

# FINAL: Meeting 03 (11/08/2023; 1:30 pm to 2:30 pm)

## Attendees

### 2023-24 Co-chairs

Bill Ramos, Public Health, [wramos@iu.edu](mailto:wramos@iu.edu)

Catherine Sherwood-Laughlin, Public Health, [csherwoo@iu.edu](mailto:csherwoo@iu.edu)

### Members: \* in attendance

Dacia Charlesworth, Kelley School of Business

\*Kristine Eaton, Indiana Institute for Disability and Community

Jane Ann Grogg, Optometry

John Moreland, Libraries

\*Alain Barker, Music

\*Richard Hardy, Biology

Christi Walton, Kelley School of Business

\*Maurice Shirley, Education

\*Cooper Tinsley, IU Student Government Representative

Chelsea Brinda GPSG Representative

\*David Daleke, VP Graduate Education (Ex officio)

\*Lamar Hylton, VP for Student Life (Ex officio)

\*Libby Spotts, Student Conduct (Ex officio)

\*Kathy Adams Riester, Associate Vice Provost and Dean of Students (Ex officio)

## Agenda:

### Welcome and Introductions

1. Approval of the 11/08/2023 Agenda, Motion to approve by Catherine Sherwood-Laughlin, second by Maurice Murray, Passed unanimously
2. Approval of October 18, 2023, Meeting Minutes (Tabled to December meeting)
3. Committee review of Academic Misconduct policy areas
4. Discussion: Fostering Student/Faculty connections (see email below)

### Academic Misconduct Policy Review

Continued discussion from the BFC to have the SAC review and submit changes to the BFC for Disciplinary Procedures for the [IUB Campus – A. Academic Misconduct](#), as well as additional areas in the procedures that may reference the academic misconduct process which would be impacted by a change in A. Academic Misconduct.

- **Establishing a clear distinction between which campus offices have the responsibility to hear graduate and undergraduate cases.**
- **Moving the graduate level cases from the VPFAA Office to the Dean of the Graduate School and VP of Graduate Education and Health Sciences Office.**

IUGS-Need a structure to hear cases, no reasons why IUGS couldn't do this, could use VPUE format/structure

OVPFAA- if remains in VPFAA, the language "designee" then the IUGS can be the "designee" currently designate to IUGS and/or VPUE- subject to change, e.g., staffing models change, conflict of interest- designee implies that other offices can hear cases than IUGS and UPUE

VPFAA is currently where the case lands, but the office can designate another office to handle the case, e.g., Graduate School- allows flexibility depending on the case and if the graduate student is an SAA or not.

Libby and Kathy suggested that the SAC consider changing the language from just the VPFAA as the sole responsibility campus office to facilitate the hearing, to VPFAA or their designee, which can be IUGS. Provides some flexibility by using “designee” than removing VPFAA completely from the process.

When presenting to BFC know that the designee is Grad School and the offices can be updated as necessary (as names of offices change)

“Subject to change”- add this to the new language

Libby discussed the procedural aspects of the change and will direct the student to the Grad School as the VPFAA designee.

If a designee cannot be identified- e.g. changes in staffing models, a new office emerges that is a better fit, designee implies there are reasons why other offices are hearing cases. Do not have to spell out in the code.

IUGS- David and Judah- will work out the details to develop a structure to replicate the process in the Undergraduate School.

Kathy and David indicated that Judah is in support of this move.

Bill said he will contact Judah to confirm and share the policy language changes the SAC is considering.

**Current language in the Code:** “The Office of the Vice Provost for Faculty and Academic Affairs or Vice Provost for Undergraduate Education convenes Campus Review Boards to hear two types of appeals for graduate and professional, and undergraduate students, respectively: first, a limited appeal by the student that a serious procedural error deprived the student of a full and fair opportunity to present their response to the misconduct charge; and second, an appeal by the student asserting that a university-wide sanction imposed by the Dean of Students and / or Designee is arbitrary or disproportionate.”

Revised language to be discussed/presented at the December meeting.

- **Reviewing the number of appeals, taking into specific consideration the length of time it can take a student to complete all appeal options.**

Is this related to procedural appeals?

Process isn't smooth, lengthy, cumbersome, expedite without taking away student's rights

At the faculty level- student can appeal sanction to specific office (OVPUE, VPFAA, etc.) within 7 business days.

2 prong process (after student appeals faculty sanction)- procedures to each prong

1. Prong- appeal to the finding of responsibility
2. Prong- appeal additional Dean sanction

All appeals are heard based on the “prong”- finding of responsibility and the sanction

Should we change to combining the prongs into one hearing/appeal?

All appeals- finding of responsibility and sanction, additional appeals to address responsibility and sanctions at the same time?

If priors- additional sanctions are assigned, can appeal warning, Limit reviews based on cases?

Case heard; appeal goes to the review board- review sanction only

Option to appeal the finding and the sanction at the same time.

Pro of current model- Sanction-Remains with academic unit- they know best- making the initial decision, providing due process for the student

Weakness- appeals process takes forever, confusing for students, opportunity to streamline for students and more friendly for faculty

If we move to a single procedure- procedure is more streamlined

Challenge- be creative recommend that each Academic Unit- hosts their own fairness committee- if appeals- staff from Conduct Office goes to hearing at academic unit? No appeal afterwards. Would reduce the timeline/process (Libby needs to talk to her staff about this approach) Don't want to give up control from the Academic Units

Ensure due process continues to exist for students, put the procedural appeal and sanction together (Cooper)

At the campus level- the board will have to explore the academic unit decision- may have unintended consequences- can the review board change the sanction at the academic unit level and then pose unintended consequences for the board, student, academic unit and faculty member?

Report submitted by faculty; staff determine if it can move forward, academic unit imposes the dean's sanction- can there be consistency among academic units? - this would remove review boards

Students are already involved at the academic level.

Libby idea- Conduct reviews case notes, makes recommendations based on the Dean of Students sanctions and the school/college imposes the sanction on the student and everything is handled at the unit level.

Kathy- concerned with consistency- Conduct office ensures consistency with sanctions, we would lose this at the School/Unit/College level, would require more training for faculty

Could eliminate review boards, academic unit review boards

Some universities have a model that all academic cases get shifted to one office- not sure we want to go this way or advocating for this model- but it's out there

Is there a benefit to having experts in misconduct- the outside perspective- benefit the review and support the rights of students? (Cooper). Agreed that there is a benefit to having experts/people with experience in academic misconduct at the campus level

Summary – is there a “sweet spot” to consider?

Current Procedure-

Academic Misconduct occurred, sanction by faculty at the unit/academic level- student can appeal at this level

2 level appeals- one for procedural and one for sanction

Change- Condense the 2<sup>nd</sup> and 3<sup>rd</sup> appeals (procedural and sanction into one appeal)

The condensed model will re-open the sanction at the academic/unit level, then requiring the board to determine if the faculty sanction was appropriate

Consider-

One appeal at the school level?

One appeal at the campus level?

Student can make an argument for a due process error at the academic level during the campus level hearing- for example:

If a faculty member never told the student about academic misconduct and never offered the student an opportunity to talk about the misconduct, the student could bring up at the campus level review the procedural error. Then to Conduct Office and 1 review board hearing. Student can make an appeal for a procedural process/error and student can take to the academic unit- but only make a change impacting 1-2 cases per year, not removing the procedural appeals, just combining the reasons for appeals

Shorten the timeframe-and not decrease the number of appeals? Cut out almost 30 days in the last revision (about a year ago)

Other ways to shorten the appeals timeline-

Having people ready to go year-round will help with the timeframe- keep looking at the administrative aspects

What types of cases should be heard and appealed, just reserve for suspension and expulsion- most severe cases? Are the academic and behavioral cases the same in terms of severity? Now, if a student has two pieces of misconduct- then there is separation from the university.

The timeline is concerning- this is the crux of the problem which is providing all of these mechanisms for due process, lengthy and too many students being harmed by the length.

Consider- appeal the finding and the sanction at the same time- but can be confusing for the student because they think they are appealing the finding, but that has already been determined to get to this point. Looking at the option of appealing the finding and option at the same time. Students are involved in the decisions reviewed in the Conduct Office. The SAC can consider how students are involved in review board level, or this hybrid level approach.

Current language in the Code:

**If Student Wishes to Appeal Faculty Decision/s**

A student may request a review of the faculty member's decision within 7 business days after receiving a faculty member's written report sent by the Dean of Students, by submitting a request in writing to the Academic Dean of the school or unit within which the offense occurred. A student may appeal a faculty member's decision on the basis of preponderance of the evidence not being met, alleged bias, due process error, or arbitrary/disproportionate outcome. The student's written appeal must include evidence supporting their reason for appeal. The Academic Dean reviews submitted appeals and can reject any appeal that does not allege lack of preponderance of the evidence, bias, due process error, or arbitrary/disproportionate outcome.

Academic Dean notifies Dean of Students that appeal received

Academic Dean discusses matter with both student and faculty member, either separately or together, at their discretion

If no resolution within 7 business days of concluding individual meetings with student and faculty member, case is considered by unit hearing board

**If Student Wishes to Appeal Dean of Students Sanction to Campus Review Board**

Scope: disproportionate sanction

Decision: uphold/overturn/modify

Student submits written request for appeal within 7 business days of receipt of Dean of Students decision to Vice Provost for Faculty and Academic Affairs or Vice Provost for Undergraduate Education

Campus Review Board considers whether sanction is warranted - may uphold or impose lesser sanction

Decision is final

Revised Language will be discussed at the December meeting.

- **Reviewing the size of the campus board of review for each case. Specifically considering the time and coordination to establish a board and how that may contribute to delays in the process for the student.**

No discussion

- **Establish a process for summer.**

No discussion

- **Explore if student members could extend beyond the groups identified in the procedures if trained appropriately.**

No discussion

### Fostering Student/Faculty Connections

Emails to Bill and Catherine:

**From:** Belle, Nicky <[nbelle@indiana.edu](mailto:nbelle@indiana.edu)>

Sent: Wednesday, November 1, 2023 3:34 PM

**To:** Ramos, William Dominic <[wramos@indiana.edu](mailto:wramos@indiana.edu)>; Sherwood-Laughlin, Catherine M. <[csherwoo@indiana.edu](mailto:csherwoo@indiana.edu)>

**Subject:** BFC Student Affairs Committee

Hi Bill and Catherine,

I work with student engagement in the Student Involvement & Leadership Center, and a big piece of my job is to build out a Second Year Experience program. I've spent a lot of time looking at NSSE data, and we spend a lot of time speaking with second-year students, and we continue to see and hear that the frequency and quality of interactions between students and faculty are declining over their time at IU. I think this is something that we've all seen.

So as our office is thinking about ways to improve that interaction – and it may be that students now need to learn the ways to interact with others, particularly adults – I wanted to check in with the BFC to see if this is something you all are talking about and to see what ways our office can best support your efforts.

I'd love to find an opportunity to talk more about this with you.

Thanks!

Nicky

**Nicky Belle, Ph.D.**

Associate Director

Student Involvement & Leadership Center

**From:** Belle, Nicky <[nbelle@indiana.edu](mailto:nbelle@indiana.edu)>

Sent: Wednesday, November 8, 2023 2:53 PM

**To:** Ramos, William Dominic <[wramos@indiana.edu](mailto:wramos@indiana.edu)>; Sherwood-Laughlin, Catherine M. <[csherwoo@indiana.edu](mailto:csherwoo@indiana.edu)>

**Subject:** RE: BFC Student Affairs Committee

Hi again,

Dabbling in the data again today.

If we want to address the quality of interaction with academic advisors and work on improving that, where does that work begin? Is that something that is managed by each of the individual schools? Aside from UD, I don't think there is a central place where academic advisors are connected, right?

Nicky

**Nicky Belle, Ph.D.**

### **Discussion:**

Bill followed up with Nicky and invited him to attend our January meeting and passed along the SAC concern that in the email from Nicky on 11/1/23, the comment *"the ways to interact with others,*

*particularly adults*". The concern was that perhaps we don't currently see our students as adults as well?

Catherine referred Nicky to Daniel Turner ([turnerdj@iu.edu](mailto:turnerdj@iu.edu)) Assistant Vice Provost for Undergraduate Education and Executive Director of Advising, OVPUE, SIT, UD

### Tasks

Libby and her staff will meet with Bill and Catherine to review SAC notes/discussions about the revisions to the Academic Misconduct policy changes (met on 11/16/23)

Bill and Catherine will follow up with Nicky with the date and time of the January meeting.

Catherine will send a doodle poll to the SAC committee to schedule Spring 2024 meeting dates.