

President's Directive No. 9

University Policy Regarding the Use of Attorneys in Student Disciplinary Proceedings Outlined in Executive Order No. 628 "Student Disciplinary Procedures for the California State University"

This directive is issued pursuant to Article III, Section 1 of Executive Order No. 628, a copy of which is attached to this directive.

USE OF ATTORNEYS IN STUDENT DISCIPLINARY PROCEEDINGS

Pre-Hearing Conference

Neither the university nor the student(s) under investigation may have an attorney present at the Pre-hearing conference provided for in Article III, Section 3 of Executive Order No. 628. This does not prohibit either the university or the student(s) under investigation from consulting with an attorney; it prohibits either the university or the student(s) under investigation from being represented by an attorney, or having an attorney present at the Pre-Hearing Conference.

The Coordinator of University Student Discipline holding the Pre-Hearing Conference may not be an attorney.

Hearing

Neither the university nor the student(s) charged may have an attorney present at the Hearing provided for in Article IV, Section 4 of Executive Order No. 628. This does not prohibit either the university or the student(s) charged from consulting with an attorney; it prohibits either the university or the student(s) charged from being represented by an attorney, or having an attorney present, at the Hearing.

Neither the Coordinator of University Student Discipline representing the university at the Hearing nor the Coordinator's advisor may be an attorney. The Hearing Officer may be a campus official, an attorney admitted to practice law in California or an administrative law judge from the Office of Administrative Hearings.

Date: March 7, 1997

Acknowledged by: Milton A. Gordon, President
California State University, Fullerton