

## **MEMORANDUM**

June 7, 2007

**TO:** Dr. Patricia Telles-Irvin, Vice President for Student Affairs

**FR:** Prof. Kim Tanzer, Past Chair of the Faculty Senate  
Dr. Eugene L. Zdziarski, Dean of Students

**RE:** Student Conduct Code Review Committee - Final Report

### **STUDENT CONDUCT CODE COMMITTEE MEMBERSHIP AND PROCESS**

The Student Conduct Code Committee was convened by Dr. Patricia Telles-Irvin, Vice President for Student Affairs, in July 2006. Professor Kim Tanzer, Past Chair of the Faculty Senate and Dr. Gene Zdziarski, Dean of Students were appointed to co-chair the committee. Other committee members, named in the appendix, were appointed to represent the faculty, the student body, and the Division of Student Affairs. The committee's charge was to address the following matters:

- 1) The definitions of both academic and conduct violations
- 2) The processes by which an academic misconduct is heard
- 3) The processes by which a behavioral misconduct is heard
- 4) The possibility of streamlining these processes
- 5) Appropriateness of processes involving solely faculty or students

Three subcommittees were formed consistent with areas outlined in the committee's charge. The Definitions Subcommittee was chaired by Professor Maggie Temple-Smith, the Academic Honesty Subcommittee was chaired by Dr. Sid Dobrin and the Student Conduct Subcommittee was chaired by Dr. Stephen Hagen. Each of the subcommittee's sought to identify ways to streamline the process. The three subcommittees met numerous times throughout the 2006-07 academic year, and the committee as a whole was brought together several times to communicate and coordinate the groups overall efforts.

The committee sought broad input into its decision making process. An announcement concerning the committee and its interest in obtaining student input was made by Student Senate President, Josh Weiss at the October 17, 2006 Student Senate meeting. Dr. Zdziarski also sent a memorandum to all student senators and asked for their suggestions (see Appendix A). Senate

Chair Danaya Wright announced the formation of the committee at the October 18, 2006 Faculty Senate meeting and asked Senators to convey their suggestions to the committee. She followed this verbal request with a written letter sent to all faculty members. Professor Tanzer met with the Academic Policy Council of the Faculty Senate and communicated their concerns to the committee. From this input and that of committee members, many of whom have been involved in various aspects of the Student Conduct process, a series of recommendations were developed.

### **SUMMARY OF COMMITTEE'S FINDINGS & RECOMMENDATIONS**

Two primary concerns emerged as the committee investigated the current Student Conduct process, fairness and timeliness. Both concerns relate to multiple venues available to adjudicate student violations and the degree of unevenness that has crept into the processes over many years. Currently a number of venues are available to students accused of violating some aspect of the Student Conduct Code (e.g. administrative hearing, Student Conduct Committee, Student Honor Court, Health Science Center Student Conduct Committee, Law School Honor Committee, Greek Judicial Board). Each venue is comprised of different hearing authorities (faculty, staff, students), different jurisdictions, and different ideal and actual timelines. Significant discussion occurred around the number of venues and whether or not some of these venues should be combined or eliminated. Any venue without faculty representation was of significant concern. The Student Honor Court, which lacks faculty representation and, for pedagogical purposes models a criminal trial process, was repeatedly singled out as problematic. In addition, some venues are unnecessarily burdened with the minor offenses that do not require the rigors of that particular venue, overextending the qualified adjudicators and resulting in backlogs. A lack of appropriate recognition for those serving on various committees was expressed, and suggestions for providing such recognition are included.

The committee also did significant work to update and modernize the descriptions of the violations listed with in the Student Conduct Code. Many of the existing descriptions or definitions were broad in scope. The committee worked to narrow what it perceived to be as overly broad definitions and provide students with a clearer understanding of the University's expectations concerning their conduct and behavior. In addition, faculty members voiced concerns regarding the emergence of new technologies that facilitate unauthorized sharing of student work or invade individual privacy.

Specific recommendations to revise definitions of student conduct code violations and the streamlining and rebalancing of the Student Conduct Code adjudication process follow. Each recommendation includes a reference to the subcommittee(s) making the recommendations: (1)-Definitions, (2)-Academic Honesty, (3)-Student Conduct.

## RECOMMENDATIONS OF THE SUBCOMMITTEES

### Code Definitions

#### *Rename Student Judicial Affairs. (3)*

The “judicial” name incorrectly implies a courtroom atmosphere and legal procedure, rather than an educational function.

#### *Provide greater clarity and detail to code definitions. (1)*

While current definitions have been adequate, greater clarity and detail could be provided throughout the code to inform students of prohibited conduct and behavior.

#### *Narrow the scope of the overly broad definitions. (1)*

Current definitions such as “Actions committed with disregard to possible harm...” and “Acts of verbal and written abuse ...” are overly broad. Such definitions should be separated into more distinct elements such as physical abuse, sexual assault, harassment and sexual harassment.

#### *Consider addressing the Student Honor Code in the same regulation as the other Conduct Code guidelines. (1)*

It is important to have relevant definitions together in the same regulation as the text in which the defined terms appear if that is at all possible. It would be helpful to have all of these conduct code issues gathered up in the same regulation to reinforce the message that all provisions are part of the Conduct Code.

#### *Update “hazing” definition to be consistent with Florida Statutes. (1)*

Include additional provisions made part of recent hazing legislation.

#### *Include a separate provision for alcohol violations. (1)*

The current code reference laws pertaining to the use of alcohol and is subject to criminal definitions. The University should articulate its expectations related to alcohol use and consumption.

#### *Expand definition of disorderly conduct to include classroom disruptions. (1)*

The current code fails to address University expectations concerning classroom behavior.

#### *Revise the Student Honor Code and Student Conduct Code to account for emerging practices, especially those present through new technologies. (1)*

Because emerging technologies provide new opportunities for students to commit academic dishonesty and violate personal privacy, student codes need to address these practices and place the burden of compliance on students.

The code should state that a person in charge of an academic activity is entitled to assume that students will not use any material or resource on a test or examination that is not “expressly authorized”. In addition, students may not take any material or resource (device) into a test or examination unless its use was expressly authorized by the person in charge of the academic

activity. Further, unauthorized electronic recording of personal conversations, classes or other activities is prohibited.

*NOTE: Specific suggestions to revise University of Florida Regulations are included in Appendix B. Suggestions for the violations section of the regulations have already been incorporated into regulations changes proposed to the Board of Trustees this month.*

## **Venues**

*Adjudication of academic conduct cases should be limited to Faculty Adjudication, the Student Conduct Committee, the Health Science Center Student Conduct Committee or the Law School Honor Committee. (2, 3)*

Faculty input in academic conduct issues is essential to institutional integrity. Without such representation, many faculty do not report academic misconduct to the Dean of Students Office. Instead they may invent alternative, *ad hoc* procedures, which violate UF policy and do not benefit either the students or the institution.

*The College of Law Honor Committee should continue to hear cases specific to the Law School. (2)*

The committee found no specific concerns expressed about the current practice and given its history and tradition, felt it was appropriate to support the current committee practice. However, it was recommended that representation from outside of the College of Law should be added to this committee.

*Consider authorizing the Health Science Center Student Conduct Committee to conduct hearings for conduct code violations involving advanced students. (3)*

The Health Science Center consists of six colleges, sharing particular interests concerning professional standards and ethics in the conduct of their students. Professional conduct and medical privacy issues require special attention by informed committee members. The recommendation is that the HSC Student Conduct Committee should conduct hearings for HSC juniors, seniors, and graduate & professional students involving violations of the conduct code as well as the Honor Code. Representation from outside of the HSC should be added to this committee. Cases involving freshman and sophomore students would be heard by the main campus Student Conduct Committee as is the current practice.

## **Adjudicators**

*The Health Science Center Student Conduct Committee and the College of Law Honor Committee should include representation from outside of the Health Science Center and the Law School, respectively. (2)*

The addition of a representative from outside the college to these processes eliminates a perception of a closed system and will assist in maintaining a level of parity between the main campus and these professional school processes. Representatives could be drawn from existing groups of faculty currently involved in the hearing process.

*Add faculty representation to the Greek judicial board.* Currently Greek social fraternities and sororities are the only student organizations that have a separate hearing body for reviewing organizational violations. This committee is comprised students and does not include faculty or staff in the hearing process. All other student organization violations are heard by the student conduct committee which is comprised of students, faculty and staff. Faculty and staff are essential members of the University community and their input should be included in organizational conduct issues. The recommendation is to place at least one – and preferably more – faculty members on the Greek judicial board.

*Provide resources to provide incentive to faculty for consistent participation. (2)*  
Obtaining and maintaining faculty involvement in the conduct process is difficult. Consider providing appropriate incentives such as faculty release time to participate in the conduct process. The committee recognizes that the need for such incentives is not unique to this particular process, but encourages that it be addressed as part of the larger issue of faculty incentives.

*Promote and acknowledge the importance of student participation in the University of Florida Conduct Committee. (2)*  
Select student members based upon rigorous selection processes by the Dean of Students Office and give students titles that will indicate the importance of their work.

## **Process**

*Revise the Faculty Adjudication form. (2)*  
Update and revise the form to more clearly articulate the process, including faculty and student options in the process.

*The Health Science Center Student Conduct Committee should develop documents that clearly explain to students the conduct adjudication processes. (2)*  
Current documents do not specifically address the Health Science Center Student Conduct Committee. Separate brochures and literature should be developed to clearly explain to students how the process works within this particular venue. It is suggested that student conduct documents, forms, brochures etc. be developed with a consistent format and design that makes them readily identifiable as important University documents. These documents should not only address “what could happen”, but promote a proactive approach to academic honesty and student conduct issues.

*The Dean of Students Office should address timeliness of case scheduling. (2)*  
The Dean of Students Office needs to work with faculty members, academic departments and UPD to improve communication and coordination of case referrals and scheduling of academic conduct cases.

*Shorten timelines between charge letter and conduct hearing. (3)*  
Current procedure requires that the student schedule an informational meeting within 10 business days of date of the charge letter for an alleged violation. The recommendation is to shorten the

timeline by requiring the student to schedule the actual hearing (formal or informal) within 10 business days of the date of the charge letter.

*Hold conduct committee hearings only for more serious violations. (3)*

The Student Conduct Committee caseload is very high. Multiple committee hearings are scheduled each week, and cases may not be heard for more than a month due to scheduling. A number of the cases being heard by the committee are relatively minor cases that will not likely result in a student's suspension or expulsion from the University.

The recommendation is to revise regulations so that a full committee hearing process is reserved for major violations that could result in a student's suspension or expulsion from the University or violations of the Student Honor Code. Cases not meeting these standards could be heard as either formal or informal administrative hearings.

*Include with the charge letter more detailed written information on the conduct process. (3)*

Students indicated some difficulty in absorbing the information and understanding the choices available to them in the judicial process. The recommendation is to prepare a pamphlet or other materials to give practical information to students who are facing conduct charges, and include this material with the charge letter. The material could include a description of a typical conduct hearing. Let the student know what hearing options are available and why one or another option could be a better choice in different situations. Describe the format of a committee hearing and explain what kinds of documents, witnesses, or preparation might be useful or appropriate, when and how to raise questions or contest the allegation, etc.

## **Sanctions**

*Make available information on standard sanctions for common offenses. (3)*

The Dean of Students Office has detailed records of sanctions imposed for common conduct violations. These constitute community standards, although students and faculty are not necessarily aware of them. Students charged with violations should have a sense of what kind of outcome will occur if they are found responsible, and faculty should know the usual kinds of sanctions imposed for the most common dishonesty violations. The recommendation is to make this information available to the university community in general, and to charged students in particular. This information would clearly acknowledge that each case is decided on its own merits, and that students should not assume that they will receive a particular sanction.

*Add flexibility on expunging student conduct records. (3)*

At present, a student can request that a conduct violation be expunged during the final semester prior to graduation. Violations can be expunged only if the only sanction imposed was a written reprimand. The problems here are that (1) expunging the record in the final semester is probably too late to help students applying to graduate or professional school, and (2) many sanctions for minor violations involve an educational component in addition to the written reprimand. The recommendation is to give DSO staff greater discretion regarding the expungement of a record upon completion of the student's junior year at UF (particularly if the only sanction was a written

reprimand and educational requirement). Serious violations do not result in minor sanctions and therefore cannot be expunged.

### **Pro-active university-wide communication**

*Develop systems to more thoroughly educate faculty and students about the academic conduct judicial processes. (2)*

The Dean of Students Office should develop educational outreach programs to better inform faculty and students about the academic conduct process. Information could be shared with students during orientation as well as in-class presentation. In addition, judicial staff could meet with faculty in department meetings to review the process and respond to questions.

*Work to enhance and promote the reputation of the system across campus. (2)*

A marketing campaign should be developed to promote a greater sense of awareness and build a stronger campus commitment to academic integrity and the Student Honor Code.

*Consider establishing local representatives within colleges and larger departments to assist faculty in making decisions about and participating in academic conduct adjudication processes. (2)*

By establishing a representative in each college, faculty would have a local peer resource with whom they could utilize to review and discuss academic conduct issues. This person could serve as a liaison between the Dean of Students Office and the faculty and help to bring greater continuity.