

Executive Committee Chair's Report, Fall 2016

The Yale College Executive Committee has 10 regular voting members: three tenured and three untenured faculty members; three undergraduate students; and the Dean of Yale College or his designee. In addition, there are three officers. These are: chair, Paul North, Professor of German; fact-finder, Fabian Drixler, Professor of History; and secretary for fall 2016 and part of spring 2017, Pamela George, Assistant Dean of Academic Affairs in Yale College. Jill Cutler joined as secretary in March 2017.

The majority of cases are adjudicated by a coordinating group made up of the chair, secretary, fact-finder, and one student member. The coordinating group meets weekly to hear the cases in which a student or students have admitted the validity of the charge against them.

In a typical case, a complaint comes to the secretary of the committee from a faculty member, dean, or another member of university staff. The coordinating group reviews the complaint and decides whether to charge the student under one or more sections of the undergraduate regulations. If a charge is made, the student, along with their dean or advisors, receives a charging letter explaining the charge and asking whether they admit validity or wish to dispute the charge. Disputing the charge leads to a full hearing. To give a sense of the ratio, in fall 2016 there were 15 dispositions without formal hearings and 2 full hearings.

Dispositions without a formal hearing give students and their advisors every chance to tell their side of the story to the coordinating group. By the undergraduate regulations, prior to the hearing, the students receive all the materials for the case, including details of the complaint against them, any police report, supplemental testimony, or email correspondence should there be any. The student then writes a statement in response, explaining what happened, their motives, the context, their state of mind and thought process, and anything else they think might help the committee understand their actions. All this becomes matter for questioning during the hearing. After reading prepared remarks reminding students of the guidelines and of their obligation to be honest, the Chair invites the student or students to make an opening statement that may reiterate what was in their statement or add something new and of importance. The committee then asks questions. The tenor of the questions depends very much on the type of case. Since the majority of cases are on charges of academic dishonesty, members usually ask the student to reconstruct the events leading up to the incident, to recall the guidelines for assignments listed in the syllabus, to explain their psychological state, and so on. State of mind, it should be said, is not a mitigating factor, but it can help to get a full picture of the kind of dishonesty—whether it was a one-time lapse or perhaps a more routine habit. In the question period the committee tries to get as full a picture as possible. Once members are satisfied that they have a full enough picture, the student's advisor has a chance to speak on the student's behalf. Finally, the student is allowed another chance to speak, giving a closing statement. Then deliberations begin.

There are three goals in the deliberation phase of the coordinating group hearings: 1. to determine an appropriate penalty in accordance with the undergraduate regulations and with precedent, 2. to see to it that harm done to the university community is mitigated, and 3. to help the students learn something about themselves and envision ways to avoid this kind of behavior

in the future. Sometimes, in addition to one of the standard penalties (reprimand, probation, suspension, expulsion), the committee asks a student to write a letter of apology to parties involved, write a short text on the university value they imperiled with their actions, or to meet regularly with a dean or tutor to work on better ways of going through college. When there has been damage to property, students are often required to pay. Sometimes, also, other types of demands are placed on a student or a group, such as removal from a leadership position, restrictions on social events, or a requirement to draft a safety plan.

In fall 2016, there were 15 dispositions without formal hearings, involving a total of 19 charged students.

Hearings before the full Executive Committee operate in a very similar manner to those before the coordinating group. These hearings are for students who contest the charges. There are a few differences in procedure. For the full hearings, the fact-finder investigates. Normally, they interview the student charged, witnesses if necessary, and the complainant. The current very dedicated fact-finder is known to go to the rooms where exams are taken, in order to check angles of sight. They also review all the written materials, and finally they produce a report laying out the evidence they were able to gather. The fact-finder is specifically enjoined in the regulations to be on the lookout for evidence that might exculpate the student. All the procedures are the same in this type of hearing, except that there are two phases, a judgment phase and a penalty phase. In the judgment phase, after hearing the student's statement, a period of questioning, hearing from the student's advisor, and a closing statement by the student, should the student wish to make one, the full committee may decide to withdraw charges or find the student responsible for the act. If the student is found responsible, the committee then deliberates on a penalty and chooses one of the following: reprimand, probation, suspension, or expulsion.

In fall 2016, there were 2 formal hearings involving 4 charged students.

There are very few standard penalties listed in the undergraduate regulations. And although there are many years of precedents to guide the choice of penalty, judgments made by the coordinating group and the full committee are always responsive to the details of a particular case. Plagiarism may be as serious and extensive as copying an entire paper from a classmate, or as unreflective as failing to cite sources fully. Vandalism may be the result of a moment of foolishness or a pattern of alcohol abuse. It is to the great credit of committee members that they are deeply patient and careful and weigh many factors in their decisions.

Reflections after a first term as Chair:

Today there are new kinds of knowledge and new standards for what constitutes learning, and these are sometimes in conflict with the strong stance on academic dishonesty that the university most often rightly takes. One example of this is classes on coding, where students are expected to collaborate in various complex ways, and where in some instances there are very few different ways to write the code. Although instructors construct elaborate and scrupulous guidelines for students on the nitty gritty of what they can and cannot do on each assignment, despite all that care, it is often such a complex task to read these guidelines, that the code to be written seems

simple in comparison. Obviously, doing your own work is a pillar of a college education. But the committee sometimes wondered whether this wasn't a new sort of work being done, which required a different kind of standard.

As previous chairs have remarked in their periodic reports, students who come before the committee almost always commit infractions unwittingly or under stress, because of mounting emotional problems, or poor judgment of a foolish or occasionally of an egregious kind. That is: few do these things out of malice. There does seem to be, however, for many students, a shared framework, and that is the college itself and its implied ideals. Two infractions, academic dishonesty and hazing, are frequently dark shadows of the pressure on students to be "leaders" and to achieve "excellence" in all they do. The pressure is internal to the students, of course, and the vast majority of undergraduates at this institution don't make the sorts of poor decisions because of the pressure that land them in front of the executive committee. But it may be helpful to consider how students could be encouraged to take advantage of the intellectual and social gift of spending 4 years in this community, without running a marathon to the top of every hill. The expectation to be excellent at everything is unrealistic and dangerous. Hazing is a particularly pernicious dark reflection of the high ideals of the place. The committee worried about how often "leadership" has to involve beating out fellow students. How many campus groups take this ethos to extremes, and practice humiliation or even domination? We really can't know. One hazing case revealed details of a systematic practice of domination in a student group that caused shudders. The picture that emerged was of a long-standing tradition in which initiates began by doing small demeaning tasks, but those tasks were part of a training in subservience that escalated, and the whole experience was understood to be the price you paid to eventually become the taskmaster yourself.

This is not a new issue in the college, nor is it a new item in these chair's reports. It is worth at this time calling for renewed vigilance for ways in which our ideals contribute to behaviors that hurt students.

The chair expresses the utmost gratitude to the members of the executive committee. The hearings are long and the task is often unpleasant. Special thanks go to the student members, who in their wisdom and experience give the most luminous window onto student life. For his meticulous and absolutely principled collection and assessment of facts, thanks go to Professor Fabian Drixler. Without his thoroughness as fact-finder, and without his willingness to play devil's advocate in every possible situation, the process would be much less rigorous. Dean Pamela George continued her unfailing commitment to student welfare in the fall. Thanks to Susan Sawyer in the General Counsel's office for her help interpreting the regulations and assessing the stakes of many cases. Lisa Miller in the Yale College Dean's office keeps the steady flow of documents organized and the committee members informed—for that the chair offers her deep thanks.

Respectfully,
Paul North
Chair of the Executive Committee, 2016-17
Professor of German