Meeting Synopsis:

1. Call to order
2. Review of the minutes from October 3rd, 2017
3. Update on Medical Leave Policy – Bree Callahan, Ellen Taylor
4. Update on Advisory Council on Student Conduct – Theo Myhre, Amanda Paye
5. Chair’s Report
6. Good of the order
7. Adjourn

1) Call to order
The meeting was called to order at 1:30 p.m.

2) Review of the minutes from October 3rd, 2017
The minutes from October 3rd, 2017 were approved as written.

3) Update on Medical Leave Policy – Bree Callahan, Ellen Taylor

Ellen Taylor (Associate Vice-President, Student Life) and Bree Callahan (Director, Disability Resources for Students) were present to update on a new initiative to develop a UW Medical Leave Policy for undergraduate students. A memo on the initiative was shown as part of the presentation (Exhibit 1). The document included a background summary statement on the initiative:

“The University of Washington is participating in the JED Foundation’s Campus Program the JED Foundation helps institutions evaluate and strengthen their mental health, substance abuse and suicide prevention programs and systems to safeguard individual and community health. Through the JED Campus Framework, a review of policies highlighted a potential gap in service to students experiencing mental health concerns. This lack of policy was also surfaced by a recent ADA compliance review undertaken voluntarily by the institution. Specifically the gap identified was the lack of a voluntary and involuntary medical leave policy to help students take leaves of absence from the University” (Exhibit 1).

Callahan explained public forums have been held for university stakeholders to voice questions and inform on development of a policy. It was noted a first draft of the Medical Leave Policy should be completed by the end of January, 2018.

There was some discussion. Medical leave was defined as student leave for a medical reason (e.g. mental health) and for a predetermined extended period of time with a planned return. Currently, there are mechanisms for UW students to take up to two quarters off from academic responsibilities, but little institutional support to facilitate their successful return. It was clarified a graduate student policy is not
being developed currently, but that initiative may follow development of an undergraduate Medical Leave Policy.

It was further clarified that the Policy will strive to address students leaving the university mid-quarter as well as the many nuances associated with taking leave during an active quarter. One initial idea is for university staff persons to be assigned to work with students desiring to take leave on an individual basis. It was noted competitive academic programs are especially difficult for students to leave and return to, and the Policy is intended to help students navigate those difficulties and to provide a “safety net” for them. It was noted there are additional nuances associated with international students or students with visa status. A member questioned if students would be able to take leave under the Policy to care for a family member (family leave). It was noted that is being considered as part of the Policy.

After a question, it was clarified it is too early in the initiative for FCSA to contribute meaningful feedback on specific questions, though Taylor explained questions that do arise can be compiled in a document and sent to the council once the Policy has been developed further. Callahan noted it would be especially useful to have knowledge of specific UW programs wherein there may be limitations in implementing a Medical Leave Policy.

The guests were thanked for presenting and they left the meeting.

4) Update on Advisory Council on Student Conduct – Theo Myhre, Amanda Paye

Laws explained substantive revisions of the UW Student Conduct Code (both locally at the institutional level and within the Washington Administrative Code) were implemented during the previous academic year with significant involvement by the FCSA, and one of the conditions included at that time was the creation of an “advisory committee” to provide status reports to FCSA and the President on the implementation of the revised code and student conduct policies. Amanda Paye (Chief Strategy Officer) was present to update on the work of the Advisory Committee on the Student Conduct Code. She used two handouts as part of her presentation (Exhibit 2) (Exhibit 3).

Paye explained a new staff position was created to assist the Advisory Committee chair with eliciting feedback from those involved in conduct proceedings, schedule meetings, and conduct recordkeeping with the title “Review Coordinator.” She explained she is currently filling this role for the time being and noted the Advisory Committee plans to report more regularly to the FCSA than to the President’s Office, who will likely receive an annual report.

Paye noted the Committee’s membership is robust (Exhibit 2), and the body is mainly considering nuances within the revised Student Conduct Code policies that were previously undescribed. She explained the Advisory Committee does not make decisions by vote, but instead forwards any issue debated without consensus to the FCSA for deliberation. She clarified the Advisory Committee also provides a venue for clarifying documentation (on the Student Conduct Code) to be housed within.

Question to be considered by FCSA

Paye explained students appointed to the role of “Reviewing Officer” under the revised SCC must be in “good standing” in order to be considered. She explained one immediate question for council feedback relates to this condition, as “good standing” for students at the UW is yet to be formally defined. Laws explained this is a timely matter, as students will be staffed for the appeal process in the coming
months. He explained the definition currently in use for “good standing” is “students who are not on academic probation.” He asked for feedback from members. There was a clarification that academic probation only extends to academic matters, and so student conduct infractions would not bar a student from acting as a “Reviewing Officer.” It was clarified there are mandatory training modules for students who serve in Student Conduct Code proceedings as “Reviewing Officers,” after a question.

There was some brief discussion. A member recommended that a student on disciplinary probation not be able to serve as “Reviewing Officer,” though, she noted a student formally on disciplinary probation who has returned to good standing should be able to serve. Another member commented she is uncomfortable with a barrier to participation (in serving as a “Reviewing Officer”) being Grade Point Average, as it seems inequitable. Paye clarified this standard is designed to protect students on academic probation, as they are encouraged to focus on academics while under that status.

Paye explained she would return in a future meeting to discuss the good standing question. Laws asked members to consider the question, as the council should be prepared to come to a formal definition in its December meeting.

Following discussion, a member requested there be clear documentation explaining the relationship between the FCSA, the Advisory Committee on Student Conduct Code, and the student conduct process itself (i.e. an organizational chart). Paye noted she would develop a document like that and bring it back to the FCSA for review.

Members thanked Paye for presenting, and she left the meeting.

5) Chair’s Report

Medical excuse note policy before FCAS

Laws explained he and Hall Health Director, Mark Jenkins, would be joining the next meeting of the Faculty Council on Academic Standards (FCAS) to give a presentation to that body on the need for a “medical excuse note policy” at the UW and ask that body to devise a related policy. He explained he would report back on that conversation in the next FCSA meeting.

Ad hoc subcommittee on athletics

Laws noted Frank Hodge (Faculty Athletic Representative) is scheduled to attend the December FCSA meeting to give a status report on UW’s athletic programs. Laws noted he would like to provide Hodge with specific areas of concern/interest to members related to UW athletics before his arrival in the meeting. A subcommittee of members was formed to develop some questions for Hodge to consider. Members of the subcommittee included Barker, Trilles, Soomru, and Nakamura.

6) Good of the order

The council thanked Doug Brock for his service on the FCSA, as he noted he plans to retire following the end of fall quarter (2017).

7) Adjourn
The meeting was adjourned at 3:00 p.m.

Minutes by Joey Burgess, jmbg@uw.edu, council support analyst

Present: Faculty: Ann Culligan, Chris Laws (chair), Christopher Campbell, Doug Brock, Jasmine Bryant, Mabel Ezeonwu, Bruce Hevly, Holly Barker
Ex-officio reps: Aileen Trilles, Navid Azodi, Sumire Nakamura, Arwa Dubad, Carolyn Martin
Guests: Ellen Taylor, Bree Callahan, Amanda Paye

Absent: Faculty: N/A
Ex-officio reps: Warisha Soomru
President’s designee: Lincoln Johnson

Exhibits
Exhibit 1 – Medical Leave Policy Voluntary and Involuntary.pdf
Exhibit 2 – 17-10-11_Advisory_Committee_Charter.doc
Exhibit 3 – 17-10-31 Highlights of the code revision-rev.doc
Medical Leave Policy (Voluntary and Involuntary)

The University of Washington is participating in the JED Foundation’s Campus Program the JED Foundation helps institutions evaluate and strengthen their mental health, substance abuse and suicide prevention programs and systems to safeguard individual and community health. Through the JED Campus Framework a review of policies highlighted a potential gap in service to students experiencing mental health concerns. This lack of policy was also surfaced by a recent ADA compliance review undertaken voluntarily by the institution. Specifically the gap identified was the lack of a voluntary and involuntary medical leave policy to help students take leaves of absence from the University.

<table>
<thead>
<tr>
<th>Team Name</th>
<th>Medical Leave Policy (Voluntary and Involuntary)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Commissioned</td>
<td>September 2016 by the JED Foundation</td>
</tr>
<tr>
<td>Team Members</td>
<td>Bree Callahan, Linda Anderson, Megan Kennedy, Elizabeth Lewis</td>
</tr>
<tr>
<td>Team Charge</td>
<td>This team is charged with gathering descriptive information that reveals current UW programs and services in support of students with mental health and medical concerns that need to take leave of absence from the institution. The team will draft policies for university level implementation.</td>
</tr>
<tr>
<td>Draft Deliverables</td>
<td>Identify policies, practices and programs with which students either are required to take a leave, such as suspension or voluntarily take a leave, such as stop outs. Identify gaps in services to students, such as requesting hardship withdrawal retroactively, rather than being able to take a leave proactively. Compile a descriptive list of best and emerging practices as reflected in what other like institutions offer regarding voluntary and involuntary medical leave. Draft two to three potential frameworks that the UW should consider in order to effectively leverage resources and provide the best services and programs for students needing medical leave. Connect groups currently working with students regarding withdrawals, leaves, and readmission to the institution to ensure fair and equitable process for all students. Draft policy for Medical Leave and Involuntary medical leave that is outside of the student conduct process and values the worth and dignity of all students and insures adequate due process.</td>
</tr>
<tr>
<td>Project Completion Date</td>
<td>September 2017 Draft of Policies to institutional stake holders</td>
</tr>
</tbody>
</table>
University of Washington
Advisory Committee on Student Conduct

Charter

Purpose

The Advisory Committee on Student Conduct is charged and authorized with reviewing and evaluating conduct processes and outcomes and making recommendations to the Faculty Council on Student Affairs for potential revisions to policies and procedures and will provide an annual report to the President.

Guiding Principles

The committee’s work will be guided by the following principles:

- Foster a system that optimizes the overall climate for our students across our three campuses who are involved in conduct matters (process must be compliant, fair, impartial, and equitable, trauma-informed, and student centered);
- When needed, seek and utilize legal advice regarding the intersection and complexity of applicable state and federal laws, regulations, and guidance; and
- Address and if necessary elevate unresolved issues and barriers.

Scope

The scope of the Advisory Committee includes:

1. Eliciting feedback on process improvements within conduct proceedings from those involved in conducting proceedings at each stage (fact finding, full hearings, and administrative reviews);
2. Identifying and reviewing data relating to outcomes of conduct proceedings for the purpose of identifying process improvements; and
3. Evaluating whether and how recommended improvements can be made and implemented, such as through revising or developing policies, templates, and/or web content.

Because it is an advisory committee, members do not vote; instead, when recommendations are made to the FCSA, any conflicting opinions or alternative options will be documented for that committee’s consideration.

Chair

The committee is chaired by a faculty representative nominated by the Faculty Council on Student Affairs and approved by the Faculty Senate.

Membership

The President appoints as members representatives of offices and roles within all stages of student conduct proceedings. These include:

1. Faculty Chair appointed by Faculty Senate
2. Representative from Faculty Council on Students Affairs
3. Associate Vice President for Student Life, UWS
4. Executive Director, Compliance Services
5. Assistant Dean for Student Affairs, UWB

* Students appointed by student governance and can be a student appointed to FCSA.
Rev. 10/11/2017
University of Washington
Advisory Committee on Student Conduct

Charter

6. Vice Chancellor for Student and Enrollment Services, UWT
7. Conduct Officer, Community Standards and Student Conduct, UWS
8. Conduct Officer, Residential Life & Student Conduct, UWB
9. Conduct Officer, Student and Enrollment Services, UWT
10. Conduct Officer, Title IX Investigation Office
11. Hearing Coordinator
12. Review Coordinator
13. Reviewing Officer
14. Reviewing Officer
15. Academic Dean from a school or college (that acts as a conduct officer)
16. Representative from the Diversity Council
17. UWT student*
18. UWB student*
19. UWS student*
20. GPSS student*
21. Assistant Attorney General (legal advisor)

Given the importance of continuity in the work of the committee, once appointed, members may not have a substitute attend a meeting in their place; instead, members may provide any suggested agenda items to the Chair in advance of a meeting they cannot attend.

Coordinator

The Review Coordinator will provide support to the Chair in facilitating the Advisory Committee, including assisting with eliciting feedback from those involved in conduct proceedings, scheduling meetings, and recordkeeping.

Meetings

To initiate the Advisory Committee, a convening meeting will be held in October 2017. Following that convening meeting, the committee will meet at least once per quarter beginning in Autumn Quarter 2017. Meetings will not be recorded, but a written summary of each meeting will be created with any identified action items. Efforts will be made to utilize an on-line platform for attendance at meetings.

* Students appointed by student governance and can be a student appointed to FCSA.

Rev. 10/11/2017
New Student Conduct Code and Proceedings

Allegations

Fact finding by Conduct Officer

Full Hearing (if initiated)

Initial Order

Request for Admin Review?

Yes

Administrative Review
Chapter 209 – Faculty and Students
Chapter 210 – Faculty only

Remand?

Yes

No

Final Order

No

Final Order

In proceedings under Chapter 210, the complainant is provided with equitable rights throughout.

Student Conduct Advisory Committee
October 31, 2017
## Highlights of Changes

### Companion Policies

The University simultaneously withdrew its prior student conduct code and replaced it with Chapter 478-121 Washington Administrative Code. At the same time, the University also created companion University policies, Chapters 209 and 210 Student Governance and Policies, to provide further interpretation and clarification. The policies encompass the provisions of WAC 478-121 so that they are stand-alone documents.

### One Fact Finding Stage

There are no longer potentially two independent fact finding stages; in other words where a conduct officer issues an initial order which can be appealed to a board or committee that engages in an independent fact finding and issues a second initial order. The Faculty Appeal Board, University Disciplinary Committees, and Title IX Panel, which in the past played an independent fact finding role if a student requested a hearing, have been eliminated. Faculty (and students) will continue to play an important role in completing administrative reviews (see below).

### Option for Full Hearing

Consistent with recent Washington State case law, a full adjudicative proceeding (referred to as a “full hearing” in the code) with additional procedures is provided when the issues and interests warrant it, such as when a student faces dismissal or suspension or has been charged with a felony offense related to the alleged conduct under Washington State criminal code.

While engaging in fact finding, if a conduct officer determines that suspension or dismissal may be warranted or one of the other factors noted in the new code are present, the conduct officer will initiate a full hearing. All of the conduct officer’s investigation to date in the fact finding becomes part of the record for the full hearing, so none of that effort is wasted and it reduces the necessity for those involved to fully repeat their stories at the hearing.

### Single Hearing Officer

A full hearing will be presided over by one hearing officer, who will be an individual experienced in administrative procedure. Utilizing a single decision maker will not only make scheduling much easier than scheduling a panel, but will also facilitate the pre-hearing process with having a single person make decisions regarding admissible evidence for the hearing.

### Faculty-led Administrative Review

Faculty are utilized in their preferred role as reviewers of adjudicative proceedings through the administrative review process, an essential checks and balances responsibility. The faculty-led administrative review process will serve as the University’s internal appeal option for a party to a conduct proceeding. Students will also be utilized as reviewing officers in proceedings under Chapter 209. In most circumstances, the administrative review is a “paper” review of the record of the fact finding.

### No Automatic Review

There is no longer an “automatic” administrative review for matters where exceptional circumstances exist; instead, it is incumbent on the respondent (and/or complainant in proceedings under Chapter 210) to request an administrative review. This provides those involved in conduct proceedings with a meaningful opportunity to request review while facilitating both considered and timely outcomes.