

Cal Poly Pomona, Judicial Affairs
External Program Review Response

June 28, 2012
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Introduction

The Division of Student Affairs at California State Polytechnic University, Pomona is committed to the quality of its programs and departments. Part of that commitment is shown through program reviews conducted in each department within the division, on a seven-year rotation. The Judicial Affairs department at Cal Poly Pomona invited an external review team to conduct a comprehensive assessment to identify the program's strengths and opportunities for improvement. On January 30-31, 2012 Dr. Debra Gellar, Executive Director of Community Standards and Chief Administrative Officer for Student and Campus Life at UCLA, and Ms. Sandra Rhoten, Associate Dean of Judicial Affairs at Cal State Fullerton, conducted a comprehensive program review by interviewing campus partners and campus leaders, reviewing documents and materials, and by reviewing the Council for the Advancement of Standards in Higher Education (CAS) for Student Conduct Programs.

The reviewers were asked to assess the following:

- The mission, programs, services, and performance of the Judicial Affairs unit;
- The unit's staffing model, organizational reporting structure, human resource areas, and campus and external relations, and implications of staffing cuts;
- The fiscal, facility, technology, and equipment resources allocated to Judicial Affairs;
- The unit's level of culture of evidence and compliance to legal and ethical standards.

The questions that guided the reviewers were:

- How is Judicial Affairs perceived by campus stakeholders?
- What opportunities exist for enhancing efficiency and effectiveness?
- Are there any essential functions not being performed?
- What are the essential functions of Judicial Affairs that must be protected in the event resources are further reduced?
- What unmet needs should be prioritized if additional resources can be identified?

Overall Impressions

Dr. Gellar and Ms. Rhoten provided Judicial Affairs with positive feedback and appropriately discussed the challenges facing the department throughout their final report. The reviewers noted that Judicial Affairs “does many things well” (p. 21), despite its limitations in staffing. Overall, the reviewers believe Judicial Affairs’ developmental focus during conduct meetings “is a best practice in student conduct that should be maintained” (p. 21), but its outreach and education efforts are limited and should be expanded as a “key component to preventing misconduct in general, and academic misconduct in particular” (p. 21).

Through their comprehensive and objective assessment, the review team highlighted six areas of focus, with additional sub-sections. Consideration of these areas will serve as the basis for future planning efforts in the 2012 strategic planning process. The updated Judicial Affairs Strategic Plan will extend through 2015.

1. Staffing

- a. Director of Judicial Affairs*
- b. Residential Judicial Affairs*
- c. Office Support*
- d. Training Program*
- e. Student Workers*
- f. Future Expansion*
- g. Potential Reductions*
- h. Facilities*
- i. Technology*
- j. Outreach*

2. Policy and Procedures

3. Compliance

- a. Title IX*
- b. Title II*
- c. Clery Act*

4. Alcohol and Other Drugs

5. First Year Experience

6. Hazing Prevention and Response

Recommendations

Staffing

Under the area of Staffing, the reviewers focused on ten sub-sections, including Director of Judicial Affairs, Residential Judicial Affairs, Office Support, Training Program, Student Workers, Future Expansion, Potential Reductions, Facilities, Technology, and Outreach. The recommendations of the reviewers are summarized below, followed by a response.

Director of Judicial Affairs

The reviewers recommend that:

- The Director should transition from advising roles in ASI, with the exception of advising ASI Elections.
- The Director should continue professional development with annual attendance at the California State University Judicial Affairs Officers (CSUJAO) meeting, and should attend

the managers' track at the Gehring Institute sponsored by the Association of Student Conduct Administrators (ASCA).

Judicial Affairs agrees and implemented the following:

- The Director will maintain her advising role for ASI Elections.
- The Director has removed one of her ASI advising roles, as the advisor for the Student Interest Council, from her list of responsibilities.
- The Director will continue to attend the annual CSUJAO meeting. She also actively participates in dialogue with fellow conduct administrators through listservs for the CSUJAO and ASCA.

Judicial Affairs agrees with the recommendations and intends to do the following:

- The Director will submit a proposal to attend future ASCA national conferences and the Gehring Institute, once professional development funds have been reinstated and travel restrictions have been lifted.

Judicial Affairs will not implement the following:

- The Director will maintain her role advising the ASI Rules and Policies committee, because of its relationship with university compliance.

Residential Judicial Affairs

The reviewers recommend that:

- A qualified Residential Life professional staff member in University Housing Services (UHS) should handle campus sanctions for UHS violations that involve eviction.
- A UHS staff member should be allocated 50% to Judicial Affairs.
- Judicial Affairs should explore how other CSU campuses coordinate their UHS/Judicial Affairs conduct.

Judicial Affairs agrees and implemented the following:

- From the end of the program review visit on January 31, 2012, Piya Bose from UHS was designated as a conduct administrator and handled campus sanctions for UHS, including those that involved eviction. Piya Bose has since left the university as of May 24, 2012.

Judicial Affairs agrees with the recommendations and intends to:

- Coordinate with UHS to identify a UHS staff member to handle campus sanctions for UHS, including those that involve eviction.
- Explore how other CSU campuses coordinate their UHS/Judicial Affairs conduct through attendance at the annual CSUJAO meeting and by accessing the listserv.

Office Support

The reviewers recommend that:

- An Administrative Trainee position be added to the office, to do outreach programming, adjudicate low-level cases, and to oversee assessment and reporting.

Judicial Affairs agrees and implemented the following:

- After receiving Presidential approval, a job opening for an Administrative Trainee position was posted through human resources on June 25, 2012. The posting will close on July 9, 2012 and a permanent, full-time Administrative Trainee will be hired forthright.

Training Program

The reviewers recommend that:

- Judicial Affairs place graduate students from local student affairs masters degree programs to serve as unpaid interns to handle low-level conduct and to do outreach.

Judicial Affairs agrees with the recommendations and intends to:

- Contact local programs at Azusa Pacific University, CSU Fullerton, and CSU Long Beach to find interested and qualified graduate students that may need to fulfill practicum and/or internship hours.

Student Workers

The reviewers recommend that:

- Three or four student workers be dedicated to Judicial Affairs, each working approximately 15 hours per week.

Judicial Affairs agrees and implemented the following:

- Following the program review, one student assistant has become dedicated to Judicial Affairs work and a second is dedicated at 75% time to Judicial Affairs work. These students work 20 hours per week.

Judicial Affairs agrees with the recommendations and intends to:

- The second student assistant will transition to become fully dedicated to Judicial Affairs work by January 2013.

Future Expansion

The reviewers recommend that:

- When the economic climate improves, funds should be identified for an Assistant Director of Judicial Affairs, so the Director can commit more time to outreach, institutional projects, and committees.

Judicial Affairs agrees with the recommendation:

- Judicial Affairs would like to explore this recommendation when the economic climate improves.

Potential Reductions

The reviewers recommend that:

- If budgets are further cut, Judicial Affairs will need to focus on legal compliance and reduce or eliminate the developmental focus of student conduct.

Judicial Affairs agrees with the recommendations:

- If such misfortune comes to light, this recommendation will be implemented.

Facilities

The reviewers recommend that:

- Judicial Affairs needs to appear independent by relocating the office to a near-by space that is close to the Dean of Students, but is independent of the Dean of Students.

Judicial Affairs does not agree with this recommendation:

- This recommendation is well-received, but unrealistic at this time because we are unable to have shared costs without shared space.

Technology

The reviewers recommend that:

- Judicial Affairs needs a Judicial Database that can create reports and thus improve reporting, identify trends, and manage caseload data.
- Judicial Affairs needs to be granted access to student birthdates to identify underage drinking.

Judicial Affairs agrees and implemented the following:

- Judicial Affairs contacted campus partners in Police, Counseling and Psychological Services (CAPS), and UHS regarding their databases. UHS uses Odyssey and is exploring a web-based component that may be usable by Judicial Affairs.
- Members of PolyCARES have been made aware of the technology needs in Judicial Affairs and are interested in providing assistance, if possible, to also assist with threat assessment data.

Judicial Affairs agrees with the recommendations and intends to:

- Identify an appropriate and reasonably priced database to fulfill the needs of reporting, managing cases, and identifying trends.
- Coordinate with the campus operators of PeopleSoft to gain access to birthdates.

Outreach

The reviewers recommend that:

- More attention should be given to preventing academic misconduct.
- All entering students, all new faculty, TA's, and academic advisors should receive an interactive presentation regarding academic misconduct.
- All entering students should receive training on proper citation and authorized collaboration.

Judicial Affairs agrees and implemented the following:

- Judicial Affairs currently presents to Summer Bridge, BroncoFusion, new faculty, TA's, library workshops, and academic departments. This will continue.

Judicial Affairs agrees with the recommendations and intends to:

- Improve outreach and expand presentations this year to the Academic Senate and Athletics.

Judicial Affairs supports the spirit of this recommendation:

- This recommendation is well-received, but due to staffing limitations it is unrealistic at this time to create an interactive presentation or provide training to all parties mentioned in the recommendation.

Policy and Procedures

The reviewers recommend that:

- The Students Rights, Responsibilities and Grievance Procedures should be reviewed and revised by a team of faculty, staff, administrators, and students.
- Upon revision, the updated policy should be given to, and explained to, students and faculty.

Judicial Affairs agrees and implemented the following:

- In 2010 the policy was revised, but was not finalized by the Academic Senate Sub-Committee on Academic Policies.

Judicial Affairs agrees with the recommendations and intends to:

- Reassemble a team of faculty, staff, administrators, and students to review and revise the Students Rights, Responsibilities and Grievance Procedures.

Compliance

Under the area of Compliance, the reviewers focused on three sub-sections, including Title IX, Title II, and Clery Act. The recommendations of the reviewers are summarized below, followed by a response.

Title IX

The reviewers recommend that:

- The sexual harassment task force reassemble including, Judicial Affairs, UHS, Village, Police, Health Promotion and Wellness, and the Violence Prevention and Women's Resource Center.
- Upon meeting, the task force should review the OCR's Dear Colleagues Letter (April 4, 2011) to document compliance and to review procedures regarding reluctant victims, insuring the equitable treatment of both the complainant and the accused, hearing procedures, and the victim appeal process.

Judicial Affairs agrees and implemented the following:

- Staff met from the Violence Prevention and Women's Resource Center, Police, CAPS, and the Title IX Coordinator to ensure compliance with Title IX and the OCR's Dear Colleagues Letter (April 4, 2011).
- Judicial Affairs is confident in its compliance.

Judicial Affairs agrees with the recommendations and intends to:

- Reassemble the sexual harassment task force including, Judicial Affairs, UHS, Village, Police, Health Promotion and Wellness, the Violence Prevention and Women's Resource Center, CAPS, and the Title IX Coordinator to document compliance and procedures regarding reluctant victims, the equitable treatment of both the complainant and the accused, hearings, and the victim appeal process.

Title II

The reviewers recommend that:

- Judicial Affairs, in coordination with campus partners, further analyze the policy of involuntary withdrawal of students who pose a threat only to self.

Judicial Affairs agrees with the recommendations and implemented the following:

- A team was assembled from CAPS, Police, UHS, Village, and Student Health Services to review this policy.
- Drafts of the policy revision have gone to the Associate Vice Presidents of Student Affairs for further review.

Clery Act

The reviewers recommend that:

- Cal Poly Pomona Police expand their training and reporting requirements to all Judicial Affairs staff.

Judicial Affairs supports the spirit of this recommendation:

- If Judicial Affairs cannot obtain training from Police, we will seek training from other sources.

Alcohol and Other Drugs

The reviewers recommend that:

- Judicial Affairs collaborate with Health Promotion and Wellness, CAPS, and the Violence Prevention and Women's Resource Center to stay informed of changing legislation in this area and be aware of trends among the campus community.
- Collaboration among these groups should lead to recovery programs on campus.
- Judicial Affairs should continue to refer students to Student Health Services as a sanction option.
- Judicial Affairs should explore charging students for taking online education courses and using those funds to enhance Judicial Affairs staffing.

Judicial Affairs agrees and implemented the following:

- Judicial Affairs is a part of the campus Alcohol and Other Drug Committee (AOD) that discusses changing legislation, campus trends, and programs needed for campus such as recovery efforts.
- The AOD Committee collaborated with Alcoholics Anonymous to revitalize a dormant chapter meeting on campus property. These meetings began in June 2012 and will continue indefinitely, at this time.
- Judicial Affairs will continue to refer students to Student Health Services as a sanction option.

Judicial Affairs supports the spirit of this recommendation:

- Judicial Affairs is interested in this recommendation and will inquire about its ability to implement reimbursement for online education courses as part of a sanction. Judicial Affairs will explore this as a Category IV fee and will check with legal counsel to see if this is permissible.

Additional recommendations Judicial Affairs is pursuing:

- It is apparent that there is an inconsistency in sanctioning for alcohol and other drugs with UHS and the Village. Judicial Affairs has scheduled a meeting with UHS and the Village to discuss this issue and provide recommendations on improved consistency to the Vice President for Student Affairs.
- Judicial Affairs is interested in partnering with Student Health Services about the effectiveness of the interventions and sanctions given to students who violate the alcohol and other drug policies.
- Judicial Affairs is interested in researching mandatory alcohol assessments, as is done at CSU Chico, for all incoming students as a part of Orientation

First Year Experience

The reviewers recommend that:

- A first year experience program should be formalized, in conjunction with Orientation, to instill ethical value and build pride as way to minimize misconduct.
- Judicial Affairs should have an outreach role at all Orientations (i.e., freshman, transfer, international), with Greeks, and with Athletes, in addition to the outreach already being done with Summer Bridge and BroncoFusion.

Judicial Affairs agrees and implemented the following:

- Judicial Affairs will continue its outreach efforts to Summer Bridge and BroncoFusion.
- Judicial Affairs has contacted Athletics and the International Center and will participate in their orientation activities in August/September 2012.

Judicial Affairs agrees with the recommendations and intends to:

- Collaborate with Greeks to instill ethical value and build pride in an effort minimize conduct. This can be done in conjunction with hazing prevention efforts.
- Align available resources with the spirit of this recommendation to develop a message regarding campus values for all Orientations (i.e., freshman, transfer, international).

Hazing Prevention and Response

The reviewers recommend that:

- Judicial Affairs should continue to collaborate with campus partners to enhance outreach and education about hazing prevention and response, including bystander intervention techniques.

Judicial Affairs agrees and implemented the following:

- Judicial Affairs will continue to collaborate with campus partners to enhance outreach and education about hazing prevention and response, including bystander intervention techniques.

Judicial Affairs agrees with the recommendations and intends to:

- Judicial Affairs will review messages to students at Orientation programs regarding hazing.

Additional recommendations Judicial Affairs is pursuing:

- Since the program review was conducted, a hazing case occurred with a non-Greek organization. Judicial Affairs conferred with the Office of Student Life regarding this matter. As a result, information about hazing is included in the annual re-chartering process for all clubs and organizations.

Closing

Judicial Affairs is grateful to the reviewers, Dr. Debra Gellar and Ms. Sandra Rhoten, for their time, effort, dedication, and expert advice offered in this program review. The review team offered positive reinforcement regarding the strengths of the department, acknowledged areas of development and offered suggestions for improvement, and considered the unique challenges facing Judicial Affairs. They also provided constructive suggestions to help the department face budgetary and staffing challenges. The recommendations that resulted from the program review have enabled Judicial Affairs make some immediate improvements and have given us ideas for future and continuous improvement. This program review feedback will also help Judicial Affairs be a more productive and efficient department and will guide us as we face future challenges and growth. We will be updating the Judicial Affairs Strategic Plan to extend through 2015 and will use these recommendations as a basis for our future planning efforts.