

5-12-2005

Report of the Student Rights and Responsibilities Committee: Recommendations I and II

University of Rhode Island Faculty Senate

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Faculty Senate

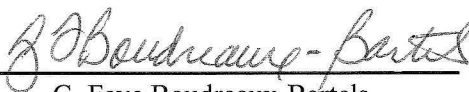
Serial Number #04-05--32

TO: President Robert L. Carothers

FROM: Chairperson of the Faculty Senate

1. The attached BILL, titled Report of the Student Rights and Responsibilities Committee: Recommendations I and II, 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, 2005.
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, 2005 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, 2005
(date)


G. Faye Boudreaux-Bartels
Chairperson of the Faculty Senate

ENDORSEMENT

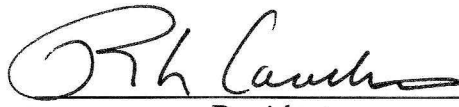
TO: Chairperson of the Faculty Senate

FROM: President of the University

Returned.

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

5/23/05
(date)


President



**REPORT OF THE STUDENT RIGHTS
AND RESPONSIBILITIES COMMITTEE
April 2005**

Background

Over the last two years, the Student Rights and Responsibilities Committee (SR&R) met frequently and with great commitment to revise Procedures for Cases of Violations of Community Standards of Behavior and University Policies as they appear in both the University Manual and the Student Handbook. Committee members included faculty members Leo Carroll, Chet Hickox, Barbara Luebke, and John Merrill; student members Michael Katz, Cristin Langworthy, Jesse Whitsitt Lynch, Kevin McCarthy, and Ryan Rabideau; staff members Joan Harrington, Maureen McDermott, with Dean of Students Fran Cohen serving as Chair.

Recommendations for changes came from students, Student Senate Committees, and staff. Consultants to the Committee were Lou Saccoccio, J.D., University Counsel, and Ed Stoner, J.D., higher education consultant and author of a "Model Student Conduct Code" published in the Journal of College and University Law (V31, No.1, 2004).

These changes have also been reviewed by Vice President for Student Affairs Tom Dougan.

Recommendations

The Student Rights and Responsibilities Committee recommends that the Faculty Senate approve the following changes to the UNIVERSITY MANUAL. The recommendations are divided into four parts:

- I. Recommendations that are primarily editorial.
- II. Recommendations on academic integrity supported unanimously by the Academic Standards and Calendar Committee
- III. Substantive recommendations on student conduct system.
- IV. Substantive Changes to Policy #86-1" Administrative Room Entry and Search Procedure

- I. The following 7 recommendations are primarily editorial: (Deleted language is indicated by strikethrough. New wording is underlined.)

9.21.15 Administrative Hearings shall be conducted (3) if a student requests an administrative hearing; and (4) if in the judgment of the Office of Student Life, ~~scheduling difficulties, time pressures, the seriousness of the case, and/or similar circumstances make an administrative hearing necessary and/or appropriate.~~ it is necessary to ensure that a hearing occurs in a timely fashion, to insure the health and safety of any of the participants or to insure an unbiased hearing.

Rationale: Refines description of circumstances for administrative hearings.

5.74.20 Hearing Panels..... Panel members shall be appointed from the Conduct Board members by the Office of Student Life. Faculty or staff who

have been Conduct Board members in the past and who are conversant with the current system may be asked to serve on individual hearing panels when a sufficient number of current Board members is not available.

Rationale: insures that hearing participants' knowledge is up to date.

9.21.21 Presence of Accused, Oaths, Burden of Proof, and Standards of Evidence Proof. The charging official and the chair of the panel will work to eliminate prejudicial and irrelevant information. If the charged student feels that this has not been done, he/she can add a written complaint or correction to the materials that are given to the hearing panel or officer. The panel shall rule on the admissibility of evidence. Unduly repetitious or irrelevant evidence may be excluded.

Rationale: Less legalistic; clearer responsibility for hearing content.

9.21.27 Continuance of Disciplinary Proceedings.If a student completing degree requirements is accused of an offense for which suspension or dismissal are appropriate penalties, his/her diploma may be withheld pending resolution of the conduct proceedings or during a period of suspension.

Rationale: Clarifies that diplomas may be withheld not only during conduct proceedings, but also during suspension.

9.21.31 Deferral of Proceedings. The staff of the Office of Student Life may defer conduct action at any stage of the process for a period not to exceed ninety calendar days when school is in session.

Rationale: Clarifies timing of deferral.

9.21.34 Conduct Records. All conduct records, such as complaint letters, correspondence, charge letters, decision letters, and hearing summaries, shall be considered confidential, and be maintained by the Office of Student Life for five six years after the date of the conduct action. Records of unresolved incidents shall be reviewed annually starting with the 5-year 6-year anniversary.

Rationale: Federal guidelines have changed from 5 to 6 years.

9.22.11 No Further Action. ~~When the student is found responsible for the violation(s), and the discussion with the hearing officer or the hearing before the appropriate panel has been sufficient in and of itself, further action may not be deemed necessary. However, the verdict is still noted in the student's record in the Office of Student Life.~~ In cases where the discussion with the administrative officer or the hearing before the appropriate student conduct board has been sufficient, the student will be notified that there is no further action necessary.

Rationale: Reflects current practice. Responsibility for a violation always carries a sanction, even if it is only a warning.

II. The second set of 2 recommendations has to do with academic integrity. Please note that the Academic Standards and Calendar Committee supported these proposed changes unanimously at its 3/31/05 meeting.

(New) **8.27.20** Students accused of academic dishonesty within the drop period may be denied the opportunity to drop the course. This requires

permission from the instructor's dean. If the accusation is not upheld in an appeal, the student will be given the same options available before the end of the drop period without penalty.

Rationale: Prevents students from dropping course to evade grade sanction for academic dishonesty.

~~8.27.20~~ 8.27.21....The Dean of Students shall notify the student's dean of subsequent infractions and may initiate conduct action against the student.

Rationale: Encourages uniform handling of repeat offenses across colleges.across colleges.