TO:	Cabinet
FROM:	Kate Duran, UM Associate Legal Counsel & Policy Gatekeeper
CC:	Jessica Weltman, Director of Compliance & Public Records John Nugent, Interim Executive Director, UM Housing & Community Standards
DATE:	May 6, 2023
RE:	Student Code of Conduct

Reason for Proposal: Consistent with best practice, the University has reviewed its student code of conduct and is recommending a number of changes. Significant proposed changes include information related to academic freedom and academic responsibilities, consolidation of conduct boards, as well as addressing risk areas identified by Internal Audit.

Additionally, as required by its charge, the University Conduct Board, chaired by John DeBoer, met, provided feedback to the proposed changes, and has consented to move the recommended revisions forward.

Attached please find a document summarizing the significant proposed changes to the SCC.

Shared Governance Review: Faculty Senate and ASUM did not have any comments on the SCC. Staff Senate, in addition to some copy edits, provided the substantive feedback outlined below. Responses to the feedback are in provided in red:

I. Other Conduct Issues
    a. Wheeled Devices; would like something about sidewalks and speed now that there are more electric bikes/vehicles – added language to section: Electric bikes/scooters may only be operated on sidewalks at reasonable speeds to ensure the safety of pedestrians and riders must always yield to pedestrians.
    b. Animals; Put a link to the new animal policy -this new policy is not published yet
II. Procedures for General Misconduct
    a. Procedures
        i. Preliminary Meeting; think that there should be something in here that if there isn't a response in x days a follow up email will be sent. -this sort of practice is an internal procedure, not something we want to put in the code. Do not want to lock the University in to something when there are

other ways of knowing whether the student is aware of the notice and is choosing not to respond. Adding this specific language to the code would allow students to delay conduct procedures by simply not responding.

https://www.umt.edu/police/parking/Vehicle%20Regulations/default.php link doesn't get you to the policy
https://www.umt.edu/sait/policies_documentation/end-user-license-agreement.php link get you to the policy
http://www.umt.edu/research/compliance/RCR/default.php link doesn't work.
-These links were already updated in the version sent to shared governance. There may have been confusion with track changes as both the old and updated link show up in the track changes version.

Student Conduct Review – pg. 4
- Process Based Rights – Section B – Line 4.
  - What constitutes a "timely adjudication and resolution of the case."?-this varies and is very dependent on the situation, when the University becomes aware of something, and how complex the investigation may be.

Article III: Informal Resolutions – pg. 4
- Missing punctuation? Yellow is punctuation to be added (?)for somewhat better clarity. This is a bit too much for one sentence, I think. Personally, it would be better to revise completely. -updated punction in proposed code language. The paragraph below does not appear to include the mediation/conflict resolution sentence added to this section at the request of the University Conduct Board Committee: The use of mediation and/or conflict resolution resources may be employed prior to formal action if agreed upon by involved parties, including appropriate University officials.
  - *Nothing in this Code limits the right of the Office of Community Standards, with the approval of the Vice Provost of Student Success or Vice Provost for Academic Affairs, as appropriate, and the respondent, to agree, at any time, to disciplinary sanctions if the Respondent student agrees to the charges. Any such agreement must be in writing. When it is approved by the appropriate University official(s), signed by the student, and filed with the Office of Community Standards, the case is concluded.*

Academic Misconduct
- Misconduct during an examination or academic exercise. Pg. 4
  - Line 2
    - Update "Copying from another student's paper" to be broader and account for tablets, computers, screens etc. I also suggest that it should include barring the verification of answers by looking at other people's work.-updated code to remove paper and simply say copying from another student. The verifying work concern is covered in section 2, "collaborating with on ore more students without authorization."
      - Suggestion: 'Copying from any other student or verifying work.'
  - #1 vs. #6.

- In #1 (Plagiarism) it calls out using your own work that has been previously used as a violation. #6 (Submitting work previous presented in another course) seems to cover the same thing.-while there are similarities, #1 specifically addresses plagiarizing oneself while #6 more broadly covers the use of previous work in any form.
  - Some courses ask you to build on previous work so should there be an exception for this when an instructor approves or assigns this?-there is already an exception for this. If a student is being asked to build on previous work then they will follow course instructions and are not submitting work as if it is original as stated in #1 and if they are following instructions of the course requirements they are not in violation of #6.

Procedures for Academic Misconduct – pg. 5 Section A, #2
- Link not active for 'Academic Letter Appendices -This appears to be another track changes confusion. This link was previously in both #2 and #5 but was removed from #2. It remains in #5 and is active.