

Accused Name: \_\_\_\_\_

Case #: \_\_\_\_\_

### ACCUSED RIGHTS AND RESPONSIBILITIES

As an accused student, you shall be entitled to exercise the following **rights**:

1. To be given a written summation of the charges against you.
2. To be given reasonable notice of and reasonable time to prepare for a hearing before the Committee.
3. To be given the name(s) of your accuser(s) and the right to confront him/her (them).
4. To be informed of the nature of evidence to be used against you.
5. To refuse to give any statement which you feel may incriminate you during the investigation or trial, however, the Committee may draw a negative inference from such a refusal.
6. To have all personally identifiable information relating to the investigation and trial kept confidential to the extent permitted by law.
7. To a fair hearing, including the right:
  - a) To plead not guilty; or to plead guilty in which case the hearing will proceed directly to a hearing of evidence to determine an appropriate sanction;
  - b) To have all proceedings against you held publicly or privately at your election; except in those cases where the alleged offense involves a breach of confidentiality. The Committee shall have the authority to establish guidelines for any public proceedings. The request to have public proceedings must be made at least five academic days in advance of trial date;
  - c) To discuss any information regarding your case with any person, except where the alleged offense involves a breach of confidentiality. Under these cases procedures established in the University Judiciary Committee's Constitution Article IV Section B-7.b shall supersede your right;
  - d) To representation of your choosing from the student body of the University of Virginia;
  - e) To present witnesses and evidence on your own behalf;
  - f) To confront and cross-examine witnesses against you;
  - g) To challenge any judges of the trial panel for cause or any conduct during the proceedings that may prejudice any of the foregoing rights, the sustainment of which is subject to a vote of the Committee.
  - h) To be given written notice of the Committee's final decision
8. If found guilty, the right to appeal the verdict and/or sanction to the University Judicial Review Board. Appeals must be made in writing no later than two weeks after the trial date and must state specific grounds for an appeal. A copy of any appeal must also be submitted to the University Judiciary Committee.
9. To select an advisor of your choice who may be present in a non-participatory role at trial.
10. To request an Evaluation Hearing pursuant to the Procedures for Student Disciplinary Cases Involving Contributory Health Impairments. Such requests may be made if a student believes a psychiatric or psychological condition caused or significantly contributed to or substantially influenced the conduct charged in a UJC complaint.

11. To request a trial conducted via video-conference in lieu of an in-person trial, pursuant to the provisions outlined in the Modifications to Policies and Procedures Regarding Investigations and Adjudications.

As an accused student, you also bear the following **responsibilities**:

1. To cooperate fully with the investigator at all times.
2. To give truthful testimony (not construed to violate Right #5).
3. To inform witnesses on your behalf of the date, time, and place of the trial, and to ensure that they appear at the trial.
4. To bring all information pertinent to your case available at the time of the trial. Should you fail to do so, this shall not be considered an appropriate grounds for appeal.
5. To appear at any proceedings in which reasonable notice was given. Failure to do so may result in a trial in absentia.

*I hereby affirm that I have read and understand the above rights and responsibilities.*

Signature: \_\_\_\_\_

Name (print): \_\_\_\_\_

Date: \_\_\_\_\_