicial Hearing

The Setting

A relatively quiet and private place is desirable. Clear thinking and attentive listening cannot occur in a room full of noise or outside distractions. Preferably, the members of the Board, student(s) or organization(s) charged, and witnesses asked to testify will sit around a table so that people can all see and hear one another. This will also provide a place for taking notes and sharing written reports. If it is a particularly large table, the students should be brought into the group by not sitting them at the far opposite end of the table.

The Atmosphere

The tone of the hearing will be greatly affected by how attentive the members of the Board appear to be. A SERIOUS AND CONCERNED BOARD WILL MAKE THE PERSON FEEL THAT WHAT HE/SHE says will be listened to and the development of trust. Muttering, talking to one another and side jokes are the quickest way to lose the respect and cooperation of a student brought before the Board. Interrupting a speaker should always be avoided.

Honesty and Directness

If there is something you do not understand, admit that you are confused and ask for clarification. Also, never lead a student into a “trap” by saying something you know is not true, or by fabricating information in order to “bluff” the student. In the end this is always counter-productive to the educational goals of our judicial system and can dangerously jeopardize the credibility of the Board.

The Board’s behavior is a critical element of the judicial process. A Board which appears tired, rushed, or disinterested will convey those feelings to the alleged violator, who will respond in ways that may inhibit the educational process. A Board should always appear interested and patient. The student will then respond in ways, which are conducive to our goals. Even when a student becomes angry with a decision, an interested Board will have a much better impact by reducing the level of stress for the student. One can easily imagine the response a student would have if the Board became angry.

Explaining Roles

The presence of a group of 6-10 people can seem quite intimidating to a person summoned to answer questions. We can reduce this anxiety by introducing those members, chair, and advisor, as well as their roles and responsibilities. It encourages cooperation from both the alleged violator and witnesses.

Explaining the Process

Make sure the student knows what is going to happen during the course of the hearing. The charges should be clearly repeated so that everyone understands exactly what is being alleged. The report should be presented again to the student(s) charged so that common ground for discussion will be established. The question-response, information-gathering portion of the hearing should be clearly described. The deliberation stage should be explained so the student will understand what is transpiring. The decision stage should also be mentioned so the student will expect to receive an immediate decision whenever possible. The appeals process should be explained as well.

Allow for Questions

If a student is still unsure about roles of the people in the room or the judicial process, allow him/her to ask questions which will clarify the problem and reduce the anxiety.

The Hearing Interaction

Listening

The most important and by far most difficult skill to master is good listening. We can always improve in this area and must constantly concentrate on what people are telling us. Listening isn't mechanical, and there aren't magic ways of mastering it. It is simply hard work. However, there are many things to listen for, such as:

- Basic content – understand what is being said.
- Tone of voice and accentuation – understand how it is being said.
- Gestures and nonverbal communication – going beyond the word and tone in an attempt to understand the entire message being conveyed. This is often a valuable clue to discover topics for future questions.

In order to focus on these things, all preoccupying thoughts should be put aside, especially the deafening concentration on what we want to say next.

Recording the information

- Keeping track of the information is almost as difficult as listening for all of it. To aid in remembering facts, points of disagreements, or unexplored areas, taking notes is often necessary.
- Be prepared to jot down a brief notation so that you can wait your turn in the discussion. Frequently, people make interruptions because they are afraid they won't retain their thoughts. This interrupts the thought process on the student being questioned as well as the thought process of the other J-Board members.
- Taking notes will also prove helpful in the deliberation stage. However, note taking should be done briefly and should not interfere with the interview process going on between others. Specifically, a comment such as "please

repeat that slowly so I can get it all down” can limit a hearing atmosphere. Avoid loud writing devices as well.

Responding

Responses may take many forms, questioning being only one type of reply. Before making a response consider how what has been said relates to:

- How the individual thinks about him/herself.
- How the individual relates to others.
- How the individual perceives others’ reactions to him/her.
- How the person views the University environment and their responsibilities in that environment. This may lead to a response indicating understanding, a need for clarification, or even empathetic support. We should be able to say “Thank You” for a person’s expression of honesty and trust displayed during the hearing. Of course, after the initial response, additional questions may be asked.

Questioning

Questioning is the most important aspect of the hearing process. As board members become more skillful at phrasing their questions, more useful information will be obtained from all participants. In depth questioning helps the board to ascertain the facts of the case and clarify vague issues.

Here are some areas to remember while you are preparing to ask questions.

Open-Ended Questions

Carefully phrase your questions as open-ended (who, what, how) rather than close-ended (did you, were you). Closed-ended questions often result in a yes/no response, which do not offer much additional information. Open-ended questions will allow the respondent to answer as long as he/she desires, possibly yielding more information than requested. In depth questioning helps the board to ascertain the true facts of the case and clarifies vague issues.

For example

Close-ended

Question: “Were you angry when you broke the window?”
Response: “No.”

Open-ended

Question: “What were your feelings when you broke the window?”
Response: “I guess I was pretty angry...”

Multiple Choice

Another pitfall board members run into is offering multiple-choice questions for the respondent to answer. The board member offers the respondent all of the choices he/she deems appropriate. Often this type of question also provides the respondent with the answer the board members wishes to hear.

For example:

Question: “What were your feelings when you broke the window; were you angry, elated, frustrated or just letting off steam? This was right around mid-term exam time.”
Response: “Oh, I was just letting off steam; exams weren’t going well...”

The respondent will choose the one that he/she thinks is least incriminating! Ask the question and stop.

Silence is Golden

Do not be alarmed when a question is asked and the person does not respond immediately. It is natural to think about a question before responding. Allow the person ample time to think without undue pressure to respond quickly. If the person needs clarification, let him/her ask for it; don't assume that he/she does not understand the question.

Sample Questions

Besides the fact related questions, here are some sample questions for you to consider during the proceedings.

1. What effect did your actions (or behavior) have on others? On the community?
On yourself?
2. Explain what you hoped to accomplish through your actions.
3. Who is responsible for your behavior?
4. What other options were there for you in this situation?
5. What was the purpose of your behavior?
6. How would you feel if others engaged in comparable behavior?
7. What would be the consequences to the community if everyone engaged in comparable behavior?
8. How is your relationship with your roommate? With other student on the floor?
With staff members?
9. How does your responsibility for living with community standards apply to your actions in this situation?
10. How might you react if such a situation were to come up again?

Questioning Tips

During every hearing remember these tips for being an effective board member.

1. Carefully listen to everything that is said.
2. Watch for non-verbal behaviors, which may indicate attitudes, true feelings, or emotions.
3. Be sure that you clarify any conflicting information before you enter into deliberation. Continue to ask questions until you have all of the necessary facts regarding the incident. Do not wait until you are in deliberation and then start guessing at reasons why the information presented was conflicting.
4. Carefully examine the time/date sequence of the incident. Follow-up on contradictions when questioning.
5. Avoid jumping from one line of questioning to another; attempt to examine one area completely before moving on. Board members should learn to look to the other board members before changing lines of questioning.
6. Avoid unnecessary writing during the hearing. You should be concentrating on the content while developing lines of questioning.
7. Note passing or whispering should not occur in the hearing unless absolutely necessary.
8. Maintain your concentration throughout the hearing and remain attentive. Good posture and eye contact should be demonstrated at all times during the hearing.
9. Never accuse a student or participate in heated arguments. Maintain your composure even if others do not.
10. Carefully prepare your questions in advance. Avoid questions, which are not relevant to the hearing.

Questions To Ask Before Sanctioning

Nature of the Incident

1. What actually occurred? What impact did it have? Who is/was affected? If there is a complainant, are their wishes being considered?
2. What potential outcomes could have resulted?
3. What was the intent of the student?
4. Were alcohol/drugs involved?

Established Precedent

1. What is the established precedent for dealing with this type of infraction?
2. Is the precedent reflective of what actually occurred in this instance?

Personal Considerations

1. What is the disciplinary history of the student? Does his/her history contain similar incidents?
2. What attitude did the student display throughout the judicial process? Is it your impression that the student has already been educated by this process? To what extent.
3. What other personal factors exist that impact your decision in this instance?

Decision Process

The process of rendering decisions in discipline cases is a difficult one; however, the process can go smoothly if board members follow these suggestions.

Testimony

Throughout the proceeding, listen carefully to all of the evidence presented. Ask thoughtful questions which will help determine how much credence should be given to each individual's testimony. Below is a list of suggested questions to consider while preparing to make a decision:

- How relevant is the testimony of this witness to the central issue(s) of the case?
- How much does this person know about the action or incident in question?
- Which of the witnesses had the best opportunity to observe the action or incident in question?
- In how much detail can the witness recall the action or incident? Is this witness' recollection of details consistent with the recollections of other witnesses?
- Are there circumstances which might call the reliability of the witness into question?
- Is there any reason why a witness may not be providing complete and accurate testimony?

It is your prerogative to (courteously) question all witnesses, complainants, and respondents with respect to these and other similar issues. Your task is to find the facts.

Fact Finding

Clearly the most difficult task, especially in contested cases. Fact-finding is the task of determining what evidence presented is clear and convincing. Specifically, what can the board determine to be fact in the case?

1. Examine each piece of evidence in the context of the standard of proof; clear and convincing proof. Witnesses must be credible and convincing; they must be able to provide reasonable detailed accounts of the events in question.

2. The facts of the case are those events, circumstances, incidents, or actions, which you firmly believe to be true in light of the evidence and testimony, which you have heard.
3. Facts are not those incidents or circumstances which might or might not have occurred. Conjecture has no chance in a finding of fact.
4. The principal question in your mind at this point should not be “is this individual responsible for the alleged violations?” The principal question should be “what happened?”
5. The findings of fact should provide an account of the incident in question. Members of the Board must have a clear command of the facts in order to make a decision.

Determination

Once you have determined the facts of the case, you can determine whether or not the accused student(s) violated the Student Code Conduct. This leads directly to a decision as to whether the accused student(s) is “responsible” or “not responsible.” This decision should be relatively easy if the board has approached the fact finding systematically.

- Restate the findings of fact.
- From the findings, render a decision regarding responsibility for the violations.
- Determine appropriate sanctions according to the violations and demeanor of the accused student(s).

A word of caution: Be careful not to presume a sanction outcome before determining the facts. Keep an open mind with regards to the evidence. Do not consider possible sanctions until a decision has been reached regarding the facts. Appropriate sanctions will be tailored to the individual student(s), but only after responsibility has been determined.

Sanctions

When a student admits to being in violation or is found to have been in violation of the Fort Hays State University Student Code of Conduct Regulations, the following responses and sanctions are possible:

- **Reprimand** - Official censure
- **Restitution** - Repayment of any monetary damages
- **Specifically Defined Sanction** - Specific conditions or assignments given to the student; examples include but are not limited to:
 - Community service
 - Research papers/personal essays
 - Workshop attendance
 - Loss of privileges and exclusion from activities
 - Exclusion from specified areas of campus
 - Special projects or assignments
- **Disciplinary Probation** - Period of review and observation during which the student is warned that the misconduct was very serious and that further violations of the code of conduct may result in more serious sanctions
- **Deferred Suspension or Dismissal** - Denial of enrollment, attendance and/or privileges for a specified period of time
- **Permanent Suspension** - Dismissal from the University
- **Expulsion** - Immediate and permanent removal from the institution (used only when it is believed that the presence of the student will have a detrimental impact on the University community)

All sanctions may be imposed singularly or in combination. Sanctions are designed to promote the educational mission of Fort Hays State University. The severity of the sanction(s) imposed is intended to correspond with the severity or frequency of violations, as well as the student's willingness to recommit him or herself to good citizenship through behaviors that fall within the conduct regulations of the institution.

Conducting the Hearing Information for the Chairperson

You will be in the leadership role as Chairperson. During the hearing, Board members will look to make decisions concerning the conduct of the hearing. Keep a cool head, listen, consider your response, ask advice as needed, and be assertive.

You should keep a friendly, informal manner whenever possible. It is important to remember that the accused student(s) or student organization(s) may be nervous about the hearing and possibly be intimidated by the proceedings. Attempt to make all participants feel welcome and as comfortable as possible.

Emotions may tend to be high; be patient and courteous at all times. In the event of a significant disruption, be firm but not rude. Understand that individuals who appear to be hostile and uncooperative are often simply frightened. Avoid subjecting anyone to unnecessary embarrassment. You should adjourn the hearing and consult privately with the individual causing the disruption. Be sure to note the disruption in the adjudication report. You do have the authority to remove the individual from the hearing if the disruption continues. Be sure to consult the Board Advisor as needed.

All participants should treat one another with respect and courtesy. Do not allow anyone to shout or in any way intimidate Board members or other participants.

Examples of Creative Sanctions



EXAMPLES OF CREATIVE SANCTIONS

ACADEMIC INTEGRITY

1. Meet with University official to discuss academic honesty.
2. Attend an Ethics workshop.

ALCOHOL/DRUGS

1. Plan an educational program on your floor.
2. Assign the student a sanction concerning the concept of community retribution/restitution.
3. Develop a resource list for alcohol and drug prevention meetings and places in your community or your campus.
4. Review movies that deal with substance abuse, select one and show it to floor/hall/group. Write a follow-up on the movie and program.
5. Attend an alcohol/drug education class/workshop.
6. Have an alcohol/drug assessment completed and follow-up with a professional's recommendations.
7. Talk to a counselor in the Kelly Center.

Alcohol

1. Invite people in from SADD, MADD, AA, or Public Safety in for a program.
2. Bring in a speaker on alcoholism. Go through AA, and bring someone in who is a recovering alcoholic.
3. Plan a fundraiser or collect donations to have a non-alcoholic happy hour with recipe book/literature on responsible drinking provided and set up with a staff member.
4. Develop a series of non-alcoholic events from the house, hall, or floor.
5. Attend AA or a support group meeting of people who deal with abusive alcohol behavior and write a reaction paper.
6. Do a paper or presentation on one of the following topics:
 - a. Liability of Host Laws and Serving Alcohol.
 - b. Rationale behind State Drinking Laws.
 - c. Alcoholism on campus.
 - d. Alcoholism and Suicide.
 - e. Collect articles on Alcohol-related deaths of college students and then write a brief synopsis of them.
7. Write a paper on topics concerning alcohol such as addiction, biological effects, alcohol poisoning, etc.
8. Write a paper on the legal issues that involve drinking or how schools or states deal with these issues.
9. Research alcohol impact on society/campuses, then write a paper or put on a program.

10. Write a paper on one of the following topics:
 - a. Alcohol and decision making
 - b. Alcohol and values
 - c. Alcohol and relationships
 - d. Alcohol and violence
 - e. Alcohol and vandalism
11. Interview the campus police on how alcohol abuse affects their jobs or the campus community.
12. Go to the County Attorney's office to collect statistics on the number of arrests for issues related to campus alcohol use and abuse. Also have the student(s) report the number of hours students spend in jail for arrests in Kansas.
13. Seek out information for MADD or SADD organizations on the legal age issue.
14. Crush cans for recycling and donate the money to an organization on your campus.

Drugs

1. Complete a program with RA on the dangers of drug use.
2. Write a paper on drugs (health risks, effects, etc.)
3. Go to Narcotics Anonymous and write a paper.
4. Research drug laws and write a summary paper.
5. Write a pro and con paper on legalization of marijuana.
6. Write a paper on the long-term health effects of drug abuse.

CONFLICT SITUATIONS

1. Research assignment on Conflict Resolution.
2. Attend a seminar on "Anger Management"
3. Attend/present stress reduction program.
4. Conflict resolution-research and presentations.
5. Write a paper concerning the cooperation of others.
6. Paper on Group Behavior.

ETHICS

1. Research assignment on ethics.
2. Ethics and poor decision-making research paper.
3. For a violation of computer ethics have the student design a computer program designed to teach computer ethics.
4. Attend a workshop on "Ethical Decision-Making"
5. Write a paper on Moral Decision-Making
6. Write a paper on computer misuse or other research topic.

FIRE AND LIFE SAFETY/SAFETY AND SECURITY ISSUES
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Both

1. Publish an article for the hall newsletter.
2. Do a poster project.
3. Prepare a bulletin board on safety related to a particular incident.

Fire and Life Safety

1. Mandating a certain number of hours be devoted to Fire Safety Education (Example: visit the local fire authorities and write a paper or present or coordinate a fire safety program for the floor/hall.)
2. Write a paper or presentation on one of the following topics:
 - a. The psychological effects of false alarms.
 - b. Collect news articles on major fires and malfunctioning safety equipment.
 - c. Security in the residence halls.
 - d. Bomb scares.
 - e. Danger of fires in the residence halls.
 - f. The danger of false fire alarms.
 - g. The dangers of reporting false fire alarms.
 - h. The ramifications of unauthorized use of emergency or safety equipment.
 - i. How sensitive are the fire alarm systems in the buildings?
 - j. The hazards of not evacuating during a fire alarm.
3. Visit the local fire department and discuss fire and life safety issues.
4. Coordinate a program on how to use a fire extinguisher correctly.
5. Visit a burn unit and write a reaction paper.
6. Attend or organize a fire safety program.
7. Interview firefighter, paramedic, emergency room doctor, police officer, RA, or Hall Director and write a paper on the interview. (Content of interview to be determined by type of incident.)

Safety and Security

1. Write a paper on "Why security is imperative to safety of your campus residents?"
2. Research safety and security violations (propped doors, unlocked doors, importance of security).
3. Attend a program on "personal safety."
4. College student and the courts- research low cases "duty to care" issues.
5. Interview Public Safety officer to discuss rationale.

GENERAL SANCTIONS

1. Present program on “How to Build a Community,” “The Do’s and Don’ts of Friendship,” Students Rights and Responsibilities, Drug Abuse, Assertiveness, etc.
2. Do a paper (possible titles):
 - a. “Five Educational Topics I think would be appropriate for this behavior.”
 - b. The legal cost/implications of my behavior had an arrest been made.
 - c. The difference between criminal and administrative procedures.
3. Clarify and record career goals and meet with career development staff members.
4. Assist in a service project coordinated through AmeriCorps.
5. Verbal or written apology.
6. Write a paper reflecting on their actions, considering why the policy exists, and what implications their actions have, not only for themselves but also for those around them.
7. Attend any lecture or program on campus that relates to the violation. Have them follow up with a written report/paper.
8. Plan a social event, educational program, or cultural awareness event.
9. Go to counseling for either a specified or unspecified amount of time.
10. Attend a counseling services program (stress management, assertiveness, etc.)
11. Refocus energies to academic concerns such as going to Academic Advising, Career Development, or to see a Faculty Advisor.
12. Organize and participate in various fundraisers, walk-a-thons, or dance marathons for charity.
13. Paper on decision-making.
14. Develop a proposal as to how the student would teach first year students about responsibility. Have the student answer the question “What it means to be responsible?” (i.e., accepting responsibility for your behavior, being responsible to follow through with the expectations of faculty and the administration, being responsible for your won finances, etc.) This proposal should be submitted in written form and may require some research.

VISITATION

1. Create signs for the lobby informing people about the guest policy.
2. Write a paper on campus violence/crimes.
3. Work hours at the lobby security desk, signing guests in.
4. Revoke the student’s guest privileges.

HARASSMENT

Racial

1. Coordinate a program on multicultural issues.
2. Attend a program on racial harassment.
3. Interview an international student and write a report on personal adjustment issues.
4. Research history of particular ethnic group or culture.
5. Write a paper or do a presentation the historical and/or current instances of racial harassment.

Sexual

1. Coordinate a program on communication between men and women.
2. Attend a date rape program.
3. Write a paper on one of the following topics:
 - a. Historical and/or current instances of sexual harassment in the work place.
 - b. Collected court decisions on lewd, indecent, or obscene conduct.
 - c. Peer harassment.
 - d. Gay, lesbian, bisexual harassment.

Applicable To Many Types of Harassment

1. Do a paper on one of the following topics:
 - a. The psychological effects of harassment.
 - b. Explanation of the Supreme Court's ruling on community standards as the definition for moral conduct.
 - c. Respecting others.
2. Research the "10 most common myths" regarding homosexuality, deafness, blindness, etc.
3. Attend an anti-violence workshop.
4. Write a research paper on the topic of harassment. You must use a minimum of 5 cited sources. This paper should include, but not limited to, the definition of harassment including sexual harassment and what you learned from this incident.
5. Attend/present stress reduction programs.
6. Interview people on harassment (staff, women in authority positions, etc.) to gain their perspective on harassment. There should be a written summary as to what constitutes harassment and how such verbal comments or physical gestures affect performance and interaction.
7. Read a series of Journal articles (4 or 5) concerning legal implications of this and do a page summary of each article on verbal abuse.
8. Research political correctness issues and write a paper.

PET VIOLATIONS

1. Meet with the people from the animal shelter on pet abuse.
2. Write an essay on health hazards of pets in Residence halls.
3. Do community service hours in an animal shelter or humane society.
4. Interview the director of an animal shelter and write a paper.
5. Pay for spraying, cleaning of apartment which could include de-fleeing, dander.

PHYSICAL ASSAULT

1. Have a student find/read a series of journal articles (4 or 5) and do a page summary of each article on physical assault.
2. Letter of apology.
3. Meet with a counselor in the Kelly Center.
4. Go to the police station and find out what legally constitutes assault and battery and what the sentence would be if they were charged. 'Write up a summary and turn it in.
5. Write a paper on how a student violator could have handled the situation more effectively.
6. Interview a police officer as to the consequences of being arrested for disorderly conduct.

PROVIDING FALSE INFORMATION

1. Write a paper on one of the following topics:
 - a. Legal recourse for falsification of information.
 - b. The penalties for perjury in Kansas.
2. Conduct an interview on the importance of producing correct information, consequences of falsifying records (University Police, Motor Vehicle Dept.) and provide a written summary.
3. Research on perjury/forgery with campus police.

QUIET HOURS

1. Sponsor an assertiveness training program they could conduct in their hall or on their floor/group.
2. Plan a study break for hall/floor (popcorn break, ice cream social, etc.)
3. Attend program on effective coping skills for stress or other sources of frustration.
4. Write a paper on one of the following topics:
 - a. Noise and stress related behavior.
 - b. Noise pollution.

- c. Noise and behavioral changes.
- d. Group versus individual rights (i.e. individual rights are often sacrificed for the good of the group).
- 5. Lose privileges to have stereo in room; mark volume level).
- 6. Develop a behavioral contract for noise.

RESIDENCE HALL COMMUNITY ISSUES

- 1. Draw up a behavioral contract between floor members and student staff person on the floor or in the hall.
- 2. Write a paper or do a presentation on “Why Communities have Rules.”
- 3. Design one’s own behavioral contract and present to staff member. Together student and staff person will review progress.
- 4. Write a paper titled, “The Job of the RA.”
- 5. Write a paper summarizing Residence Hall policies.
- 6. Draw up a behavioral contract.
- 7. Write a research paper on assertiveness and how it relates to your personal behavior and your ability to make choices that are consistent with expectations of living in a community setting. How can changes in behavior and environment promote assertiveness?

ROOMMATE PROBLEMS

- 1. Attend workshop in the Kelly Center and discuss differences and compromise.
- 2. Research assignment on conflict resolution.
- 3. Create a roommate contract.
- 4. Attend/present stress reduction programs or a communication skills workshop.

SEXUAL ASSAULT

- 1. Meet with a counselor in the Kelly Center.
- 2. Coordinate a workshop on violence in relationships.
- 3. Attend a program on sexual assault or human sexuality.

VANDALISM

- 1. Clean the hall for a weekend—work with custodial staff.
- 2. Pay for the vandalism, but also do some repair work in the hall/ (i.e. paint a lounge, etc.)
- 3. Have the student write a paper on community living in the halls.
- 4. Community service contract.

5. Attend program on effective coping skills for stress, or other sources of frustration.
6. Assist housekeeping staff after a planned social event.
7. Write a paper on one of the following topics:
 - a. On-campus vandalism and the high cost of college.
 - b. A better way to handle his/her behavior.
8. Write a letter of apology to the person you have offended/violated.
9. Clean up the outside of the building or parking lot (make sure area is checked by staff member).
10. Restitution for damages.
11. Organize or go to a program on safety/vandalism.
12. Organize or go to a program on environmental issues.
13. Develop a list of (#) ideas to decrease the amount of vandalism in the hall.

RESEARCH ASSIGNMENT -- Conflict Resolution

Write a paper (6-8) page minimum on successful conflict resolution, applying your research specifically to conflicts between roommates. Cite at least 4 sources. (Current Journal articles are acceptable)

Your paper should address the following situations:

- 1) Ways to resolve a conflict dealing with guests in the room.
- 2) Ways to resolve conflicts concerning the use of each other's property.
- 3) Ways to resolve conflicts arising from lifestyle issues, such as smoking vs. non-smoking roommates.
- 4) Most importantly, ways to resolves any conflicts, which appear to be on the verge of becoming violent.

In your summary, include a discussion of any insight you may have gained from your research and how you could have resolved the roommate conflict you had on (date) more effectively. Your paper is to be the product solely of your own effort. It is to be prepared, documented, and typed using APA.

GROUP BEHAVIOR PROJECT

Objective:

Help the student learn how people influence each other.

Suggested Use:

Violations occurring with a group where the student may have made more appropriate decisions if she/he had thought on his/her own.

Instructions:

- Research group behavior.
 - How do people influence each other?
 - Why/ how can people convince others in groups to do things they would normally not do on their own?
- Cite examples in recent history of group behavior “gone bad.”
 - “What is peer pressure?”
 - Does it apply to this situation?

You are to turn in a 3-4 page typed response to your findings by (date). Please include a list of references and be prepared to discuss your paper with (name) when you turn it in.

RESEARCH PAPER ON DECISION-MAKING

Objective:

For student to critically examine his/her personal decision making style as well as behavior related to residence hall living.

Suggested Use:

Appropriate when there has been a combined violation (e.g., alcohol/noise, etc.) and/or when a student makes inappropriate decisions.

Paper Content:

Please address each of the following issues in your paper:

1. Describe what actions led to you doing this paper?
2. Describe how you decided on your actions in the incident(s). For example, what values, hopes, or visions led you to believe these actions were acceptable? How did you consider the impact of your actions on others?
3. Describe what these actions say about you (to your peers, to the staff, to your parents, etc.)
4. Describe what you learned from the situation.
5. Describe how these concepts may/not apply to your incident.
6. Describe how your behaviors affected others.
7. Describe how your behaviors in the incident made you feel about yourself.
8. Describe strategies you can employ to more appropriately handle the situation in the future.

The paper is expected to meet the FHSU academic standards for grammar, style, and quality of research.

NOTE: When the goal is to encourage the student to think critically at his/her behavior, you may want to add any of the following topics:

- Reflections of the particular incident
- How has any behavior/thoughts changed since then?
- Goals as an FHSU student, objectives to meet those goals,
- Decision-making models (will require some research),
- Issues particularly addressing the development of the individual student.

Indicate: Length of Paper

Date Due

Address to turn in paper

BEHAVIORAL CONTRACT FOR NOISE

Objective: To provide contractual guidelines and expectations for a student with respect to excessive noise. To aid the student in further clarifying what are levels of appropriate noise and to emphasize and protect individual and community rights.

This behavioral contract is developed so (name of student) and other members of the (floor) community may coexist and have equal rights in that community.

General Behaviors:

1. (Student name) will respect the rights of others and act in a mature, reasonable fashion in all matters of conflict.
2. (Student name) will maintain a positive attitude about the community and the members.
3. Floor members will also respect the rights of (student name) and allow him/her to exercise those rights.

Specific Behaviors:

1. (Student name) will turn down his/her stereo when asked at any time when any member of the community is being bothered.
2. (Student name) will work with his/her neighbors to find and set a reasonable level that is agreeable to everyone by (deadline date) and will not exceed this agreed upon level at any time, including weekends.
3. (Student name) will refrain from using inappropriate language and/or gestures toward anyone who may approach him/her about this problem.
4. Once appropriate levels have been set and agreed upon by all members of the community, (Student name) may only exceed these levels by using headphones so not to disturb others in the community.
5. (Student name) will recognize that any Housing staff member has the right to either speak on behalf of the community or as a member of the community. Neither of these actions are grounds for harassment or intimidation.

Consequences:

The consequences if (student name) fails to abide by this contract are:

1. (Student name) will remove his/her stereo from his/her room.
2. (Student name) will relocate to another residence hall.

This behavioral contract is agreed by the following parties on (date) and will be in effect until (ending date).

Student Signature

Hall Director Signature