

6.5.2 COMPOSITION OF THE UNIVERSITY APPEALS BOARD

The University Appeals Board shall be composed of a membership of faculty and students as prescribed by GR XI.C. All members of the Appeals Board shall be expected to meet within 48 hours after notice from the chair. [US: 4/10/2000]

6.5.2.1 The Hearing Officer

The Hearing Officer shall be the chair of the Appeals Board (GR XI). The Hearing Officer shall be a person with training in the law appointed by the President of the University for a one-year term, beginning September 1 and ending on August 31. The Hearing Officer shall convene and preside at all meetings of the Appeals Board.

When the Appeals Board is exercising original jurisdiction, all questions of law, either substantive or procedural, and all procedural questions shall be addressed to and ruled upon by the Hearing Officer. If the Hearing Officer is not present for any case, the President shall appoint a temporary substitute, as per GR XI.C. The Hearing Officer does not participate in the Board's deliberations and has no power to cast a tie breaking vote.

6.5.2.2 The Student Membership

The student membership shall consist of ~~four graduate or professional students, four male undergraduate students and four female undergraduate students~~ four graduate or professional students, and eight undergraduate students, balanced as to gender identity. The undergraduate students must be sophomores, juniors or seniors in good academic standing and the graduate or professional students must have been in residence at least one year and be in good standing in their respective colleges. They shall be appointed to one-year terms, subject to reappointment. Their terms shall begin September 1 and end August 31. Members shall be broadly representative of the University community and shall be chosen by the President of the University from the recommendations of the legislative branch of the Student Government Association. [US: 4/10/2000]

6.5.2.3 The Faculty Membership

The faculty members shall be broadly representative of the University community and shall be appointed to staggered, three-year terms by the President of the University upon the recommendation of the University Senate Council. All terms shall begin on September 1 and end on August 31. [US: 4/10/2000]

6.5.2.4 Other Procedural Rules

Normally nine members, exclusive of the Hearing Officer, shall sit to decide a case. A quorum for the conduct of business will be eight members including the Hearing Officer, not less than five of whom, exclusive of the Hearing Officer, shall be faculty members. The Appeals Board shall establish such procedural rules, not inconsistent with the provisions of University Senate Rules. A decision of the Appeals Board is null and void when the Board is constituted in violation of SR 6.5.2.4 and when the improper constitution is likely to have affected the case's outcome, in the opinion of the University

Appeals Board. When a student claims a violation of their rights, a tie vote sustains the action being appealed. [US: 4/10/2000]