PROPOSED AS&E BYLAW REVISION

Committee on Student Life
04 December 2018

Proposed Bylaw - Article IV, section 1 (e)
A Committee on Student Life, comprising seven or more faculty members, up to four elected undergraduate representatives, and up to two graduate student representatives named by the Graduate Student Council. The Dean of Student Affairs or designee, the University Chaplain or designee, the Director of Community Standards, the Director of Residential Life and Learning, the Director of Fraternity and Sorority Life, and the Director of the Office of Campus Life shall be ex-officio members without vote. The committee shall be jointly chaired by a student and a faculty member. The quorum for the committee shall be three faculty and two student members. This committee shall have concern for student circumstances, activities, and affairs and shall have jurisdiction over those, which are not in the province of any other committee. It shall ensure that the ideals, principles, and ethical values characteristic of academic institutions are maintained. Its responsibilities shall include the following:

(i) Upon creation of a government by the student body, the committee shall review the articles of agreement forming that government. If the committee finds no contradiction with the University Charter, the Bylaws of the Trustees, or the Bylaws of this Faculty, it shall recognize that government.

(ii) Approve all proposals to amend or modify to the student government prior to the student government taking action on the proposed amendment or modification. Approval shall be based on compliance with the University Charter, the Bylaws of the Trustees, or the Bylaws of this Faculty, as well as the ideals, principles, and ethical values of the University.

(iii) The criteria used by student government to decide whether or not to recognize student organizations shall be subject to the approval of the committee. Student organizations must be recognized to be eligible to use university facilities.

(iv) The committee shall hear appeals related to recognition of student organizations.

(v) The committee shall hear appeals of disciplinary decisions according to the procedure specified in the Student Conduct Resolution Process. Appeals of decisions on violations of the University’s policies on non-discrimination and sexual misconduct shall be processed according to procedures established by Tufts Office of Equal Opportunity.

(vi) The committee shall study, in cooperation with the appropriate officers of the University, and make recommendations concerning the policies, rules, and regulations, related to student life. The faculty co-chair of the committee shall have discretion to invite other non-voting ex-officio members to join the committee’s deliberations to ensure the committee has the necessary advice, representation, or expertise when considering aspects of student life.

(vii) The committee shall work with the University Chaplaincy to administer the annual Wendell Phillips Memorial Scholarship competition

(viii) The committee shall present for public scrutiny, in the University Archives, a written version of the minutes, with modifications to preserve anonymity for participants in disciplinary decisions.
Current Bylaw - Article IV, section 1 (c)

A Committee on Student Life, consisting of seven or more faculty members, up to five elected undergraduate representatives, and one graduate student representative named by the Graduate Student Council. The Dean of Student Affairs or designee, the Dean of Campus Life and Leadership, the Judicial Affairs Officer, the University Chaplain, and the Director of the Office of Campus Life shall be ex-officio members without vote. The committee shall be jointly chaired by a student and a faculty member. The quorum for all appeals that the committee hears shall be three faculty and two student members. This committee shall have concern for student circumstances, activities, and affairs and shall have jurisdiction over those, which are not in the province of any other committee. It shall ensure that the ideals, principles, and ethical values characteristic of academic institutions are maintained. Its responsibilities shall include the following:

(i) Upon creation of a government by the student body, the committee shall review the articles of agreement forming that government. If the committee finds no contradiction with the University Charter, the Bylaws of the Trustees, or the Bylaws of this Faculty, it shall recognize that government.

(ii) The criteria used by student government to decide whether or not to recognize student organizations shall be subject to the approval of the committee. The committee shall hear appeals from student organizations. Student organizations must be recognized to be eligible to use university facilities.

(iii) The committee shall hear appeals of decisions, which are alleged to violate a student's rights, the University Charter, the Bylaws of the Trustees, or the Bylaws of this Faculty. It shall hear appeals of disciplinary decisions of the deans and disciplinary cases referred to it by the Office of the Dean of Student Affairs, with the exception of sexual misconduct cases.

(1) In cases of sexual misconduct, student appeals shall not be directed to the Committee on Student Life, but instead will be processed by the Tufts Office of Equal Opportunity (OEO) according to the OEO appeals process.

(iv) The committee shall study, in cooperation with the appropriate officers of the university, and make recommendations concerning the policies, rules, and regulations, which are necessary to provide an environment in which students can study and learn.

(v) The committee shall present for public scrutiny, in the University Archives, a written version of the minutes, with modifications to preserve anonymity for participants in disciplinary decisions.

(vi) The committee shall administer the annual Wendell Phillips Memorial Scholarship competition.

Justification

The committee description and enumeration of responsibilities are in need of updating in important ways. Other minor updates are included as well. The six important updates are: (1) clarify OEO’s jurisdiction for all cases related to sexual misconduct; (2) revise the role of CSL related to the student conduct resolution procedure; (3) clarify CSL’s role in approving changes to the student government; (4) clarify CSL’s role in recognizing student groups; (5) redistribute the student seats to better reflect the graduate population on campus; and, (6) clarify CSL quorum. Each of these issues is briefly described below.
(1) Cases of Sexual Misconduct - Of particular concern is the way that the OEO and cases of sexual misconduct are listed in the current AS&E bylaws as a subset in individual student appeals. As recent events with student organizations has shown, student groups are capable of violating the sexual misconduct policy. The current AS&E bylaws suggest that these cases should come to the CSL for a hearing. University Counsel has decided that OEO will investigate and resolve cases of sexual misconduct in student groups. Thus, the AS&E current bylaws are open to be interpreted in a manner that is in opposition with how University Counsel wishes to ensure compliance with Federal Law. The proposed revisions eliminate this possible interpretation.

(2) Student Conduct Resolution – Under the past code of conduct, CSL held hearings for groups accused of violating University policy. In addition, CSL hears appeals of cases involving individual students. The revisions to the student conduct resolution process place the responsibility for all hearings in a new committee comprising students, staff and faculty. The revised student conduct resolution process assigns CSL as the appellate organization for all cases. The proposed revision updates the bylaws to reflect the new student conduct resolution process. See also: proposed new committee on student conduct, and the figures provided related to the Student Conduct Resolution Process (SCRP).

(3) Student Government – Approval of changes to the student government can be interpreted to fall with the first responsibility articulated within the current bylaws. The bylaws, however, could be clearer and provide better guidance to the student government.

(4) Recognition of Student Groups - In function, the approval of the criteria by which student groups are recognized is distinct from hearing appeals based on decisions related to group recognition. Clarity is improved by enumerating each function as a distinct responsibility.

(5) Student Representation – The growth in the graduate student population in AS&E has prompted questions about the representation on CSL. Current AS&E bylaws specify that CSL should have six student members, five of which are undergraduates and one of which is a graduate student. CSL would like to increase graduate student representation. Trustee bylaws Sec.7.3 specifies that faculty must hold a majority in and faculty committee. CSL is sensitive to faculty workload, and thus rather than adding one graduate student and one faculty member, prefers to reallocate the current student seats on the committee to comprise four undergraduate seats and two graduate seats.

(6) Quorum – Current AS&E bylaws specify a quorum for appeals, but are silent related to a quorum for other committee business. Given the requirement that faculty comprise a majority on all faculty committees, the proposed changes revise the quorum statement to apply to all committee business.

Proposed Bylaws with Changes Tracked
(c) A Committee on Student Life, consisting of comprising seven or more faculty members, up to four elected undergraduate representatives, and up to two one graduate student representatives named by the Graduate Student Council. The Dean of Student Affairs or designee, the Dean of Campus Life and Leadership, the Judicial Affairs Officer, Director of Community Standards, the University Chaplain or designee, the Director of Community Standards, the Director of Residential Life and Learning, the Director of Fraternity and Sorority Life, and the Director of the Office of Campus Life shall be ex-officio members without vote. The committee shall be jointly chaired by a student and a faculty member. The quorum for all appeals that the committee hears shall be three faculty and two student members. This committee shall have concern for student circumstances, activities, and affairs and shall have jurisdiction over those, which are not in the province of any other committee. It shall ensure that the ideals, principles, and ethical values characteristic of academic institutions are maintained. Its responsibilities shall include the following:
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(viii) The committee shall present for public scrutiny, in the University Archives, a written version of the minutes, with modifications to preserve anonymity for participants in disciplinary decisions.