

## **Executive Committee Chair's Report**

for hearing cycle Spring 2017

Presented to the faculty on November 2, 2017

### **Explanation of Structure and Process**

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. In Spring 2017 these were: chair, Paul North, Professor of German; fact-finder, Fabian Drixler, Professor of History; and Jill Cutler who took over as secretary from Pamela George 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 Spring 2017 there were 19 dispositions without formal hearings and 1 full hearing.

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 that is 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 involve charges of academic dishonesty, Coordinating Group 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 give a fuller 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, to give 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 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 repay the losses. Sometimes, also, Students are required to make amends in other ways as well, such as stepping down from a leadership position in a campus group, restrictions on social events, or for leaders of a campus group, a requirement to draft a safety plan.

In Spring 2017, there were 19 dispositions without formal hearings, involving a total of 23 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 made against them. There are a few differences in procedure. For full hearings, the fact-finder investigates. Normally, they interview the student charged, witnesses if necessary, and the complainant. They also review all the written materials, so that they can produce in the end a report laying out the evidence for and against the student. 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, conversely, to 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 Spring 2017, there was 1 formal hearings involving 1 charged student.

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.