

MEMORANDUM

To: Board of Regents
From: Board Office
Subject: Student Appeal--#1
Date: September 9, 2002

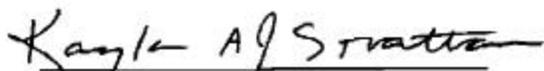
Recommended Actions:

1. Submit the issue to an Administrative Law Judge (ALJ), to be assigned by the Department of Inspections and Appeals, so that an evidentiary hearing may be held and a Proposed Decision made for Regent consideration; and
2. Limit the issue to be considered by the ALJ to the appropriateness of the heightened penalty for alleged failure to cooperate with the university investigation.

Executive Summary:

Board members have a packet of confidential materials related to an appeal by a student—appealing a final institutional decision upholding the university’s decision to declare him permanently ineligible to participate in NCAA sponsored events. A review of the materials submitted by the student and by the university suggests that the matter should be submitted to an ALJ for an evidentiary hearing and a Proposed Decision for Regent consideration.

It is recommended that the Board, based on the record before it, submit the matter to an ALJ. The student has requested an opportunity to address the Board. If the Board adopts the Board Office recommendation, this request is moot.



Kayla A.J. Stratton

Approved: 

Gregory S. Nichols