

THE UNIVERSITY OF TENNESSEE
BOARD OF TRUSTEES

MINUTES OF THE SUBCOMMITTEE ON STUDENT CONDUCT, RIGHTS, AND
RESPONSIBILITIES

March 9, 2018
Knoxville, Tennessee

The Subcommittee on Student Conduct, Rights, and Responsibilities of The University of Tennessee Board of Trustees met at 10:00 a.m. EST on Friday, March 9, 2018, on the 8th floor of Andy Holt Tower on the campus of The University of Tennessee in Knoxville.

I. CALL TO ORDER

Trustee Brad Lampley, Subcommittee Chair, called the meeting to order.

II. ROLL CALL

Matthew Scoggins, General Counsel, noted the requirements for meetings conducted with members participating by telephone or video, including the requirement that all votes be conducted by roll call. He announced all persons present at the meeting location in Knoxville. He then proceeded to call the roll. The following members of the Subcommittee were present:

Brad A. Lampley, by telephone
Rachel Smith, by telephone
Tommy G. Whittaker, by telephone

Mr. Scoggins announced the presence of a quorum. Subcommittee members, Trustee Wells and Trustee Davidson, were unable to attend due to prior scheduled commitments. UT Board of Trustee members Terry Cooper and Charles Wharton (non-Subcommittee members) were present by telephone. Members of UTC, UTHSC, and UTM administrative staff and faculty senate were also present by telephone and videoconference. Members of the System and UTK administrative staff, a UTK Faculty Senate member, and a representative of the media were present with Mr. Scoggins at the meeting location. Those participating remotely acknowledged that no one else was present at their location.

III. MINUTES OF THE LAST MEETING

Chair Lampley called for any corrections to the minutes of the March 28, 2017 meeting of the Committee. Hearing none, he made the following prepared motion in the materials:

I move that the reading of the minutes of the March 28, 2017 meeting of the Student Conduct, Rights, and Responsibilities is omitted, and the minutes be approved as presented in the meeting materials, provided that the Secretary is authorized to make any necessary edits to correct spelling errors, grammatical errors, format errors, or other technical errors subsequently identified.

The motion was seconded Trustee Whittaker and passed by roll call vote.

IV. PRESENTATION BY UTK OFFICE OF STUDENT CONDUCT AND COMMUNITY STANDARDS CONCERNING IMPLEMENTATION OF THE NEW UTK STUDENT CODE OF CONDUCT

Chair Lampley stated that the next item for the Subcommittee was a report from Dr. Vincent Carilli, Vice Chancellor for Student Affairs for UTK, concerning the implementation of the new UTK Student Code of Conduct. Dr. Carilli reminded the Subcommittee that UTK implemented a new Student Code of Conduct at the beginning of the Fall 2017 semester after a very thorough three and a half year review process. He stated that last week he went to Nashville to provide the Tennessee General Assembly's Joint Government Operations Committee with an update on the implementation. He stated that the report seemed to be well received. He introduced Betsy Smith, Director, Office of Student Conduct and Community Standards at UTK. Ms. Smith provided this Subcommittee with an update of what was reported last week to the Joint Government Operations Committee (Exhibit 1). She discussed the proactive training efforts, process, overview of number of cases and alleged violations and findings, sanctions, and amnesty numbers for the fall semester. She noted that in the past the legislature was particularly concerned with organizational violations. She stated that there were 28 reports of organizational violations, of those 12 cases had findings of responsibility, and zero formal hearings, meaning all 12 accepted the responsibility and sanctions. Chair Lampley asked if there were any further concerns about this from the Joint Government Operations Committee given that there were initial concerns about losing the Greek Judicial Board, and whether they were satisfied with where this is progressing. Ms. Smith commented that there were no questions or feedback from the legislature, and as a result she assumed that was an indication that they were satisfied with the progress. She

noted that organizations have been coming forward to report themselves in a way that has become successful to educate students. Chair Lampley asked what the status is on Greek organizations that are currently on probation, and is there a sense of whether that is more or less than what we might have had three or four years ago. Dr. Carilli responded that there are currently three fraternity organizations that are suspended and that number is probably fewer than in the past. He added that there are other varying levels of disciplinary sanction as well. Trustee Wharton asked if we have a sense of how we compare vis-a-vis the behavior of our students versus other similarly sized universities. Dr. Carilli stated that we are fairly typical in terms of what you would expect from a large public university. He added that where he is seeing a bit of a change, and not just in Knoxville, but nationwide, is an uptick in issues related to the use and abuse of drugs both prescription and illicit, with marijuana making a “pretty big comeback” more so than in years past. Dr. Carilli discussed potential changes to UTK’s alcohol policy. He reported that the Chancellor has assembled a task force, chaired by Bart Graham, an alumnus from Atlanta, to look at the policy and have recommendations for the Chancellor by the end of the Spring 2018 semester. Chair Lampley stated that he was glad to hear about this review and was looking forward to seeing the recommendations from this effort. Trustee Cooper commented on the overwhelmingly positive assessments and asked whether in the future it was possible to consider noting how many assessment responses had come from students with “negative” results. A comment was also made to consider increasing training provided to faculty and administration not involved in the student conduct process.

V. REPORTS FROM CAMPUS STUDENT CONDUCT OFFICES ON STUDENT CONDUCT STATISTICS FOR ACADEMIC YEAR 2016-2017

Mr. Scoggins stated that the meeting materials include reports from each campus on student conduct statistics for the academic year 2016-2017. Representatives from each campus student conduct office will report to the Subcommittee to highlight information included in their reports and answer any questions.

UTC

Brett Fuchs, Associate Dean of Student, Student Conduct and Student Outreach & Support at UTC discussed observations regarding the statistics provided in UTC’s Office of Student Conduct Annual Report for Academic Year 2016-2017 (Exhibit 2). He noted that overall their recidivism numbers are very low because once students go through the student conduct process they do not tend to engage in repeat misconduct. He reported that UTC is actively working on updating its codes of conduct, both the Student Code of Conduct and the Academic Code of

Conduct. He stated that the current Student Code of Conduct was fairly recently updated and is close to the current UTK code and will have some revisions. The Honor Code, however, has not been updated in quite some time. He stated that proposed revisions have been made to both codes and the revisions have gone before the Faculty Senate, the Student Government Association and Graduate Student Association and have all been approved. They are with the General Counsel's Office for review and will eventually be brought to the Board for approval when appropriate. Chair Lampley asked about marijuana use at UTC. Mr. Fuchs commented that, same as UTK, he also has seen an uptick in use by students and many of the student suspensions and dismissals are related to distribution.

UTHSC

Michael Alston, Assistant Vice Chancellor for Equity Diversity & Student Rights at UTHSC reported on the UTHSC Student Conduct Annual Statistics for Academic Year 2016-2017 (Exhibit 3). He reported that UTHSC had 17 conduct cases and the majority were academic dishonesty. He discussed a specific proposed revision to their policy and stated that the office is set to hire a new case manager, a counselor to focus on suicide and sexual assault, and a counselor to focus on alcohol and drugs in addition to the full time counselor and part time counselor they already have. Also he noted that a full time Student Conduct Officer will start in 2018 instead of running the office out of the Office of Equity and Diversity.

UTK

Betsy Smith discussed the Student Conduct and Community Standards Annual Report 2016-2017 for UTK (Exhibit 4). As expected, most violations arose out of housing and were committed by first year students. She noted that there is an increase in juniors and seniors committing academic misconduct. She commented on her office's focus on education and restorative approach to repair the community for whatever damages was done based on their behavior.

UTM

Shannon Perry, Interim Director of UTM Office of Student Conduct reported on UTM's Office of Student Conduct Executive Report for 2016-2017 (Exhibit 5). She noted that the student conduct office at UTM also spearheads the Care Team. Part of the reason the Office of Student Conduct does that is because generally the students they see in their office need extra assistance. She reported that most of the referrals to the Office of Student Conduct come from Public Safety. The most

common types of reports involve alcohol, drugs, and academic integrity. She discussed possible revisions to the Student Conduct Code to focus on educational and development processes similar to UTK. She discussed their new use of a TEDed video to educate the students about academic integrity that provides feedback and has been very helpful and so far resulted in no recidivism. She discussed working with student health and counseling to do some prevention work to implement an alcohol prevention course.

VI. OTHER BUSINESS

There was no other business to come before the Subcommittee.

VII. ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully Submitted,



Matthew M. Scoggins, III
General Counsel