

**REPORT OF THE COMMITTEE TO REVIEW
THE ADMINISTRATIVE BOARD OF HARVARD COLLEGE**

April 2009

Background

While serving as Dean of the College, Benedict Gross discussed the possibility of conducting a review of the Administrative Board of Harvard College (the “Board”). In early 2008, then-Dean of Harvard College, David Pilbeam, appointed an ad hoc committee to move forward with this review. Although the creation of the Committee was prompted in part by concerns raised by some students and faculty, such reviews have taken place periodically over the life of the Board and have resulted in various changes to procedures and policies. When Professor Evelyn Hammonds became Dean of the College later in 2008, she gave the Committee a broad mandate to look at the workings of the Board as a whole and to provide any recommendations it felt were appropriate.

The Committee is comprised of three faculty members and one student: Professor Donald Pfister (Chair), Organismic and Evolutionary Biology; Professor Elaine Scarry, English; Professor Stephen Mitchell, Scandinavian and Folklore; and Matthew Sundquist, a Mather House resident and former President of the Undergraduate Council. The members of the Committee have a range of experiences with and perspectives on the Board. Professors Pfister and Mitchell, former Masters of Kirkland and Eliot Houses respectively, both have served on the Board in the past; Professor Scarry has acted as a faculty advisor to students appearing before the Board; and, as President of the UC, Matthew Sundquist has heard a broad range of student views about the Board. The Committee is staffed by Associate Dean of the College and Secretary of the Administrative Board, John “Jay” Ellison, and University Attorney Heather Quay serves as counsel.

The Committee met weekly for over a year. It began by gathering information and perspectives from a wide variety of constituencies across the College. The Committee interviewed many people, including three former Deans of the College; faculty and administrators who currently serve, have served on, or advise the Board; and health professionals from the Bureau of Study Counsel and University Health Services. On at least four occasions, Committee members also met with groups of students. Committee members (with the exception of Matthew Sundquist) attended a Board meeting and reviewed records of Board cases. In addition, as part of its work, the Committee extensively reviewed and considered policies and procedures at peer institutions.

Summary

The picture that emerged from the Committee's review of the Board was complex. After considerable study, the Committee concluded that in most ways, the Board functions appropriately and well, treating students fairly and respectfully, and making nuanced and careful judgments in applying the rules of the Faculty in each case it considers. The members of the Board are seriously invested in the success of our students and play a worthy and significant role in their physical, mental and academic well-being. At the same time, however, the Committee recognized that there is a perception among some on campus that the Board's operations are opaque (and therefore suspect) and that, particularly in discipline cases, students are not given adequate opportunity to explain their circumstances. Students often do not have confidence in the process and procedures of the Board; and faculty do not feel responsible for or connected to the Board, even though the rules it enforces are in fact faculty rules. Notably, for the most part, negative perceptions of the Board were inversely proportional to familiarity with the Board, that is, the less personal knowledge one had about the Board, the more likely one was to view it negatively.

Thus, one fundamental conclusion of the Committee is that measures must be taken to combat the misperceptions about the Board and its operations and to make the Board and its work more transparent, both to students and faculty. In this vein, one of the overriding concerns of the Committee was the lack of faculty participation in the Board and the failure of both faculty and students, as well as other members of the Harvard community, to appreciate that the rules the Board is charged with upholding are not the rules of the Board itself, but rather those of the

faculty. Accordingly, more faculty involvement and more faculty oversight are essential components of our recommendations. For example, we recommend increasing faculty membership on the Board.

The Committee also recognized that some of the criticism of the Board is a function of the Board's having adopted a pedagogic or educational model of college discipline, as opposed to a model based on the criminal justice system. In the educational model, while discipline may be imposed, the goal is for the College to effectively reach its students and to engage with them about their behavior and our expectations for conduct within our community. The College's underlying premise is that, except in the rarest of circumstances, students involved in disciplinary cases ultimately will graduate from Harvard; thus the imperative is to help students understand the rules and the consequences of their actions so that they can learn greater responsibility within the College, the University and beyond. The criminal justice model fundamentally begins with the premise that the College's goal is to impose punishment and that therefore all the protections of the criminal justice system should be made available to students facing disciplinary charges. After thoughtful consideration of the various positions presented, the Committee endorsed the Board's pedagogic approach to discipline. At the same time, it identified a number of ways in which the Board's processes could be modified to foster more constructive student engagement during the course of disciplinary cases. For example, we recommend allowing students' personal advisors a more robust role during the disciplinary process and limiting the number of people present for students' personal appearances.

The Committee also identified two important topics for which it recommends further discussion. The first of these is the possibility of creating an option for students to participate as disciplinary decision-makers. We put forward for discussion the possibility of replacing the current Student Faculty Judicial Board, which has very limited jurisdiction and was not established to hear routine disciplinary matters, with a second disciplinary board (the "Student-Faculty Administrative Board"), whose membership would include students. In the Committee's proposed formulation, for most disciplinary cases, students then would have a choice between having their case heard by the Administrative Board (perhaps then renamed the "Faculty Administrative Board") or by the Student-Faculty Administrative Board.

The second topic for further consideration relates to the structure of the Resident Dean position. A central and recurring theme of the Committee’s discussions was the critical role of House life for students at the College and the importance of building and maintaining a cohort of experienced and committed Resident Deans, both to provide effective counsel and guidance to students in their Houses and to serve as valuable and contributing members of the Board. As a starting point for discussion, the Committee put together a series of proposals related to the Resident Deans intended to strengthen and enhance their role, and, consequently, the activities and effectiveness of the Board.

The Committee’s report is divided into three parts:

1. The first section encompasses a set of recommendations for actions that are within the discretion of Dean Hammonds and the Board itself, namely: increasing faculty membership on the Board; modifying specific policies and procedures of the Board; and instituting other changes that might help perceptions of the Board by faculty and students.
2. The second section sets forth those recommendations involving changes to faculty rules that will require a vote of the Faculty of Arts and Sciences (“FAS”).
3. Finally, the third section addresses the two topics for which the Committee recommends further discussion and consideration: the creation of an option for student participation in the consideration of discipline cases and the structure of the Resident Dean position.

Contents

I. Recommendations that fall within the discretion of the Dean of the College and the Administrative Board.....	Error! Bookmark not defined.
II. Proposed Faculty legislation.....	Error! Bookmark not defined.
III. Recommendations for further discussion.....	15

_Toc220393098

I. Recommendations that fall within the discretion of the Dean of the College and the Administrative Board

A. *Increase Faculty Membership on the Board*

One of the primary issues the Committee sought to address was our perception of the faculty's relative indifference towards, or "lack of ownership" of, the Administrative Board. The Committee believes this problem is closely related to the number of faculty participants on the Board: three senior faculty Board members represent less than one percent of the full faculty. We note particularly that it has been somewhat difficult historically for the Dean to find faculty members willing to commit to serving on the Administrative Board. Given that the Board is a faculty committee, charged with enforcing faculty rules and expectations for academic performance and conduct, this level of faculty presence is too small. Although we understand that Board service entails a significant time commitment, more faculty participation is essential to the Board's functioning. The Board, which acts on behalf of the entire College educational community, needs to include the voices of faculty members from a range of departments. We urge both the Dean of FAS and the Dean of the College to underscore to the FAS teaching faculty the vital role of the Board in the life of the College, and to make clear that Board service is a civic responsibility and an expectation. Serving on the Board should be recognized as a valuable contribution to the work of FAS. Increased faculty participation will also serve to make the faculty as a whole more aware of its own rules (and when they may need to be modified).

B. *Provide greater clarity about the way in which the Board decides cases.*

Committee members were consistently impressed by the care taken by the Administrative Board during its consideration of each case, but also struck by the lack of awareness among the College community about the Board's careful deliberative process. Therefore, the Committee recommends that the *Handbook for Students* and the *Guide for Students* be modified to make more explicit the deliberative care and serious consideration given to every case. To this end, the Committee suggests that the paragraph in the current *Guide for Students* now entitled "Standard Responses to Disciplinary Cases" be moved closer to the beginning of the "Disciplinary Cases" section and modified as follows (new language in bold):

To take any disciplinary action against a student, the Board must be sufficiently persuaded that the student has violated the rules of the Faculty.

The Board's responses to disciplinary cases generally depend on two criteria: (1)

the seriousness of the infraction (some typical but not invariable examples of which are given in the following list); and (2) extenuating circumstances, including the extent to which the student has had similar trouble before. **Any disciplinary action requires at least a majority vote and, in the case of a requirement to withdraw, at least a two-thirds vote. Ordinarily, a close vote will lead to further consideration of the case by the Board, after which another vote will be taken.**

C. Enhance support for students and provide for greater student agency.

While recognizing that a disciplinary proceeding can never be a comfortable event for a student, the Committee identified certain procedural modifications that would maintain the integrity of the process while at the same time increasing the student's sense of empowerment and agency. These are: (1) taking steps to preserve the student's relationship with the Resident Dean; (2) enhancing the role of the student's personal advisor (a faculty member or officer of the University affiliated with the Faculty of Arts and Sciences); (3) reducing the size of the body before which the student makes a personal appearance; and (4) soliciting greater student input with respect to the investigative process.

1. Address perceived "dual role" of Resident Deans.

- a. All disciplinary cases would be delivered to students by the Secretary of the Board or another designee of the Dean instead of by their Resident Dean.
- b. Students would be told that they may choose any voting member of the Board as their Board representative (and that, should they decline to choose, their Resident Dean or Yard Dean will serve in that role).

2. Allow personal advisors a more robust role.

- a. It has always been true that students are able to choose a personal advisor from FAS officers and faculty. Under the Board's current policy, the role of the advisor is limited to providing support for the student and being present for any personal appearance. In line with some of our peer institutions, the Committee now recommends that personal advisors have an expanded role:
 - i. The personal advisor will have access to the same case materials as Board members.
 - ii. The personal advisor will attend Board meetings with the student to provide support and may:

1. suspend proceedings to take students outside for a brief break;
and/or
 2. briefly address Board members if there are relevant facts that the student failed to raise.
- b. The Committee also recommends that the *Guide for Students* be amended to make clear that students may consult their personal advisors on whether they should ask the Board to reconsider their case. The modified section would read as follows (new language in bold): “Students who believe they have sufficient grounds for reconsideration should consult with their resident dean, **the Secretary of the Board, or their personal advisor (a faculty member or officer of the University affiliated with the Faculty of Arts and Sciences).**”
 - c. The College will create a brief information sheet for personal advisors explaining the process and their role, and the Secretary of the Board will be available to answer any questions they have.

3. *Limit the number of people present for students’ personal appearances.*

One of the concerns most frequently expressed to the Committee was that student appearances before the entire Administrative Board are daunting and difficult, especially given the often very personal nature of the discussion.¹ Moreover, many felt as though the primary purpose of a personal appearance – to allow the student an opportunity to answer questions and explain the circumstances of his/her conduct – often is hindered because students find the setting so intimidating. Therefore, to reduce the anxiety associated with personal appearances and at the same time make them better serve the Board’s pedagogic purpose, the Committee recommends that students appear only before a sub-committee of the Board, typically six or fewer people, as is currently the case for all peer disputes. The Committee also notes that personal appearances must take place in a space that is private and has a private annex.

¹ The choice to make a personal appearance is extended to students in cases where their status in the College may change. For example, a student could choose to appear if the Board were considering requiring the student to withdraw for a year.

4. *Request additional student input into potentially relevant lines of inquiry.*

An overarching goal of the disciplinary process is to understand, to the best extent possible, the circumstances of each case. The Committee noted that in peer dispute cases, the Board explicitly solicits student input with respect to potential avenues of inquiry. The Committee recommends that the Board adopt and expand this mechanism in all disciplinary cases. (As is now the process in peer dispute cases, the Secretary of the Board – and not the students themselves – will pursue sources of additional relevant supporting information.)

Specifically, the Committee recommends that the Board should ask students in every disciplinary case to submit with their statement a list of supporting information that they believe the Board should investigate, along with a brief explanation of why they believe the inquiries they suggest would be relevant and helpful to the investigation.

D. *Enhance the Harvard community's understanding of the Board*

The Committee had a number of recommendations aimed at improving the transparency, communications, and perception of the Board. These recommendations arose in part from the Committee's conclusion that the Board is widely misperceived across campus, not just by students but also by some faculty and administrators. The Committee recognized that some misinformation is inevitable; for example, students who have gone through a disciplinary case may choose to embellish or exaggerate particular elements of the process. Nonetheless, the Committee hopes that, in combination with the substantive proposals referenced herein, the changes recommended in this section will give the Board and its actions more clarity and therefore improve campus perceptions. A perception across campus that the Board is fair and impartial will help it to function most smoothly and effectively, in accordance with the educational model the Committee has endorsed. It also will help the morale of Board members, particularly the Resident and Yard Deans who often receive the most direct criticism.

1. *Endorse the use of internal House discipline where appropriate.*

The Committee felt very strongly that discipline should be local whenever possible and thus recommends a renewed emphasis on the consistent use of House and Dean's Warnings rather than Board action for minor violations of the rules. Whenever a warning is issued the practice of reporting the warning to the Administrative Board should continue so that members of the Board can ensure that the use of warnings is consistent across the House system.

2. Improve outreach efforts.

One criticism the Committee heard repeatedly is that the Board is not well understood. Some felt this was because there are only a relatively small number of people on campus who have real fluency regarding the Board and the way it works, given that Board membership includes only a very small percentage of faculty and no students. The Committee hopes that enhancing the role of faculty on the Board will help to disseminate accurate information more broadly. At the same time, we have a number of concrete suggestions for how the Board might effectively present information about how it functions:

- *The creation of a new web site with information about the Administrative Board.* A more descriptive website should be developed with the help of students.
- *The development of flow charts demonstrating how cases develop and are heard by the Board.* Flow charts would be available on-line and would be given to all students against whom a case is brought. Among other things, they would indicate where specific actions or choices are available to students.
- *Revisions to the Guide for Students.* This document must be revised in any case to reflect the procedural changes we are recommending here. At the same time, there may be ways to make the information presented more digestible and user friendly.
- *All new and visiting faculty members should be given an introduction to the Board.* Each year, faculty orientation sessions should include a presentation about the Administrative Board, with a particular focus on its pedagogic purpose and its role in enforcing faculty rules.
- *Periodic reports to the Faculty on the proceedings of the Board.* As one way of tying the faculty more closely to the work of the Board, and reminding faculty members that the Board enforces faculty rules, the Committee recommends that the Dean of the College report periodically about the Board (perhaps once each term) to the full FAS faculty.

3. Partner each Resident Dean with two or three FAS departments.

The Committee is concerned, as discussed in greater detail later in this report, with finding ways to enhance the academic stature of the Resident Deans. One way to bring Resident Deans into regular contact with a number of their faculty colleagues, while at the same time serving a valuable outreach function for the Board, is to partner each Resident Dean with two or three FAS departments. The Resident Dean would meet with the members and the chair of

the assigned departments on at least an annual basis, and also would serve as a point of contact between the Department and the Board throughout the year. This would result in increased communication between the Board and the faculty in the Departments, helping to ensure that faculty members will feel comfortable turning to the Board if an issue or question should arise.

4. *Consider giving the Administrative Board some involvement in recognizing students' positive contributions.*

By its nature, the work of the Administrative Board is often difficult and demanding. Much of the time, Board members must make complicated judgments about students who are in distress. While this work is critically important, and the Board must have ample time to accomplish it, the Committee suggests that it would be beneficial for the Board also to take up some tasks that reflect on the accomplishments and interests of our students. This would serve two functions: it would allow Board members to participate in some very positive aspects of student life, and would at the same time help to lessen some of the current negative perceptions about the Board. We believe that a discussion with the Fellowships Office, Dean for Undergraduate Education, or other University offices might identify positive tasks that could be assigned to the Board.

II. Proposed Faculty legislation

Several of the Committee's recommendations involve changes to the rules of the Faculty and thus require Faculty consideration.

A. *Modify the process for dismissal recommendations.*

The Committee was dissatisfied with the current process for considering recommendations for dismissal. While agreeing that any decision to dismiss should be made by a group of faculty members distinct from those serving on the Board, the Committee felt that referring the matter to the full FAS faculty (meaning, in practice, those FAS faculty members who attend a particular faculty meeting) does not serve what it viewed as the underlying purpose. That is, if one assumes that the reason to reserve dismissal decisions for the full faculty is that a student's potentially permanent separation from the College is of such seriousness as to warrant full and complete review of the matter by an independent body of faculty members, then the current

practice, in which faculty members are given only a summary of the case before being asked to vote, does not achieve that end. The Committee considered but rejected as both unworkable and inappropriate the idea of addressing this problem by distributing voluminous and very confidential case materials to every member of the FAS faculty. Instead, the Committee felt that an appropriate solution would be to have dismissal recommendations considered by the Faculty Council, a body of elected representatives of the Faculty of Arts and Sciences and the Dean of the Faculty, which would be given all case materials, rather than a summarized version, and would have the opportunity to make fully-informed decisions. A summary of the case, and the decision made by the Faculty Council, then would be reported to the full faculty at its next meeting. The proposed legislation would replace the current *Handbook* sections on “Dismissal” and “Expulsion” with the following (new language in bold):

1. *Dismissal*: action taken in serious disciplinary cases whereby a student’s connection with the University is ended by vote of the Faculty **Council**. (The action taken by the Board is a vote of requirement to withdraw with a recommendation to the Faculty **Council** that the student be dismissed.) Dismissal does not necessarily preclude a student’s return, but readmission is granted rarely and only by vote of the Faculty **Council**. A dismissed student is not in good standing until readmitted.
2. *Expulsion*: the most extreme disciplinary action possible. It signifies that the student is no longer welcome in the community. Expulsion must be voted by the **Faculty Council**. (The action taken by the Board is a vote of requirement to withdraw with a recommendation to the Faculty **Council** that the student be expelled.) A student who is expelled can never be readmitted and restored to good standing.

B. *Modify the process for appeals.*

The Committee stressed the importance of a viable process by which students can seek review of disciplinary decisions. It generally endorsed the current system, which allows both for reconsideration by the Board and also for the option to appeal disciplinary decisions outside the Board where the sanction has been a requirement to withdraw or probation for more than one term. Appeals, which must be filed within six months of the initial decision, are screened by the Docket Committee (a group of three elected representatives of the Faculty Council and the Dean of the Faculty), and may be heard by the full Faculty Council. However, the Committee recommends two changes to the appeal policy (which is referenced in the *Handbook for Students* and set forth in the *Guide for Students*):

- a. *Clarifying the grounds for appeal*. The Committee recommends that the following sentence in the “Appeals” section of the *Guide for Students* be modified to read (new

language in bold): “Students also have the option to appeal to the Faculty *disciplinary* case decisions of the Administrative Board, where the sanction has been a requirement to withdraw or probation for more than one term **and where the student believes either: (i) that the Board made a procedural error; (ii) that the Board came to the wrong conclusion about whether Faculty rules were violated; or (iii) that, based upon a review of the Board’s annual disciplinary statistics, the sanction imposed by the Board was inconsistent with its usual practice in such cases and therefore inappropriate.**”

b. *Making the process consistent with the recommended modification to dismissal recommendations.* In keeping with its recommendations for the dismissal process, the Committee proposes that in cases where the Docket Committee has declined to bring an appeal to the full Faculty Council, the student could enlist a voting member of the faculty to do so (rather than bringing the appeal to the full faculty). Accordingly, the last three paragraphs in the “Appeals” section of the *Guide for Students* would be replaced with the single paragraph that follows (new language in bold):

“If, despite the careful consideration of the Administrative Board and the Docket Committee, a student remains dissatisfied with the outcome, he or she can enlist the aid of a voting member of the Faculty of Arts and Sciences to bring the matter to the attention of the Faculty **Council**. Any of the approximately 800 voting members of the Faculty of Arts and Sciences may **attend a Faculty Council** meeting to question a decision of the Administrative Board. If a member of the Faculty of Arts and Sciences were to raise a question about the outcome of a specific case that had not been considered by the Docket Committee, a member of the Docket Committee would rise to point this out. The ordinary result of such a statement by a member of the Docket Committee would be for the Faculty **Council** to vote, without further discussion, to refer the matter to the Docket Committee. If the matter had been considered by the Docket Committee, a member of the Docket Committee would respond to the question. At that point, a faculty member may request that the matter be considered by the Faculty **Council**. If the matter is considered by the Faculty **Council**, the outcome will be reported to the student by the Secretary of the Faculty.”

C. *Amend the faculty rules on academic dishonesty*

Over nearly a year of weekly Committee meetings, no topic was discussed more frequently than academic dishonesty. Committee members agreed that many dimensions of academic dishonesty require elucidation so that expectations are clear, both to students and, importantly, to faculty. At the same time, it is crucial that rules about academic dishonesty not discourage academic discourse. We also agreed that the pedagogic purpose of the faculty rules on academic dishonesty is not best served by requiring students to withdraw in all cases. For these reasons, the Committee proposes both: (1) revisions to the “Academic Dishonesty” section of the *Handbook*; and (2) a new process for adjudicating academic dishonesty cases that would expand the options for disciplinary sanctions.

1. Revisions to the Handbook

The Committee felt it was important for the faculty rules first to recognize explicitly that academic life depends on consultation and conversation with others in the Harvard community, and then to explain the expectations for student conduct. The proposed revisions to the “Academic Dishonesty” section of the *Handbook* follow (new language in bold):

“Plagiarism and Collaboration”

The College recognizes that the open exchange of ideas plays a vital role in the academic endeavor, as often it is only through discussion with others that one is fully able to process information or to crystallize an elusive concept. Therefore, students generally are encouraged to engage in conversations with their teachers and classmates about their courses, their research, and even their assignments. These kinds of discussions and debates in some ways represent the essence of life in an academic community. And yet, it is also important for all scholars to acknowledge clearly when they have relied upon or incorporated the work of others. To ensure the proper use of sources while at the same time recognizing and preserving the importance of the academic dialogue, the Faculty of Arts and Sciences adopted the following policy:

It is expected that all homework assignments, projects, lab reports, papers, theses, examinations and **any other work** submitted **for academic credit will** be the student’s own. Students should always take great care to distinguish their own ideas and knowledge from information derived from sources. The term “sources” includes not only primary and secondary material published in print or on-line, but also information and opinions gained directly from other people. Quotations must be placed properly within quotation marks and must be cited fully. In addition, all paraphrased material must be acknowledged completely. Whenever ideas or facts are derived from a student’s reading and research or from a student’s

own writings, the sources must be indicated (see also “Submission of the Same Work to More Than One Course” below.)

Unless explicitly prohibited by the head of the course, students may discuss general approaches to class assignments with others and may collaborate with others in the completion of assignments. **If the head of the course wishes to prohibit or to limit either discussion about and/or collaboration on assignments, this policy must be set forth in writing, for example in the syllabus.** However, students must assume that collaboration in the completion of examinations is prohibited. **When collaboration is permitted, students must acknowledge any collaboration and its extent in all submitted work, but students need not acknowledge discussion with others of general approaches to the assignment or assistance with proofreading.**

The responsibility for learning the proper forms of citation lies with the individual student. Students are expected to be familiar with the booklets *Writing with Sources* and *Writing With Internet Sources*, which they receive at the writing placement test in September of freshman year, and which also are available at www.fas.harvard.edu/~expos/sources. Students who are in any doubt about the preparation of academic work should consult their instructor and Resident Dean before the work is prepared or submitted.

Students who, for whatever reason, submit work either not their own or without clear attribution to its sources will be subject to disciplinary action, **up to and including** requirement to withdraw from the College.

“Submission of the Same Work to More Than One Course”

It is the expectation that all work submitted **for a course or for any other academic purpose** will have been done solely for that course **or for that purpose**. If the same or similar work is to be submitted to any other course **or used for any other academic purpose within the College**, the prior written permission of the instructor must be obtained. If the same or similar work is to be submitted to more than one course **or used for more than one academic purpose within the College** during the same term, the prior written permission of all instructors involved must be obtained. A student who submits the same or similar work to more than one course **or for more than one academic purpose within the College** without such prior permission is subject to disciplinary action, **up to and including** requirement to withdraw from the College.

Students are urged to consult their Resident Dean or the instructors involved with questions concerning this important matter (see also “Plagiarism and Collaboration” above).

“Term Paper Companies”

In keeping with the principle that all material submitted to a course should be the student's own work, any undergraduate who makes use of the services of a term paper company is liable to disciplinary action. Students who sell lecture or reading notes, papers, translations, or who are employed by a term paper company, are similarly liable and may be **subject to disciplinary action, up to and including requirement to withdraw from the College.**

“Official Forms and Petitions”

Students should understand that providing false or misleading information or signing any other person's name or initials on a study card, Plan of Study, change-of-course petition, registration form, or on any other official form or petition will make them subject to disciplinary action, **up to and including requirement to withdraw.**

2. *Expansion of available sanctions in academic dishonesty cases.*

The Administrative Board responds to disciplinary infractions based on the sanctioning guidelines given in the rules of the faculty, as set forth in the *Handbook for Students*. At present, the faculty rules make clear that students who are found to have engaged in academic dishonesty ordinarily are required to withdraw from the College. Thus, the Administrative Board must treat virtually all academic dishonesty cases alike once it finds that a violation has occurred, regardless of the level of misconduct. The Committee considered at length the results of the limited range of sanctions currently available to the Administrative Board, including reports that some faculty members decline to bring academic dishonesty allegations forward in cases where they feel the violation does not warrant a requirement to withdraw. In some cases, incidents of academic dishonesty could best be treated as “teaching moments” between the student and faculty member, with appropriate in-course sanctions. At the same time, the Committee felt strongly that the College should be aware of all academic dishonesty cases, both to foster consistency and to preserve the Boards' ability to take appropriate disciplinary action, including in cases of multiple violations. We therefore recommend that the Faculty changes its rules to allow for additional options for disciplinary sanctions in academic dishonesty cases. Specifically, the Committee recommends a process under which, while all academic dishonesty allegations are reported to the Secretary of the Board, some violations may be

addressed through “local” sanctions, that is, with consequences specific to the course in which the infraction occurred. The proposed process is as follows:

- a. All allegations of academic dishonesty will be reported to the Secretary of the Board. This report will include a description of the situation and a copy of all relevant documents.
- b. If these are the first allegations of academic dishonesty against the student, then the Secretary of the Board will contact the student to determine whether he or she disputes the charges (as opposed to acknowledging the violation but offering an explanation for his or her conduct).
 - i. If the student disputes the charges, the case will be heard by the Board.
 - ii. If the student does not dispute the charges, then the Secretary will consult again with the faculty member.
 1. If the faculty member believes the appropriate penalty for the violation is a “local sanction” (for example: mandatory tutoring, a course warning, an ungraded rework of the assignment in question, a grade penalty, or a failure for the assignment), then the faculty member may impose the sanction he or she deems appropriate and report this action to the Secretary of the Board.
 2. If the faculty member believes the appropriate penalty for the violation is exclusion from the course or requirement to withdraw, then the case will be heard by one of the Boards.²
- c. If these are not the first allegations of academic dishonesty against the student, then the case will be heard by the Board. A second instance of academic misconduct ordinarily will result in requirement to withdraw.
- d. Where the case is heard by the Board, in addition to the actions already available (requirement to withdraw, disciplinary probation, admonition, take no action or scratch), the Board also may vote either to exclude the student from the course or to refer the case back to the course for local sanctions at the discretion of the faculty member.

² It should be noted that a vote to exclude would make the student’s record unsatisfactory for a term, thus making the student eligible for academic probation.

III. Recommendations for Further Discussion

Like the recommendations in Section I (actions that can be taken by Dean Hammonds) and Section II (actions that would require faculty legislation), the recommendations in Section III are ones about which the Committee came to feel unanimous. However, we also recognize that the issues involved may require a longer period of deliberation and debate among various College constituencies than those offered above.

A. Creating an Option for Student Participation in Disciplinary Decisions

Students in particular, but others as well, have expressed concern that the Board's current membership does not include students. While practices differ greatly across other institutions of higher education (nearly all of which create distinct committees to separately handle academic review and disciplinary cases), some of our peer institutions do include students in various ways on their disciplinary bodies. Although not universally held, even among students, there is a view on campus that students should be involved in deciding disciplinary cases, as they have a direct understanding of the stresses and demands on their peers.

Recognizing that student participation is a complicated issue, and may require additional study, the Committee nonetheless puts forward for discussion one possibility: that the FAS and the College replace the current Student Faculty Judicial Board with a second disciplinary board (the "Student-Faculty Administrative Board" or "SFAB"). As noted earlier in this report, the rules of the faculty grant to the Student-Faculty Judicial Board very limited jurisdiction: it was established to handle "only disciplinary cases for which there is no clear governing precedent, policy, or Faculty legislation; for which the procedures of the Administrative Board are inappropriate; or the disposition of which will have profound effects on the community in general." *Harvard College Handbook for Students, 2008-2009*, pg. 428. Because of its limited mandate, the existing SFJB has met exceedingly infrequently since its inception. The Committee proposes a broader jurisdiction for the Student-Faculty Administrative Board, which would allow it to serve as a more viable option for students.³

³ Should an extraordinary case come forward (that is, one for which there is no clear governing precedent, policy, or Faculty legislation; for which the procedures of the Administrative Board are inappropriate; or the disposition of which will have profound effects on the community in general), the Committee recommends that it be heard and decided by the Faculty Council.

1. Jurisdiction

As noted above, historically there has been no option for student participation in the consideration of routine discipline cases. Not all students, however, would wish to have their peers hear and decide disciplinary charges against them. The SFAB would serve as an alternative body to hear student discipline cases: students would have the option in most disciplinary cases to choose which Board will hear their case. For peer disputes and cases that are connected (such as inappropriate collaboration involving multiple students), all students involved in the case or cases would have to agree about which of the two Boards will hear the matter; if there was not complete agreement, the case would be heard by the Administrative Board (perhaps renamed the “Faculty Administrative Board”). Students who declined to indicate a choice also would have their cases heard by the Administrative Board. The SFAB might also serve as an advisory committee for the Dean on matters of College policy.

2. Composition and Size

The Student-Faculty Administrative Board would be chaired by the Dean, staffed by the Secretary of the Administrative Board, and would further consist of two senior faculty members (drawn from the Administrative Board), two Resident Deans or Yard Deans and three undergraduates. The Dean could, at her discretion, invite certain members of the University community (for example representatives from the Accessible Education Office, University Health Services, the Admissions Office, and the Registrar’s Office) to attend as guests. This proposed composition of the alternative Board is intended to serve the dual goals of assuring informed deliberation of cases and incorporating the student perspective. The Committee considered several alternatives for balancing the various constituencies represented, but decided, based on a number of factors, to recommend a total of seven voting members, as set forth above, with Resident Deans and Yard Deans being asked to serve on the Student-Faculty Administrative Board on a rotating basis.⁴

3. Appointment of Student Members

The appointment process for students serving on the SFAB could be the same as the appointment process for students serving on other standing committees of the Faculty. The Undergraduate

⁴ A substitution would be made if a disciplinary case involved a student from the House or dormitory of one of the Resident Deans and/or Yard Deans then serving on the Student-Faculty Administrative Board.

Council, working in partnership with the Dean of the College, would solicit and review applications from students interested in serving on the SFAB and forward a slate of candidates from which the Dean could select the requisite number of students to serve. If this process is adopted, the Committee would recommend that the Undergraduate Council present a slate of candidates twice as large as the number of students required, from which the Dean could select the students she feels are best qualified to serve on the SFAB; the Dean could also request that the Undergraduate Council present additional candidates. Students would serve at the pleasure of the Dean.

The Committee recommends the appointment of eight students, three as regular members and five as alternates (serving as needed if one of the three is no longer available or must recuse him or herself). All eight would receive Board training and all would be available to the Dean for consultation. The Committee recommends that student appointments occur in March of every year, and that selection be made from among applicants in their freshman, sophomore, and junior years. This would allow sufficient time for the students who are appointed to receive training and information on the SFAB, their duties and responsibilities.

4. Confidentiality

All disciplinary case materials contain private and confidential information about students. Thus, students who serve as members on the SFAB would be required to agree in writing to preserve the confidentiality of the cases and materials they review, and would have to understand that if they divulged any confidential information outside the SFAB, they would be subject to discipline, with their case heard by the Administrative Board. Any students found to have violated their SFAB confidentiality obligations ordinarily would be required to withdraw from the College. While student members of the SFAB certainly could advise other students on the policies and procedures of the Boards, they would not be allowed to assist students directly in preparing their cases.

5. Policies and Procedures

The policies and procedures of the two Boards would be identical. Both Boards would make final determinations in the disciplinary cases they heard, and both Boards would be able to impose the same range of sanctions. The College would provide training for members of both

Boards, which would include not just a firm grounding in the faculty rules and the policies and procedures created to implement those rules, but also a substantive discussion about the mission of the Boards. The goal of this training would be for all Board members to have a common understanding of the pedagogic philosophy that underlies their work, and in particular the aim that they foster meaningful engagement with students about their conduct within the context of the College and University community.

6. *Logistics*

The Committee thought that the SFAB would meet once a month (on the Tuesday on which the FAS holds a full faculty meeting), and that the Administrative Board would meet on all other Tuesdays. The Committee believes this would allow each of the Boards to execute its business at a reasonable pace, as it expects that the Administrative Board, whose duties include academic review and other non-disciplinary business, will have a higher volume of work than the SFAB. Holding all Board meetings on Tuesdays, consistent with current Administrative Board practice, will help to ensure attendance, as the Dean of the College, the Secretary of the Board, and all faculty members, Resident Deans and Yard Deans hold Tuesday afternoons available.

B. The Structure of the Resident Dean Position

Perhaps no people in the College are more directly connected with the life of students than the Resident Deans, who live with students, and see them around the clock. Ideally, they are also instructors in the College and thus interact with students in the classroom as well. In recent reorganizations within the College, changes have been made to the Resident Dean title, reporting lines, and qualifications. Our sense of these changes is that they not only have been demoralizing for those in the Resident Dean role, but also have led to confusion about the role and have served to separate the Resident Deans from departments and other academic units within the College.⁵ Furthermore, the turnover resulting from the five-year term limit on these positions has contributed to an ongoing loss in institutional memory. Thus, we make a series of recommendations related to the Resident Deans that would, as a consequence, enhance the activities and effectiveness of the Boards.

⁵ For a brief history of the Resident Dean/Senior Tutor position and its importance within the House system, see Appendix 1 to this report.

1. *Resident Deans should report more directly to the Dean of the College.*

At the present time the Resident Deans report to an Associate Dean of the College via an Assistant Dean. This further separates the Resident Deans from the Dean of the College and from the decision-making center of the College. Although it may not be feasible for the Resident Deans to deal directly with the Dean on a routine basis, it should be understood that they are ultimately reporting to the Dean. The Resident Deans are the Dean's deputies in the Houses, working with and under the guidance of the Masters. Their annual reviews should solicit information from a variety of sources, including the Dean of the College, the Masters, the Secretary of the Board, the Office of Residential Life, the Resident Dean's academic department, the House Life surveys, and other University constituencies. Given the importance of the Resident Dean position in the life of the Houses and the academic success of students, significant concerns about performance, whether raised as part of the annual review or otherwise, should be brought to the attention of the Dean of the College.

2. *Outstanding Resident Deans should be asked to serve more than five years.*

The current five year ceiling on the service time of Resident Deans appears to have many disadvantages for the effective functioning of the House system, the Administrative Board, and the College as a whole. It also appears to be inconsistent with the practices of our peer institutions, some of which have no limits on the tenure of their residential deans. Although some Resident Deans may not wish to continue beyond five years, in cases where individuals have done a superlative job and have made a contribution to a Department or some other unit of the College, it is to our great advantage to retain them, as they have an understanding of the institutional history and of the complexity of Harvard's administrative peculiarities. A more experienced cohort of Resident Deans would not only strengthen the Board but also better serve the students.

3. *Resident Deans should hold the Ph.D. degree and be encouraged to teach.*

It is important for the Resident Deans to be fully engaged in the academic enterprise and life of the University. For this reason, the Committee feels that Resident Deans should hold a Ph.D. in a field taught within the FAS and be encouraged to teach regularly and be engaged actively in the life of the Departments. In this way, the qualifications of the Resident Dean position would be aligned with the larger goal of increased faculty ownership of and engagement with the Boards

and student life. In making this recommendation, the Committee notes specifically that candidates may be found with the qualities important to succeed at being a Resident Dean, that is, personal skills, maturity, ability to work with others, empathy, good judgment, organizational skills and the like, even though they may lack formal residential life experience.

4. *The title “Resident Dean” should be retired and the previous name, “Senior Tutor and Assistant Dean of Harvard College,” be reinstated.*

The Committee’s understanding is that the title “Senior Tutor” was changed to “Resident Dean” because it was believed to be confusing. The Committee finds that the title “Resident Dean” in fact results in increased confusion. For example, some people conflate it with “Resident Assistant” and other undergraduate positions at other colleges and universities. Moreover, the Resident Dean title emphasizes the residential life dimension of the job over its academic attributes. That the role requires supervision over the House tutorial staff also seems to justify the return of the “Senior Tutor” title. For these reasons, the Committee recommends that the “Resident Dean” title be retired and the people in that role again be called “Senior Tutor and Assistant Dean of Harvard College.”⁶

Conclusion

The Committee strongly feels that its recommendations appropriately balance a variety of competing interests and concerns and will enhance and improve the important work of the Board. A great number of our proposals could be implemented easily in the short term, while a few will require further discussion and consideration. Thus, we have organized our recommendations according to a tiered system with a hopeful, yet realistic, outlook. We believe that our proposals regarding Resident Deans and student involvement in discipline warrant further study and hope that this report will serve as a starting point for these important discussions.

⁶ Making this change to the name would also remedy a separate issue that came to light during our discussions: that many students perceive their Resident Dean’s e-mail address as a threatening reminder of the Resident Dean’s connection to the Administrative Board. Resident Deans’ e-mail addresses take a standard form: “House-abrd.” Students widely believe the “abrd” is an abbreviation for “Administrative Board,” although in truth it stands for “Allston Burr Resident Dean.” While this problem is easily remedied by universally changing Resident Deans’ e-mail addresses to “House-rd,” it would also be eliminated if the Resident Dean’s title is changed to Senior Tutor, and e-mail addresses are changed accordingly.

Appendix 1

THE HISTORICAL ROLE OF “HOUSE DEANS” IN THE ADMINISTRATIVE BOARD OF HARVARD COLLEGE

The Administrative Board of Harvard College is one of the oldest standing committees serving the Faculty of Arts and Science. It was established by a vote of the Faculty in 1890 and charged with “the enforcement of the regulations of the Faculty...and the conduct of all ordinary matters of administration and discipline.” In administrative matters, the Board interprets, applies, and enforces the academic and administrative rules and practices of the College, making exceptions or adjustments where necessary or appropriate. In disciplinary matters, the Board responds to the actions of a student and may impose a range of sanctions up to and including requirement to withdraw.

Over the last century, the Board’s structure has changed and grown with the College, adapting to the expanding undergraduate student body and the advent of the House system. The most significant change to the size and composition of the Board occurred in 1952 when the Faculty, in response to a report by a subcommittee of the Committee of Educational Policy entitled, “Advising in Harvard College” (the “Bender Report”), transferred decanal responsibility for its students from a few Assistant Deans of Harvard College with offices in University Hall to “House Deans” (later known as “Allston Burr Senior Tutors”), who were placed in residence in each House. The House Dean, according to the Bender Report,

would have decanal powers and responsibilities for the students living in or associated with his House. He would also have the duty of organizing and supervising the advising program in the House and would work with the Master and staff to develop the House to its fullest extent as the principal center of student life within the College.

The Bender Report envisioned the Board, whose membership included all of the House Deans, as “the instrument for formulating common policy and insuring consistency of practice among the different Houses.” It focused particularly on the importance of placing responsibility for enforcing rules—and granting exceptions—in the hands of a group of people directly involved in

undergraduate teaching and residential life:

[B]ecause of . . . [the House Deans'] close relationship with students and their position on the Administrative Board[,] the disciplinary and other policies of the Board would be more likely to be informed and wise. Because of their responsibility for advising in the Houses[,] there would be more effective relationships among students, advisers and deans. In other words, the traditional decanal responsibilities of the College towards its students would be discharged with much greater understanding, humanity, justice and efficiency than they are now...

As the Bender Report anticipated, the Board has, since the 1950s, served as a common point of reference for the Senior Tutors (now Resident Deans) and the Houses, as their weekly meetings provide an opportunity for Board members to understand student behavior in the context of the entire House system. Their work on the Board thus provides each Resident Dean with a broader perspective on the lives of the students in his or her own House.

The Bender Report contained the caveat, however, that, for the system to be effective, “the right men” had to be found to fill the role of House Dean. In this regard, it suggested that the House Deans “should have permanent tenure or the possibility of permanent tenure and should be appointed for terms of at least five years” and that they “should be recruited if possible from the ranks of the permanent members of the faculty.” According to the Bender Report, the job of the House Dean should “be considered as a half-time job,” as each House Dean also “would be expected to carry a half-time teaching or administrative load.” With the House Dean holding “decanal powers and responsibilities for the students living in or associated with his House” while at the same time serving as a member of the faculty or administration, the Bender Report’s goal that House Deans be involved simultaneously in the College and in the lives of its students would be accomplished.

The expectation of the Bender Report was that the House Deans “would be older and more experienced than the assistant deans [had] been. Their turnover would be slower and there would be greater continuity in the job.” The House Deans’ maturity and longevity would help to ensure that they – and by extension, the Board – made wise and consistent decisions. The job of the House Dean, or Senior Tutor, has remained essentially unchanged for the remainder of the last century. Over time, as Deans of the College found it difficult to recruit members of the ladder faculty to hold the position, graduate students and newly-minted PhDs were appointed to fill the

Senior Tutor ranks. There was, however, a consistent commitment that Senior Tutors hold academic or administrative appointments of some type and that they remain actively engaged in the life of the College.

In the 1990s, applicants for the Senior Tutor position were required to hold, by the time of their appointment, a PhD “in a field taught in the Faculty of Arts and Sciences.” It was also explicitly understood that they carried the authority of the Dean of the College within the Houses. Although others in the College, particularly the House Masters, were involved in their evaluation and day to day oversight, the Senior Tutors knew that it was the Dean to whom they were ultimately responsible.

In more recent years, the Senior Tutor position has become focused more on residential life than on academic life, as reflected, at least in part, by the change in title to “Resident Dean.” The position requirements likewise have been modified; a PhD in a field taught in FAS is no longer required in every case, provided that an applicant has significant residential life experience. These changes were made partly in recognition that, for some, becoming a Resident Dean marked a choice to pursue a career in student affairs rather than a more academic path. One unintended consequence, however, has been that, because some Resident Deans lack teaching credentials, they cannot be assigned a half-time academic appointment. Instead, they have been given opportunities for administrative service in other areas of the College, either within administrative offices or on discrete projects and initiatives identified by the Dean.

This brief summary highlights the development of the Administrative Board in the context of the evolving nature of the Senior Tutor/Resident Dean position. It is important to be clear that the evolution of this role has taken place during periods of profound changes at Harvard, particularly with respect to the diversity of the undergraduate population. In contrast to the all-male and largely local cohort of students residing in the Houses of the early 1950s, College undergraduates now include both men and women from all parts of the United States and the world, representing a broad range of cultural and socioeconomic backgrounds. As this relatively slow but cumulatively dramatic shift has occurred, the Senior Tutors and Resident Deans not only have played an instrumental role in responding to and embracing institutional changes, but also have in many ways reflected these changes, in terms of their own backgrounds and experiences.