Information on the Accountability Board Process
Things to consider when determining if the Accountability Board Process is right for you

What is the Accountability Board?
The Accountability Board process begins when a student rejects the decision made by their case administrator. The case is then re-heard by an Accountability Board. Many students like this option because it has a group of people making a decision in the case as opposed to one case administrator. It is important to note two things:
1. When a student decides to have the case re-heard by the Accountability Board, the student cannot revert to the original decision made by their case administrator after the Board makes their decision.
2. The Accountability Board can make a decision that is the same as, less than, or more severe than the original case administrator’s decision.

Who will be on the Accountability Board?
For a student that has no history in the Office of Student Accountability and Restorative Practices and is charged with one minor violation, the board will consist of three student board members and a non-voting faculty/staff chair. For major violations, multiple violations, or students who have history, the board will consist of three students & three faculty/staff members and a non-voting faculty/staff chair. Flexible violations will typically follow the process as major violations but may be seen as minor violations depending on the details of a case; you will be told by the office which type of board will hear a flexible violation. All are volunteers who have been trained by the Office of Student Accountability & Restorative Practices on our policies and procedures.

When will the Accountability Board Case Review take place?
A date/time for the case review will be scheduled based on the academic schedules of the accused students’ and the witness(es)’ for the university (i.e. RA, police officer, etc.). A case review date/time will not be rescheduled unless there is an academic conflict or family emergency. Hearings are usually in the evening, Monday-Thursday at 5:30, 6, or 6:30pm. Typically hearings take place within 2 weeks of when a case administrator’s decision is rejected.

What are my responsibilities regarding the Accountability Board Case Review?
The student is responsible for checking & responding as needed to their JMU email, showing up at the designated time/date, and communicating relevant information to his/her attorney/support person, and/or witnesses. The accused student is also responsible for having no contact with the witnesses for the university in the case, either themselves or through a third party.

Am I allowed to be present at all times during the case review?
The student will be allowed to be present during the entire case review except for the Board’s closed deliberation when they determine responsibility and, if applicable, sanctioning.

What do some consider advantages to an Accountability Board process?
- The Accountability Board will not have access to your previous case history unless they find you responsible for the charge(s).
- The Accountability Board will be a group of individuals versus one case administrator making the decision.
- Unlike the Case Administrator reviews, the student has the right to an attorney or a support person, provided the person is available at the time of the scheduled case review and willing to assist and advise the student during the case review. Attorneys must be licensed to practice in the state of Virginia; a support person must be a current JMU student, faculty member, or staff member.
  - Note: Attorneys or support persons may not actively represent the student, but may give the student advice on how to present the case.
- A parent/guardian of the accused student may not serve as a support person/attorney during the case review unless they meet the guidelines provided. Parents may serve as witnesses for the accused student at the discretion of the student.
- A student has the right to present witnesses (incident and/or character) on his/her behalf. The Chair of the Accountability Board Case Review has the authority to limit witnesses to avoid unreasonable delays due to repetitious or unnecessary information.

Can an Accountability Board remove a strike or not issue me a strike?
If a student is found responsible by the Accountability Board for an alcohol or drug violation, that student will receive a strike. Accountability Boards cannot remove a strike or decide not to issue a strike. The strike is automatically assigned if a student is found responsible for an alcohol or drug violation.

Who should I contact with further questions on the Accountability Board Process?
You can contact the Associate Director at 540-568-6218.
CHECKLIST

✓ Submit Names, Email Addresses of Witnesses and whether they are character or incident witnesses by 5pm on _____________________ to Wendy Lushbaugh at lushbawy@jmu.edu.

✓ Gather Statements of Witnesses unavailable to attend the Accountability Board Case Review.

✓ Submit witness statements at least 48 business hours before the case review via email to the Associate Director, Wendy Lushbaugh, at lushbawy@jmu.edu or bring seven copies of each statement with you to the case review.

✓ Discuss the accountability board process with your witnesses. Let them know that they should prepare a statement about your character or their knowledge of the incident. Let them know that the board members may ask them clarification questions.

✓ Provide the name & email address of your attorney or support person via email to the Associate Director, Wendy Lushbaugh, at lushbawy@jmu.edu at least 48 business hours before your case review.

✓ Prepare questions for the witnesses for the university.

✓ Prepare your own statement of the incident to present to the board.

✓ Prepare your own final statement for the board.

✓ Call the Office of Student Accountability and Restorative Practices with any questions at 540-568-6218.

FREQUENTLY ASKED QUESTIONS

Can my parent be involved in my case review?
An accused student’s parents can act as a character witness in a case at the discretion of the student. They may only serve as a support person/attorney for an accused student if they meet the guidelines stated for support persons or attorneys.

How long will the case review take?
An Accountability Board Case Review can last as short as a half hour or could last as long as several hours. Once the witnesses have provided information to the board they are able to leave unless the board requests they remain. The accused student is asked to remain through the entirety of the case review.

When will I know the Accountability Board’s Decision?
The Accountability Board will notify you of their decision at the conclusion of your case review.

What does the Accountability Board know about my previous case history?
The Accountability Board will not have access to your previous case history until they find you responsible, if applicable. At that time they will use your previous case history to determine the appropriate sanction(s) for you. You may choose to disclose previous history or sanctioning; if you do, the Board may then ask you additional questions regarding that history.

What if my witness can’t be there for the case review?
Your witness may submit a written statement in lieu of being present at the case review. You can either bring seven copies of this statement to your case review or can provide it to the Associate Director via email (lushbawy@jmu.edu) at least 48 business hours prior to your case review.

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Can an Accountability Board give me more sanctions than I received from my case administrator?
Yes. When you go to the Accountability Board you are stating that you want your case re-heard. The board members will not know what your case administrator gave you as a sanction unless you choose to reveal that to them. (NOTE: In cases involving accusing students, you may not be given the option to reveal the case administrator’s decisions regarding responsibility or sanctioning.) The Board could make the same decision as your case administrator, a more severe one, or a less severe one. It is important to consider this when going to an Accountability Board; you will not be able to revert back to the case administrator’s decision once you have gone through the Accountability Board process. If you receive a more severe decision from the Board, your only remaining option is to appeal the decision based on harshness of sanction, new evidence, and/or due process violations.