

## JUDICIAL PROCEDURES

### 3335-23-05 Initiation and investigation of code violations.

#### (A) Initiation.

Person(s) witnessing or experiencing what they believe to be a possible code violation should provide an authorized university official with the information. Information and/or complaints about possible code violations occurring in residence halls should be provided to the residence hall director. Information and/or complaints about possible non-residence hall related code violations should be provided to the director of student judicial affairs, or chief judicial officer for the regional campuses. Information and/or complaints regarding academic misconduct should be referred to the coordinator of the committee on academic misconduct. In cases where the alleged activity may involve a violation of criminal law in addition to a violation of the code, information and/or complaints should be provided to the Ohio state university police or other appropriate law enforcement agency. The university will review all information and/or complaints received and may conduct a preliminary investigation of the alleged violation.

#### (B) Investigation.

The Ohio state university police or other appropriate law enforcement agency shall have primary responsibility for the investigation of acts that involve suspected violation of federal, state, local laws or applicable university policies. Residence hall directors, assistant hall directors, the director of student judicial affairs, the chief judicial officer for the regional campuses, and other designated university personnel are authorized to investigate alleged violations other than those involving academic misconduct. The coordinator of the committee on academic misconduct is authorized to investigate allegations involving academic misconduct. During the investigation, the student allegedly involved in misconduct may be sent a letter describing the alleged violation, requesting the student to make an appointment to discuss the matter, and specifying a date by which the appointment must be made. Any person believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Failure to comply with such a request to make and keep such an appointment may result in a disciplinary hold being placed on a student's registration and records and/or the initiation of charges for judicial system abuse. Upon completion of an investigation, the investigator will decide upon an appropriate course of action, which may include, but is not limited to, taking no further action, deferring further action with or without conditions, or initiating charges with the appropriate university judicial body. (B/T 3/2/2001, B/T 12/7/2007)

### 3335-23-06 Filing of complaint and initiation of charges.

A written complaint alleging a violation of the code of student conduct must be filed with the university as soon as practicable following the discovery of the alleged violation. Absent extraordinary circumstances, the written complaint must be filed within six months for cases of non-academic misconduct (paragraphs (B) through (Q) of rule 3335-23-04 of the Administrative Code), and one month for academic misconduct (paragraph (A) of rule 3335-23-04 of the Administrative Code), from the date upon which a university official becomes aware of the alleged violation and identifies the student(s) who allegedly committed the violation. Absent extraordinary circumstances, the university must initiate charges, if any, within one year of the filing of the complaint. (B/T 3/2/2001, B/T 12/7/2007)

3335-23-07 Notice of charges.

Students shall be notified of university charges in writing, unless a more effective form of notification is deemed appropriate. Charges may be presented in person, by placement in a student's residence hall mailbox, by email to the accused student's official university email address, which will direct the student to view the notice on a secure website, or by mail to the accused student's local or permanent address on file in the office of the university registrar. All students are required to maintain an accurate and current local and permanent address with the university registrar.

Following notification of charges, students are strongly encouraged to and shall be afforded the opportunity to meet with a university official for the purpose of explaining the university judicial process and discussion of the charges. Failure of the accused student to respond to the initiation of charges or schedule a preliminary meeting shall in no way prevent the university from scheduling and conducting a hearing in the absence of the accused student. (B/T 3/2/2001, B/T 12/7/2007)