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Annual Report of the Faculty Senate Student Rights and Responsibilities Committee for 1993-94

University of Rhode Island Faculty Senate

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UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island
FACULTY SENATE
BILL

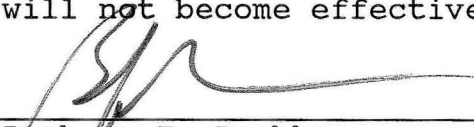
Adopted by the Faculty Senate

TO: President Robert L. Carothers

FROM: Chairperson of the Faculty Senate

1. The attached BILL, titled Annual Report of the Faculty Senate Student Rights and Responsibilities Committee for 1993-94, 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 May 12, 1994 (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 June 2, 1994, 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.

May 13, 1994
(date)



Barbara F. Luebke
Chairperson of the Faculty Senate

ENDORSEMENT

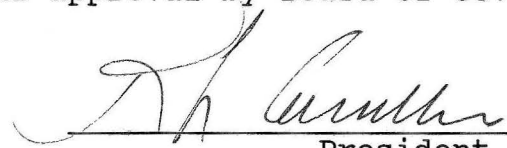
TO: Chairperson of the Faculty Senate

FROM: President of the University

Returned.

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

5/23/94
(date)



President

UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE

STUDENT RIGHTS AND RESPONSIBILITIES COMMITTEE ANNUAL REPORT 1993-94

INTRODUCTION:

This committee's charge (Faculty Senate By-Laws, 4.35-4.37) involves periodic review of the policies and operations of the student judicial system and the Student Handbook. The committee works in cooperation with the Director of the Office of Student Life (OSL), who serves as an ex officio member of the committee. During the current academic year, the Office of Student Life brought several agenda items to the committee for consideration. After considerable discussion, one of those items, the question of the use of the campus as a home confinement location was determined to be outside the purview of the committee charge and was withdrawn. Discussion of other items resulted in the following recommendations for senate approval.

RECOMMENDATIONS:

1. That the Faculty Senate amend section 9.20.10 of the UNIVERSITY MANUAL by deleting: "If a case is referred to the judicial system, it must be presented by the accuser." The revised section 9.20.10 would read:

9.20.10 Disciplinary Action may be implemented only through referral of violations to the Office of Student Life. Where infractions of University standards and policies are involved, reports of violations or complaints shall be submitted to the Office of Student Life from the campus police or local police departments, from other students, or from faculty and staff in a timely manner. In all cases, the available facts shall be gathered from the accuser (complainant or the reporting agency) and a careful evaluation of these facts, as well as of the dependability and character of the person reporting them, shall be made. If corroboration of the information presented is deemed necessary, further inquiry and investigation shall be undertaken. If, at this point, in the judgement of the Office of Student Life, there is insufficient evidence of a violation, or the case lacks merit, a decision not to refer the matter to the judicial system may be made. If the situation warrants it, the Director of Student Life may appoint special judicial boards in addition to regular boards described in sections 5.19.10 through 5.19.15 and 5.21.10 through 5.21.13. If a student withdraws or is academically dismissed while charges are pending, disciplinary procedures may continue at the discretion of the Director of Student Life. If a student completing degree requirements is accused of a suspendable or dismissable offense, his/her diploma may be held pending resolution of judicial action.

Rationale: Documentation is given to the hearing board by the administrator who writes the charge letter and the accuser serves as a witness in the case. A "presenter" or "prosecutor" is not necessary to the process, and increases the adversarial nature of the process.

2. That the Faculty Senate approve the addition of new section 9.30.10 Mediation to the UNIVERSITY MANUAL:

9.30.10 Mediation. When there is an apparent violation of community standards, the incident may be adjudicated through a formal mediation process if formal mediation is acceptable to all parties: (1) the individual(s) allegedly responsible for the violation; (2) the complainant (student, staff or department reporting the violation, and (3) the Office of Student Life. Mediation will be conducted by trained University staff member approved by the Office of Student Life. Mediation requires the cooperation of all parties to resolve a problem which results in a written document agreed to by all parties. The written agreement is kept on file in the Office of Student Life. Should Mediation fail to result in an agreement, or should a party fail to abide by an agreement, formal disciplinary proceedings will then be initiated.

Rationale: Mediation provides an alternative to full board hearings in cases which may be handled by simpler, less adversarial procedures.

Members of the Committee:

Clair Cheer (CHM) chair
Cheryl Foster (PHL)
Gail Shea (SOC)
Dana Shugar (ENG & WMS)
Lanny Soderberg (EDC)
Frances Cohen (OSL) ex officio
Eric Jania (Undergraduate Student)
Nichole Boothman Shephard (GSA)
Vicki Zeigler (Undergraduate Student)