

UCSD Sixth College Student Conduct Judicial Board Bylaws

Draft 2/6/2010

3/4/2007

Article I. Statement of Purpose

Section A. Resolution of Student Misconduct

The Sixth College Judicial Board (SCJB) shall hold hearings on student misconduct in accordance with the UCSD Student Conduct Code.

Section B. Constitutional Oversight

The SCJB shall protect the interests of the Sixth College Student Body (SCSB) by safeguarding the integrity of the Sixth College Student Council (SCSC) Constitution, the SCSC Standing Rules, as well as the bylaws of Sixth College Student Council.

Section C. Judicial Inquiry

1. Student Body – SCJB will case of non-academic student misconduct in accordance with Article VI, Section A of the UC San Diego Student Conduct Code.
2. Council – The SCJB Chair in consultation with the SCJB Advisor shall evaluate allegation of misconduct by an SCSC member under Article VI, Section A. The SCJB shall conduct impeachment hearings in accordance with Article VI of the SCSC Constitution.

Article II. Judicial Board Structure

Section A. Deputy Chair

The Deputy Chair shall be appointed by the SCJB Chair after a majority vote by the SCJB, excluding the Chair. Sixty percent of active members need to be present for quorum. Any active member is eligible to serve as Deputy Chair. Members may be nominated or nominate themselves from DC and must share with the group why they are interested in the position prior to voting. After the majority has made their vote, the Deputy Chair shall serve as a sit-in Chair in cases where the current Chair is not present, unable to serve as Chair on any case, or is named as a respondent or complainant in a case.

Section B. Pre-hearing Procedures

Upon receiving a request for a judicial inquiry from SCSC the SCJB Chair has seven (7) academic days after the request to notify the SCJB, the Vice President Internal of SCSC, the respondent and complainant, the SCJB advisor, the Dean of Student Affairs, the Dean of Student Affairs and the SCSC advisor of the date, time and place of the hearing.

Section C. Quorum

For any hearing involving the SCJB, quorum consists of four SCJB members, excluding the Chair. The Chair may conduct a hearing with fewer than four SCJB members if the respondent agrees.

Article III. Resolution of Student Misconduct

Section A. Jurisdiction

1. The SCJB's jurisdiction in matters of student misconduct is derived directly from the UCSD Student Conduct Code and the SCSC Judicial Board Bylaws.
2. The UCSD Student Conduct Code shall prevail in any conflict between this article and the Student Conduct Code.

Section B. Hearing Preparation

1. The SCJB shall accept referrals of cases of student misconduct from the UC San Diego Office of Student Conduct.
2. Upon acceptance of a case, SCJB Chair shall assist with coordinating members of SCJB to sit on the hearing.
3. The SCJB Chair and Advisor (or appointee) assist SCJB members selected for the hearing panel with preparation for the hearing.

Section C. Resolution

1. The findings of the SCJB shall be determined by a preponderance of the evidence and agreed by consensus. In the event that consensus cannot be reached, the board with the exception of the Chair, may decide to vote.
2. Any SCJB Member may call for a vote.
 - a. All panel members, excluding the Chair, are required to vote. The majority vote will determine the finding.
 - b. The SCJB Chair shall only vote in the case of a tie.
 - c. The SCJB Chair shall tally votes and provide a full report of findings, rationale, and recommended sanctions to the acting Advisor.

Article IV. Constitutional Oversight

Section A. Request for Judicial Review

1. Any member of the SCSB may request official judicial review of an action of the SCSC.
2. Upon acceptance of the request for judicial review, the SCJB Chair shall call a hearing in a timely manner, according to Article I, Section C, Item 2 of the SCJB By-Laws.

Section B. Resolution

1. Upon judicial review, the SCJB may reverse an action of the SCSC if it is determined that the action is in conflict with the SCSC governing documents
2. Reversal of an SCSC action must be approved in accordance with Article III, Section C of the SCJB By-Laws.

Article V. Judicial Inquiry

Section A. Request for Judicial Inquiry

1. Any registered UCSD student may request judicial inquiry for misconduct of an SCSC member according to Article VI, Section A of the SCSC Constitution
 - a. Request must be submitted in writing to the SCJB Chair
 - b. Requests may be rejected by the SCJB Chair in consultation with the Advisor.
 - c. If the request names the SCJB Chair as respondent or complainant, the request shall be submitted to the SCJB Deputy Chair
 - i. The SCJB Chair shall be relieved of his or her responsibilities for the duration of the hearing
 - ii. The Deputy Chair shall serve as SCJB Chair for the duration of the hearing

Section B. Judicial inquiry

1. Judicial inquiry will be conducted in accordance with Article VI, Section A, B of the SCSC Constitution.
2. Resolution of the inquiry will be determined in accordance with Article III, Section C of the SCJB By-Laws.

Article VI. Amendments and Suspensions

Section A. The SCJB Bylaws may be amended in accordance with Article VII, Section B of the SCSC Constitution.