

Executive Committee Chair's Report
for hearing cycle Fall 2018
Presented to the faculty on May 2, 2019

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 Fall 2017 these were: chair, Paul North, Professor of German; fact-finder, Laura Wexler, Professor of Women's, Gender, and Sexuality Studies, American Studies, and Film and Media; and Gregg Peeples, Assistant Dean for Student Conduct and Community Standards.

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 2018 there were 53 dispositions without formal hearings and 4 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 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 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 may be 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 Fall 2018, there were 58 dispositions without formal hearings, involving a total of 58 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 sometimes 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 Fall 2018, there were 10 formal hearings involving 10 charged students.

There are very few standard penalties listed in the undergraduate regulations. The one noteworthy exception to this is the standard penalty for Academic Dishonesty, which is two semesters of suspension. There are also many years of precedents to guide the choice of appropriate penalty, and judgments made by the coordinating group and the full committee are also always responsive to the details of the 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 fifth semester as chair:

From time to time students come before the Committee who, if they had had extra support to navigate the Yale ecosystem beforehand, might not have had to go through a disciplinary process. Some students from groups that in other contexts are quite distinct, such as athletes, international students, and first-generation college students can, as we already know, find special challenges when they come to campus. Yale has programs to help such students in all sorts of ways. I think it is our special responsibility to make sure we do everything possible to catch students from under-resourced educations or with different experiences before they land in Executive Committee. Let me be clear: in no way am I saying that students in these groups are more likely to commit infractions, or that they come before the Committee more frequently. We have no data on this and the question is not posed properly anyway. When students from these groups happen to commit infractions, however, one factor sometimes distinguishes their cases from others. What is expected of a student on campus here can be drastically different from what was expected of some students in high school or at home. If we could boil down a few crucial parts of the regulations, with the goal of heading off misunderstandings, we could start to take responsibility for this dissonance. Faculty and staff, advisors, professors, first-year-counselors and peers could have frank and sympathetic discussions, in advance, with students who might need extra work to digest the complexities of the undergraduate regulations. What counts as academic dishonesty and what kinds of situations usually precipitate it is not always clear beforehand. What are the key offenses to guard against and how penalties might be applied need careful explication. A good course of action would be to increase training about the regulations for all students, with vivid examples of the kinds of situations that are likely to land someone at Executive Committee. If we take steps to interpret key conduct expectations that might be new and bewildering for some members of the community, we could help stop a few students before they hit a wall—an Executive Committee proceeding—for which they may be less prepared than some of their peers.

Thanks to Dean Chun and to the Provost's office, the Executive Committee has begun to expand its staff so that it can handle the rising number of cases and the new kinds of cases that are coming up. Continued expansion will allow the staff, in addition to preparing and hearing cases, to work at high levels with faculty, coaches, college deans, and of course with students on preventative measures as well as on punitive ones. I particularly want to welcome Earle Lobo, who has just started as Assistant Secretary of the Committee, to the staff.

I am immensely grateful to Assistant Dean Gregg Peebles for his expertise and incredibly careful and caring work with students and faculty over the two years we have worked together. I can't thank him enough. Thanks also to Profs. David Vasseur, fact finder last Fall, and Emily Erikson, Vice Chair this Spring under the revised procedures, for their incredible work.

Respectfully,
Paul North

April 30, 2019

Chair of the Executive Committee, 2016-2019
Professor of German

Executive Committee Fall 2018

Formal Hearings – 10 formal hearings, involving 10 students

Dispositions without Formal Hearings - 58 dispositions without formal hearings, involving 58 students

Penalties from dispositions and formal hearings:

5 suspensions

15 probations

43 reprimands

5 charges were withdrawn

Academic Dishonesty - 35 students were charged with academic dishonesty which resulted:

2 suspensions

14 probations

8 reprimands

9 charges withdrawn

2 carried over to spring term

Plagiarism - 7 of the cheating cases heard were plagiarism which resulted in:

1 suspension

2 probations

3 charges withdrawn

1 carried over to the spring term

Other Cheating – 28 of the remaining cheating cases were other forms of cheating:

11 cheated on an exam

5 cheated on laboratory exercises

12 cheated on problem sets

Non-academic cases: 39 students were charged with the following violations:

2 - charged with acts of violence or physical force

1 - charged with acts of violence or physical force, imperil, defiance of authority

1 - charged with acts of violence or physical force, harassment

2 - charged with defiance of authority, drugs, theft

1 - charged with imperil integrity and defiance of authority

3 - charged with imperil integrity

2 - charged with drugs

2 - charged with drugs and imperiling

2 - charged with alcohol and imperiling

21 - charged with trespassing

2 - charged with trespassing and defiance of authority

Penalties for non-academic cases:

37 - reprimands

0 - probations

2 - suspensions (cases of acts of violence or physical force or harassment)