University of Washington
Faculty Council on Student Affairs
October 6, 2020
1:30 p.m. – 3:00 p.m.
Zoom

Meeting Synopsis:

1. Call to order
2. Review of the minutes from June 2, 2020
3. Chair’s Welcome and Charge Letter Review
4. Medical Excuse Note Legislation – Vote for Nov SEC
5. Update from the Advisory Council on Student Conduct – Andrea Carroll
6. Good of the order
7. Adjourn

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1. Call to order

The meeting was called to order at 1:32 pm.

2. Review of the minutes from June 2, 2020

The minutes from June 2, 2020 were approved as written.

3. Chair’s Welcome and Charge Letter Review

Chair Culligan started the meeting with council member introductions.

The council reviewed the 2020-2021 charge letter and asked the council to discuss additional topics of interest which FCSA could address. Safe Campus has many immediate issues to focus on, including the mental, physical, and sexual wellbeing of students. There are additional concerns with balancing compliance, particularly with the Department of Education Title IX policies with UW’s existing codes. The council will also investigate student conduct in a remote environment and consider what the future will look like when we return to campus. A member noted there has been concern from their faculty about academic integrity in online settings. FCSA will collaborate with the Faculty Council on Multicultural Affairs and other stakeholders for a responsive plan to address student concerns about equity and racial diversity. Chair Culligan noted the council could use another representative on the ACIA. A few members noted their interest and will reach out to the chair for more information.

4. Medical Excuse Note Legislation – Vote for Nov SEC
The council previously voted to approve this legislation, but it fell to the floor due to COVID-19. The new council membership must vote on this legislation to bring before the SEC. Chair Culligan introduced the document for council member review. A council member asked if there have been any conversations on the changes since this document was written but no other councils or leadership have discussed this.

The council voted to approve this legislation.

5. **Update from the Advisory Council on Student Conduct – Andrea Carroll**

Andrea Carroll gave an overview of the Advisory Committee on Student Conduct (ACSC) and an update of work from the Spring 2020. ACSC meets quarterly with faculty and staff members from all 3 campuses. ACSC spent much of last year reviewing the numbers and types of cases being processed through the student conduct offices and reviewing the student conduct policies and processes. The student conduct offices have been working on a program to provide a more educational approach to student conduct to help students better understand the student conduct process and their role in it. The student conduct offices are sending messages to first-year programs for new students. The committee also helped review Title IX documents for the Department of Education 2020 policy changes. They are currently working to get ready for Fall 2020 student and faculty support, particularly during this health pandemic and political climate.

6. **Good of the order**

A member noted the next council meeting is on Election Day. They would like to be alerted of any departments in schools or colleges which are doing things related to the day of or before election day – programs related to community impact of elections rather than ‘get out the vote’.

Another member noted the diversity council has met and a similar topic was brought up. These programs are localized by colleges; the college of social work has put together a comprehensive action plan on how to respond in classes and how to be present for students and how to support faculty and staff. The College of Built Environments messaged faculty to prepare for elections and has set time afterwards for community discussions. The Kelly Ethnic Center is also doing much lead-up to election day.

Another member asked about encouraging student engagement. They would like to increase student representation from all 3 campuses.

Chair Culligan encouraged members to advertise FCSA to other faculty and student volunteers on their respective campuses.

7. **Adjourn**

The meeting was adjourned at 2:45 pm.
Minutes by Alexandra Portillo, faculty council analyst, xanport@uw.edu

Present:  
Faculty Code Section 21-61 A: Ann Culligan (chair), Clark Musselman, Caley Cook, Andrea Carroll, Gail Joseph, Chris Campbell, Kivanc Dincer, Dean Heerwagen, Selma Powell  
Faculty Code Section 21-61 B: Jonathan Franklin, Alece Stancin  
President’s designee: Lincoln Johnson

Absent:  
Faculty Code Section 21-61 B: Kat Eli

Exhibits

Exhibit 1 - FCSA 2020-2021 charge letter  
Exhibit 2 - Class B Medical Excuse Notes - DRAFT  
Exhibit 3 - 2017-20 Advisory Committee on Student Conduct Report Final
October 19, 2020

Ann Culligan
Chair, Faculty Council on Student Affairs

Dear Professor Culligan,

The Faculty Council on Student Affairs is charged with “responsibility for all matters of policy relating to non-academic student affairs such as financial aid, housing, regulation of social affairs, eligibility rules, intercollegiate athletics, and general student welfare” (Faculty Code, Sec 42-38). Activities historically performed include addressing a prioritized list of student-related concerns, inquiries, and interests in council meetings, especially by way of inviting key administrators and stakeholders to provide supplementary information and to receive faculty and student feedback on the issues at-hand.

Our recommendation is that the council identify specific goals that can be accomplished by the end of the 2020-21 academic year.

The Senate office did a background review to help identify goals for your council. This included review of minutes from last year’s meetings, review of discussions at Faculty Senate meetings, and selected outreach for topics. Recommended goals and / or topics for discussion include:

- Safe Campus – identifying mental and physical health safety issues including sexual wellbeing
- Student conduct and Title IX concerns
- Equity, racial diversity, and minority students
- Maintain a dialogue with UW student groups

After your first council meeting, we will be available to discuss the goals your council identified. Thereafter, we will post your council’s goals on the Faculty Senate website to communicate the important work you are doing.

Many thanks to you and the members of your council, on behalf of Senate Leadership and the faculty of the University, for all your time and work this coming year. I wish you all the best and look forward to working with you.

Sincerely,

Robin Angotti
Chair, Faculty Senate
Background and Rationale

Current UW policies regarding student absences for short-term illnesses allow instructors to require that students provide “medical excuse notes” which are documents from a medical provider attesting to the severity of a short-term illness and the need for a student to be absent from class as a result. Unfortunately, a curricular strategy of routinely requiring students to obtain medical excuse notes provides little or no value and has unintended, adverse consequences for the student, the University, and medical providers. Medical providers want to help students with their health needs, but students who visit a medical provider purely to obtain a document regarding illness have been pressured into entering into a costly and potentially risky provider-patient relationship without a true medical need.

Faculty Senate and ASUW leadership, in conjunction with colleagues at Hall Health, have identified several key areas of concern:

- **Hall Health Access and Resources** — Hall Health is often (over) filled to capacity. Students who don’t really want to be a patient are diminishing access for those who do have a medical need to seek care and wish to be seen. The generation of excuse notes is a wasteful use of expensive and limited health care staff time and resources. Estimates from Hall Health suggest as much as $250,000 annually is spent attending to some 2,500 note requests, and that visits for such requests represent approximately 5 percent of total student visits.

  - **Financial Burdens and Inequities** – Students who are uninsured/underinsured, including low income students, DACA students, and minority students are at a financial disadvantage when seeking medical care. Policies that require a student to seek care for an administrative reason place a financial burden on these students and affect students in extremely unequal ways.

  - **Student Safety** — Students who see a provider to get a note have a specific objective: get the note. There is pressure to make sure that the symptoms are described in such a way that the provider will generate a note. Exaggeration of symptoms leads to testing or procedures that have risk, and patients may be harmed as a result. The risk/benefit ratio in these cases is extreme.

  - **Unrealistic expectation of provider-patient relationship** — Lacking omniscience, a provider must rely on the patient’s description of the symptoms. Sometimes this is after the illness has already resolved. Providers are trained to be advocates for their patients and so a note will be generated almost 100 percent of the time. Thus, requiring a student to obtain a medical excuse note has no value as an actual check on student behavior.
• Education — The academic relationship between instructors and students belongs in the classroom. Instructors are in the best position to judge academic performance by students. Further, as students develop and prepare for their careers later in life, they should experience an environment that reflects the realities that will be experienced after graduation. Hall Health in particular wants to promote responsible self-care for minor ailments and health concerns, an important educational component that encourages self-reliance and resilience.

Given these serious concerns, Faculty Senate and ASUW leadership have begun efforts to discourage requests for medical excuse notes by instructors. Of note is that limiting routine medical excuse notes would not have any bearing on documentation needed for disability, hardship, or other significant circumstances (including medical conditions) requiring longer term absences from the University; nor would such limitations prevent instructors from requiring students to justify the unavoidable nature of an absence, or require that instructors develop new accommodations.

Nevertheless, changing faculty use of medical excuse notes will have meaningful impacts on virtually every classroom across campus and will require broad discussion of the impact of the use of medical excuse notes and the reasons to change current practices, along with development and dissemination of best practices guidelines that both protect students and maintain instructor rights and authority, and clear communication of guidelines to students and to current and future instructors.

1. General Requirements

   B. A student absent from any examination or class activity through sickness or other cause judged by the instructor to be unavoidable shall be given an opportunity to take a rescheduled examination or perform work judged by the instructor to be the equivalent. Instructors are prohibited from requiring students to provide medical or legal documentation as proof in such cases. If the instructor determines that neither alternative is feasible during the current quarter, the instructor may exempt the student from the requirement. Examples of unavoidable cause include death or serious illness in the immediate family, illness of the student, and, provided previous notification is given, observance of regularly scheduled religious obligations and might possibly include attendance at academic conferences or field trips, or participation in University-sponsored activities such as debating contests or athletic competition. The regulations for Incompletes in Scholastic Regulations, Chapter 110, Subsection 1.A.3 shall apply.

To: Ana Marie Cauce, President, University of Washington  
Chris Laws, Chair, Faculty Council on Student Affairs  

From: Andrea Carroll, Chair,  
Advisory Committee on Student Conduct  

Date: July 24, 2020  
Re: Advisory Committee on Student Conduct  
Report 2017-2020  

Purpose of the Committee:  
The Advisory Committee on Student Conduct (Advisory Committee) is charged with reviewing and evaluating student conduct processes and outcomes, making recommendations to the Faculty Council on Student Affairs (FCSA) for potential revisions to policies and procedures, and providing an annual report regarding student conduct at the University of Washington to the President and FCSA.

History of the Committee  
In 2017, the University updated the Student Conduct Code. The resulting code aligned more closely with the Washington Administrative Procedures Act by streamlining the appeal process and creating a clearer protocol for full adjudicative proceedings. Along with the development of companion Student Governance and Policy chapters, the new Student Conduct Code clarified the equitable rights of complainants in matters involving discriminatory harassment or Title IX allegations, and retained faculty involvement through participation in administrative reviews and establishment of the Advisory Committee on Student Conduct.

At the inception of the Advisory Committee, there was a lack of trust between faculty governance and the staff charged with adjudicating the student conduct process. This committee has not only aided in the efforts to reestablish collaborative relationships but has gone beyond that to build an effective team focused on supporting student success.

Over the past three years, the Advisory Committee engaged in the following efforts:

- Enhanced communication between faculty and staff through regular meetings of the Advisory Committee, education about roles and background, and clarification of the educational nature of student conduct proceedings.
- Supported efforts to transition to the new student conduct code by aiding in developing training materials for Review Officers, reviewing communication strategies to students and faculty and opening lines of communication for reestablishment of trust. Supported the creation of a centralized student conduct website offering a central location for student conduct material with links to individual campus offices.
- Facilitated greater alignment between multiple offices and academic units engaging in student conduct work through the Advisory Committee relationships.
- Supported efforts to realign hazing policies to better meet legal obligations and provide greater clarity to students and student organizations regarding prohibited conduct.
- Developed clear guidelines and reporting processes for data to better understand the nature of student conduct matters at the University.
- Provided feedback to conduct professionals' creation of learning outcomes and a curricular approach to student conduct.

**Student Conduct – By the Numbers**

Over the course of the past three years, 2,312 students have participated in student conduct proceedings during the academic year (Autumn through Spring Quarters). The following details the total students across all three campuses, and is inclusive of academic misconduct, Title IX reports, and other behavioral misconduct.

The number of students involved in student conduct matters has increased 52% since the adoption of the new code. The most significant increases have been in the area of academic misconduct, largely because of the use of a streamlined online reporting website, greater outreach to faculty departments, and clearer campus communication about reporting options. Additionally, the significant increase in the 2019-20 academic year may be related to the rapid and unanticipated transition to a remote education model due to the COVID-19 pandemic.

Over the past three years, 28 matters have been resolved through the full hearing process. Similarly, 34 cases have involved administrative reviews. Of the non-Title IX reviews, 54% have involved a student reviewing officer. The outcomes for review have involved 78% of outcomes being upheld, 19% remanded for further action by the conduct officer, and only 3% overturned by the review panels.
McCabe (2012) indicates that over two-thirds of college students after their first academic year self-disclose behaviors that qualify as forms of academic misconduct. However, the number of students reported for violations of academic integrity policies is a small fraction of what this national statistic suggests it should be. The Fall 2018 Academic Integrity Survey administered on all three campuses examined this question, and the Advisory Committee expects analysis from the conduct offices at the start of the 2020-21 academic year regarding how the University of Washington compares to national data.

Ongoing and Upcoming Work

Looking forward, the Advisory Committee is aware of the following initiatives that will impact student conduct work:

- Changes to the student conduct code and policies about sexual misconduct informed by revised guidance and regulation from the Department of Education regarding compliance with Title IX.
- Planned updates and administrative clean-up to existing student conduct code to meet needs of students and process partners.
- Launching of the curricular approach to student conduct, involving the initial infusing of the educational pillars, learning outcomes, and assessment tools into student conduct practices and assessing their efficacy.
- Analysis of data from the Fall 2018 Academic Integrity Survey by the three campuses’ conduct offices in order to better identify and understand attitudes on campus about academic integrity and provide recommendations and support to campus efforts to respond to the survey results.

Recommendations for Future Action

Given the current student conduct landscape and work, the Advisory Committee offers the following recommendations:

- Continued efforts through the Advisory Committee to ensure close communication between faculty and student conduct professionals. The improvement in relationship among process partners has helped ensure greater alignment across the University in service of students.
- Reporting by conduct officers about the impact of the COVID-19 pandemic on student conduct, particularly with regard to academic misconduct related to remote learning. Discussion within the Advisory Committee about any future institutional response as the University brings students back to campus and explores new opportunities for online learning.
- Continued gathering of data by conduct offices to understand the state and growth of student conduct work. Data collection and analysis is now governed by clear questions to understand the nature of student conduct. The next step is to use this data to inform

decisions about how to better address behaviors and support students. This includes analysis of data from the Fall 2018 Academic Integrity survey.

- Collaboration between the Advisory Committee, conduct offices, and faculty councils to identify ways to support students and faculty while addressing the increased stress and anxiety surrounding academic integrity and online learning methods and assessments.

- Future assessment of staffing models by the leaders of conduct offices to ensure offices are adequately staffed to meet increasing workloads. Annual trends indicate continued growth in reports, likely due to better marketing by process partners and collaboration across conduct officers and Associate Deans. Meanwhile, staffing models have remained largely unchanged over the past five years during which time the process has become more time intensive.

Proposed Areas of Focus for 2020-21 Academic Year

The Advisory Committee proposes the following areas of focus for the 2020-21 academic year:

- Solicit updates from student conduct process partners regarding continued process improvements and staffing.
- Use data collection processes to identify recommendations for increased effectiveness of student conduct code processes.
- Discussion and collection of data and narratives regarding the impact of the COVID-19 pandemic in student conduct matters.
- Discussion about the experiences of minoritized students in student conduct proceedings, including the collection and analysis of identity data (race/ethnicity, visa status, gender, etc.)
- Provide feedback to student conduct code revisions related to changes to Title IX regulations.
- Other priorities identified by the Chair.