

committed by the Respondent. Such evidence may not be proved by reputation or opinion.

~~j.k. The charges against the accused must be established by~~ The burden of proof shall rest on the Complainant, and the standard of proof shall be a “preponderance of the evidence” (i.e. more likely than not).

k. When a student is found responsible for a violation of the *Code*, the hearing shall conclude with a supplemental proceeding to determine the sanction that should be imposed. Both the Respondent~~accused~~ and the Complainant may submit relevant evidence or make relevant statements regarding the appropriateness of a specific sanction. The past disciplinary record of the ~~accused student~~ Respondent shall only be supplied to the Panel~~Disciplinary Hearing Officer~~ during the supplemental proceeding.

l. The Panel shall submit to the Dean of Students a written summary of its findings of fact and responsibility, and sanctions as applicable.

m. The Complainant’s address and other contact information shall be redacted on any documents shared with the Respondent.

n. Notification of the Respondent’s violations, penalties, and remedies shall be sent as directed by the Dean of Students, Hearing Panel, or UAB to the University officials necessary to make the penalties and remedies effective, and to other persons who might provide counseling assistance to the Respondent. Such University officials and other persons shall maintain confidentiality in accordance with the Code of Student Conduct and these guidelines. Violations of confidentiality will be dealt with under the appropriate existing, applicable University regulation(s) or policy(s).

Appeals of the Panel’s Decision

35. A Respondent or Complainant may file an appeal of the Panel’s decision. The written appeal shall be submitted to the Chair of the UAB, or postmarked, if mailed to the Chair, within seven (7) business days of the receipt of the decision rendered by the Panel. An appeal shall be limited to the following grounds:

a. To determine whether the disciplinary proceedings were conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the Complainant reasonable opportunity to prepare and to present information that the Code was violated, and giving the Respondent a reasonable opportunity to prepare and present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.