

THE CODE OF STUDENT CONDUCT
ANNUAL REPORT - 1998

THE OFFICE OF STUDENT CONFLICT RESOLUTION
STUDENT AFFAIRS
THE UNIVERSITY OF MICHIGAN
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INTRODUCTION & BACKGROUND

The information in this report summarizes the activities of the Office of Student Conflict Resolution from January 1, 1998 to December 31, 1998.

The Code of Student Conduct (Code) was adopted by the University of Michigan Board of Regents on January 1, 1996. The Code replaced the Statement of Student Rights and Responsibilities, an interim policy in place between January 1, 1993 and December 31, 1995. The Code supports the values of the University of Michigan community and enumerates the types of behaviors that violate these values. The Resolution Coordinator directs the Office of Student Conflict Resolution (OSCR) and ensures that the Code's procedures are fairly carried out.

SUMMARY OF COMPLAINTS & RESOLUTIONS

CONTACTS AND ACTION TAKEN

Between January 1, 1998, and December 31, 1998, the Office of Student Conflict Resolution (OSCR) documented 748 contacts. Table A depicts the response of OSCR staff to each contact. The term 'contact' refers to any form of complaint and includes those resulting in investigations handled under the Code. Table A summarizes each action taken.

Table A
Total Contacts & Actions Taken

Action Taken	Number
No Action Taken by OSCR	
Identity of Accused Student Unknown	11
No Complaint Filed	28
Past Six Month Deadline to File	0
No Violation	60
Referrals	87
Substance Abuse Warning Letter	401
Investigated Allegations	161
Total	748

No Action Taken by OSCR

Identity of Accused Student Unknown

Eleven (11) people contacted OSCR and stated that a violation of the Code had occurred; however, they were unable or unwilling to name the student(s) they believed responsible for the misconduct. Six (6) of these complaints alleged assault and battery, 1 alleged harassment, 1 alleged hazing activities, 1 alleged misuse of computer resources, 1 alleged illegal use of fireworks, and 1 alleged stolen property. Each complaint was investigated and pursued to the fullest extent possible. For additional assistance, complainants also were referred to appropriate University units (e.g., the Department of Public Safety).

No Complaint Filed

OSCR received 28 complaints from individuals who did not follow through with a formal complaint. Typically individuals contacted the office and described their complaint(s) without providing their name, the alleged perpetrator's name, and/or documentation supporting the alleged misconduct.

Filed after Six Month Deadline

No one sought to file a complaint after the expiration of the six month deadline established by the Code.

No Violation

Sixty (60) individuals reported misconduct not addressed by the Code. Typical allegations included: allegations of threats or harassment without substantiated behavioral misconduct, allegations of disorderly conduct, complaints alleging hate speech, roommate disputes, and complaints alleging misconduct by non-students. When appropriate, these individuals were referred to appropriate community agencies or University units for possible resolution.

Referrals

If the Resolution Coordinator determined that an allegation fell within the scope of the Code, but that the dispute did not warrant a process or a sanction that went beyond what was available in another University policy or that the dispute would be more effectively resolved elsewhere in the University community, the complainant was referred to the appropriate unit. OSCR referred 87 individuals to University units for assistance. Table B summarizes the number and types of referrals made.

**Table B
Referrals**

Referrals Made To	Number
University Units	
Academic Unit	16
Athletics	3
Ann Arbor Tenants Union	2
Dean of Students/VP for Student Affairs	10
Greek Life	4
Housing	30
Human Resources	1
Information Technology Division	15
Intercooperative Council	1
Ombuds	1
Orientation Staff	1
Student Mediation Services	3
Total	87

Substance Abuse Warning Letters

OSCR mailed 401 Substance Abuse Warning Letters to students who allegedly violated Section F (alcohol and/or drug violations) of the Code. These letters (see Appendix D) were sent in response to information forwarded to OSCR from the Ann Arbor Police, the Department of Public Safety, or University Housing. Each letter described the information reported to OSCR, included a copy of the Code, and offered support services available in the University/Ann Arbor community. The letter also contained information about free assessment/counseling available through the University and encouraged individuals who thought they might have a problem to utilize the assessment/counseling opportunities.

Students were encouraged to contact OSCR if they believed the letter was sent in error. By not challenging the letter, students accepted it as a warning and understood that any further complaint would result in charges under the Code. Six students challenged the warning letter. Four (4) of the students were unable to produce official court documents that indicated that the charges had been dropped; their warning letters remained in effect. One (1) student was able to produce information stating that the courts had officially dropped the charges against him and 1 student was able to show that he was not enrolled at the time of the incident. Both students' records were subsequently redacted to remove any personally identifiable information and the warning letters were dropped.

Investigated Allegations

One hundred and sixty-one (161) complaints were investigated by OSCR and are described in the following sections of this report.

INVESTIGATED COMPLAINTS AND OUTCOMES

It is difficult to accurately portray the total number of violations investigated because multiple charges were resolved in almost every complaint. One hundred and sixty-one (161) complaints alleging 381 incidents of misconduct were investigated. Sixty-six (66, 41%) complaints involved a single charge and 95 complaints (59%) involved multiple charges. In this report, data are reported by complaint (also referred to as a case) or by total number of alleged violations.

Table C summarizes the total number of charges and outcomes (responsible, not responsible) for alleged violations occurring both on and off campus. Thirty (30) cases, involving 64 potential violations, which are still pending resolution as of December 31, 1998 also are noted and are included in the 161 complaints/381 violations summary.

Twenty-nine (29) cases involving 72 alleged violations were pending resolution as of December 31, 1997. These cases were resolved in 1998 and are reported in Appendix E.

The most common complaints included making, possessing, or using a falsified University document (82); alcohol and drug violations (77); and stealing, damaging, or destroying property (44). If the Resolution Coordinator's investigation resulted in enough information to forward the complaint to a student resolution panel, resolution officer, or mediator for resolution, the accused student was charged with a violation(s).

A charge letter (see Appendix D) was sent to students who had allegedly violated the Code. The charge letter described the specific incident as well as the section(s) of the Code that the student may have violated. The student was asked to meet with the Resolution Coordinator at a specific day and time based on his or her class schedule. If the student was unable to make the appointed time, the student was directed to call OSCR to arrange an alternate date.

Forty-three (43, 11.3%) of alleged violations were either dropped or withdrawn. The Resolution Coordinator dropped an allegation when an investigation did not result in sufficient evidence to forward it for resolution or when subsequent investigation cleared the alleged perpetrator. In some cases, a complainant chose to withdraw the allegation(s).

In 16 cases, involving 23 violations, all of the charges against a student were dropped. When this occurred, the student's file was destroyed and all personal identification was deleted from the electronic records. A statistical record of the complaint was kept on file for record keeping purposes only. In 19 cases, one or two of the allegations were dropped (for a total of 20 dropped violations) but the other allegations were fully investigated and resolved.

Table C
Investigated Violations, Charges, and Outcomes in 1998

^a Violation	Charges	Responsible	Not Responsible	^b Pending	Dropped
Physically harming another person...such as killing, assaulting, or battering	39	28	4	6	1
Sexual assault or sexual harassment	13	9	1	3	0
Hazing, stalking, or harassment	26	7	1	12	6
Possessing, using, or storing firearms, explosives, or weapons	6	6	0	0	0
Tampering with fire or other safety equipment or setting unauthorized fires	2	0	1	0	1
Illegally possessing, using or distributing, manufacturing, or selling alcohol or other drugs	77	60	2	10	5
Intentionally and falsely reporting bombs, fires, or other emergencies	0	0	0	0	0
Stealing, vandalizing, damaging, destroying, or defacing property	44	26	0	9	9
Obstructing or disrupting classes, research projects or other activities or programs	3	3	0	0	0
Making, possessing, or using any falsified University document	82	64	0	14	4
Failing to leave University-controlled premises	0	0	0	0	0
Violating state or federal law	44	36	0	1	7
Misusing, failing to comply with, or jeopardizing Code procedures, sanctions, etc.	24	16	0	4	4
Violating University computer policies	21	10	0	5	6
Total	381	265	9	64	43

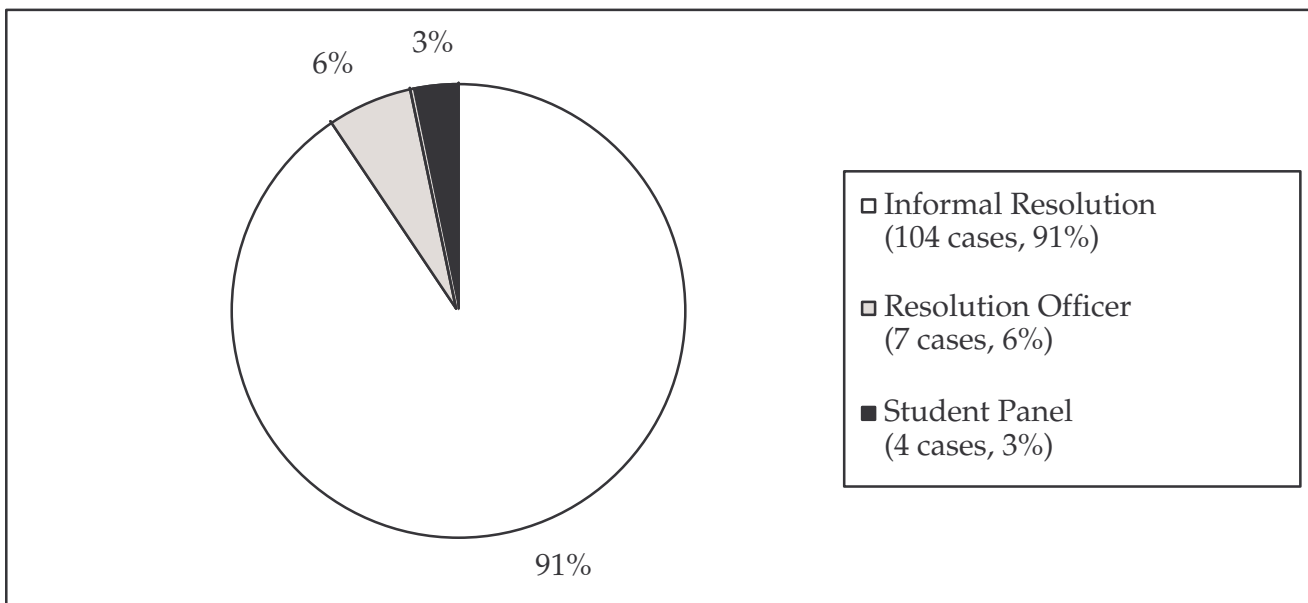
^a The exact wording of some violations has been condensed in this table. For the complete text of the violations please refer to the Code located in Appendix A.

^b Pending violations reflect cases that OSCR was unable to resolve in 1998 due to end of the year time constraints or because the accused student withdrew from school before the allegations could be resolved.

PROCEDURES USED TO RESOLVE THE CHARGES

The Code establishes the right of the accused student to choose the type of procedure he or she prefers to resolve the charge(s). Chart A depicts the students' choices per case. Each student panel arbitration was conducted by 5 student panelists and was facilitated by a faculty or staff resolution officer. Each resolution officer arbitration was conducted by a faculty or staff resolution officer. Informal resolutions, resolution officer arbitrations conducted in an informal setting, were conducted by the Resolution Coordinator. Multiple charges were resolved in almost every arbitration. One hundred and fifteen (115) cases were resolved in 1998. Appendix C provides further details about procedures followed.

Chart A
Accused Students' Choices of Resolution Procedure per Case



OUTCOMES AND SANCTIONS/RESOLUTIONS

Table C (page 7) also details the outcomes of arbitrations for each charge. Of the 274 charges considered at the 115 arbitrations, there were 265 findings of responsible and 9 findings of not responsible. There were 5 cases that resulted in at least one finding of not responsible for the charge(s). Of the 5 cases, 3 cases resulted in findings of not responsible for all charges. When a student was found not responsible for all charges, the case file was destroyed and the office database was redacted to remove any personally identifiable information. Table D shows the arbitration outcomes.

Table D
Arbitration Outcomes

Outcomes by Charge	Number	Percent
Responsible	265	96.7%
Not Responsible	9	3.3%
Total	274	100%

Sanctions

Findings of responsibility by a student panel or a resolution officer resulted in a recommendation of sanctions to the Dean of Students. Frequently, a combination of sanctions was imposed. The Dean of Students had the authority to modify the recommended sanctions but only exercised that authority in one case. Table E summarizes sanctions recommended through the process, imposed by the Dean of Students, and enforced by OSCR.

Table E
Sanctions

Sanction	Number
Alcohol/Drug Assessment	14
Class/Workshop Attendance	17
Community Service	33
Complete Court Sanctions	1
Disciplinary Probation	52
Educational Project	57
Employment Restriction	1
Formal Reprimand	12
Housing Transfer/Lease Termination	6
No Contact	7
No Trespass	6
Recommended Academic Support	1
Recommended Apology	3
Recommended Counseling	15
Restitution	31
Suspension from a Course or Activity	1
Emergency Suspension	1
Suspension	9
Expulsion	0

Student resolution panels and resolution officers were encouraged to recommend sanctions with the following goals in mind: to protect the safety of the University community, to educate the student about the inappropriateness of his or her misconduct, and to provide

the student with an opportunity to learn new behaviors so that the behavior would not be repeated. Student resolution panels and resolution officers designed sanctions to reflect the needs of the individual student and the impact of the misconduct on the complainant and on the University community. Student resolution panels and resolution officers developed a wide array of unique sanctions for responsible students. For the most egregious violations 'sanction packages' were developed to address the student's misconduct and provide a support system to help the student successfully complete the sanction(s) as well as their academic work. The Public Record, located in Appendix B, provides examples of such sanctions.

The most severe sanction imposed was suspension. Nine (9) students were suspended in 1998. Three (3) students were suspended by a Resolution Officer, 1 student was suspended by a student panel, and 5 students were suspended as the result of an informal resolution.

The Code allows the Vice President for Student Affairs the authority to emergency suspend a student if his or her actions pose an immediate danger to any member of the University community. The student is suspended pending a meeting with the Resolution Coordinator who may then continue the suspension until an arbitration is scheduled to resolve the charges. One (1) student was emergency suspended in 1998; he was later found responsible for the charges and was suspended after an informal arbitration resolution.

Mediation

Mediation offers the accused student and the complaining witness direct involvement in the final resolution of the charge(s). With the assistance of a mediator(s), the accused student and the complainant can work together to discuss their dispute and reach a settlement acceptable to both. Mediation also allows the participants to consider a wider variety of resolutions than what is available through the Code.

Although the OSCR staff encouraged mediation when it was appropriate to do so, no mediations were successfully completed in 1998. For a mediation to be successful, both parties must agree to mediate the charges. Also, the nature of some complaints, especially those involving violence, may make mediation an inappropriate option.

RELATED ISSUES

OSCR staff, student panelists, and resolution officers frequently considered a wide variety of issues indirectly related to each charge. In general, these issues became pertinent as student panelists and resolution officers worked to gain a full understanding of the circumstances resulting in the charge(s). They became relevant when a student was found responsible and sanctions were discussed. The most common related issues involved the use of alcohol and other drugs. For example, a student panel considering a charge of assault and battery might learn during the arbitration that the accused student had consumed alcohol and was using alcohol to justify his or her behavior. To help the student learn how not to repeat the behavior that violated University standards, the panel might determine

that a sanction which included alcohol education was appropriate. Table G details the most common related issues encountered during the resolution process.

**Table G
Related Issues**

Issue	Number	% of Total Cases
Alcohol	44	27.3%
Drugs	16	9.9%

APPEALS

Of the 115 cases resolved in 1998, 4 cases (3.5%) were appealed. Both the accused student and the complainant are given the opportunity to appeal. An Appeals Board, composed of one student selected from the Michigan Student Assembly, one administrator appointed by the University of Michigan President, and one faculty member appointed by the Faculty Senate, heard the appeal. All decisions of the Appeals Board were reached by majority vote and were forwarded as recommendations to the Vice President for Student Affairs as recommendations. Table H presents the violation(s) appealed, the ground(s) for appeal, and recommendations to the Vice President. In all cases, the Vice President accepted and imposed the recommendations made by the Appeals Board.

**Table H
Appeals Board Considerations and Decisions**

Violation	Grounds for Appeal	Original Sanctions	Recommendations to the VP
Tampering with Fire Equipment	The evidence clearly does not support the finding(s).	Disciplinary Probation Educational Project No Trespass	Re-arbitration of the case
Assault Battery Sexual Assault Sexual Harassment Harassment State Law Violation Federal Law Violation	The sanctions are excessive relative to the violation.	Suspension Removal from Course or Activity No Contact Counseling No Trespass	Suspension was lifted. Counseling, removal from course or activity, no contact, and no trespass were upheld. Letter of apology, research project, and workshop requirements were added.
Assault Battery Sexual Assault Sexual Harassment Harassment Alcohol Possession State Law Violation	Proper procedures were not followed. The evidence clearly does not support the finding(s). The sanctions are insufficient relative to the violation.	Disciplinary Probation Substance Abuse Counseling No Contact No Trespass	Re-arbitration of the case

Appeals Board Considerations and Decisions (continued)

Violation	Grounds for Appeal	Original Sanctions	Recommendations to the VP
Assault Sexual Assault Sexual Harassment Stalking State Law Violation Federal Law Violation Computer Policies	The evidence clearly does not support the finding(s). The sanctions are excessive relative to the violation.	Suspension No Contact Class/Workshop Attendance Counseling No Trespass	Pending Appeals Board Review

RECIDIVISM

Nine (9) students were repeat offenders. Student One was found responsible for failing to comply with sanctions in University Housing in 1997. The student was required to attend an alcohol workshop. In 1998, the student was found responsible for possession of alcohol. Sanctions for this violation included an educational project and community service.

Student Two was found responsible for alcohol possession in 1997 and was required to attend an alcohol workshop. The student was again found responsible for alcohol possession in 1998. He completed an alcohol assessment as his sanction.

Student Three was charged and found responsible for stealing the property of others and violating state and federal law in 1997. Sanctions consisted of restitution, community service and recommended counseling. The student faced similar charges in 1998 when she was found responsible for stealing the property of others, violating state and federal law, and failing to comply with her previous sanctions. The student was placed on disciplinary probation and again paid restitution. Stricter deadlines were imposed on her community service requirement and counseling was again recommended.

Student Four faced charges in 1996 for stealing the property of others. This case was mediated and the mediated agreement stated that the student would pay restitution. In 1998, the student was charged with failing to comply with sanctions, misusing the Code, jeopardizing Code procedures, and interfering with participants involved in the resolution process. A resolution officer found him responsible for all of the charges and sanctioned him to complete the restitution payments on a stricter schedule.

In 1998, Student Five was found responsible by a resolution officer for assault, sexual assault, sexual harassment, stalking, violating state and federal law, and violating the computer policy. Sanctions included suspension, no contact with the victim, workshop attendance, no trespassing on University property, and recommended counseling. The student faced additional charges in 1998 for assault, battery, harassment, and violating the computer policy in a second incident. These charges are currently pending resolution.

Student Six was found responsible for alcohol and drug possession in 1998. She was required to obtain an alcohol assessment and complete an educational project. The student was also placed on disciplinary probation. Later in 1998, the student was charged with alcohol possession. This second charge is currently pending resolution.

In 1998, Student Seven was found responsible for stealing University property and for making a false University record. She was required to pay restitution. In a separate incident, also in 1998, the student was found responsible for stealing University property and for violating state and federal law. Sanctions included disciplinary probation, restitution, an educational project, and working with her mentor.

Student Eight was found responsible for assault in 1998. He was required to attend an aggression management workshop and was placed on disciplinary probation. While on probation, the student was found responsible by a resolution officer for assault, battery, and failure to comply with sanctions. For this second offense, the resolution officer suspended the student, placed him on disciplinary probation upon his readmittance, and required the student to complete an aggression management workshop and an educational project.

Student Nine was found responsible in 1998 for stealing University property. He completed community service as his sanction. Later in 1998, the student was charged with harassment and with damaging University property. These charges are currently pending resolution.

Eight (8) students were charged with failure to comply with their sanctions imposed by OSCR. Although failure to comply with sanctions is a separate Code violation, these students were not considered repeat offenders.

EVALUATIONS

After each arbitration, each participant was sent an evaluation form to complete and return to OSCR. Evaluation forms were sent with outcome letters to the accused student and the complainant (see Appendix D). The accused student and the complainant were asked to give feedback and suggestions on the arbitration process and were asked to evaluate their interactions with the Resolution Coordinator. Although only a small number of students returned the evaluation forms, the evaluations that were received were very helpful. Arbitration procedures were updated to incorporate many of the suggestions.

Sample Comments from Arbitrations

o Why did you choose to have your case resolved through an informal arbitration?

It places things at a personal level and cuts out a lot of bureaucracy.

I felt I would receive fair punishment if I went with an informal. I also knew I was wrong so there was no sense in fighting.

I felt that I could learn my lesson and possibly help other students and the university by writing a paper.

Because both I and the other party were no longer in conflict and we could agree to fault.

o Were you comfortable asking the Resolution Coordinator questions?

Yes, they both seemed very approachable, in that they were not condemning.

Yes. He seemed like he was concerned about the violation, yet was willing to understand my position.

Yes, he was understanding, easy to talk to, and friendly.

Student panelists and resolution officers were sent evaluation forms after each panel and resolution officer arbitration. They were asked to give feedback on the arbitration process and to suggest areas that needed further clarification in future training sessions. Training sessions for student panelists and resolution officers were modified to incorporate many of the suggestions made by their peers.

Sample Comments from Panelists

o Was your experience positive? If not, why not and how can we improve the situation?

Yes - it was a difficult case but the good people there made all the difference. Good panelists make for a good experience.

Yes, the more arbitrations I do, the more competent I feel. I think we need to emphasize to all the spirit of informality. Yes, the charges are taken seriously and so is the process, but we are, after all, a panelist of peers to the "accused" and to the witnesses. Panelists need to be more proactive in

making witnesses comfortable and conveying the right spirit. I think much better information emerges when people feel at ease.

o Do you have any general comments regarding the arbitration process?

For the most part, it was an excellent panel that made everything go more smoothly! We worked well together and there were some clear thinkers there - almost all the questions were good ones, in my

estimation!

Sample Comments from Resolution Officers

o Do you have any general comments regarding the arbitration process?

We are teachers. The process runs in a fashion that has a good chance of changing behavior through the lessons learned through resolution.

I was impressed by the commitment the panelists brought to the process.

I found the process well-thought out. The supporting materials for the RO were excellent and made it

possible for me to keep tabs on the process.

Many students who were given sanctions were also asked to write reflection papers about their experiences during the conflict resolution process and during the sanctioning period. Reflection papers were useful to OSCR staff because they presented an opportunity to evaluate how effective the sanctions were in addressing the needs of the accused student and the University community. These students' comments also assisted OSCR in making future sanctioning placements. Several students decided to continue to contribute their time and energy to the placement agencies, even after their required community service hours were completed.

Sample Comments from Reflection Papers

Quote #1

I feel that the University has every right to protect its students from the harmful effects of drugs and alcohol - it is both the right thing to do, and it serves to teach a fantastic disciplinary lesson....As far as the way the University of Michigan dealt with my mistakes, I am very satisfied. My meeting on [date], 1998 went extremely well, and I was treated with the utmost respect and kindness. I was very grateful that I could feel that those on the other end of the circuit seemed to understand all of the pressures of life here.

Quote #2

Writing this essay has only made me realize how much I have learned from this experience and how well the University of Michigan Office of Student Conflict Resolution and DPS has dealt with my personal situation....I thought my punishment was fair and gave me an equitable amount of time to fulfill my Community Service requirement....Mr. McCabe did not treat me like a criminal and trusted me to learn from my mistake through my required community service, not by a lecture from him. In conclusion, I have learned how important it is to follow all rules and regulations here at the University of Michigan, and how breaking them can be extremely detrimental.

Quote #3

In hindsight, I should not have forged the parking pass. Illegal solutions to simple problems are dangerous and foolish. Thinking I was being resourceful in finding a way to park my car for free, I clearly did not realize the seriousness of my actions....I am relieved that this ordeal is finally over, and that as punishment, I was offered a fair alternative to a criminal record. I can now focus my attention on schoolwork and other more important things.

Sample Comments from Reflection Papers (continued)

Quote #4

There are a very large number of rules that students need to be aware of....It should be made clear that ignorance of the policy is not an excuse to break it....[A] good prevention mechanism is to get the students in the mindset of what it means to be in a community setting. This would be done by the RA [resident advisor] at the mandatory hall meetings. The RA should explain that the students are living in a group setting. In such a situation, one student's actions could effect more than just them. It is the ripple effect. Thus, while it might be safe for one student to posses a weapon, the presence of the weapon on the hall creates a danger to the other students. Someone else, less responsible, could get hold of it....It is an appeal to conscience. The RA should stress that if an activity has a likelihood to affect someone else negatively, then there is a good chance that it is against housing policy.

Quote #5

During the spring of 1998, I did something stupid. I acted without thinking. In a moment of frustration and anger that was brought upon by months of torment, I finally said something that I shouldn't have. But does that make me a bad person? No, it doesn't. Does that make me a dangerous person? No, it doesn't. Did it make me learn to think about what and how I say things affect people around me? Yes it did....[A]fter the incident, I learned a lot on how to behave. And my behavior and decisions became more concerned with the welfare of others and society. I have learned to look at the world as not revolving around myself, but myself and the world as one. My actions affect others, and their actions affect others yet more, and so on and so on....Am I saying that I'll never make a mistake again, of course not. That is impossible, but I am saying that I will be more able to limit my mistakes, and possibly eliminate the mistakes that affect others. And that is the secret I believe to becoming a morally developed person.

ACCUSED STUDENTS - A PROFILE

ACCUSED STUDENTS

OSCR handled complaints filed against 161 students in 1998. Table I depicts the gender, class year, and school or college of the accused students. Seventy-nine percent (79%) of the complaints were filed against male students. One hundred and twelve (112) complaints were filed against freshman or sophomore students, representing 69.5% of all complaints. Forty-three (43) junior and senior students were accused, totaling 26.7% of all complaints. Graduate students were the least likely to be accused of a violation and account for 3.7% of all accused students. Of the complaints filed against undergraduate students, 86.3% of complaints were filed against undergraduate students in the College of Literature, Science, and the Arts or undergraduate students in the School of Engineering. In 1998, these schools accounted for approximately 79% of the University's total undergraduate enrollment and 51% of the University's total enrollment.

Table I
Gender, Class Year, and School or College of Accused Students

	Number Accused	Percent
Gender		
Male	127	79.0%
Female	34	21.0%
Total	161	100.0%
Class Year		
Freshman	40	24.8%
Sophomore	72	44.7%
Junior	27	16.7%
Senior	16	9.9%
Graduate Student	6	3.7%
Total	161	99.8%
School or College		
Architecture & Urban Planning	1	0.6%
Art	4	2.5%
Business Administration	2	1.2%
Dentistry	1	0.6%
Education	1	0.6%
Engineering	26	16.1%
Kinesiology	4	2.5%
LS&A	114	70.8%
Medicine	1	0.6%
Music	3	1.9%
Nursing	1	0.6%
Horace Rackham	3	1.9%
Total	161	99.9%

STUDENTS FOUND RESPONSIBLE

There were 265 violations where students were found responsible. Sanctions were imposed on or accepted by these students. The types of violations for which students were sanctioned are documented by class year in Table J.

One trend that seemed to remain consistent for the first three years of the Code was that more first and second year students were found responsible for violations than upper class students and graduate students were the least likely to be found responsible.

Making, possessing, or using falsified University documents continued as one of the most frequent offenses (64) with most violations committed by first and second year students. Although most of the alcohol violations (60 total) were committed by first year and second year students, it is important to note that almost all first and second alcohol offenses for these students were handled within the Residence Halls. Generally, OSCR only became involved in alcohol violations when there was a consistent pattern of substance abuse.

**Table J
Responsible Student Violations by Class Year**

Violations	Fr.	Soph.	Jr.	Sr.	Grad.	Total
Physically harming another person...such as killing, assaulting, or battering	7	11	2	2	6	28
Sexual assault or sexual harassment	3	2	2	0	2	9
Hazing, stalking, or harassment	1	1	5	0	0	7
Possessing, using, or storing firearms, explosives, or weapons	0	3	0	3	0	6
Tampering with fire or other safety equipment or setting unauthorized fires	0	0	0	0	0	0
Illegally possessing, using or distributing, manufacturing, or selling alcohol or other drugs	16	33	9	2	0	60
Intentionally and falsely reporting bombs, fires, or other emergencies	0	0	0	0	0	0
Stealing, vandalizing, damaging, destroying, or defacing property	1	16	1	4	4	26
Obstructing or disrupting classes, research projects, or other activities or programs	0	1	0	0	2	3
Making, possessing, or using any falsified University document	29	20	8	7	0	64
Failing to leave University-controlled premises	0	0	0	0	0	0
Violating state or federal law	7	14	6	4	5	36
Misusing, failing to comply with, or jeopardizing Code procedures, sanctions, etc.	1	8	7	0	0	16
Violating University computer policies	2	4	2	2	0	10
TOTAL	67	113	42	24	19	265

A PROFILE OF COMPLAINANTS

Complaints were filed by students, faculty, and staff from across the University. Of all the complaints OSCR investigated and acted on, students served as complainants in 8 cases, faculty in 2, and staff in 153. One case involved three students as co-complainants. The staff complaints reflect departmental complaints from units which filed complaints on a routine basis (e.g., University Housing, the Department of Public Safety) or from staff members representing their departmental units (e.g., the Information Technology Division). Table K lists the complainants by category.

**Table K
Complainant Status**

Complaints Received From	Number
Student	
Business	3
Horace Rackham	1
LS&A	4
Faculty	2
Staff	
Department of Public Safety (DPS)	77
Housing	27
Information Technology Division (ITD)	8
Parking Services	29
Office of Student Conflict Resolution	12
Total	163

The gender of complainants filing individual complaints is summarized in Table L. This includes student and faculty complaints. More women than men filed complaints.

**Table L
Gender of Complainants**

Gender*	Number
Female	9
Male	1
Total	10

* Does not include complainants who represented University departments such as Housing, DPS, ITD, or OSCR.

OUTREACH

During the Winter term of 1998, the Office of Student Conflict Resolution continued outreach efforts by doing presentations and assisting with training for other departments across campus. OSCR staff conducted presentations at the following residence halls: Bursley, Mary Markley, and West Quad. Additional presentations were made to WISE (Women in Science and Engineering), Student Mediation Services, the 21st Century program, Alternative Spring Break site leaders, the Engineering School student government, Chi Phi fraternity, and Leadership 2017. An OSCR/Student Mediation Services co-presentation on conflict resolution was conducted as part of the University's Martin Luther King Day events.

OSCR staff also participated in training sessions for the Greek Activities Review Panel, the Department of Public Safety, and the University's Sexual Harassment Complaint Receivers. The intent of these action steps was to inform the community of OSCR and the Code and to increase the office's visibility.

OSCR continued its outreach efforts during the Fall term. Through various resource fairs, presentations, and distribution of the Code and other informational materials to students at orientation, contact with the university community continued to increase.

OSCR staff attended 3 resource fairs during the Fall term, 1998: the Housing Resource Fair, "A Student Affair," and the Rackham Graduate School Orientation Resource Fair. These resource fairs allowed staff members to interact with the campus community and disseminate information about the Code.

New students and residence staff were the target audience. The resource fairs gave students a positive introduction to the Code and a context in which to place OSCR. It helped to increase the awareness of the Code of Student Conduct and of the resources and support available through the office. The fairs were staffed by an OSCR Graduate Student Intern or by the Assistant to the Resolution Coordinator.

At all resource fairs, OSCR used a display board featuring important visual details and handed out brochures and copies of the Code to attendees. At the Housing Resource Fair, additional information regarding the role of residence staff in conflict resolution was made available through flyers. Residence staff were asked to sign up if they were interested in offering educational programming by OSCR to their residents. At the Rackham and at "A Student Affair" Resource Fairs, colorful business cards were passed out to students. The business cards had pertinent address and resource information printed on them including the web address.

Throughout the Fall term, OSCR continued to present information about the Code to various student groups and at residence hall programs. Among these student groups were SAPAC (Sexual Assault Prevention and Awareness Center), the Engineering School Graduate Student Instructors, Rackham Student Government, and members of MSA

(Michigan Student Assembly). Currently, OSCAR staff members are developing standardized presentation materials so that a consistent message is received by the University of Michigan community concerning the Code.

The Outreach Plan that guides OSCAR in making connections with the University community and in providing information and education to its members called for continued improvement of OSCAR's internet resources. The purpose of this action is to increase accessibility of information about the office and the Code. Web access reduces barriers to individuals who would like more information but are hesitant to contact the office, including those who are unsure of their decision to file charges, those who are curious, and those who may know of someone going through the complaint resolution process.

During 1998, the web page, located at <http://www.umich.edu/~oscar/>, was expanded to include the following:

- the mission statement and principles of OSCAR
- University policies affecting students
- Alcohol Workshop materials
- links to resources and information on alcohol and other drug abuse prevention
- application materials for the 1999 Resolution Board
- OSCAR staff information.

Outreach efforts this year were supplemented by the mandated review of OSCAR and the Code by the Regents. The review process included surveys of the university community and focus groups with faculty, staff, and students. Both the surveys and the focus groups served to indirectly educate the participants about the Code and its processes. The review also sparked an increase of information concerning the Code and OSCAR in the campus newspaper, The Michigan Daily.

OSCAR staff reached out to the University community in a variety of other ways as well as those listed above. The Office of New Student Programs and ResRep Theater incorporated a skit about OSCAR and the Code in their presentation to incoming students. Also for incoming students, OSCAR once again published "University Policies Affecting Students," a comprehensive booklet with policies and procedures all students need to know. An executive summary of the 1997 Annual Report was provided to the Daily and the Resolution Coordinator and the Assistant to the Resolution Coordinator met with Daily writers to discuss issues affecting students on campus. The Resolution Coordinator and other OSCAR staff members met with a number of individuals and groups throughout the year to discuss the Code, the conflict resolution process, and community values.

FIPSE GRANT

In September, 1996 the Division of Student Affairs was awarded a 28-month grant from the Fund for the Improvement of Postsecondary Education (FIPSE) to pilot and evaluate a recently developed Alcohol Workshop and to develop, pilot, and evaluate an Aggression Management Workshop. Students found responsible for violating University or Housing norms relative to the misuse of alcohol and/or aggressive behavior may be referred to these workshops. Students may also be referred to the workshops by the court system. The workshops attempt to teach students that binge drinking and aggressive behavior are choices which produce negative consequences and that other options which produce more positive consequences are available to them.

Piloting of the Alcohol Workshop began at the end of 1996. University units and community agencies began to refer students to the workshop in the Winter term, 1997. Thirty-nine (39) students attended the five workshops offered in 1998. Referrals came from University Housing, OSCR, the 15th District Court, and other court systems. A number of students heard about the workshop through other sources and participated as self referrals.

The workshop was led by two graduate students and consisted of one Saturday morning group session and one individual follow-up meeting approximately three weeks later. The focus of the Alcohol Workshop was to identify stressors in each participant's life which may lead to the misuse of alcohol and the consequences of that misuse. The group session had both individualized and interactive components. The individualized follow-up allowed the facilitators to talk with the students about the successes they experienced reaching their goals. The Alcohol Workshop will continue in 1999.

The Aggression Management Workshop continues to be in the development stage. Several students participated in mock workshops during 1997 and 1998 and offered feedback. The Aggression Management Workshop will be more fully developed and piloted during the beginning of the Winter term, 1999. Regular workshops are expected to begin shortly after the pilot program.

REVIEW

When the Regents approved the Code of Student Conduct in November, 1995, they requested a review of the Office of Student Conflict Resolution and its implementation of the Code within three years. To comply with this request, multiple reviews of the office occurred in 1998. The OSCR staff conducted a self-assessment in May, 1998, using the standards and guidelines set forth by the Council for the Advancement of Standards in

Higher Education. During the summer of 1998, the Vice President for Student Affairs established an internal University committee to review OSCR and its implementation of the Code. The committee was composed of members from the faculty, staff, and student body. An external review team was brought on to campus in November and the General Counsel's office also conducted an evaluation. The Michigan Student Assembly independently reviewed the office and the Code as well. All outcomes and recommendations were presented to the Vice President for Student Affairs. Complete copies of the reviews are available by request.

TRAINING

THE RESOLUTION BOARD

The Resolution Board (Board) for the Code is composed of student panelists and staff and faculty resolution officers. For the past three years, annual training for student panelists and resolution officers has taken place in September. After the September, 1997 training program, OSCR staff sent letters to the school and college governments who select the panelists and inquired about the nomination process. These letters and questionnaires were followed by focus groups comprised of student government representatives. The feedback OSCR obtained indicated that the student governments had difficulty nominating students before the end of the academic year (April) to attend training in September. Other difficulties, such as the turn over in student government during the Winter term and the overcrowding of the September calendar (move-in, football games, Greek rush, Jewish holidays), led to a request for OSCR to change the training date. In response to these concerns, OSCR moved the annual training from September, 1998 to January, 1999.

Panelists who were selected to serve from September, 1997 to September, 1998 were contacted and asked if they would like to have their term extended for four months, until the January, 1999 training was complete. Panelists who agreed to serve the additional four months were then reappointed by their student governments for this time period. By doing this, OSCR insured that there would be student panelists available during the Fall term, 1998 to conduct arbitrations.

Faculty and staff resolution officers serve two-year appointments. Because 30 new resolution officers were selected and trained in September, 1997 and will remain on the Resolution Board until September, 1999, there was no need to ask them to serve any additional amount of time due to the training program change.

Training for the Resolution Board is scheduled for January 30, 1999. Panelists and resolution officers will complete at least 17 hours of training before becoming eligible to conduct arbitrations.

Although training did not take place in 1998, OSCR provided two forums for student panelist and resolution officer feedback. In April, 1998 a graduate student in OSCR surveyed the Board in order to get a sense of the extent Resolution Board members were called to serve as representatives of OSCR. The survey results indicated that most Board members, students, faculty and staff, were occasionally asked to describe their involvement with OSCR and to describe general aspects of the office. In May, a focus group was conducted in order to obtain a better understanding of these discussions and to better prepare Board members in this role.

OSCR STAFF

The Office of Student Conflict Resolution was staffed with two professional and administrative staff members, the Resolution Coordinator and an Administrative Assistant. In addition, a full time receptionist handled the front desk responsibilities and six graduate students and two undergraduate students worked on a variety of projects.

The Resolution Coordinator

Sean Esteban McCabe replaced Mary Lou Antieau as the Resolution Coordinator for OSCR. Ms. Antieau retired from the University of Michigan in August, 1998. Before her retirement, Ms. Antieau continued her professional development by attending the Association for Student Judicial Affairs conference. In 1998, Ms. Antieau presented to local, regional, and national professional organizations on the following topics: gang members on college campuses, fraternity and sorority risk management, sexual harassment, responding to alcohol misuse on campus, and campus law enforcement.

Sean McCabe has six years of experience in Student Affairs Administration and has been with OSCR since 1993. Mr. McCabe has a Master's degree in Social Work and doctoral work in Higher Education. In 1998, Mr. McCabe received training as a University Sexual Harassment Designated Complaint Receiver. Mr. McCabe continued his professional development by attending the Association for Student Judicial Affairs conference and the Donald D. Gehring Campus Judicial Affairs Training Institute. Mr. McCabe also received mediation training through Student Mediation Services. Mr. McCabe made presentations this year on gang members on college campuses and on mandated alcohol workshops in Big 10 schools. Mr. McCabe is a member of the Association for Student Judicial Affairs, the American Educational Research Association, and the American College Personnel Association.

The Assistant to the Resolution Coordinator

Gwyn Hulswit continued in her role as the Assistant to the Resolution Coordinator. As part of her professional development, Ms. Hulswit received in-service training as a University Sexual Harassment Designated Complaint Receiver. She also attended the Donald D. Gehring Campus Judicial Affairs Training Institute in Notre Dame, Indiana and participated in the mediation training. Ms. Hulswit attended two professional workshops this year: How to Become a Better Communicator and Coaching Skills for Managers. Ms. Hulswit staffed the University's internal review of OSCR and the Code and was a part of the

Michigan Mediation Conference Committee. Ms. Hulswit conducted presentations on sexual harassment and assisted the University of Toledo in the implementation of their judicial database system. Ms. Hulswit is a member of the Association for Student Judicial Affairs.

Secretarial/Clerk Position

This position's responsibilities include handling case management, contacting student governments for panelist appointments, and coordinating all arbitration and mediation arrangements. Justin Ebright, who had held this position since November, 1996, left OSCR in July, 1998. He was replaced by Arianne Shell in August, 1998.

Graduate Student Interns

OSCR offers graduate student internships to students in the School of Social Work, Public Policy, and the Center for the Study for Higher and Postsecondary Education of the School of Education. The energetic and dedicated work accomplished by these students was integral to the continued outreach administration of the Code. In 1998, 6 graduate students worked in OSCR on a variety of projects including the resolution of cases, sanction placement opportunities, outreach efforts, legal research, development of presentation materials, case work, and the alcohol workshop. Many of these students were involved in campus committees and represented OSCR through their committee work and outreach. Together, these graduate students held 2 FTE (full time employment) positions.

Undergraduate Students

Undergraduate students continued to play an important role in the day to day operation of OSCR. The undergraduate students were responsible for the daily coordination of office materials and routine office tasks. Some of the more experienced students assisted with sanctioning placements and the coordination of substance abuse letters.

SUMMARY

The third year of the Code provided an opportunity to develop and strengthen a set of procedures and practices needed to resolve non-academic conflicts. The number of incidents reported to OSCR, 748 contacts in the third year, reinforced the need and purpose of the Code and the Office of Student Conflict Resolution.

In 1996, 66 students were charged under the Code; the case load for OSCR doubled in 1997 to 132. One hundred and sixty-one (161) students were formally charged under the Code in 1998. Students who were found responsible were sanctioned with the following goals in mind: to educate them about the inappropriateness of their behavior, to provide them the opportunity to learn new behaviors, and to protect the safety of the campus community.

The staff from the Office of Student Conflict Resolution wishes to thank all the members of the University community for their continued support, participation, and constructive criticism. Their observations and suggestions are invaluable and continue to lead to improvements in OSCR's implementation of the Code.