

2013-2014 Judicial Report

June 11, 2014

To: Richard Culliton, Dean of Students

From: Scott Backer, Associate Dean of Students

Re: 2013-2014 Judicial Report

The following summarizes information pertaining to cases adjudicated by the Student Judicial Board (SJB) and The Residential Life Area Coordinator Staff during the 2013-2014 academic year.

Judicial Volume

During this reporting period, there were 407 cases or incidents referred to the Student Judicial Board. These cases involved 793 students and 1260 alleged violations of the Code of Non-Academic Conduct (CNAC). When compared with the same period last year, the data indicates a 22% decrease in the number of cases the SJB processed. With this slight decrease, there was still a 39% decrease in the number of alleged violations and a 36% increase in the number of students charged.

There was a significant decrease in the number of cases resolved through the student judicial process, the number of students documented for alleged policy violations and the number of alleged infractions. While there is no definitive reason pinpointing the cause of the significant reduction in conduct issues, there is some anecdotal evidence that Public Safety officers tried to address behavioral concerns through conversation rather than documentation in an effort to rebuild their some of the trust with students which has eroded over the last two academic years. While the officers generally wrote reports following their conversational interactions with students, the reports did not articulate clear policy violations being documented and thus the co-chairs of the Student Judicial Board chose not to pursue the reports.

When examining judicial volume over the previous five reporting periods, there is a consistent 22-24% variance in the number of cases resolved through the student judicial process, with the exception of the 2009/10 reporting period, (6%). This data is indicative of the year to year variation of staff documenting alleged policy violations and the turnover in the Student Judicial Board leadership in their role of determining how to address reported incidents. There is a statistically significant decrease in the number of alleged violations between the 2011/12, (35%), and 2012/13, (39%), reporting periods; however, the comparison between the current reporting period and the 2009/10, (17%) and 2010/11, 3%, reporting periods shows more similar reporting rates, the data comparing the numbers of students charged with policy violations shows a similar pattern, indicating the importance of comparing data over multiple reporting periods.

Reporting

There continues to be significant collaboration between the Residential Life student staff and the Office of Public Safety; that collaboration also extends to Physical Plant staff members who work with Residential Life to maintain compliance with Fire Safety regulations in residential

areas. There were 148 Communication Reports submitted that resulted in some form of judicial follow-up; 65 of the 148 Communication Reports submitted by a Residential Life student staff member supplemented a Public Safety incident report or a report from Fire Safety. The total number of Communication Reports submitted which resulted in judicial action decreased 42% when compared to the same period last year. Though the total number reports decreased, the involvement of residential life student staff documenting incidents in collaboration with another office increased by 6%. While the SJB has appreciated supplemental reports from Residential Life student staff, some reports have not provided enough information to help determine a student’s responsibility of violating a policy. The Office of Residential Life continues to work with the student staff to ensure detailed reports. The increase in the total number of Communication Reports may stem from the increase in RA’s and also an increased presence of staff during the weekends. Communication Reports continue to be forwarded from Residential Life to the Dean’s Office to be reviewed with all other documentation by the co-chairs of the SJB in consultation with Dean’s Office staff to determine appropriate charges and adjudication methods.

Table 1: Student Judicial Board Cases
2013-2014 Academic Year

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Cases	435	330	539	522	407
Alleged Violations	1515	1223	1952	2064	1260
Students Charged	973	695	1141	1244	793

Recidivism

During the current reporting period, 595 individuals, or 21% of the student population, were processed through the judicial system as a result of alleged policy violations. Of those students processed during the current reporting period, 156 appeared before the SJB at least twice. The number of students who were processed through the judicial system is a representation of those people who were charged with various offences in multiple cases; 121 of those students were processed twice, 28 were processed three times, 7 were processed four times. It is important to note that there are a few students who come before the Board on numerous occasions representing their student organization and are not charged as an individual.

Table 2: Recidivism
2013-2014 Academic Year

	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Individuals charged	722	551	798	867	595
Repeat Documentation	25%	21%	29.6%	29.7%	25%

Typical Violations

Alcohol and drug violations continued to be the most prevalent violations addressed through the judicial process, accounting for 45% of the total charges filed. Underage possession or use of alcohol charges accounted for nearly 28% (352) of the charges filed with the SJB. This is consistent with the previous reporting period (30%). Charges related to excessive noise or other forms of disorderly conduct (disturbance of the peace) accounted for 21% (261) of the total number of charges. Overall the number of charges, similar to other measures of judicial volume showed significant decrease compared to the previous reporting period. While there is no clear explanation for the anomalous increase in disturbance of the peace charges, it may be a result of more student staff documenting situations and residents not being respectful of the staff during the documentation. This was demonstrated by students not allowing staff access to their rooms during documentation and thus leading the SJB to pursue a judicial charge rather than the incident being one resolved through compliance with the RA at the time of the incident being addressed.

Alcohol use was identified as a factor in 58% (236) of all cases processed by the SJB and drug use was a factor in 15% (62). Alcohol use as a factor in documented policy violations was consistent when compared to the previous reporting period and will need to continue to be a focus for the SJB in recommending sanctions regardless of the age of the student appearing before a Board.

Table 3: Most Common Violations
2013-2014 Academic Year

Violation Type	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	% Change
Disturbance of the Peace	308	251	334	254	261	3
Alcohol/Drug/Distribution	657	576	891	1028	567	(44)
Departmental Regulations	173	145	243	295	152	(48)
Property	167	83	156	101	73	(27)
Failure to Comply	95	89	162	246	132	(46)
Harassment and Abuse	29	32	24	26	28	7
Reckless Endangerment	30	12	34	24	13	(46)
Total	1515	1223	1952	2036	1260	(38)

Hearing Adjudication

During the current reporting period there was an increase in the time needed to resolve all judicial cases. The Area Coordinators and the SJB agreed to have cases involving five or more students resolved by through a hearing to expedite the resolution of such cases. This will need to be reviewed to determine efficacy before the fall semester begins. More diligent attention will need to be applied to cases referred back to the SJB from a judicial conference to insure timely resolution. The dean’s office will work more closely with residential life to monitor the

cases being referred to the Area Coordinators through regular meetings to track adjudication times over shorter periods. The chart below compares typical resolution methods year to year:

Table 4: Adjudication Methods
2013-2014 Academic Year

Adjudication Method	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	% Change
Judicial Conference	204	160	254	273	131	(52)
Simplified Hearing	111	97	121	140	73	(47)
Full Hearing	24	13	17	33	21	(36)
Total	435	330	539	522	407	(22)
Individual “Responsible” findings	928 61%	639 52%	1092 56%	1048 51%	631 50%	
Cases with “Responsible” decision	364 84%	283 86%	456 85%	444 85%	329 81%	
Median Adjudication Time (days)	12	12	15	14	16	

During the current reporting period the SJB found the students or groups charged had some level of culpability in 427 (82%) of the cases adjudicated compared with 456 cases (85%) during the previous reporting period. While the SJB has done well at finding some level of culpability in their cases heard as noted above, they have struggled overall in holding individuals accountable for their behavior. During this reporting period, 51% of students were found responsible for their alleged violation, with 49% being found not responsible. This is a slight change from the previous reporting period when 58% of students were being found responsible and 42% found not responsible.

Judicial Sanction Data

In response to the violations outlined above, the SJB has continued to employ a range of sanctions. The point system continues to be deployed as a way for students to better understand their judicial standing. The Board continues to refine how the number of points for an individual student is determine; in an effort to clarify the process used, the SJB (in conjunction with the Area Coordinators and administrative staff will produce an FAQ to be distributed at the start of the fall semester. The implementation of the point system has been challenging for the board due to the progressive nature of the system. The SJB sometimes feels that there is no leniency in sanctioning as in previous years, but there are continued conversations about the reasoning for a progressive sanctioning model and how there needs to be more accountability and ownership on the part of the students coming before the board.

The University's participation in NCHIP has concluded but the use of similar intervention strategies for students documented for alcohol or drug violations continues. The Board will be focused on the use of formalized educational or intervention-based strategies to address concerns where high-risk behavior is present. During the current reporting period, the Board used fewer formalized intervention sanctions than in previous reporting periods. The significant decline in judicial volume makes it difficult to thoroughly assess the impact of the less comprehensive sanctioning of recidivism.

The effort to collect feedback on the judicial process and the impact of the sanction was limited by very low participation. While some meaningful feedback was received and integrated into the process (including the more expeditious resolution and timely notification of hearing outcome), the students, administrators, and faculty involved in the judicial process will be developing a new vehicle to collect information from students designed to assess efficacy rather than assessing satisfaction with the process.

In lieu of formal judicial follow-up, 64 students who were transported to the hospital for the first time for alcohol/drug use were asked to complete an educational program and meet with a health professional. Three students were transported for a second time, in addition to one student who was transported for the third time, and were processed through the judicial system receiving a formal sanction focused on education and health. In addition to the underage students transported to the hospital, five students who were 21 years or older needed hospitalization due to severe intoxication. These students were asked to meet with the Associate Dean of Students and were referred to an appropriate office for follow-up.

Table 5: Judicial Sanction Data
2013-2014 Academic Year

Sanction Type	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014
Disciplinary Warning	519	385	586	594	367
Disciplinary Probation	90	40	135	78	39
Community Service/University Service	115	53	77	43*	14*
Referral To HC	99	97	232	294	139
Restitution/Fines	27	9	17	17	8
Suspension/Expulsion	7	8	8	12	10
Total	672	698	1458	1236	690

**Student Organizations have been assigned service hours and are represented solely as an organization. These organizations sometimes have been sanctioned for each member to complete a designated number of hours each and these individual students' hours are not reflective in this number.*

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The current reporting period was not one marked with a high volume of cases but there were certainly challenges which exposed areas for improvement in the process and the clarification of policies and procedures. The student members of the Board and those administrators and faculty who support the judicial process will be looking at the areas of improvement to insure consistency, equity and effectiveness in the resolution of all allegations of policy violations.

The Board will need to work to collect useful data to assess the effectiveness of sanctioning and be willing to deploy the types of sanctions which will demonstrate adherence to the mission of the Board to adjudicate hearings with an eye toward personal growth AND accountability. The progressive nature of the sanctioning model is an area of improvement; however, the Board will need to focus not only sanctioning but also messaging during the hearing process to help decrease recidivism.

Cc: Mike Whaley, Vice President for Student Affairs
Tony Bostick, Interim Director of Public Safety
Student Judicial Board
Fran Koerting, Director of Residential Life
Maureen Isleib, Associate Director of Residential Life
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