

THE CITY UNIVERSITY OF NEW YORK


Office of the General Counsel and Vice Chancellor for Legal Affairs

535 East 80 Street, New York, N.Y. 10021

212/794-5382



STUDENTS ADVISORY MEMORANDUM #6

TO: College Presidents
FROM: Vice Chancellor Robert E. Diaz 
RE: Student Disciplinary Proceedings
DATE: May 7, 1991

This Advisory Memorandum is to serve as a guide for proper action when a student fails to attend a scheduled disciplinary hearing.

If the student does not appear at the hearing, the Faculty-Student Disciplinary Committee should open the hearing by reading into the record the fact that the student has not appeared at the hearing and the method by which the student received notice of the hearing (regular mail, registered mail, telephone calls, personal service, etc.) The hearing should then be adjourned and the rescheduled hearing date read into the record.

A notice of hearing should be sent to the student, by regular and "Certified Return Receipt Requested" mail. In that notice, the student should be informed that he remains suspended (if applicable) during the adjournment. If a student fails to appear at the rescheduled hearing, the hearing should proceed in his or her absence. Although the hearing is being held in absentia, the College must present a case to the Committee in which proof is presented on each of the charges. The hearing must be recorded or a stenographic transcript of the proceeding must be made.

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Attached, please find a sample notice of adjournment and rescheduling of hearing letter.

Please feel free to contact my office should you have any additional questions or concerns.

RMG:acb

c: Dean of Students
Legal Affairs Designees

COLLEGE LETTERHEAD

SAMPLE STUDENT NOTICE LETTER

DATE

METHOD OF MAIL
Regular/Certified

Student Name
Address
City, State Zip

RE: Student Disciplinary Hearing

Dear Name:

Our records indicate that you were notified, and failed to attend a disciplinary hearing, scheduled on _____ (date, place, time).

The hearing has been scheduled for DATE, PLACE, TIME. In the event you do not attend, the hearing will be held in your absence.

*Your suspension remains in effect during this period. As a suspended student you continue to be barred from the campus. If you have a legitimate need to be on the campus you must contact me to arrange your campus visit.

Very truly yours,

Dean of Students
College Name

* Only insert if student is on suspension.