

CULVER

STOCKTON COLLEGE

CONDUCT PANEL TRAINING

Culver-Stockton College
September 9, 2021

WELCOME & INTRODUCTIONS

Objectives for today

- Your role and responsibility
- Student Rights
- Knowledge of Title IX Processes
- Academic Dishonesty
- Conduct Meeting Procedures
- Conduct Meeting Outcomes
- Case Study
- Wrap Up

Why what you do is important

- Over 1,500 college students die each year from alcohol-related injuries (NIAAA)
- Approx. 696,000 students aged 18-24 report being assaulted by another student who had been drinking (NIAAA)
- 13% of all college students experience rape or sexual assault through physical force, violence, or incapacitation (RAINN)
- Of the various crimes reported in 2018, 43% were forcible sex offenses (NCES)
- More than 60% of college students freely admit to cheating (ICAI)

Role and Responsibility

- Reinforcing college expectations
- Participate, listen, and render judgment
- Decide Title IX complaints

<https://culver.edu/campus-life/student-handbook/>

Rights of Students

- To be informed of complaint and specific violation
- To be granted a hearing to present witnesses and share their side
- To have an advisor to assist student in preparing for hearing
- Procedural fairness
- To appeal decision

Confidentiality

Shhhh.....

Process

- Who is called?
- What are you called to hear?
- How often will you meet?
- How long will a meeting take?
- Who runs the conduct meeting?
- Who comes to the conduct meeting?
- 3 Committee members
- Conduct meetings – Angie will facilitate
- Title IX meetings – Angie or Diane will be there (sometimes both)
- Academic Dishonesty – Lauren will facilitate

Conflict of Interest

- Dual Relationships: friendships, intimate relationships -past or present, academic advisee, student in class, student you advise in an organization, work study students, etc.
- Personal Conflict: similar experience for you or someone you are close to, difficulty separating emotions/decision making, too close and personally involved, you have outside information.

Title IX Violations

- Definitions under Title IX
- Quid Pro Quo
- Severe, pervasive, AND objectively offensive
- Sexual assault, dating violence, domestic violence, or stalking.
- Title IX Violations may range from less serious incidents of someone sending flowers to someone inappropriately (stalking) to more serious violations such as an aggravated assault.
- Updates

Sexual Consent

- To actively and willingly participate in any given sexual activity, without coercion or force
- No Consent = Sexual Assault

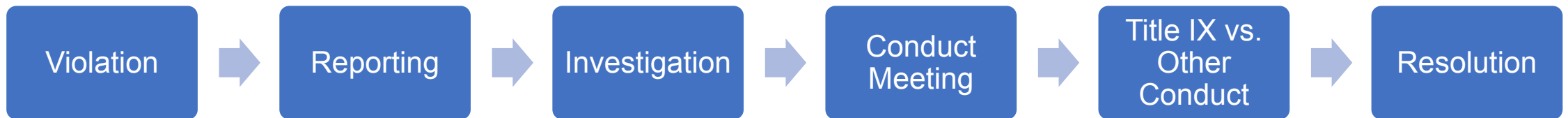
How to Get Consent

- “Can I kiss you?”
- “Do you want to have sex?”
- “Is it ok if I _____ your _____?”
- “How far are you comfortable going?”
- “Will you tell me when you are ready to stop?”
- “You got quiet. Are you still ok doing this?”

You Don't Have Consent If...

- If he/she says “NO” or you don't ask
- Either person is drunk/high
- You are forcing the other person
- Physically
- Emotionally
- Other person is:
 - Not responding to your touch
 - Pushing you away
 - Holding their arms tightly around their bodies
 - Turning away from you or hiding their face
 - Stiffening muscles

Reporting Structure and Documentation



Other Disciplinary Cases

- Weapons
 - No storage – this includes in their vehicle
 - Knives over 4 inches long
- Dealing Drugs
- Police will always be called
- Fighting
 - Did the student have an opportunity to walk away?
- Racial Discrimination
 - Discrimination or misconduct based on the person's race or other protected areas as defined by our diversity statement

Academic Dishonesty

- First Offense – meeting with Dean Schellenberger
- Second Offense – Up to and including suspension
- Third Offense – Up to and including suspension

The Actual Conduct Meeting

What happens and what should I be looking for?

Process

- Begins with examination of reports
- Ends with a decision (your vote is confidential)
- Flowchart designed to help you navigate through all the processes in-between

Report Review

- After reading the report, you should:
 - Have a good understanding of the incident
 - Be aware of possible Title IX policy violations
- Understanding the report before questioning allows:
 - Comparison of what you're hearing vs. what's documented
 - Determine the “weak” areas of documentation

Describing the Framework

- Dean of Student Life role
- Student needs to hear these before beginning:
 - Opportunity to share their perspective
 - They may ask questions at any point
 - Live hearing with cross-examination - Title IX
 - There will be a recording of the live hearing-Title IX
 - The goal of this process
 - To see if a violation has occurred in order to create a safe environment on campus

Student in Question

- While student is describing their “side of the story”:
 - Things may not “line up” perfectly
 - Look for themes
 - Note critical differences
 - Do not interrupt, if at all possible
 - Check your posture/expressions/body language

Student in Question Interview

- Conduct Panel may question after student has described their involvement
 - Make sure you know who, what, when, where, and why
 - Remember...
 - “Rapid Fire” questions will make the student feel attacked
 - Use a calm, non-accusatory tone when questioning
 - Don’t ask “trick” questions
 - Allow the student to answer thoroughly

Good Questions to Ask...

- How do you feel about the incident now, after a week has gone by?
- Why did you feel you had to hit or punch to get away from the situation?
- You said earlier that you received consent from the other student, but the report we read says that you did not know if you received consent or not. Could you clarify?
- The report indicates that your speech was slurred and that you were stumbling as you walked down the hallway. Were you drinking? How much?

Witnesses

- Each party (reporting and responding) may have witnesses they want you to talk to.
- Do fact checking with witnesses
- Let them tell what they saw or heard. Telling you something from a second or third source is not a witness.

Ending the Interview

- Give student an opportunity to share their perspective on what should happen.
- Give student an opportunity to make any final remarks.
- Dismiss the student and advisor.

Deliberations

- Council members should discuss whether they believe the student in question MORE LIKELY THAN NOT has violated a policy.
 - Title IX cases
 - If the council does not believe a violation has occurred, the Dean of Student Life will communicate this with the students in writing.
 - If the council believes a violation has occurred, the Dean of Students will then consider possible sanctions. This will also be communicated to the students.
 - Non Title IX cases
 - If the council believes a violation MORE LIKELY THAN NOT has occurred, the Dean of Students will ask the council for recommendations on sanctions.

Sanctions

- Warning
- Fine
- Restitution
- Educational programming
- Community service
- Disciplinary probation
- Revocation of privileges
- Probation
- Deferred suspension
- Interim suspension
- Suspension
- Expulsion
- Dismissal

Other Things to Note

- Appeal process
 - Appeals Committee for Title IX and Code of Conduct Cases
 - Academic Standards for Academic Dishonesty Cases
- Remember it is “More Likely Than Not”

Case Study

Campus Safety finds a student quickly walking away from a car on campus. The driver of the car yells, “Hey, where are you going?” Campus Safety asks the student in the car what is going on while observing on the front seat of the car a scale, \$300 of cash in various denominations, multiple individual bags of marijuana (less than ounce total). Is the student responsible for drug distribution?

Wrap Up

- Questions?

Thank you!

We appreciate your time and service to the
Conduct Panel!