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Minutes, Arts & Sciences Executive Committee Meeting, Thursday, November 17, 2005

Arts & Sciences Executive Committee

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**Minutes of the Meeting
Arts and Sciences Faculty
November 17, 2005**

Members Present: B. Balak, G. Barreneche, E. Blossey, A. Boguslawski, B. Boles, R. Bommelje, D. Boniface, E. Bouris, W. Brandon, A. Carpan, S. Carrier, R. Carson, R. Casey, J. Cavanaugh, J. Chambliss, D. Charles, G. Child, D. Child, D. Cohen, E. Cohen, T. Cook, D. Crozier, J. Davison, D. Davison, K. Dennis, L. Duncan, J. Eck, H. Edge, M. Fetscherin, E. Gottlieb, Y. Greenberg, D. Griffin, M. Gunter, F. Harper, P. Harris, S. Hewit, A. Homrich, J. Houston, G. Howell, R. James, P. Jarnigan, J. Johnson, Y. Jones, S. Klemann, H. Kypraios, T. Lairson, P. Lancaster, D. Mays, M. Meyer, A. Moe, R. Musgrave, S. Neilson, R. Newcomb, M. Newman, A. Nordstrom, T. Papay, S. Phelen, J. Provost, J. Queen, R. Roger, D. Rogers, M. Sardy, J. Schmalstig, J. Shivamoggi, R. Simmons, J. Siry, R. Steen, P. Stephenson, K. Sutherland, B. Svitavsky, L. Tavernier-Almada, L. Van Sickle, M. Walter, G. Williams, Y. Yao, J. Yellen, W. Zhang

Guest: Sherry Fischer, Sharon Agee

- I. Call to Order:** T. Cook called the meeting to order at 12:40 p.m.
- II. Approval of the Minutes:** The minutes from the October 20, 2005, meeting were approved.
- III. Announcement:**
Don Griffin announced the passing of Professor Emeritus Dr. Herb Hellwege. A memorial service will be held on Tuesday, November 22, 2005 at 12:00 pm in the Chapel.

President Duncan announced that the College has received a significant development gift of \$12 million from a parent. Of this amount, \$6 million will fund two chairs in International Studies and International Business, one of which is to be held by a distinguished Visitor; \$2 million will be used to enhance facilities so that we can expand our teaching technology with partnering schools around the world, and; \$4 will go to the endowment and to significantly expand more faculty and students in the International Travel Program. The initiative, that was funded on a preliminary basis by Cornell funds, has already proven successful to convince someone to give \$4 million. The concept of faculty taking an expanding international trip every 3 years will become a fixture for all of us.

Dean Erdmann announced that the new Director of Admissions, Mike Lynch, had a great Fall term. Applications are up 14% for our first year class. The target of first year students is 504 compared with 465 during the past year in order to sustain the constant enrollment of 1,725. Dean Erdmann extended his thanks to the faculty for the hard work done with students. This prompts positive “word of mouth” news which helps to generate larger applicant pools every year.

Dean Casey announced that registrations are being processed for the Spring term 2006. The data that is currently posted is incomplete since all registrations have not been entered. An announcement will be made when registration is complete.

H. Edge announced that the Cornell Scholar applicants will be on campus during the last week in February. He will be contacting faculty for their participation with this program. Additionally, the on-line course evaluations are currently operational. He encouraged faculty to tell students to go on-line and take them. There are instructions on Fox Link. Beginning November 27, 2005, faculty will be able to view on Fox Link those students who have and have not completed the forms. H. Edge emphasized that all faculty want to get good feedback and this is why faculty are being invited to encourage students to complete the form. There have been two emails sent to students on the new course evaluation form in addition to an article in The Sandspur. There was discussion about various creative methods for encouraging the students to complete the forms.

T. Cook reminded faculty that on Friday mornings, in the patio in front of the Cornell Campus Center, there are coffee, donuts and other refreshments provided by the President's Office to encourage faculty and staff community building.

IV. Student Life Committee

T. Cook recognized P. Bernal to make the proposal regarding the Honor Code. P. Bernal moved that the document that was distributed with the agenda be opened for discussion. It was moved and seconded.

T. Cook explained that P. Bernal wanted Dean Edge to speak about the document since he recently attended a Conference on honor codes. H. Edge stated that he recently attended a conference sponsored by the Center for Academic Integrity at Vicksburg. He learned three primary things: 1). there are many different varieties of codes; 2) no code is perfect. Every code is a document in process; and 3). more important than the judicial process is the education process. This is all about changing the culture of the campus to a culture of integrity. This does not happen through the judicial process. It happens through education and it happens through students being educated because they have a primary role in the education process. H. Edge proclaimed that he came away from the conference believing that the document can have a significant and positive impact on our campus.

T. Cook explained that, with respect to procedure, during the April 5, 2005 faculty meeting, the faculty adopted principles of an Honor Code. These are included in the slightly changed and re-ordered document. During the spring meeting it was determined that the faculty would deal later with the implementation of the principles. We are now dealing with the procedures. T. Cook acknowledged P. Bernal who gave an overview of his presentation which included identifying the faculty and students who have worked on the process during the past 2 ½ years. P. Bernal will also highlight the key points of the Code. The presentation will end with a flowchart of the way the Code is expected to work, which will propel the conversation. P. Bernal reminded the faculty that the resolution passed over two years ago was to develop the code and work out the intentions. On a power point slide he shared the names of faculty and students who worked on the process in 2003-2004, 2004-2005, and 2005-2006.

P. Bernal shared the main points of the honor code. There is mandatory reporting. Students will sign a pledge when they matriculate. In every assignment that is submitted

for academic credit, students will be writing the statement. “On my honor, I have not given, nor received, nor witnessed any unauthorized assistance on this work.”

The honor code has a provision for the faculty member to have an initial meeting with the student for purposes of clarification on whether or not a violation has occurred. Referrals are made to the Honor Council through the Dean of the Faculty’s Office, which will serve as the conduit.

Adjudication takes place at different levels: 1). Self referral; and 2). Cases where referral is someone other than the student. These are adjudicated at different levels.

The membership of the honor council is selected by the SGA and is made by a recommendation to the Dean of the Faculty for appointment. There are fourteen students in the Council, a staff advisor and two faculty advisors. P. Bernal pointed out that this is a change from the previous document which included seven members. The number of students in the hearing will be the same but the pool of students has been expanded.

P. Bernal described the flow chart of the process on the power point slide.

The accused meets with the Executive Committee and can take one of three options: 1). the student admits responsibility and takes the “HF”; 2). the student admits responsibility but states that the “HF” is too severe and requests a hearing for the purposes of sanctioning only. The student will be given a penalty that can vary and the student and member of the Executive Committee will consult with the faculty member as to what the appropriate penalty should be. It is possible that the Council will decide that the penalty should be a “HF” anyway. This option is for students who do not have a previous record; and 3). the student states that they are not responsible. The Council appoints two investigators that gather the evidence. They will meet with the student, the accuser, the professor, and witnesses to document the case. The investigators will be selected from a group of fourteen potential members of the Council.

The option for self-referral remains and is adjudicated in a different way because the individual will turn themselves in to the Chair of the Honors Council and then it is passed on to the Dean of the Faculty. The Dean and the faculty member, in consultation with the student, handle the case. There is no involvement by the Honors Council other than to pass referral to the Dean.

If a violation is reported by someone else, it goes to the Honors Council chair and to the staff advisor who is a person appointed by the Dean of the Faculty as opposed to the Dean of the Students. The Executive Committee of the Honors Council has been redefined as the Chair, Vice Chair, Secretary and the staff advisor. The Executive Committee will review the nature of the referral and if they believe there is reasonable cause they will notify the accused person and invite the person to a meeting. The investigators will gather the evidence and meet with the chair of the Honors Council to decide whether there is enough evidence to proceed. If the evidence is insufficient, the case is dropped. If there is sufficient evidence, it can go to a full hearing. The investigators will need to speak with everyone together. This way there will be no evidence that is introduced at the hearing that is a surprise to any of the investigators.

The investigators present the evidence at the formal hearing. The role of the investigators is not to be advocates but rather to gather the evidence of what actually happened. In the formal hearing, the Chair will conduct the hearing and the staff advisor will also be present. In addition to the investigators, if the accused student has someone else they would like to bring in, they may. There will also be a faculty member who has been assigned as a staff at the hearing. The investigators present the evidence and the members of the Council have the capacity to ask questions of anyone. The Council goes into closed session and votes on responsibility or not responsibility. There will be five

voting members and the determination of responsibility will require no more than one dissenting vote. It will either be unanimous or four to one.

P. Harris asked why a student would choose the option of self responsibility rather than the sanctioning review.

P. Bernal responded that this has to be a situation where the student's record is reasonably clean, with no previous convictions. E. Cohen asked for the definition of the advisor for the accused student. P. Bernal stated it is any member of the community - faculty, staff or student. The accused student decides who this person will be. If the student does not designate someone, the Council will appoint someone who will be able to provide assistance to them in the process. The Code precludes the presence of professional legal counsel that has been hired for the process. T. Lairson asked if the student can pick Marvin Newman. P. Bernal affirmed. J. Provost asked for clarification on whether the name of the complainant is revealed. P. Bernal explained that this Code protects the identity of the accuser throughout the entire process. S. Hewitt asked if there is a maximum time allowed for the full hearing to reach completion. P. Bernal confirmed that all of the processes have a specific date at which point they must be initiated and concluded. J. Schmalstig inquired as to who the investigators are. P. Bernal stated they are two students of the fourteen on the Council. G. Williams asked if a student can self report after the initial meeting with the faculty member. P. Bernal indicated that in the initial meeting the faculty member should not be telling the student how to adjudicate the case. J. Davidson asked for clarification on the student being able to self report after the meeting citing an example that a student's entire paper is found in a journal. P. Bernal stated that it is not the purpose of the meeting. A violation has occurred and the student should be turned in. M. Gunter pointed out that in the flow chart that if a student self reports, the initial responsibility is with the faculty member in consultation.

P. Bernal provided an overview of the process by stating that that one of the initial assumptions was that there should be mandatory reporting for students and faculty. After 2 ½ years of dialogue, the requirement remains in the document. Dean Casey asked for a student representative to share if they support the document as it is written and if they believe it would pass the SGA. C. McConnell stated that SGA believes that this is a document that both students and faculty can support. If it passes in the faculty, it will pass unanimously in the student senate. J. Davidson expressed concern about faculty losing the right for issuing a grade if cheating occurs. If a student cheats in a course, the issue now will go to the honors council. J. Davidson also questioned if there is a faculty appeals process. P. Bernal confirmed that in one instance the faculty will not issue the grade because it is mandated. J. Davidson expressed her concern of the confidentiality of witnesses. If this is an honor code, shouldn't the process be as honorable as the outcome? B. Balak stated that procedurally the honor code will change. He further stated that if we don't get the proposal through now, with the idea that changes will made, we are basically going back to square one. H. Edge confirmed that under miscellaneous guidelines in the proposal there is a process for the faculty to appeal. Additionally, it was pointed out at the conference that H. Edge attended that there has never been a conviction based on an accusation if there is no independent evidence. If the appeals board is trained properly, there has to be independent evidence for a student to be found guilty. In a sense, the person reporting becomes secondary in the process. C. McConnell commented that there is a standard procedure that every teacher follows. Faculty are involved in the sanctioning meeting and also have the opportunity to be a part of the resolution through self referral. The only time it is taken out of the faculty member's

hands is during the formal procedure. If a student is found guilty, they will receive the grade of HF. H. Kypraios stated that the key to this is how to educate our students and asked if a process is in place for that. P. Bernal explained that the document will not train the students. This document is the rule book as opposed to the training manual. The training manual will be a different document that will be created. That process will begin after this document is passed. Dean Carrier inquired as to how the honor code applies to the Holt School. P. Bernal stated that the committee was told to develop a document for Art and Sciences that can then be adapted to Holt. At a minimum for implementation of the code to be brought into Holt, there should be Holt students on the council. President Duncan thanked the faculty and students who have been working on the document for the past 2 ½ years. While he shares some of the concerns expressed that this is an imperfect document, as an institution, we are somewhat embarrassed by not having an honor code. He urged the faculty to accept the collective advice of so many that have worked on the document and pass it even though it is imperfect. D. Davidson stated that on the point of the faculty losing their discretion because of the standard, he doesn't believe cheating is a standard. There is a difference between a student who plagiarized two sentences and one who corroborates on an exam or takes an entire article. Dishonesty is not standard. The faculty member has the experience and the discretion to deal with the issue. He does not see much change in the document on the fundamental issue of anonymity. He dislikes being given as an excuse as a rationale to pass something that is imperfect and that other schools have it. If we believe something is fundamentally flawed and it has not been changed, he finds it difficult to support

M. Anderson stated that he believes the issue is that the document is not flawed but rather we have differences of opinion. If we believe it is fundamentally flawed, then we should not pass this. If we believe it is not fundamentally flawed, but there are some issues that need some tweaking, then he thinks we should pass it. We are recognizing that for some people, certain aspects appear to be flawed. J. Davidson stated that she is skeptical if the document is passed that it will be changed later. In order to change it, it will require not only the vote of the faculty but also the vote of SGA. We have spent 2 ½ years on this, there is still disagreement and there have been no compromise on the issues. Anything that needs to be changed in the document needs to be addressed now. J. Davidson expressed that she is very pessimistic that change will ever occur in a system where any changes will require approval by both groups. W. Brandon stated she was hoping the honor code would be a mechanism for a certain kind of community that would foster more personal autonomy. Students would not be hiding what they see as cheating or academic dishonesty. There is a fundamental flaw in this honor code because it does not have a particular type of honorable community in mind. P. Bernal responded by stating that all of the points have been considered over the past 2 ½ years. We have come to a conclusion. There are some members of the committee that are not in agreement. On the issue of confidentiality, it has been debated extensively. The code is constructed the way it is because students were scared of the prospect of turning someone in and knowing who it is. They felt that rage was much more likely than remorse. The committee members decided to go the students' way after extensive debate. It is fundamentally unfair to state that the document is flawed. The reality is that all of these things were considered carefully. On one hand, we want students to have responsibility and on the other to make sure they have absolutely no discretion. This is a tension that must be recognized. If we want them to be responsible, we cannot have a system that assumes that they are by definition irresponsible. There is no honor code that places no discretion on the part of the students. M. Gunter stated that over the past year, in our discussion,

two words have been used interchangeably and they mean different things. We have used anonymity and confidentiality. This code uses the word confidentiality. The students are not anonymous but there is a degree of protection that is put in place from their peers by confidentiality. This is an important distinction. Dean Casey stated that he is less pessimistic for opportunities of change in the document. Currently, in academic appeals meetings, if there is a procedural issue, change or policy that is needed, it is taken to AAC for resolution. There is student representation on AAC and it is fairly quickly brought to the Executive Committee or to the faculty to make changes. This document will not be different. The big hurdle in terms of getting everyone to agree is the initial structure of the program and not the kind of changes that will make this an evolving document.

T. Lairson called the question.

The question was called by voice vote.

E. Cohen requested a written vote. Ballots (blank paper) were distributed and T Cook announced that faculty were to mark their ballot on the entire proposal - Yes or No

The motion of adopting the document of the honor code passed by a vote of 50 Yes to 15 No.

V. Adjournment: There was a motion to adjourn and the motion was passed at 1:48 PM.

Respectfully submitted,

Rick Bommelje
Vice-President/Secretary