Running Boards of Adjudication

Immediately before the hearing

The Board may meet before the hearing in order to prepare for the meeting. However, they should avoid discussing the case in any way that might create an atmosphere of 'pre-judgment'. The planning meeting should be held immediately before the hearing, if practicable, and should aim to prepare the Board for the subsequent hearing: e.g. to agree to the line of questioning, the procedure to be followed and for clarification of the process.

Conduct of the hearing:

The convener should arrange for a written record of the Board to be made using a Clerk (from their School)

At the Hearing, the student will have the right to be accompanied by another member of the University. An accompanying person may request permission from the Convener to speak at the Hearing on behalf of the accompanied student.

The following outlines the normal procedure for the Hearing. The Convener, however, has discretion reasonably to vary these arrangements to suit the needs of individual cases.

The Convener introduces the Board, the AMO and the student can introduce themselves and any accompanying member of the University. If the accompanying person is not known to the Board, the Board can request some identification and confirmation of member status.

Throughout the main part of the Hearing all parties will normally be present (excluding witnesses) to promote a full and open discussion of all points that are raised with the Board.

No audio or electronic recording of a Hearing will be permitted although the Clerk to the Hearing will take notes as a record of the Board.

At the start of the Hearing the Convener will explain the powers of the Board of Adjudication and summarize the process to date the procedures for the Hearing, the evidence received and indicate that all the submissions have been shared with all the members present. Where a submitted item has not been shared due to issues of confidentiality, this will be intimated at this stage.

The Convener will explain that wherever possible the Board will wish to hear directly from the student.

The Convener will invite the AMO to present the case on behalf of the School.
The Convener will invite the student or his/her representative to make a statement in response to the opening remarks in relation to the procedures that will be followed or to seek clarification on matters of procedure.

At each stage the Convener has discretion to allow reciprocal questioning, through them, by the various parties.

The Convener will invite any other person(s) called upon to attend the Hearing to make their statement and will then invite the Board to ask questions. Once the Convener is satisfied that the Board has completed its questioning and the student has had a full opportunity to convey the information to the Board, the Convener will invite closing statements from the AMO and finally the student. The Convener will ask everyone but the Board, the Clerk and any attending expert advisers to withdraw.

The Board will discuss the case and make its decision. If for any reason the Board requires further clarification on any aspect of the case from any participant, the Board will adjourn at this point and reconvene as soon as the information/clarification is available. Where an adjournment takes place that may affect the timetable for communicating the final decision, the Clerk to the Hearing will immediately inform all parties.

If at any point in a School Board of Adjudication the case becomes significantly more serious than first thought, the Board can recommend that the case be referred to a University Board.

Once the evidence has been heard, the Convener will ask all who are not members of the Board to withdraw. The Convener will then chair the discussion between members of the Board, seeking to establish whether the case is proven ‘on the balance of probability’ (note that it is not necessary to prove ‘beyond reasonable doubt’). Following this, if the case is proven, the penalty should be discussed and agreed between all members of the Board and sent to the Pro Dean for approval (goodacpractice@st-andrews.ac.uk).