



To: Committee on Academic and Student Affairs

Re: Proposed Changes to the University Code of Student Conduct and Alcohol and Other Drug Policy for Students

Date: August 30, 2016

I. Background and Rationale

In Spring 2016 the Rutgers University Student Assembly (RUSA) presented a proposal to the New Brunswick Alcohol Initiatives Committee and Dr. Felicia McGinty, the Vice Chancellor for Student Affairs, requesting creation of a medical amnesty provision so that students seeking assistance for themselves or others during a medical emergency might not be charged with violations under the Code of Student Conduct. Dr. McGinty discussed these proposals with the Vice Chancellors for Student Affairs both at Newark and Camden, and a unanimous decision was made to approve provisions for medical amnesty for incidents involving alcohol. Specifically, the campuses all agreed that students calling for assistance for themselves, for other students, or reporting an incident of sexual violence might not be charged with violations of the University Code of Student Conduct if they meet certain conditions. Changes to the Code of Student Conduct and the Alcohol and Other Drug Policy are required to effectuate this change and codify these provisions for medical amnesty. The proposed new provisions of each document are set forth below.

The Alcohol Initiatives Committee also proposed to Vice Chancellor McGinty that Rutgers-New Brunswick impose disciplinary fines for alcohol and drug violations. The changes to the Policy and the Code detailed below are recommended so that fines will be listed as possible sanctions for violations under the Code of Student Conduct.

Lastly, the Office of Student Conduct requested to add another resolution option for students not accepting responsibility for alcohol violations, to supplement the two existing options of either a disciplinary conference or a hearing. We anticipate higher numbers of students asking for disciplinary conferences or hearings, therefore a proposal was made to develop a simpler way for students to resolve conduct charges that still meets the requirements for affording students due process. The resulting proposal to utilize a Community Review Board process is detailed below.

II. Summary of the Changes

In summary, the proposed changes in the University Code of Student Conduct do the following:

- Add a description of fines and what they are used for to the “sanctions” section of the Code.
- Describe medical amnesty in the Code of Student Conduct.
- Describe the Community Review Board and its procedures.

In summary, the changes in the Alcohol and Other Drug Policy for Students do the following:

- State that Disciplinary Fines can be imposed for alcohol and drug violations.
- Describe medical amnesty:
 - Define medical amnesty.
 - Define the conditions upon which students can receive medical amnesty.
 - Define when medical amnesty cannot be used.

III. Revisions to the Code

The specific proposed revisions to the Code, with supporting rationale, are detailed below. Please note that the page and item numbers refer to the redlined version of the Code, submitted herewith.

- **Pg. 11, Item D. 2.**
 - Add: “Fines: Fines are utilized as a deterrent to further student misconduct, and are put in place in cases involving the use of alcohol and other drugs. Conduct fine rates are approved by the Senior Student Affairs Officers on each campus.”
 - Rationale: This defines the purpose of fines and what they will be used for, and who approves fines on each campus.
- **Pg. 16, Section F. Community Review Board Procedures**
 - Add: entire section.
 - Rationale: This addition defines the Community Review Board, what the Board is charged to do, and how it will function. The Community Review Board provides students with a board of peers that will determine whether or not they are in violation of the Code of Student Conduct for alcohol violations. This option will help the Office of Student Conduct in New Brunswick manage the high volume of cases involving alcohol violations and also provide an alternative resolution option for students at Newark and Camden.
- **Pg. 19, Appeals Procedures**
 - Add: “Section 4: Appeals of Community Review Board Decisions.”
 - Rationale: This addition provides for who will hear appeals of Community Review Board decisions.
- **Pg. 20, Section XV. Medical Amnesty**
 - Add: entire section
 - Rationale: This addition defines medical amnesty and provides that there are instances in which students may not be charged with Code violations if they meet criteria for medical amnesty. This section in the Code is necessary so students and community members know that under certain circumstances

students may not be charged with Code violations for behavior that would under other circumstances would certainly be a violation.

IV. Revisions to the Alcohol and Other Drug Policy for Students

- **Pg. 8, Section VI. Compliance with the University Code of Student Conduct**
 - Add: “D. Disciplinary Fines may be imposed for alcohol and drug violations of the Code of Student Conduct.”
 - Rationale: This section discusses the Code of Student Conduct and states that fines are a potential sanction for alcohol or drug violations. This information is important to include in the Policy, in addition to the Code, so that anyone reviewing the Policy knows that it is an option.

- **Pg. 8, Section VII. Medical Amnesty from University Code of Student Conduct Violations**
 - Add: entire section.
 - Rationale: This section clearly spells out what medical amnesty is, the conditions upon which students will be granted medical amnesty, and who has the authority to determine whether medical amnesty will be granted. Not every student will meet the conditions for medical amnesty and this section outlines what factors meet the criteria for medical amnesty. This language was taken directly from the proposal presented by RUSA.

V. Interim Use of the Code and the Policy

The revisions to the Code of Student Conduct and to the Alcohol and Other Drug Policy for Students detailed above have been reviewed and approved by multiple individuals and offices in New Brunswick, Newark and Camden. We are therefore asking permission to use both revised documents on an interim basis pending review and approval.