**Significant Proposed Updates – 3/26/24**

* Recommendations originating from the accreditation review and preparation process:
	+ Insertion of Academic Freedom and Academic responsibilities statements in Article IV
	+ Language clarifying that “students must provide complete and truthful information about themselves” in Article V.A. to assist in the process of verifying identify of online students.
* Consolidation of conduct boards:
	+ This proposal creates one University Conduct board and hearing boards will be populated from this membership as cases arise. The makeup of the hearing board for an academic misconduct case or a general misconduct case will match the makeup of the respective boards in the current interim code. Consolidating the two boards into one allows for more effective training, legal guidance, and logistical management of the board and promotes more consistent and experienced board membership across multiple cases.
* Addressing risk areas identified by Internal Audit:
	+ Internal audit identified the unclear organizational structure between student organizations and student affairs may result in non-compliance with institutional policies or regulatory requirements, which may lead to legal and reputational risk. In consultation with the ASUM President and ASUM legal this update seeks to define student groups, both those affiliated with ASUM and those not affiliated with ASUM, clarify how the group conduct process works, and update sanction language. ASUM maintains their authority over their bylaws and recognition processes while group sanctions from the Community Standards organization process will address utilization of university resources beyond the direct control of ASUM.
* Providing option for student to request conduct board in cases where suspension, expulsion, denial of or revocation of degree is one of the possible sanction outcomes

**List of Proposed Updates**

* Article I.
	+ C. Update jurisdiction to be inclusive of student groups.
	+ E. Clarification of University discretion in initiating one conduct process if behavior is contemplated by Discrimination, Harassment, and Retaliation policy and conduct code.
* Article II.
	+ Records and Confidentiality
		- A.4. Clarify records retention policy to indicate suspension and expulsion records will be retained indefinitely.
	+ Process Based Rights
		- Insert student organization language.
* Article III.
	+ Change name to Resolution Procedures
	+ A. Insert University Conduct Board information
		- Updated University conduct board language to consolidate the University Conduct Board and the Academic Conduct Board into one board that can be called into different formations based on the type of conduct board necessary to hear a specific case.
	+ B. Label Informal Resolutions as III.B.
* Article IV.
	+ Insert language around academic freedom, update language regarding academic responsibilities, insert language regarding artificial intelligence and research misconduct.
	+ Procedures for academic misconduct
		- Clarify course instructor investigation processes and remove language about the Academic Misconduct Board which will be merged with the University conduct board.
	+ IV Procedures for Academic Misconduct
		- A.1. Insert language require students to provide complete and truthful information about themselves per accreditation review suggestion.
		- A.2. Clarify language around processes at conclusion of course.
		- B.2.b. Add language that students facing denial of, or revocation of degree must be given option to have case heard by board
		- B.3. Update appeal language.
* Article V.
	+ Insert language about student groups.
	+ A.1. Add language about students providing complete and truthful information.
	+ B. Change language from Bystanding to Complicity
	+ D. Insert reference to specific policy number of discrimination, harassment, and retaliation
	+ F.1. Insert language about self-defense.
	+ H.4. Update IT links.
	+ I.5. Updating language around student arrests
	+ Procedures for General Misconduct
		- C.2. Updating language regarding who represents student groups.
		- C.4.a. Updating language to outline what may be considered when reviewing group conduct
		- D. Update response to findings section to include student groups.
		- E. Update response to sanctions section to include student groups.
		- E.1.c. Clarify language on student group suspension to indicate what University privileges may be lost and that ASUM has the discretion to take further action.
		- F. Update to remove conduct board from this section and move to combined section. Clarify students may request administrative review from the Commissioner of Higher Ed.
* Article VI.
	+ Insert student group language into interim action section.
* Article VII.
	+ Expand language around professional programs honor codes and codes of professional behavior, update language around Fraternity and Sorority groups and student organizations.
	+ A. Simplify UM Housing student conduct language and clarify role of Office of Community Standards versus Housing
	+ C. Clarify that conduct originating in Fraternity and Sorority Involvement may be reviewed for action under the code.
	+ D. Update student organization language to reflect groups affiliated with ASUM and those not affiliated with ASUM. Clarify the Office of Community Standards has the discretion to adjudicate violations of the student code of conduct for student group behavior and actions.

Members of the Conduct Board met on 3/11/24 to discuss the proposes revisions and make recommendations before engaging the shared governance process. Based on the conversations at the meeting, the further updates were made to the proposed revisions:

* Updated Process Based Rights regarding student’s right to request a different hearing officer to also include requesting a different hearing board member due to a conflict.  (Article II: Student Rights – Process Based Rights Section A.2)
* Updated the University Conduct Board membership to include three members from each category, rather than two and an alternate, because everyone needs to be trained and smaller hearing boards are drawn from this larger University Conduct Board membership. (Article III.A.2)
* Updated University Conduct Board Membership Criteria to indicate that board members cannot participate in cases if they are within the same department or share close academic ties with the faculty member making a misconduct charge or the respondent. (Article III.A.2)
* Updated the student disciplinary records section to indicate that all formal records are maintained by the Office of Community Standards (Article II.A.4)
* University conduct board language was updated to state that “No case will be referred to the University Conduct Board if there are fewer than 30 calendar days before Spring Commencement. In these instances, a case will be assigned to a hearing officer. All other appeal options and procedures will continue as outlined in this code.” (Article III.A.) It was also clarified in the Hearing Officer Option that the President or designee may appoint a hearing officer in cases where all cases where a board cannot hear a case.