

# Student Rights

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In all University conduct proceedings under the Student Conduct Code, students have the following rights to confidentiality and due process.

## Rights to Confidentiality

The University of Alabama at Birmingham complies with all principles of privacy described in the Family Educational Rights and Privacy Act (FERPA). As such, a student involved in a University conduct proceeding has the following rights related to privacy and confidentiality:

1. **All conduct proceedings are closed to the public.**
2. **The University, except as required by law, will not disclose information to anyone not connected with the proceeding.** The fact that there is or has been a conduct proceeding concerning the incident may be disclosed; however, the identity(ies) of individual students involved in the proceedings will not be disclosed.
3. **The University, including individuals involved in a conduct proceeding, will disclose the results of the proceeding, including sanctions imposed, only to those who need to know for purposes of record keeping, enforcement of the sanctions, further proceedings, eligibility for participation in certain University activities, or compliance with federal or state laws.** The fact that a conduct proceeding has been concluded and appropriate action has been taken may be disclosed.

## Rights to Due Process

### Responding Party:

A student or student organization accused of violating the Student Conduct Code (the “responding party”) has certain rights. These include the right to:

1. Be advised that a complaint is being investigated and the nature of the complaint
2. Be advised of the charges under the Student Conduct Code that are being filed
3. Submit a written account relating to the alleged incident and/or charges
4. Have a person of choice, including an attorney, present throughout any meeting(s) related to the conduct proceeding
5. Know the identity of individuals who will be present at meetings or hearings related to the proceeding
6. Present relevant evidence and/or witnesses
7. Review any evidence reasonably likely to be used in the proceeding
8. Hear and question any witnesses who participate in the proceeding
9. Have a reasonable period of time to prepare for a hearing
10. Request a delay of a hearing for exceptional circumstances
11. Decline to make statements against themselves
12. Timely adjudication and resolution of the case

13. To receive appropriate support from the University, including counseling services
14. The right to appeal, as outlined in the Conduct Procedures

### Reporting Party:

A student who brings a complaint against another student under the Student Conduct Code (the “reporting party”) also has certain rights. These include the right to:

1. Meet with the designated administrative official to discuss the conduct process
2. Submit a written account of the incident and a statement describing the effect of the alleged misconduct
3. Have a person of choice, including an attorney, present throughout any and all of the proceedings
4. Be informed of the date, time, and location of any meetings related to the conduct proceedings
5. Be informed immediately of the outcome of each step of the conduct proceeding in accordance with FERPA
6. To receive appropriate support from the University, including counseling services