November 20, 2012

President William Powers, Jr.
The University of Texas at Austin
MAI 400
Campus Mail Code: G3400

Dear President Powers:

For your information, at yesterday’s Faculty Council meeting, the Council endorsed the enclosed draft of the Report of the Dean of Student’s Task Force on Student Conduct Board (D 10106-10108).

Please let me know if you have questions or concerns regarding this matter.

Sincerely,

Sue Alexander Greninger, Secretary
The General Faculty and Faculty Council

SAG:dlr

Enclosure

xc: Steven Leslie, provost
   Charles Roeckle, deputy to the president

Electronic copies via email:
   Martha Hilley, chair, Faculty Council
   Hillary Hart, chair elect, Faculty Council
DOCUMENTS OF THE GENERAL FACULTY

DRAFT

Report of the Dean of Student's Task Force on the Student Conduct Board

Introduction
The discipline process for academic integrity violations at the University of Texas at Austin, as presently structured, requires that if a student chooses to dispute the finding(s) of an academic integrity violation(s) by the dean of students ("DoS") staff person, the matter will go to a University hearing presided over by a Hearing Officer, a faculty or staff person appointed by the president. In May 2012, the Presidential Task Force on the Honor Code and Student Judicial Process recommended the creation of "an Honor Board option to hear allegations of academic integrity." At the same time, the Board of Regents revised the Regents' Rules and Regulations, Series 50101. The new rule now requires that institutions adopt student conduct rules and regulations in accordance with a Model Policy developed by the Office of the General Counsel of the University of Texas System. The new Model Policy allows for the creation of the proposed Honor Board.

The Presidential Task Force believed that an Honor Board hearing option would increase student involvement in the judicial process for academic integrity cases. More student involvement in the process would create a greater sense of community among students and would give students the responsibility to uphold the Honor Code. In addition, in response to a questionnaire from Student Judicial Services, 60 percent of students questioned would choose a hearing by their peers if that option were available. Report of the Presidential Task Force on the Honor Code and Student Judicial Process, May 29, 2012, at 19-20.

The report contained recommendations and comments about the structure and composition of the Honor Board. The DoS was delegated the task of determining the composition and implementation of the Honor Board. In response, the DoS appointed the following members to Dean of Student's Task Force on the Student Conduct Board:

Chair
Whitney Langston, Chair, Student Conduct Advisory Committee

Members
Bianca Cusimano, Dean of Students Graduate Assistant
Keara DeKay, Dean of Students Graduate Assistant
Dr. Hillary Hart, Chair-elect, Faculty Council
Dr. Latoya Hill, Associate Dean of Students
Michael Morton, President, Senate of College Councils
Xingchen Pan, International Student Representative
Michael Redding, President, Graduate Student Assembly
Paul Schweitzer, Alumni Representative
Dr. John Traphegan, Faculty Representative (member until October, 2012)
Gayle Vickers, Staff, Dean of Students

Ex Officio
Dr. Soncia Reagins-Lilly, Dean of Students

The structure and procedures of the Honor Board as determined by the DoS Task Force and outlined in this report will be incorporated into Chapter 11 of the General Information catalog, Appendix C ("Institutional Rules"). This report, together with the Institutional Rules, will guide the staff of the DoS in its implementation of the Honor Board.

The Task Force met several times and in accordance with the Report of the Presidential Task Force on the Honor Code and Student Judicial Process and the new Model Policy promulgated by the Office of the General Counsel of the UT System outlined the structure and composition of the Honor Board.
Structure and Composition
The name of the Honor Board is Student Conduct Board ("SCB"). The SCB will conduct hearings of academic integrity violations only and is an alternative to a hearing before a Hearing Officer.

The SCB is composed of 30 persons - 24 enrolled students and six faculty/staff members. Members will be recruited from all undergraduate classifications (freshmen, sophomores, juniors, and seniors), and from all colleges and schools, including the graduate and professional schools. Diversity is a goal. A hearing panel that hears a matter concerning a graduate student or professional school student shall be composed of at least one graduate student or professional school student, respectively. The chair of the SCB must be a student and shall be appointed by the vice president for Student Affairs. The chair of the SCB will receive a modest stipend, the amount to be determined later.

Selection
Student members of the SCB will be required to submit an application and a recommendation from a faculty and/or staff member to a selection committee not affiliated with the DoS. Also required will be an interview with the selection committee. The president will appoint the members upon the recommendation of the selection committee. The DoS will prepare the application form to be used. Executive officers of any LSO (Senate of College Councils, Graduate Student Assembly, or Student Government) may not serve on the SCB.

Faculty and/or staff members will be selected in the same manner that hearing officers are currently selected. Faculty and/or staff persons are expected to fully participate. There will be separate pool of hearing officers that will be assigned to hear matters when the student chooses a hearing before a hearing officer and not before the SCB.

Terms of Office
Members of the SCB will serve for two years. For the first appointments, half will be appointed for an initial term of one year and half appointed to an initial term of two years; after that two year terms for all. There is no limit to the number of terms a member may serve.

Confidentiality
SCB proceedings are confidential in accordance with the Institutional Rules and state and federal law. Members of the SCB will be required to sign an oath as suggested below:

I do solemnly swear (or affirm) that I will faithfully execute my duties as a member of the Student Conduct Board of the University of Texas at Austin as required by the University’s Institutional Rules. I further solemnly swear (or affirm) that I will keep secret all such matters that come to my knowledge as a member of the Student Conduct Board.

Training
All SCB members will be trained at the beginning of each academic year and as needed throughout the year. DoS staff will write the curriculum and conduct the training. Confidentiality and media policy will be emphasized in the training. Note: A member of the SCB who receives a request for information concerning a pending or closed matter before the SCB shall refer the requestor to the office of the DoS.

Removal
A member of the SCB may be removed for good cause. Good cause may be, but is not limited to, breach of confidentiality or neglect of SCB duties, i.e. failure to appear at hearing or failure to complete a hearing report. The president has the authority to remove any SCB member.

General Procedures
The SCB will act through panels appointed ad hoc by the chair of the SCB to conduct hearings. Panels will be composed of five members, four students and one faculty/staff member, plus two alternates, one student and one faculty/staff member. The foreperson of the panel must be a student and shall be elected by a majority vote of the members of the panel.
A quorum is the entire panel – thus the need for two alternates – and there must be at least one faculty member present. The alternates must stay unless dismissed by the panel foreperson. Alternates may not participate in deliberations or vote, unless they are substituted for a member who is unable to attend or is unable to complete his or her service on the panel. An alternate may not vote or deliberate unless he or she has been present at the entire hearing.

The student to be heard or the DoS has the right to challenge any member of the SCB for a lack of impartiality. The names of the entire SCB will be included in the notice of hearing sent to the student in accordance with the General Information catalog, Appendix C ("Institutional Rules") Sec. 11-603. The objection must be submitted to the chair of the SCB at least three days before the hearing. At the discretion of the chair of the SCB or the foreperson of the panel assigned to hear the matter, the panel member may be removed and replaced with another member of the SCB. If the panel has already been appointed, the alternate will serve.

SCB members will recuse themselves in any situation where they would be unable to make a fair and impartial decision because of interest or prejudice. Generally grounds for recusal include: 1) impartiality might reasonably be questioned; 2) bias or prejudice; 3) panel member has personal knowledge of a disputed fact; or 4) a panel member (or a spouse or relative) is a material witness in the matter. Upon recusal, another SCB member will be assigned to the panel or, if the panel has already been appointed, the alternate will serve.

Implementation
The Institutional Rules will be amended to incorporate the SCB. The DoS will draft the changes to the Institutional Rules with input from this task force.

After the rule changes are promulgated, the application process will begin, approximately March 1, 2013 with a deadline of April 1, 2013. Selections and appointments will be made in May 2013. Initial training will occur in the summer or fall of 2013 and the SCB will begin hearing matters in the fall of 2013.

Reporting
The chair of the SCB will prepare (with the assistance of the DoS staff) a report to the President’s Office of the activities and functions of the SCB for the purpose of evaluating its operations and effectiveness in meeting the needs of the university and its students, faculty and staff. The Task Force recommended that the review occur three years after the implementation of the SCB.