

SUMMARY APPEALS COURT

I. PURPOSE

Establishes a college-wide, formal mechanism for the review and resolution of appeals of parking citations and other summary violations.

II. POLICY

The Summary Appeals Court, composed of faculty, administrators, support staff, and students, convenes regularly throughout the calendar year, whenever the college is open, to review appeals of parking citations and other summary violations involving motor vehicles, thereby providing a consistent, equitable, appellate system for all persons (employees and nonemployees, students and nonstudents) who wish to contest the imposition of penalty or disciplinary action for alleged infractions of rules, regulations, or procedures of a summary nature.

(POLICY APPROVAL: 5-17-95, Board of Trustees)

III. PROCEDURES

- A. SAC (Summary Appeals Court) convenes based on the published online calendar when cases are pending before it. If no appeals are made, SAC does not convene.
 - 1. SAC convenes at a standard time and location to be determined at the beginning of each academic year and published on the website (www.wcjc.edu) by the Vice President of Student Services.
- B. SAC reviews and adjudicates all appeals of summary citations, the most common of which are issued for parking violations.
 - 1. Appellants who wish to appear in person before the court must so notify the presiding officer of the court in writing at least four full work days prior to the court's meeting date. Requests for appeals that do not meet this deadline are held for the next meeting of the court.
 - 2. Appellants who wish to appeal in writing do so by submitting a statement to the presiding officer of the court, who will place the matter on the docket for the next sitting of the court.
 - 3. All appeals, whether made orally or in writing, must be accompanied by submission of the original summons (e.g., the parking ticket). Failure to produce the original summons, for any reason whatsoever, shall constitute prima facie evidence of culpability; and the appeal shall be denied.
 - 4. Failure to appear before the court on two consecutive sessions when the appellant was scheduled to appear shall result in denial of the appeal.
 - 5. Successful appellants have their citations rescinded and are absolved of all penalties including fines.
 - 6. Unsuccessful appellants are subject to the standard penalty for their offense (such as a fine).
 - 7. The decision of the Summary Appeals Court is final.
- C. SAC shall consist of the following members:

1. the Vice President of Student Services, who presides at all sessions of the court and serves as court recorder;
 2. one full-time faculty member, appointed by Faculty Council, who serves for a period of one year;
 3. one member of the support staff, appointed by the Support Staff Council, who serves for a period of one year;
 4. two students, appointed by SGA, who each serve for a period of one year (students may be appointed from any campus to serve on SAC);
 5. one additional faculty member, one additional member of the support staff, and one additional student, all of whom serve as standby alternates to replace their counterparts when the latter are unable to attend; appointed as above;
 6. one additional administrator, appointed by the college president, to substitute as presiding officer should the Vice President of Student Services be unable to attend.
- D. The decision of the court is reached by simple majority vote (which may be voiced or secret, depending on the pleasure of the court), with the presiding officer voting only to break a tie. Abstentions are not permitted; each member of the court must cast a vote, either yea or nay.
- E. The presiding officer maintains a brief written log of all appeals, indicating the name of the appellant, the nature and date of the offense, the date the appeal was heard, the outcome of the hearing, and, if the appeal is granted, the reason for so doing.
- F. The presiding officer shall notify the Business Office of any appeals granted for removal of the fine from the student's record. The presiding officer will notify the student in writing of the results of the appeal being granted or not granted. Copies of the written log are to be sent to Security at all of the Wharton County Junior College campus sites.

See the WCJC website for forms relevant to the Summary Appeals Court.

SW/FRV
3-20-95
Rev BWT/BAM
4-19-05
DL/BAM
10-16-12