

Youngstown State University
Office of Student Life
Student Conduct Case Summary



(For Cases Referred between July 1, 2008 and June 30, 2009)

Student Conduct Case Summary

Table of Contents

	Page
Introduction and Overview of Student Conduct	
Vision	3
Mission	3
Core Values	3
Student Conduct Philosophy	3
Student Conduct Program Principles	4
Student Conduct Goals and Assessment	5
Summary of Complaints and Resolutions	
Referrals	7
Adjudication of Student Conduct Cases	7
Summary of Violations	8
Violation Disposition	11
Sanctions	11
Appeals	15
Parental Notifications (Alcohol/Drug Violations)	16
Student Conduct Records Requests	17



Introduction and Overview of Student Conduct

Vision: Student Conduct is committed to supporting a positive learning environment by challenging students in a manner in which they reconcile their behavior making them a positive and contributing member of the University community.

Mission: The Student Conduct area within the Office of Student Life is committed to providing a process that promotes character, community, and civility among University students. In support of that focus, the process maintains policies and procedures committed to providing a fair, structured, timely, and educationally- based student conduct process. Furthermore, the office interprets and disseminates information about student conduct policies and procedures to all members of the University community.

Core Values:

Character: We are committed to a process that fosters personal responsibility, respect, fairness, integrity, and personal development.

Community: We reinforce the importance of maintaining a safe, inclusive, and affirming campus environment in which the rights and contributions of everyone is respected.

Civility: We strive to provide learning and developmental experiences which challenge students to understand that their conduct must demonstrate courtesy, compassion, and dignity of all people.

Student Conduct Philosophy at Youngstown State University

The basic philosophy of Student Conduct within the Office of Student Life at Youngstown State University is one of education and development in support of a positive community. At the center of this philosophy is an emphasis on the learning, growth, and development of the individual student to be part of a positive educational community. Youngstown State University considers students to be mature individuals who are responsible for establishing and accepting appropriate standards of behavior. In an effort to facilitate growth and development, students are encouraged to further learn integrity, respect, and responsibility. Each student is expected to conduct himself/herself in accordance with the community standards of the University; city, state, and federal laws; respect and civility; and a positive character intended to support the rights of all members of the University community.

The University values that all students be treated with respect and dignity. In support of these values, the University maintains a student conduct process that focuses on correcting behavior that is deemed detrimental to the individual and the University community. The process focuses on treating student conduct cases from a holistic approach, taking appropriate steps to hold individuals accountable for their behavior, while acting in the best interests of the individual and the University community. Therefore, the overall aim of the student conduct process is to redirect the

behavior of the student into acceptable patterns and to protect the rights of the University community.

At the heart of this tenet is the responsibility of those involved with the student conduct process to assist students in maintaining an environment that is conducive to learning and personal development. The college experience provides students with the freedom to explore their learning, growth, and development. For many students, college represents the first serious challenge to accept major responsibility. In those cases where the individual does not exercise self-responsibility and self-discipline, the student conduct process is intended to redirect their behavior in a positive manner. All individuals involved in the student conduct process have the responsibility to enhance, challenge, and support the development of students while being consistent with the community standards of the University. In assisting students, individuals involved with the Student Conduct Process are expected to enforce University policies with fairness, consistency, and in a manner that challenges the student to redirect their behavior in a positive manner.

In summary, the involvement and commitment of all those people involved in the Student Conduct process is imperative to supporting a positive educational community while fostering the learning, growth, and development of students. Remember, the aim of the process is to teach students while maintaining a positive educational community. Objectivity, fairness, and consistency in our relationships can go a long way toward resolving situations in a manner that produces insights and growth rather than antagonism and resentment.

Student Conduct Program Principles

1. To regard each person as an individual deserving individual attention, consideration, and respect.
2. To consider the facts fully and carefully before resolving any case.
3. To speak candidly and honestly to each person.
4. To hold each student to a high standard of behavior, both to protect the University community and to promote student development.
5. To recognize the reality of human fallibility, as well as the stresses associated with collegiate life, and to demonstrate compassion, understanding, and a sense of humor.
6. To contribute to the educational mission of the University by designing policies, conducting programs, and offering instruction that contribute to the intellectual and moral development of the entire student body.

2008-2009 Student Conduct Goals and Assessment

Goal 1: Provide all members of the University community information on policies and procedures related to student conduct, academic honesty, and behavioral expectations both within and outside the classroom and the campus.

Goal 2: Administer a student conduct process that is fair, objective, and timely.

Goal 3: Focus on student development by challenging students to reflect upon the behavior for which they have been found responsible for a violation of student conduct policies.

Goal 4: Select and prepare students, faculty, and staff to serve as members of the Student Conduct Board.

Assessment

Goal 1: Copies of the Student Conduct documents entitled *Responding to the Disruptive Student: A Faculty Guide* and *Preventing and Responding to Academic Dishonesty: A Faculty Guide* were distributed to all faculty members at the start of the 2008-2009 academic year.

Information regarding Student Conduct is provided to all first-year students participating in the SOAR program.

Goal 2: In regard to each hearing before the Student Conduct Board, a hearing outline was utilized to insure a consistent hearing process be conducted. Each item listed on the outline is completed as the hearing progresses and the hearing outline is maintained in the student's conduct file.

In an effort to process student conduct cases in a timely manner, information is maintained regarding the average number of days from referral to resolution. The cases adjudicated during the 2008-2009 period were resolved in an average of 12.76 days from referral.

Goal 3: In an effort to develop students and deter further acts of misconduct, students are challenged to reflect upon their behavior by completing a developmental sanction. The purpose of the developmental sanctions (e.g., AlcoholEdu, counseling assessment) is to actively challenge students to reflect and explore their behavior. In support of the developmental sanctions, the Student Conduct process has developed 48 developmental sanctions that may be utilized to challenge student's development. In addition, a developmental sanction may be developed pending the nature of the violation.

During the 2008-2009 academic year, a total of 213 developmental sanctions were issued and processed in an effort to redirect students' behavior.

Goal 4: Members of the Student Conduct Board are provided an important set of responsibilities to challenge the student's development while supporting the values of the University community. In support of their efforts, all members of the Student Conduct Board are provided with a Student Conduct Manual. The current operating manual was updated in 2008.

In an effort to expedite the student conduct process, 23 new members completed training on October 17, 2008. Based upon the additional members, a total of 48 students, faculty, and administrative staff now serve as members of the Student Conduct Board.



Summary of Complaints and Resolutions

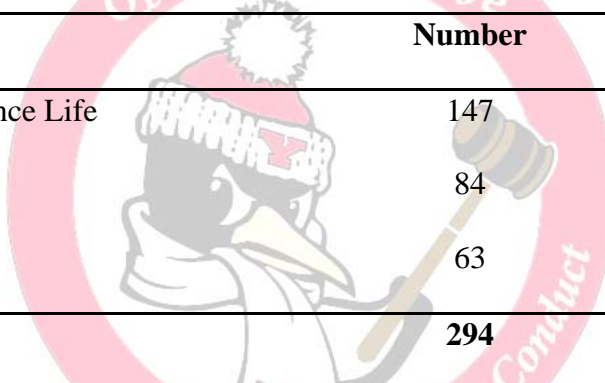
The following information provides a summary of all cases that were referred to the student conduct process from July 1, 2008 to June 30, 2009. Cases that are reported and referred are reviewed, investigated, and adjudicated either by hearing officers within Housing and Residence Life, administratively within the Office of Student Life, or through hearing panels from the Student Conduct Board under the direction of the Student Conduct Administrator.

Referrals

During the period of July 1, 2008 to June 30, 2009 a total of 294 cases resulting in charges being filed against students were referred to the student conduct process. Housing and Residence Life referred 50% of the cases adjudicated during this period. Table 1 provides a summary of the areas from which cases were reported.

Table 1

Student Conduct Case Referrals



Case Referred By	Number	Percentage
Housing and Residence Life	147	50%
University Police	84	29%
All Others	63	21%
Total	294	100%

Adjudication of Student Conduct Cases

The procedures contained in *The Code* provide that student conduct cases may be resolved either in an administrative conduct conference or via a conduct hearing managed by the Office of Student Life. Three Housing Coordinators from the Office of Housing and Residence Life are designated as hearing officers who handle administrative hearings involving residence hall students involved in minor level violations. The Office of Student Life adjudicates cases both administratively and through the Student Conduct Board. Cases resolved via a conduct hearing are adjudicated via a three member panel of the Student Conduct Board under the administration and advisement of the Student Conduct Administrator.

Hearing Officers adjudicate cases involving minor level violations occurring in the residence halls that may result in the student receiving a status sanction up to probation if found responsible. The Student Conduct Administrator adjudicates all cases involving residence hall students where a status sanction more severe

than probation may result and all other cases that are referred from other campus departments. In addition, the Student Conduct Administrator manages the hearing panels of the Student Conduct Board who are responsible for resolving cases involving more serious violations of policy.

A summary of the adjudication of cases is provided in Table 2. The Office of Student Life was involved in the resolution of 50% percent of all cases referred (107 administrative hearings and 40 Student Conduct Board hearings). The three hearing officers were involved in the resolution of 50% of the cases.

Table 2

Adjudication of Student Conduct Cases

Case Resolved By	Number	Percentage
Office of Student Life (Administrative)	107	36%
Student Conduct Board	40	14%
Hearing Officers (3 Officers)	147	50%
Total	294	100%

Summary of Violations

The 294 cases that were resolved through the student conduct process involved a total of 430 violations of conduct regulations contained in *The Code*. This total represents 1.5 violations per case. The most common violations of conduct regulations contained in Article IV of *The Code* included violation of published University policies (138 violations); alcohol policy (56 violations); physical abuse, verbal abuse, threats, intimidation (51 violations); failure to comply with oral or written directions (49 violations); conduct which is disorderly, lewd, or indecent (34 violations). In regard to the violations of published University policies, most involve quiet hour or visitation violations in the residence halls. Table 3 provides a summary of conduct violations for which students were charged.

Table 3

Summary of Conduct Violations

Conduct Regulation: Article IV	Total
A.1.a (academic dishonesty)	7
A.1.b (furnishing false information)	1
A.1.c (forgery, misuse of University documents)	9
A.1.d (tampering with elections)	0
A.1.e (address and telephone information)	0
A.1.f (misrepresenting enrollment status)	0
A.2 (disruption or obstruction of University activities)	8
A.3.a (unauthorized entry into a file)	1
A.3.b (unauthorized transfer of a file)	0
A.3.c (unauthorized use of identification or password)	0
A.3.d (interfering with another individual's work)	0
A.3.e (obscene or abusive messages)	0
A.3.f (interfering with the operation of the University system)	0
A.3.g (violation of copyright laws)	0
A.3.h (University Computer Use Policy)	1
A.4.a (physical abuse, verbal abuse, threats, intimidation)	51
A.4.b (sexual contact, advances, or acts without consent)	0
A.5 (hazing)	0
A.6 (conduct which is disorderly, lewd, or indecent)	34
A.7 (theft or property damage)	20
A.8 (failure to meet financial obligations)	0

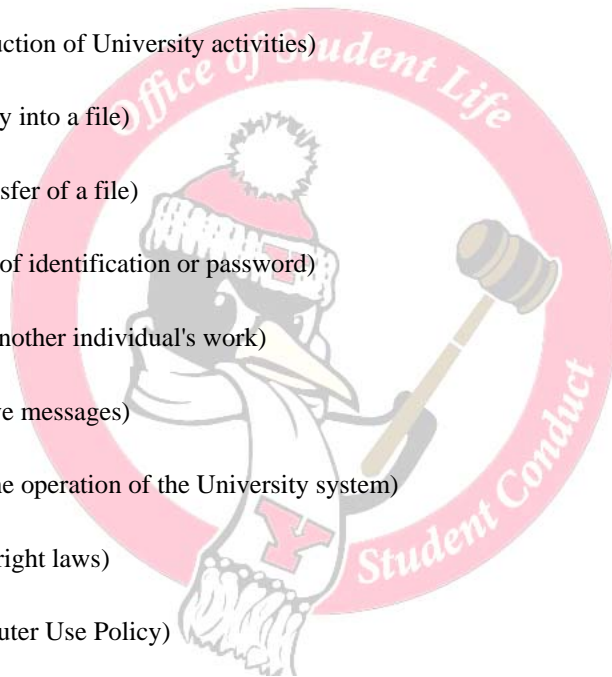


Table 3

Summary of Conduct Violations (continued)

Conduct Regulation: Article IV	Total
A.9 (unauthorized possession, duplications, or use of keys)	0
A.10 (narcotic or other controlled substances)	21
A.11 (alcohol)	56
A.12 (weapons and explosives)	3
A.13 (campus demonstration which results in disruption)	2
A.14 (obstruction of pedestrian or vehicular traffic)	1
A.15 (gambling or wagering)	0
A.16 (violations of federal, state, local law)	18
A.17 (false fire alarms, bomb threats, tampering)	1
A.18 (offenses of violence)	0
A.19 (violation of published University policies)	138
A.20 (failure to comply with oral or written directions)	49
A.21.a (failure to obey summons of a student conduct body)	0
A.21.b (misrepresentation of information)	0
A.21.c (disruption of a student conduct proceeding)	0
A.21.d (institution of proceeding knowingly w/o cause)	0
A.21.e (discouraging individual's proper participation)	0
A.21.f (influence)	0
A.21.g (harassment)	0
A.21.h (failure to comply with sanctions)	9

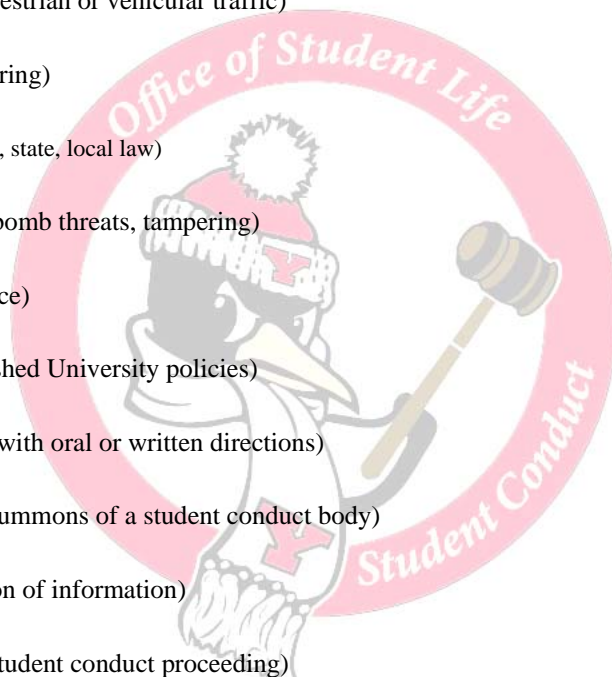


Table 3

Summary of Conduct Violations (continued)

Conduct Regulation: Article IV	Total
A.21.i (influence abuse of the student conduct system)	0
Total	430

Violation Disposition

In the cases that were referred where charges were filed against students, a charge letter was sent to the student indicating the charges and informing them of what is needed to resolve the complaint. In addition, students were sent an email notifying them of the charge letter. Cases are resolved either through a conduct conference (administrative hearing) or a conduct hearing (Student Conduct Board hearing) depending on the nature of the complaint, the charges that have been filed, and the student's existing student conduct record. In addition, students may request that their case be resolved by a Student Conduct Board hearing panel. In determining whether the student is responsible for the charged violation, the standard of proof utilized in the student conduct process is the preponderance of evidence. If after reviewing all the relevant information the student conduct body is able to conclude that more likely than not the violation occurred, the student is found responsible. Table 4 summarizes the disposition of the 430 violations for which students were charged.

Table 4

Violation Disposition

Violation Outcome	Number	Percentage
Responsible	367	85%
Not Responsible	63	15%
Total	430	100%

Summary of Sanctions

Issuing sanctions is an important aspect of the student conduct process. This is the opportunity to educate the student on the effects of his/her behavior, reflect on the community standards within the University, and attempt to facilitate a change in the student's behavior for the future. In order for a student to be able to reflect on their behavior in a manner that will redirect them in a positive way, we must focus on challenging the student to self-reflect and develop better decision

making. An effective student conduct process will recognize this fact and determine a means for responding that is oriented at challenging and supporting students to follow high standards.

Most people involved with a student conduct process would agree that utilizing a status sanction (warnings, probation, etc.) as the only means of sanctioning students is not effective in providing education to the student and deterring future violations. Instead, experience has taught individuals involved with student conduct that the use of developmental sanctions (e.g., AlcoholEdu, counseling assessment, reflection paper) in conjunction with status sanctions are much more effective in both educating the student and deterring further acts of misconduct. Only by actively challenging the student to reflect and explore their behavior can we expect to impact their involvement in the University community. As a result, a status sanction and developmental sanction(s) are implemented in most of our student conduct cases.

In order to issue the most appropriate sanction, the student conduct body considers the following factors: the student’s growth and development within the process; the nature of the violation(s); institutional precedent for similar cases; the student’s conduct history; and mitigating or aggravating factors. In addition, the student conduct body reviews input from both the complainant and the student who has been found responsible prior to deciding the sanctions. Table 5 and Table 6 summarize the sanctions issued through the student conduct process for cases in which a student was found responsible. **A total of 213 developmental sanctions were issued and processed in an effort to redirect the student’s behavior.**

Table 5

Summary of Status Sanctions

Sanction	Number
Warning	103
Probation	98
Probation with Restrictions	1
Deferred Suspension	16
Residence Hall Suspension	10
University Suspension	16
Residence Hall Expulsion	1
University Expulsion	7

Table 6***Summary of Developmental Sanctions***

Sanction	Number
DS 01 Academic Assignment Completion	0
DS 02 Article Review	0
DS 03 Conduct Agreement	1
DS 04 Book Review	0
DS 05 Letter of Apology	7
DS 06 Personal Journal	0
DS 07 Reflection Paper	48
DS 08 Research Paper	2
DS 09 Video Review	0
DS 10 Policy Review Paper	0
DS 10.1 Computer Use Policy Review	0
DS 20 Academic Integrity Review	0
DS 21 Attend Alcoholics Anonymous Meeting	0
DS 22 Educational Interview	1
DS 23 Educational Poster Board	1
DS 24 Community Service	24
DS 25 Restitution	9
DS 26 Residence Hall Desk Duty	0
DS 27 Probationary Review Meetings	10
DS 28 Program Attendance	0
DS 29 Program Presentation with Staff	0

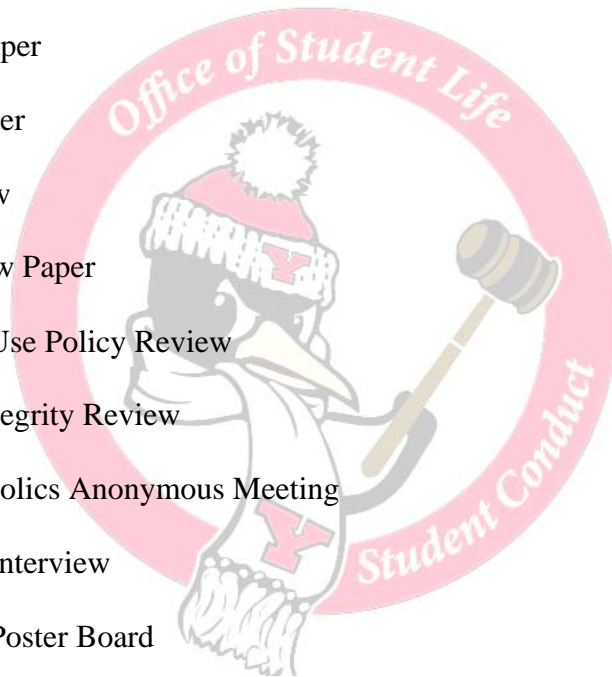


Table 6

Summary of Developmental Sanctions (continued)

Sanction	Number
DS 30 RA Duty	0
DS 40 Alcohol 101	0
DS 41 AlcoholEdu Online Education Program	12
DS 41.1 Alcohol Skills Training Workshop	0
DS 42 Counseling Assessment	15
DS 43 Ethics Educational Assignment	2
DS 44 Recognizing Differences Assignment	0
DS 45 Conflict Resolution Assignment	12
DS 60 Persona Non Grata Status (Specific Area)	0
DS 61 Persona Non Grata Status (University)	0
DS 62 Contact Restriction	3
DS 63 Computer Privileges Restriction	0
DS 64 Guest Privileges Restriction	7
DS 65 Stereo Restriction	0
DS 66 Substance Restriction	0
DS 69 Other Restrictions	7
DS 70 Alcohol Treatment Program	0
DS 71 Drug Treatment Program	2
DS 72 Counseling Assessment (Suspensions)	0
DS 80 Recommended Counseling	0
DS 81 Recommended Housing Reassignment	1



Table 6

Summary of Developmental Sanctions (continued)

Sanction	Number
DS 82 Recommended Mediation	0
DS 83 Recommended Next Sanction	6
DS 90 Notification of Student Conduct Action	26
DS 91 Registration/Records Hold	17
DS 92 Withdrawal (Suspension or Expulsion)	0
DS 93 Graduation Block	0
Total	213

Appeals

In order to ensure that student conduct cases are managed in a fair and objective manner, both the accused student and the complainant have the right to file an appeal. The decision or sanction imposed by a Student Conduct body may be appealed for one or more of the following purposes: 1) to determine whether the original hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures, giving the accused student or group/organization and complainant an opportunity to prepare and to present information regarding the allegations; 2) to determine whether the decision reached regarding the accused student or group/organization was based on sufficient evidence, that is, whether the facts in the case were sufficient to establish that a violation of *The Code* occurred; 3) to determine whether the sanction(s) imposed was/were appropriate for the violation of *The Code* which the student or group/organization was found to have committed; and/or 4) to consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original hearing.

During the period of July 1, 2008 to June 30, 2009, seven (7) cases were appealed. Appeal cases are reviewed either by the Student Conduct Administrator or an appeal panel of the Student Conduct Board depending on the nature of the original hearing. The student conduct body makes a determination whether the appeal should be granted or denied. If the student conduct body determines that there is sufficient information to grant an appeal, the case is remanded to the original student conduct body.

In response to the seven appealed cases, four appeals were granted and remanded back to the original hearing body and three appeal cases were denied.

The four appeal cases that were remanded resulted in a modification of the original sanctions. Table 7 and Table 8 present a summary of the appealed cases.

Table 7

Summary of Appeal Cases

Action Regarding Appeals	Number	Percentage
Appeals Granted (Remanded)	4	57%
Appeals Denied	3	43%
Total	7	100%

Table 8

Summary of Remanded Appeal Cases

Decision Following Remand	Number	Percentage
Uphold Original Decision	0	0%
Reverse Original Decision	0	0%
Modify Sanction	4	100%
Total	4	100%

Parental Notifications

Youngstown State University is committed to an educational environment that promotes the safety, responsible decision-making, and social and intellectual development of all students. Furthermore, the University is concerned with taking a proactive approach in regards to students that may be experiencing problems with alcohol or other drugs. In accordance with state law, Youngstown State University has a no-tolerance policy for drugs and alcohol and, therefore, notifies parents of students under 21 years of age if such students have been found responsible for violating institutional policies regarding alcohol or other drugs in an effort to create a positive support network for students. **A total of 30 parental notifications were processed between July 1, 2008 to June 30, 2009.**

Student Conduct Records Requests

The Office of Student Life is responsible for maintaining all student conduct records of information received and action taken by the respective Student Conduct bodies. Conduct sanctions shall not be made part of the student's academic record but shall become part of the student's conduct record and are considered to be an educational record under FERPA. All student conduct records, except records of residence hall expulsion, University suspension, University expulsion, and revocation or withholding of a degree shall be expunged seven years after final disposition of the case. The Office of Student Life processes all requests for student conduct records that are part of a student's transferring to another institution, graduate school applications, federal background checks, awards applications, student employment, or other lawful requests. **During the period of July 1, 2008 to June 30, 2009 the Office of Student Life processed 472 student conduct records requests.**

