

**University of Washington
Faculty Council on Student Affairs**

January 3rd, 2017
1:30pm – 3:00pm
Gerberding 26

Meeting Synopsis:

1. Call to order
 2. Review of the minutes from December 6th, 2016
 3. Student Conduct Code presentation/discussion
 4. Student reports (ASUW, GPSS)
 5. Good of the order
 6. Adjourn
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1) Call to order

Laws called the meeting to order at 1:30 p.m.

2) Review of the minutes from December 6th, 2016

The minutes from December 6th, 2016 were approved as written.

3) Student Conduct Code presentation/discussion (Exhibit 1) (Exhibit 2)

Jill Lee (Executive Director, Compliance Services), Amanda Paye (Deputy Title IX/ADA Coordinator, Compliance Services), Ellen Taylor (Assistant Vice-President, Student Life), and Kara Blake (Project Manager, Compliance Services) were present in the meeting to discuss revisions to the Student Conduct Code (SCC).

Full adjudication process & general questions

Some of the recent changes to the Washington Administrative Code (WAC) language add the ability to conduct full adjudication processes in certain student conduct cases, as the change may be necessary given the Administrative Procedure Act (APA), Chapter 34.05 Revised Code of Washington (RCW). Specifically, a “full hearing” possibility has been added where suspension or dismissal of a respondent is possible, or if the alleged misconduct rises to the level of a felony. Lee explained faculty (and students in non-Title IX cases) would still play the main role during administrative review (a checks and balances investigation into the process as a whole). The guests noted despite the change, the aim of the revision process is still to create a swifter and more equitable process.

A member asked about the training of conduct officers. Lee noted Title IX conduct officers are attorneys who have strong familiarity with associated processes. Taylor explained non-Title IX conduct officers are not typically attorneys, but are full-time employees. Paye explained “hearing officers” will also be included in the process, and staffing procedures for these officers are still being finalized.

Querna asked if university social workers/counselors are available to students imbedded in misconduct cases. It was clarified those students do have access to the same resources as any other student. The guests mentioned that “confidential advocates” are also available to complainants to explain the process, be present at hearings, and to provide other resources. There will be 5-6 conduct officers available at any given time for non-Title IX cases at the UW, and four conduct officers for Title IX misconduct (these officers serve all campuses of the university).

After a question, Lee explained there have been 25-26 Title IX-related issues come through the UW Title IX Investigation Office on average, per year, whereas there have been approximately 200 non-Title IX cases per year (most of which go through a brief adjudicative process).

Laws suggested that the student conduct process would benefit from a committee that meets on a regular basis to discuss how well the new system is functioning, including assessing the amount of cases coming in and evaluating the overall efficiency of the new processes.

Ezeonwu noted that an educational video on the changes to the SCC (made available to council members) should be broadcasted widely with any SCC legislation, as it is very useful in bolstering understanding of the revised process.

Specific revisions

Lee began highlighting the main changes made since from the time of the last meeting in the redlined version of the WAC (Exhibit 1). She used the meeting’s SCC cover memo document and went chronologically through each of the 37 “specific revisions” (Exhibit 2). Questions relating to these changes are as follows:

- Revision #4 (page 11, Exhibit 1) – “Presiding officer” can relate to a hearing officer or conduct officer. Additionally, “Abuse of others” does not include all the kinds of abuse that may be perpetrated and responded to under Title IX (page 9).
- Revision #5 (page 13, Exhibit 1) – Members noted the word “materially” seems incorrect or redundant. The guests noted the word was added as it runs parallel to language found in the RCW, and so legal advisors recommended its use.
- Revision #10 (page 17, Exhibit 1) – There was a question about the phrase “one or more individuals.” The response was that if you use the word “staff,” sometimes hearing officers are not university staff. Additionally, the term only applies to initiating conduct proceedings.
- Revision #13 (page 18, Exhibit 1) – “the university official” will be changed to be made less restrictive (e.g. a university official), after the council voiced concern.
- Revision #25 (page 24, Exhibit 1) – This revision details full adjudicative proceedings and full hearings, which is a major change from the council’s last reading of the WAC.
- Revision #34 (page 27, Exhibit 1) – It was noted 30 days is the **limit** for the order to be submitted by the reviewing officer under 478-120-0066, so it may in fact occur sooner.
- Revision #36 (page 28, Exhibit 1) – It was noted making it so that a request for reconsideration must be directed to “the officer(s) who issued the final order” might be problematic if that person is unavailable for whatever reason, thus halting the process.

4) Student reports (ASUW, GPSS)

The item was missed due to time constraints.

5) Good of the order

Laws noted the revised WAC will go to the SEC as Class B legislation in February 2017, and the council must vote on it before that time. This may be done electronically, or in a normal meeting. The guests explained if members believe any additional changes for the WAC are necessary, they must be informed of those by the coming Friday January 6th.

6) Adjourn

The meeting was adjourned at 3:00 p.m.

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

Present: **Faculty:** Chris Laws (chair), Holly Barker, Mable Ezeonwu, Doug Brock
Ex-officio reps: Aileen Trilles, Katherine Querna, Carolyn Martin
Guests: Ellen Taylor, Amanda Paye, Jill Lee, Kara Blake
President's designee: Lincoln Johnson

Absent: **Faculty:** Bruce Hevly, Jasmine Bryant, Christopher Campbell
Ex-officio reps: Kaitlyn Zhou, Tanya Kumar

Exhibits

Exhibit 1 – 12-27-16 3rd draft of WAC to FCSA

Exhibit 2 – 12-27-16 FCSA cover memo