

**CALIFORNIA STATE POLYTECHNIC UNIVERSITY,
POMONA**

DIVISION of STUDENT AFFAIRS

**External Program Review of
Judicial Affairs**

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Cal Poly Pomona Judicial Affairs External Program Review

I. Introduction

As part of a comprehensive program review, the Student Affairs organization at California Polytechnic University at Pomona (Cal Poly Pomona) invited an external review team to conduct an assessment of its Judicial Affairs program and to submit a report identifying the program's strengths as well as opportunities for improvement.

Following a brief background of the University which provides context for the program review and a description of the methodology employed in conducting the review, this report presents a discussion of the review team's findings and recommendations for practice.

II. Background

Approximately 20,000 undergraduates and 2,000 graduate students attend California Polytechnic University at Pomona. Cal Poly Pomona is a part of the California State University System. It is one of only seven polytechnic universities nationwide. The university features eight academic colleges: [Agriculture](#); [Business Administration](#); [Collins College of Hospitality Management](#); [Education and Integrative Studies](#); [Engineering](#); [Environmental Design](#); [Letters, Arts and Social Sciences](#); and [Science](#). Its 1400-acre campus is located 30 miles east of downtown Los Angeles, near the foothills of the San Gabriel Mountains.

The Division of Student Affairs is comprised of a variety of departments that offer programs and services to promote student learning and success while fostering an inclusive and vibrant campus community.¹

The Office of Judicial Affairs, within Student Affairs, is responsible for ensuring a fair, just, and impartial disciplinary process for students charged with violating the Student Code of Conduct, with a goal of providing information and resources to achieve a community of respect, civility and integrity for all members of the community.²

Student Affairs leadership at Cal Poly Pomona believes it has a good Judicial Affairs program. They seek validation of what is working well, and recommendation of best practices from the field of student conduct.

The Judicial Affairs program has been undergoing a comprehensive program review. As part of that review process, two experienced Student Affairs/Judicial Affairs professionals were chosen for the external review team:

Debra Geller currently serves as Executive Director of Community Standards, and Chief Administrative Officer for Student and Campus Life at UCLA. Her responsibilities include the strategic direction, policies and procedures, programs and staff of the Office of the Dean of Students, as well as development of all campus policies related to student life. Dr. Geller has a doctorate in education, an MBA, and 25 years' management experience in the public and private sectors. She also teaches assessment in the UCLA Graduate School of Education.

Sandra Rhoten currently serves as Associate Dean, Judicial Affairs at Cal State-Fullerton. Previous employment includes eight years at the University of Southern California as the Director of the Office for Student Conduct. She has also served in various positions at the University of Texas-Austin and the University of Nebraska at Lincoln. Ms. Rhoten is a frequent speaker at professional conferences. Recent presentations include "Student Learning through the Conduct Process: What We Think We Know" at the 2010 International Conference on Academic Integrity, and "Assessing Student Learning through the Conduct Process" at the 2011 NASPA Western Regional Conference.

The external review team was invited to conduct an assessment of the Cal Poly Pomona Judicial Affairs program's current staffing, practices, initiatives, and objectives in relation to the department's strategic plan and in compliance with the CAS Standards for student conduct programs. Specifically, the external review team was asked to do the following:

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

Recommendations were invited in regards to staffing, technology, and the preparedness to respond to changing needs in areas including Title IX, mental health, and alcohol and other drugs.

III. Methodology

The review process included approximately eighteen hours of interviews with Judicial Affairs staff, assorted campus partners, and campus leadership conducted over the course of a two-day site visit to the Cal Poly Pomona campus on January 30-31, 2012. The external review team members also reviewed materials submitted by Cal Poly Pomona Judicial Affairs, consulted with each other, and exchanged numerous drafts of this report before it was finalized.

Interviews were conducted with Student Affairs leadership including Vice President Doug Freer, Dean of Students Rebecca Gutierrez Keeton, and Associate Vice Presidents Kevin Colaner and Christi Chisler; with Judicial Affairs Director Susan Ashe, and staff Raquel Pina, Marla Williams, and Piya Bose, as well as assorted student workers; with 3 members of the faculty; with the Ombuds; and with student affairs staff representing Student Life & Cultural Centers, Greek Life, University Housing Services, Foundation Housing which is known as the University Village, University Police, Counseling and Psychological Services, Parking and Transportation Services, Athletics, Recreation, Health Promotion and Wellness, and the Violence Prevention and Women's Resource Center.

In addition to reviewing the CAS Standards for Student Conduct Programs, the external reviewers analyzed documents including:

- Cal Poly Pomona, Student Affairs, and Judicial Affairs' statements of mission, vision, and core values;
- Institutional profile and demographics
- Judicial Affairs' 2010-11 Accomplishments and Challenges, and 2011-12 Initiatives
- Student Conduct statistics for 2009-10, 2010-11, and Summer 2011
- 2008 Judicial Affairs internal audit
- Sample Judicial Affairs communications with students
- Judicial Affairs staff commitments to outreach and campus committees
- Organizational charts
- Judicial Affairs staff job descriptions, training plans, and compensation
- Findings from 2011 Judicial Affairs customer satisfaction survey
- Academic integrity presentation to faculty
- 5150 packet
- Poly Cares literature
- Statement of Student Rights, Responsibilities, and Grievance Procedures
- Judicial Affairs online incident reporting form
- Judicial Checklist
- Judicial Affairs website

Research questions guiding this assessment 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?

The findings that emerged from the interviews and document reviews, and their implications for practice, will be described in the following sections of this report.

IV. Findings

Institutional Mission and Values

Cal Poly Pomona's mission is to advance learning and knowledge by linking theory and practice in all disciplines, and to prepare students for lifelong learning, leadership, and careers in a changing multicultural world.³

The Division of Student Affairs creates environments of student success, respect, and engagement that facilitate learning and growth within a culture of collaboration, assessment, and innovation. Student Affairs has adopted six core values, which Student Affairs' staff can readily identify⁴:

- Student-centered philosophy
- Integrity
- Inter-connectedness
- Passion
- Quality
- Richness of diversity

Students interviewed during the site visit, when asked what it means to be a Bronco, consistently replied, "learn by doing," which is the institution's philosophy.⁵ They did not appear familiar with the institutional mission or the student affairs values.

Judicial Affairs Programs and Services

According to the Council for the Advancement of Standards in Higher Education, student conduct programs endeavor to foster students' learning and development through the development and enforcement of standards of conduct.⁶

The Office of Judicial Affairs enforces the *Student Conduct Code* by administering the student conduct procedures. Students alleged to have committed misconduct meet individually with a Judicial Affairs staff member (typically the Director), who investigates the allegations and adjudicates as appropriate. The Office of Judicial Affairs also advises faculty on how to prevent, confront, and report academic misconduct.

The Office of Judicial Affairs uses a developmental philosophy of student conduct. The object is to help students learn from their mistakes and make better decisions in the future so that they may be successful both academically and as members of the community. When students are found to be responsible for violations of the *Student Conduct Code*, in addition to receiving a sanction which affects their student status (e.g., warning, probation, suspension), they may also be assigned developmental sanctions such as reflection papers or research papers, letters of apology, community service, online educational resources for alcohol or marijuana, referrals to the campus health center, career center, or to faculty, or voluntary referrals to Counseling and Psychological Services (CAPS).

In addition to these Judicial Affairs duties, the Director also serves as a key member of the PolyCARES team, along with the campus Police, CAPS, Foundation and University Housing Services. PolyCARES grew out of the campus' workplace violence committee, and is chaired by the Director of Human Resources. It is effective at responding to student crises and managing student incidents.

Although not a function of the Office of Judicial Affairs, the incumbent also advises ASI elections and assigned ASI councils and committees.

Judicial Affairs Staffing Model

The Director of Judicial Affairs is Susan Ashe. When Susan is absent, the Dean of Students covers essential Judicial Affairs functions.

Susan is supported by Raquel Pina, a recent graduate who worked in the office as a student and has remained since graduation as a trainee, funded by Foundation funds. The position she holds was previously a funded administrative assistant but funding was eliminated due to budget cuts after the prior incumbent resigned. Raquel supervises the students who do Susan's scheduling, follows up on sanction compliance, compiles the office's Clery report, and handles simple faculty inquiries. Raquel also prepares a violence prevention report for the DOJ Violence Against Women grant, and has only a basic understanding of its requirements. On a daily basis, Raquel reviews all emails to the Judicial Affairs account, checks the EO1006 database, enters settlement data in database, enters FYI cases in database, answers general student inquiries about disciplinary procedures, logs on to PeopleSoft and creates a checklist of information needed to make a file, then gives the checklist to student workers who make the files. Raquel also creates email notices to students, and uses Outlook to track deadlines and due dates. (She would like to delegate this to students.)

Additional support is currently being provided by University Housing Services. Piya Bose is an Area Coordinator who functions as UHS's lead conduct officer and has recently been designated as a Student Conduct Administrator. She has been asked to dedicate 20% of her time to Judicial Affairs. So far, her time

has been committed to the program review. With a background in student conduct, Piya is fully qualified to adjudicate cases and the reviewers recommend that she do so following the conclusion of the program review.

Previously, the office employed four students who each worked 16 hours; two more were hired to manage the campus calendar. These six student employees are shared between Judicial Affairs and DOS. Although she is not formally their supervisor, Raquel trains them and assigns work. They fill office supplies and maintain equipment; they prepare letters as directed, including letters to the registrar and other relevant campus offices with notice of outcomes; they staff the front desk; they make appointments and email the info to Raquel who puts it on Susan's calendar; they complete checklists on conduct cases; they enter limited data in database, and do projects for Rebecca. (Each student has an inbox. Marla assigns projects for Rebecca to individual students based on their skills, and may prioritize these projects over Judicial Affairs duties.)

Questions regarding staffing include the following:

- What are alternate staffing models?
- If funding for Raquel gets cut, what can be eliminated?

Organizational Reporting Structure

Although the website refers to the Office of Judicial Affairs, it is actually a function within the Office of the Dean of Students, and not a stand-alone department. It does not have a separate space or budget. The Director of Judicial Affairs reports to the Dean of Students.

Human Resources Issues

Due to budgetary restrictions, vacancies at Cal Poly Pomona are currently being filled through internal transfer. This creates opportunities for promotion of rising stars who show potential. It also creates a need for professional development to support those who take on new challenges. This is the case with Susan. While a graduate student, Susan spent the summer working for Associated Student, Inc. (ASI) at Cal Poly Pomona as a Summer Orientation Intern. A year after receiving her Master's, she was hired as Lead Program Development Coordinator for ASI. She was promoted to Associate Director of Recreation, Programs, and Marketing, and later to Director of Judicial Affairs. She has a Master's Degree in Higher Education & Student Affairs, and gained experience in student conduct during her master's education.

Campus Counsel is a key resource for Judicial Affairs. The Campus Counsel who supports Cal Poly Pomona is housed in Long Beach and shared with another campus.

Resources

Fiscal

Judicial Affairs has no stand-alone budget. The Director needs to seek approval and funding from the Dean of Students for any programming, staffing, supplies or other expenses.

Facility

The Director and support staff have offices within the Dean of Students' office suite. Since Piya Bose has been working with Judicial Affairs, additional space in the Historic Stables building has been made available for her use.

Technology

Both UHS and the Village have data management systems that allow them to monitor student conduct trends. UHS uses a database called Odyssey, while the Village uses Star Res. UHS gets two reports each quarter and uses trend data to drive educational programming. The Village does quarterly conduct reviews and plans to use trend data to plan proactive outreach and to create developmental sanctions.

Judicial Affairs uses a FileMaker Pro database which is basic, but not effective for trending. It does not allow the creation of reports to track trends. The only demographic data available is gender; the Director cannot monitor trends based on student statuses such as transfer, athlete, international, class standing, or if a student lives in residence, nor use that data to develop responsive programming or planning outreach activities.

Equipment

There are only three computers available to the student workers in Judicial Affairs--one at the front desk with database access, and two in an inner office without database access.

Culture of Evidence

The Director compiles data on the number of cases in the following categories:

- Academic Dishonesty
- Alcohol
- Marijuana
- Evictions
- Inappropriate Behavior

- Theft
- Weapons
- Greek Hazing
- Crisis (i.e., 5150 cases)
- Non-judicial Cases

In 2010-11, the Judicial Affairs workload was documented as follows:

<u>Type of Alleged Misconduct</u>	<u># of Cases</u>
Academic Misconduct	76
<i>Handled by Faculty per EO1006</i>	23
<i>Handled by Judicial Affairs</i>	53
Alcohol and Other Drugs	76
<i>Alcohol violations</i>	44
<i>Marijuana violations</i>	32
Evictions	39
<i>UHS evictions</i>	34
<i>FHS evictions</i>	5
Inappropriate Behavior	22
Theft	10
Weapons	4
Hazing Investigations	130
<i>Resulted in sanction</i>	48
<i>Resulted in no sanctions</i>	82
Total cases of alleged misconduct	354
Crisis cases	22
Other non-judicial cases	3
Total cases referred	379

Data is also maintained on how cases are resolved, within the following categories:

- Faculty-adjudicated academic misconduct (per EO1006)
- Verbal warning
- Written warning
- Probation
- Suspension

In 2010-11, outcomes of Conduct cases were documented as follows:

<u>Outcome</u>	<u># of cases</u>
No sanctions	82
EO1006 faculty-resolution only	23
Verbal Warning	34
Written warning	54
Disciplinary Probation	150
Suspension	11
Expulsion	0
Total	354

Compliance with Legal and Ethical Standards

A. Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

No Judicial Affairs staff have been formally trained in compliance with the reporting requirements of the Clery Act. The Judicial Affairs database does not facilitate reporting.

B. Title II/Americans with Disabilities Act

One area of concern is compliance with Title II and the ADA, in relation to mental health and threat to self. Title II specifically allows actions to be taken against students who pose a direct threat to others. Previous versions of the regulation specifically allowed actions to be taken against students who posed any direct threat, whether that threat were to themselves or to others. On March 15, 2011, however, the Department of Justice issued a new Title II regulation that does not specifically address whether actions, such as involuntary withdrawals, may be taken against students who pose a direct threat to themselves. Neither the DOJ nor the Office of Civil Rights has issued a clarification of this change; it is possible that involuntary withdrawal of students who pose a threat only to self may no longer be permissible. Further legal interpretation is needed, and changes to policy may be required⁷.

It is Cal Poly Pomona's institutional policy that students be placed on involuntary withdrawal for at least fourteen days following a 5150 involuntary psychiatric hold. If living in housing, the student is also evicted. When the suspension is lifted, CAPS does re-entry counseling. Additionally, the institution does not require students to purchase health insurance. As a result, uninsured or poorly insured students have limited access to mental health care. Utilization of CAPS is high, so students who do have insurance may still wait more than a week following an intake for a clinical appointment.

C. Title IX

The Office of Civil Rights' 2011 Dear Colleagues letter set forth new expectations for institutional response to reports of sexual misconduct and sexual harassment by one student against another. The institution's first responsibility following a report of sexual misconduct is to take appropriate steps to ensure the victim is safe. For those who live in residence, UHS has safe rooms available should a survivor of sexual misconduct require a room change. This is a best practice that should be maintained.

It appears that students who are the victims of sexual misconduct often choose to report the incident to the Violence Prevention & Women's Resource Center, which handles violence prevention programming and training, and crisis intervention and victim advocacy. Staff at the Violence Prevention & Women's Resource Center advise student victims on how to file a report with both Campus Police and Judicial Affairs, but it appears that few students actually file reports with Judicial Affairs. To some extent, this may be a factor of offenders not being students. It is also possible that survivors don't want to report because they fear they'll get in trouble for underage drinking.

D. DMCA

Violations of the Digital Millennium Copyright Act are not a significant issue at Cal Poly Pomona. The University has a policy that differentiates among violations between uploading and downloading, and employs a system to shut down ports when severe violations occur on-campus. This appears to be an effective strategy for responding to the minimal number of reports of copyright infringement that the institution receives.

E. CAS Standards⁸

The CAS standards for Student Conduct Programs require that an institution's judicial affairs program have a mission consistent with the mission of the institution, and that the judicial affairs program be supported institutionally. The mission of Cal Poly Pomona's Office of Judicial Affairs is consistent with the mission of Cal Poly Pomona. Student Affairs at Cal Poly Pomona is committed to having an effective judicial affairs program. Policies related to student conduct are established system-wide, but there is room to develop local procedures that meet the specific needs of the campus community.

The CAS standards require that a judicial affairs program have effective leadership and appropriate qualified staff who are knowledgeable about and compliant with all applicable laws and regulations, and who adhere to the highest level of ethical standards. The staffing of the Office of Judicial Affairs at Cal Poly Pomona is discussed above.

The CAS standards require that a judicial affairs program identify specific learning outcomes, and have sufficient resources to achieve those objectives. The Director of Judicial Affairs at Cal Poly Pomona is able to articulate the office's intended learning outcomes, and there are plans to assess learning. Resource limitations have been discussed above.

The CAS standards require that a judicial affairs program administer the institution's conduct policies and procedures in a way that is fair and equitable to all. All those interviewed as part of this review indicate that the Director of Judicial Affairs is perceived as fair and equitable by all members of the campus community.

The CAS standards require that a judicial affairs programs and services be assessed and evaluated regularly. The Office of Judicial Affairs at Cal Poly Pomona participates in the customer satisfaction survey developed by the Division of Student Affairs, but this assessment does not provide specific enough data to ensure changes to service or procedures. There is room for improvement in data collection and analysis, as described above. This Program Review is intended to help.

Relationship with University Housing Services

Cal Poly Pomona is primarily a non-residential campus. In total, it offers housing for approximately 3,000 undergrads. Of that, University Housing Services (UHS) which is part of Student Affairs has approximately 2,000 beds, and the Village (which is an Auxiliary service through the Foundation) offers approximately 1,000 beds. Housing in UHS is mandatory for most freshmen whose homes are more than 25 miles from campus. (The Village does not house freshmen.)

Both UHS and the Village have policies and regulations that apply to their residents. They also have procedures whereby their staff investigate and adjudicate allegations of violations of these policies and regulations. When a student is placed on probation with UHS, Judicial Affairs notifies the student that a disciplinary record has been established and the student receives warning for the violation. When a student is evicted, Judicial Affairs participates in additional sanctioning.

Cal Poly Pomona has a zero tolerance policy for drug use in University Housing Services. Residents of UHS are evicted following a first marijuana violation. Nonetheless, based on reports from UHS and Judicial Affairs staff, one of the most significant conduct issues in the residence halls seems to be drug use—marijuana in particular. Marijuana 101 is used as a sanction, and Health Promotion and Wellness gets the data, but there may not be a loop back to Judicial Affairs about the effectiveness of this intervention. The Alcohol and Other Drugs Committee pays \$35 for each student sanctioned to Marijuana 101. (It is noteworthy that the Village may not evict on first marijuana violation. A concern has been expressed that if a

student is found responsible for a marijuana violation, the sanction may be different depending upon the location of the behavior.)

The volume of evictions resulting from marijuana use is significant. When evicted, a student is prohibited from living in UHS for a period of one year. UHS reports that evictions average 3-6 per week. (Not all evictions are from marijuana violations; students can also be evicted for other drugs, weapons, assault, or following a 5150 involuntary mental health withdrawal.) UHS staff report that students who are evicted for marijuana use say they knew that if caught they'd be evicted, but that knowledge doesn't seem to change behavior. While the eviction data seems to suggest a problem, staff report that the data on 30-day usage by Cal Poly Pomona students is lower than the national average for college students.

Judicial Affairs handles campus discipline following all housing evictions. All parties involved report that there is good communication between the Village/UHS and Susan regarding student conduct. However, eviction follow-up is very time consuming. Understaffing negatively impacts scheduling; it may take 2-3 weeks after eviction before Susan meets with a student.

According to the Associate Director of Health Promotion and Wellness, the literature says a zero-tolerance drug policy can change student behavior. As explained to the external review team, the campus' zero-tolerance philosophy is based on the belief that marijuana leads to other problems. While the enforcement of marijuana use in UHS is from a zero-tolerance perspective, Health Promotion and Wellness educates students about policies and through outreach programs on alcohol and other drugs from a harm-reduction perspective.

Participation in First Year Experience

From Orientation to Welcome Week, and throughout the rest of the year, intentional First Year Experience programming has the potential to enhance student success. One significant outcome which can be achieved during Orientation is the establishment of institutional values. What does it mean to be a college student? What does it mean to be part of the Bronco community? What are the institutional expectations for integrity and honesty? Setting clear expectations for student conduct during orientation is a strategy for minimizing misconduct.

At Cal Poly Pomona, freshman orientation is two days with an overnight; transfer orientation is a one-day program. Students are taught campus values and behavioral expectations by orientation staff during these programs. Judicial Affairs presents a one-hour workshop "How not to fail in college" at the voluntary Bronco Fusion day, presents on issues of integrity and conduct to Summer Bridge students, and presents information on campus rules, policies, and expectations to new faculty and staff during the first weeks of school. After

Orientation and Welcome Week, the decision to offer additional first year experience programming is left to each college; nothing is coordinated.

Greek Life

Approximately 1800 students participate in the eighteen fraternities and eleven sororities at Cal Poly Pomona. There are no official fraternity or sorority houses.

At its best, Greek life can provide a student with opportunities for leadership, social activities, academic support, and a commitment to philanthropy and service.

Cal Poly Pomona has a strict policy against hazing; an anti-hazing statement is a requirement of the registration process, and chapters are required to register annually. Greek Life holds Hazing prevention activities each year, which includes bystander intervention training. While most of the Greek letter organizations do not engage in hazing, when an incident occurs it tends to receive significant media attention. Institutional response to alleged hazing is immediate and thorough, with all members of the involved chapter interviewed as part of the investigation.

The Greek Life coordinator investigates minor violations of Greek Life policy, but typically does not investigate hazing violations. In cases of potential violation of law, such as hazing, the Greek advisor gathers data about members from a University database and then Judicial Affairs investigates. Susan conducted the entire investigation on three major hazing cases during the first year in her position. These investigations can be very time intensive. Following the investigation, the advisor is consulted on sanctions.

Up until the time of this report, all hazing cases were in Greek Life, however, Judicial Affairs is aware that hazing is not limited to this group only.

Other Organizational Behavior

Student Life investigates allegations of off-campus misconduct by organizations, and enforces the campus' Time, Place, and Manner regulations. The Dean of Students has empowered staff in Student Life to conduct investigations into organizational behavior. The Director of Judicial Affairs is perceived as a great resource for those enforcing organizational behavior standards.

Student Life staff indicate it would be valuable to have FAQs for organizational behavior that tell members of the community when to call Judicial Affairs, the Police, and/or CAPS to report behavior.

Academic Misconduct

Maintaining academic integrity is essential to maintain the value of a degree. In the Cal State system, the faculty determines what constitutes academic misconduct. Once that determination has been made, policy requires faculty to report the misconduct to Judicial Affairs; however, it appears that many faculty are unaware of this reporting requirement or have not yet understood the value of a central department on campus tracking cases across the university. There is a perception that faculty under-report academic misconduct. The faculty we interviewed recognized the value of the Judicial Affairs intervention to determine factors that led to misconduct, so that resources can be provided. However, policy allows faculty to recommend Judicial Affairs take further action, or not, when they do report.

Faculty agreed that many students arrive unprepared for college level writing or without understanding of limits on collaboration or requirements for citation. How do you manage the volume of misconduct and uphold institutional values? Susan's caseload and staffing model result in limited academic integrity outreach. Susan presented a workshop to students through the library in 2010 that was highly regarded, so she was asked to make the student workshop a twice quarterly occurrence and this was expanded to include a separate quarterly workshop for faculty and staff. Susan has also made presentations at department meetings, Susan provides personal tutoring in citation following occurrences of unintentional plagiarism and refers students to the University Writing Center.

Susan's presentations at faculty development programs (e.g., new tenure track orientation, new lecturer orientation, fall conferences, quarterly all college / all faculty meetings, etc.) and in-class are described as helpful. It is reported that Judicial Affairs has good academic dishonesty videos.

It is reported that Susan effectively helps mediate disagreements between faculty and students.

Parking

At Cal Poly Pomona, Parking and Transportation Services is part of the Student Affairs organization. Students who repeatedly violate parking policies are referred to Judicial Affairs.

Ombuds

The Ombuds is a former Counseling Center director who brings a student-centered approach to her work. She occasionally will intervene to help explain the Judicial Affairs process when a student perceives it as unfair.

Perceived Performance / Campus and External Relations

Campus partners recognize Susan as competent, available, good to consult with, calm and helpful when dealing with students in crisis...and overworked. Colleagues report that she has good interviewing skills, gives clear information to both faculty and students so that they understand the Judicial Affairs process and sanctions, is a solid Student Affairs administrator, is student-centered, is committed, and is a hard worker.

Colleagues report that after meeting the Director of Judicial Affairs, students perceive the judicial affairs process as fair. They add that students know Student Affairs is committed to being student-centered.

Athletics

Cal Poly Pomona has approximately 250 student athletes on 10 intercollegiate teams. When an intercollegiate athlete is found responsible for misconduct, there can be implications on that student's eligibility to participate in their sport. Hence, proactive outreach to athletes is critical to prevent misconduct. However, Judicial Affairs has no role in athlete orientation.

When an athlete is found responsible for misconduct, the Director of Judicial Affairs informs colleagues in Athletics to explain the impact of potential sanctions to athletes.

Athletics also partners with Judicial Affairs to accept placement of students sanctioned to perform community service; they can serve as ushers at campus sporting events.

It was noted that the Director of Judicial Affairs regularly attends athletics events, and that student athletes value campus leadership's attending their games and knowing their names.

V. Implications for Practice / Recommendations

As reviewers, we focused on answering the following questions and providing recommendations:

- 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 provided?
- What opportunities exist for enhancing efficiency and effectiveness?
- Are there any essential functions not being performed?
- How is Judicial Affairs perceived by campus stakeholders?
- What are best practices in hazing prevention and investigation?

A. Staffing

Director of Judicial Affairs

Regardless of whether resources are reduced or enhanced, Susan should transition out of her ASI/advising function (and function returned to Student Life). This function is inconsistent with Judicial Affairs and diverts her time away from essential outreach functions. She can continue to advise elections as that is not time-intensive and has a compliance component.

Susan should be provided enhanced professional development. Each year, Susan has attended the California State University Judicial Affairs Officers (CSUJAO) meeting. As a result of budget and travel limitations her professional development opportunities have been limited. If at all possible, she should attend the managers' track at the Gehring Institute (sponsored by ASCA every summer).

Residential Judicial Affairs

Piya, or another equally qualified Residential Life professional staff member, should be empowered as a residential Judicial Affairs coordinator to handle campus sanctions for UHS violations that involve eviction. The current duplication of efforts is inefficient, requiring students to undergo two separate judicial processes. Ideally, this individual would be allocated to Judicial Affairs 50% time (up from the 20% currently in Piya's role). Other solutions could include collaborating with UHS to make portions of Judicial Affairs conduct a regular aspect of the UHS conduct process. Judicial Affairs may also want to explore how other CSU campuses coordinate their UHS/Judicial Affairs conduct issues.

Office Support

A strong case should be made to add an Administrative Trainee position to the office. The Director cannot be the only full-time employee. A recent graduate could be trained to become a support person for Judicial Affairs. This person could be responsible for managing the administrative components of Judicial Affairs, could do outreach programming, adjudicate low-level cases, and could oversee assessment and reporting.

Training Program

Judicial Affairs should seek placement of graduate student from local M.Ed. programs as unpaid interns. They could handle low-level conduct cases and do outreach. The time that would go into supervising them should be less than the time saved not handling these matters.

Student Workers

The Office of Judicial Affairs should have three or four dedicated student workers, each of whom works approximately fifteen hours each week. No more than two should be scheduled at any time—one in the back office, and one at the front desk. Each should have computer access in order to be fully functional in support of the judicial affairs program. Tasks assigned to students can include scheduling appointments, creating files, preparing letters, and doing follow-up on sanctions. These students should be supervised by a full-time member of the Judicial Affairs staff.

Future Expansion

The institution should strive to identify funds for an Assistant Director of Judicial Affairs when the economic climate improves. If there were an Assistant Director, then the Director could commit more time to outreach and to institutional projects and committees. It would also relieve the Dean of Students from the need to cover during vacations and other absences of the Director.

Potential Reductions

If budgets were further cut and there were less staff, focus would need to be on legal compliance over student conduct's developmental focus. The Director would need to rethink how the office does business if the position held by Raquel were eliminated. In this scenario, reliance on students, interns, and residential life partners would be critical.

Facilities

Even if it cannot be established formally as a department, Judicial Affairs needs to appear independent. Its ideal location would offer privacy and confidentiality to students but be in the same building as the Dean of Students to facilitate easy consultation and coverage. If at all possible, consideration should be given to relocating Susan, the support staff, and signage being hung to identify that space as the Office of Judicial Affairs.

Technology

First and foremost, the office needs a Judicial Database. There are several products available which do this very well, including Advocate, and PAVE. Resources should be identified to purchase a data management tool that will improve reporting, identification of trends, and management of cases. Colleagues at other CSU campuses could be consulted in determining which is best suited to Cal Poly Pomona's needs.

Additionally, since alcohol violations are significant, the department needs to be granted access to student birthdates in the student record system. It is difficult to determine legal drinking age without access to birth year.

Outreach

More attention should be on preventing academic misconduct. This would include presenting strategies for preventing misconduct as well as identifying it and responding to it. Judicial Affairs should advocate and encourage that all entering students, all new faculty, TA's, and academic advisors would receive this presentation in an interactive way that enables them to ask questions. Additionally, Judicial Affairs should advocate that all entering students receive training on proper citation and authorized collaboration.

B. Policy and Procedures

The student conduct policy is established centrally for all CSU campuses, but the appeal/grievance procedures are local. The student grievance policy and the academic misconduct appeal process were described as hard to read and comprehend, cumbersome, and unclear. They should be reviewed by an appropriate team of faculty, staff, administrators, and students, and revised as needed. Particular attention should be given to helping students and faculty understand when to use each of these processes.

C. Compliance

Title IX

Collaboration and communication on issues of sexual misconduct needs to be enhanced between stakeholders including Judicial Affairs, UHS, Village, Police, Health Promotion and Wellness, and the Violence Prevention and Women's Resource Center. The sexual harassment task force hasn't met lately. It would assist Judicial Affairs if it resumed meeting regularly, and all of these units should be represented. One of its first charges should be to review OCR's Dear Colleagues Letter (April 4, 2011). The groups can document compliance and responses to reluctant victims, procedures for insuring the equitable treatment of both the complainant and the accused, hearing procedures, and the victim appeal process.

Title II

Even if the law is determined to allow for involuntary withdrawal of students who poses a threat only to self, further analysis of this policy is encouraged. For students who are deemed by the medical professionals not to present a threat and are released—in some cases after being held less than 72 hours—the involuntary withdrawal may set students up for failure upon return. The minimum 2-week delay in returning to class is

contrary to academic success, particularly in the fast-paced quarter system. Additionally, eviction from University Housing Services can leave students who are not from the local area without a place to stay. Further, some hospitals are taking 3-4 weeks to provide the documentation that enables return. This is a long time to be out of classes, and potentially without a place to live.

Clery Act

Campus Police should expand their training and reporting requirements to all Judicial Affairs staff, who handle student conduct. Police currently train the Residential Life Coordinators in UHS.

D. Alcohol and Other Drugs

Recommendations were invited in regards to the institution's preparedness to respond to changing needs in areas including alcohol and other drugs. Collaboration between Judicial Affairs, Health Promotion and Wellness, CAPS, and the Violence Prevention and Women's Resource Center should allow the University to stay informed of changing legislation in this area and be aware of trends among the campus community. This knowledge can be used to develop responsive programs and policies. One such program might be a recovery program on campus.

Susan refers students who violate alcohol and other drug policies to Student Health Services' Wellness Center as a sanction. Utilizing the University's health educators to help students learn strategies for healthy lifestyles is a best practice that should be maintained.

The Health Education Alcohol and Other Drugs Council pays \$35 for each student sanctioned to Marijuana 101. Many institutions use fines as sanctions. Could students sanctioned to Marijuana 101 pay the registration fee themselves, with some of the revenue going to the enhanced staffing for Judicial Affairs?

E. First Year Experience

UHS should formalize first year experience programming in conjunction with orientation to instill campus ethical values and build pride as way to minimize misconduct. Within that FYE programming, Judicial Affairs should have an outreach role at student orientations (i.e., freshman, transfer, international), with Greeks, and with Athletes, in addition to the outreach she does with Summer Bridge and BroncoFusion.

F. Hazing Prevention and Response

Although hazing incidents at Cal Poly Pomona have been primarily limited to fraternities, this is not a problem exclusive to Greek Life. Hazing can occur in athletics and other organizations as well. Prevention of hazing is essential at an institution that has had several high profile hazing incidents in recent years.

Resources on hazing prevention are available online from organizations such as Hazing Prevention (www.hazingprevention.org/) and the ResponseAbility Project (<http://raproject.org/resources/entry/hazing>), as well as from the U.S. Department of Education (<http://www.higheredcenter.org/resources/2011-national-hazing-prevention-week-guide>) and the NCAA (http://www.ncaa.org/wps/portal/ncaahome?WCM_GLOBAL_CONTEXT=/ncaa/NCAA/Academics+and+Athletes/Personal+Welfare/Health+and+Safety/Hazing+Homepage).

Judicial Affairs should continue to partner with Greek Life and Counseling and Psychological Services to enhance outreach and education on campus about hazing prevention and response, including bystander intervention techniques.

VI. Conclusion

The Office of Judicial Affairs at Cal Poly Pomona does many things well. Despite staffing limitations, last year the Director of Judicial Affairs managed to meet with 331 students accused of misconduct, and another 25 students for non-judicial matters. Many of these cases require multiple meetings, and each meeting is accompanied by a period of note-taking, research, and administrative follow-up.

The focus of these meetings has been developmental, with most students accepting responsibility for their behavior. Campus stakeholders report that consistently, students perceive the judicial process as fair. This model with personal meetings and a developmental focus is a best practice in student conduct that should be maintained. The volume of the caseload is excessive for one judicial officer, however. It significantly limits Susan's ability to engage in outreach and education, a key component to preventing misconduct in general, and academic misconduct in particular. The limited outreach she has conducted with faculty has been very well received. Her presentations have provided faculty who have attended with useful tips for preventing, identifying, and responding to academic misconduct.

By partnering with UHS and the Village and empowering appropriate housing staff to handle the full range of sanctions resulting from misconduct that occurs in housing, the Director's workload can be reduced, allowing expended focus on outreach and education.

The Director of Judicial Affairs has strong relationships with colleagues from throughout Student Affairs, and the faculty. She is often consulted by others who value her advice in regards to students whose behavior is of concern. As she enhances outreach, her role as an internal consultant will likely grow.

A component of the First Year Experience could be the development of a statement about what it means to be part of the Bronco community. The Student Affairs values of student-centeredness, interconnectedness, integrity, passion, quality, and diversity—along with drug-free living, perhaps—could form the basis for such a statement. Ideally, Judicial Affairs would be one of the presenters introducing these values at Orientation. By introducing students to these values and to the behaviors that they are expected to embody as successful members of the campus community, Student Affairs could proactively reduce the occurrences of misconduct. Further, these values could be integrated into the developmental conversations that Susan engages in following misconduct.

Identified challenges in Cal Poly Pomona's Judicial Affairs program have led to not only neglect of outreach functions and redundancies in administrative processes, but also problems in reporting and monitoring trends, and negative impressions of the Office's institutional position.

Professional development opportunities should be sought to enhance staff's awareness of Title II, Title IX, and Clery Act. This will allow the Judicial Affairs staff to build upon their current knowledge.

Given budgetary restraints, Judicial Affairs has been operating with insufficient administrative support and ineffective technology. In order to insure consistent and timely handling and follow-up of all cases referred, the office requires a full-time administrator, consistent student support, computers for all scheduled employees so that they can be fully effective when scheduled, and a database that will facilitate identification of misconduct trends as well as Clery reporting.

Also as a result of budgetary restraints, the Director of Judicial Affairs has been asked to assume organizational advising roles. This, combined with her location within the Office of the Dean of Students, has created the perception that Judicial Affairs is not an institutional priority. Those functions should be removed so that she can be perceived by the campus community as a dedicated Judicial Affairs expert. If possible, her office should be relocated to a vacant suite in the building, and given its own signage, to further enhance the Office's perceived institutional value.

It is hoped that through the implementation of recommendations included in this report, the Judicial Affairs program can realize better utilization of the limited resources, enhancement of best practices, and improved regulatory compliance.

NOTES

1. <http://dsa.csupomona.edu/division/default.asp>, retrieved February 16, 2012
2. <http://dsa.csupomona.edu/judicialaffairs/>, retrieved February 16, 2012
3. <http://www.csupomona.edu/mission.php>, retrieved February 16, 2012
4. <http://dsa.csupomona.edu/division/default.asp>, retrieved February 16, 2012
5. <http://www.csupomona.edu/about.php>, retrieved February 16, 2012
6. *CAS Self-Assessment Guide for Student Conduct Programs*
7. <http://counsel.cua.edu/nacuanotes/titleIIregulations.cfm>, retrieved February 17, 2012
8. *CAS Self-Assessment Guide for Student Conduct Programs*