

General Allegation Format and FAQ's

The general allegation format for any hearing is as follows:

1. After an allegation is filed, the alleged party will receive a brief summary of the allegation of misconduct in question, alongside the relevant Constitution or bylaw section
2. The alleged party shall have the right to a Peer Advocate to help them mount a defense, and may call a recess of the Council to discuss the nature of the allegation against them
3. Upon arrival at the hearing location, the Judicial Council will ask both parties to wait in separate designated rooms/areas until the Council is ready to hear from you. You will also receive specific instructions to enter/exit the building. This is to maintain confidentiality of both parties and reduce potential for retaliation.
4. The Council will review the allegation submitted to them.
5. The alleging party (party filing the allegation) will be invited to testify, bring in evidence, call witnesses, and answer questions from the Council.
6. The alleged party (party who is being accused) will be invited to testify, bring in evidence, call witnesses, and answer questions from the Council
7. The Council will deliberate and determine if a violation has occurred.
8. If the Council finds the alleged party in violation, the Council will deliberate and determine a sanction.
9. The decision of the Council will be released to the alleging and alleged party, and campus media outlets if applicable.

Frequently Asked Questions

Q: How long will the hearing last?

A: There is no set time frame for the hearing. The Council may choose to set speaking limits for the alleging and alleged parties, but they also have the ability to extend speaking time as necessary. Thus, the hearing may last as long or short as the Council deems necessary, usually depending on the number of questions that they have for the parties.

Q: Who will be present during the hearing?

A: The Council, Judicial Council Officers, and the Advisor to the Judicial Council will be present during the entire hearing. Other individuals who may be invited are witnesses, but only upon request of the alleging or alleged party when such party is testifying in front of the Council.

Q: Are members of the public allowed to attend hearings?

A: A member of the public is only allowed to attend a portion of the hearing during a Student Union Ethics Council (SUEC) hearing unless the SUEC votes to close the meeting to members of the public.

Q: What can possible sanctions be for violating the rules?

A: The Council can issue any number of sanctions. There is no way to determine what sanction will be provided for a particular violation unless specified in the Student Union Constitution.

Q: Who will find out about the outcome of the hearing?

A: Depending on the type and outcome of the hearing, different parties will be notified.

For election hearings: In the event that the Council finds “no violation”, only the alleging and alleged parties will be notified of the outcome. In the event that the Council finds “violation”, the alleging party, alleged party, and campus media outlets will be notified. Other individuals may be notified depending on the sanction imposed by the Council.

For ethics hearings: The alleging and alleged parties will be notified of the outcome. Other individuals may be notified depending on the sanction imposed by the Council, such as campus media and the Chairperson of the Senate if a censure is imposed.

Q: What can I do if I think the outcome determined by the Election Council is wrong?

A: You may appeal the decision of the Election Council for election hearings only. Your appeal may only be grounded in a procedural defect of the hearing or procurement of new/additional evidence that was not available at the time of the hearing. An appeal must be submitted to the Chairperson of the Senate (Student Body Vice President) within 12 hours of receiving the Election Council’s decision.

Q: Should I testify at the hearing?

A: Testifying at the hearing allows the Council to ask questions; therefore, Judicial Council recommends that you provide testimony. However, you are not required to attend.

Q: What kind of evidence should I submit in an allegation?

A: Evidence must be tangible, not hearsay. All evidence submitted will be presented to the Council.