

R. 22 University Assembly Resolution to Amend the Campus Code of Conduct

WHEREAS, the University Assembly (UA) has legislative authority over the Campus Code of Conduct (the Code); and

WHEREAS, the Codes and Judicial Committee (CJC) of the UA has voted to amend the Code as follows:

I. Hazing Language:

Title III Article II § A.1.f. of the Code currently reads,

"To haze another person. Hazing means an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, (1) could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment, (2) destroys or removes public or private property, (3) involves the consumption of alcohol or drugs, or the consumption of other substances to excess, or (4) violates any University policy."

It shall now read, with additions in boldface,

"To haze another person, **regardless of the person's consent to participate**. Hazing means an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, (1) could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment, (2) destroys or removes public or private property, (3) involves the consumption of alcohol or drugs, or the consumption of other substances to excess, or (4) violates any University policy."

II. Limitations Period:

Title III Article III § D.4.a of the Code currently reads,

"In cases where the charge is fraud, the period shall be one calendar year from the alleged fraud or 60 calendar days from the discovery of the alleged fraud, whichever is longer, but in any event no more than three calendar years from the alleged fraud."

It shall now read, with additions in boldface and deletions lined-through,

" In cases where the charge **involves** [is] fraud, the period shall be one calendar year from the alleged fraud or 60 calendar days from the **filing of a complaint alleging** [discovery of the alleged] fraud, whichever is longer, but in any event no more than three calendar years from the

alleged fraud."

III. Hearing Board Terms of Office:

Title II Article IV § C.3.b. of the code currently reads,

"Terms of office shall begin with the first day of classes in the next academic year. Any appointment to fill a vacancy shall become effective immediately."

It shall now read, with additions in boldface and deletions lined-through,

"Terms of office shall begin **June 1 of the year appointed** [with the first day of classes in the next academic year]. Any appointment to fill a vacancy **or to address an emergency** shall become effective immediately."

IV. Hearing Board Emergency Appointments:

Title II Article IV § C.1. of the code currently reads, "The University Hearing Board and University Review Board pool shall comprise 50 members confirmed by the University Assembly: 20 students, 15 faculty members, and 15 nonfaculty employees. Faculty members are nominated by the Dean of the Faculty. For other candidates, the Office of the Assemblies will solicit written applications, and the Codes and Judicial Committee shall nominate candidates to the University Assembly for its confirmation no later than the last regular meeting of the outgoing University Assembly."

It shall now read, with additions in boldface,

"The University Hearing Board and University Review Board pool shall comprise [50] **55** members confirmed by the University Assembly: [20] **25** students, 15 faculty members, and 15 nonfaculty employees. Faculty members are nominated by the Dean of the Faculty. For other candidates, the Office of the Assemblies will solicit written applications, and the Codes and Judicial Committee shall nominate candidates to the University Assembly for its confirmation no later than the last regular meeting of the outgoing University Assembly. **The University Assembly Executive Committee may make emergency appointments on a temporary basis.**"

WHEREAS, a letter from John Cetta, Liaison to and Convener of the Codes and Judicial Committee, explaining the legislative history of these changes accompanies this resolution; and

BE IT THEREFORE RESOLVED, that the Code be amended in accordance with the CJC's proposals.

Respectfully submitted,

John Cetta
Undergraduate Representative
Liaison to and Convener of Codes and Judicial Committee