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Student Rights and Responsibilities Report #1988-89-1: Jurisdiction over Off-Campus Conduct and Disciplinary Censure

University of Rhode Island Faculty Senate

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THE UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

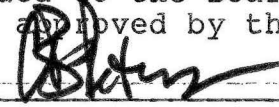
FACULTY SENATE
BILL

Adopted by the Faculty Senate

TO: President Edward D. Eddy
FROM: Chairperson of the Faculty Senate

1. The attached BILL, titled Student Rights and Responsibilities
Committee Report #1988-89-1: Jurisdiction over Off-Campus
Conduct and Disciplinary Censure,
is forwarded for your consideration.
2. The original and two copies for your use are included.
3. This BILL was adopted by vote of the Faculty Senate on December 8, 1988.
(date)
4. After considering this bill, will you please indicate your approval or disapproval. Return the original or forward it to the Board of Governors, completing the appropriate endorsement below.
5. In accordance with Section 10, paragraph 4 of the Senate's By-Laws, this bill will become effective December 29, 1988, three weeks after Senate approval, unless: (1) specific dates for implementation are written into the bill; (2) you return it disapproved; (3) you forward it to the Board of Governors for their approval; or (4) the University Faculty petitions for a referendum. If the bill is forwarded to the Board of Governors, it will not become effective until approved by the Board.

December 9, 1988
(date)


C. B. Peters
Chairperson of the Faculty Senate

ENDORSEMENT

TO: Chairperson of the Faculty Senate
FROM: President of the University

Returned.

- a. Approved .
- b. Approved subject to final approval by Board of Governors _____.
- c. Disapproved _____.

December 29, 1988
(date)


President

THE UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE

STUDENT RIGHTS AND RESPONSIBILITIES COMMITTEE
REPORT #1988-89-1

November, 1988

Jurisdiction Over Off-Campus Conduct
and Disciplinary Censure

Revised by the Faculty Senate on December 8, 1988

I. Jurisdiction Over Off-Campus Conduct

The Student Rights and Responsibilities Committee recommends the approval of the following new sections of the UNIVERSITY MANUAL which concern University jurisdiction over off-campus conduct:

9.27.10 Jurisdiction of Student Judicial System Over Off-Campus Conduct. Off-campus conduct shall be subject to the jurisdiction of the Student Judicial System if one of the following conditions is met: 1) an infraction of a community standard of behavior as listed in the STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK occurs at: a) an official University event, such as a field trip; or b) a University sanctioned event as defined in Section 8.51.12 of the UNIVERSITY MANUAL; or 2) an off-campus action performed by a person while he or she is a student, of a nature such that it would be subject to the Student Judicial System if it had occurred on-campus, and the person against whom the action is directed is a member of the URI community e.g. student, faculty or staff. The accuser must demonstrate to the satisfaction of the representative of the Office of Student Life -- to whom the accusation is to be first presented -- that the nature and circumstances of the infraction provides reasonable grounds for believing that the person accused posed or poses a threat to the life, the health, the safety, or the property of the University community.

9.27.11 Appeal on the Issue of Off-Campus Jurisdiction. If a student is accused of an off-campus offense under subsection 2 of Section 9.27.10, and if the representative of the Office of Student Life determines that there is cause for presenting the matter to the University Judicial System, the student shall have the right to dispute the jurisdiction of the University Judicial System. If the student makes use of this right, an appeal on the issue of jurisdiction must be filed in writing with the Office of Student Life not later than three days after notice of the OSL decision to charge the student. The appeal shall be presented to the Director of Student Life for disposition of the issue of jurisdiction. The decision on jurisdiction arrived at by the Director of Student Life shall be final. After an affirmative judgment on jurisdiction has been reached through this procedure, the student shall still have the right to plead guilty or not guilty.

Rationale:

The Office of Student Life is commonly faced with the question of jurisdiction over off-campus conduct. As the UNIVERSITY MANUAL is silent on this issue, decisions have been made on an ad hoc basis. In defining the limits of University jurisdiction over off-campus conduct and establishing procedures to be followed in such cases, the recommendations provide needed guidance to the Office of Student Life and make clear to students under what circumstances their off-campus conduct may be subject to University sanction. During the 1987-88 academic year, the Student Rights and Responsibilities Committee recommended the addition of new Manual sections on off-campus conduct. The Manual sections were subsequently referred to the University Legal Counsel for review. The review has been completed and the Legal Counsel's suggested revisions incorporated into the proposed new sections.

II. Disciplinary Censure

The Student Rights and Responsibilities Committee recommends the approval of the following new section 9.25.13 of the UNIVERSITY MANUAL:

9.25.13 Disciplinary Censure. A student placed on Disciplinary Censure is in a middle status between a warning and residence or disciplinary probation. Disciplinary Censure is intended as a clear signal to the student that further violations can lead to a probationary status, or even removal from a living unit or suspension from the University, depending upon the severity of the offense. Additional conditions may be applied as appropriate.

Rationale:

Members of the Office of Student Life frequently confront infractions which, in their view, require more than a warning but which do not warrant residence or disciplinary probation. This is especially true in the case of students who do not live in the residence. The new sanction would serve as a clear signal in such cases that any further violations could result in probation.

Members of the Committee:

Norman Campbell, PHP
Leo Carroll, SOC, Chairperson
Chet Hickox, MGT
Sandra Ketrow, SPE
Fritz Wensch, PHL
Thomas Dougan, ex officio