HONOR COMMITTEE MEETING
APRIL 7, 2013

I. ROLL CALL

II. COMMUNITY CONCERNS

III. OFFICER REPORTS

A. Michelle Butler—Vice Chair for Community Relations, CLAS
   a. Community Relations Committee: trying to figure out how that can be most effective
   b. A few different co-sponsorships under consideration currently
   c. Roundtable: tentatively scheduled for Thursday April 18- will discuss IR. Are still inviting additional guests.

B. Brittany Wengel—Vice Chair for Education, CLAS
   a. Still working on scheduling meetings with school representatives. Please compile goals and ideas for finals events to discuss how to be most effective in different schools.
   b. First educator pool meeting- lots of excitement and good ideas for the future
   c. UMS wants to team up for awareness week, so educator pool is working through that.
   d. Hispanic Town Hall- partnering with LSA to discuss Honor and issues related to Honor. Breakout discussions about the philosophy of Honor.

C. Andi Chernau—Vice Chair for Investigations, SED
   a. 3 active investigations
   b. Working through the IR- gave presentation at pool about new procedures.
   c. Interviewed SR support and will send out emails tonight

D. Conor O’Boyle—Vice Chair for Trials, CLAS
   a. First year student in the CLAS was found not guilty by a random student panel on Saturday April 6

E. Evan Behrle—Chair, CLAS
   a. Number of events is probably getting overwhelming- made a google calendar for Committee events to help everyone keep track. Calendar will be shared with all Committee members following this meeting.
   b. Thank you for meetings that took place over the past 2 weeks. Last of these meetings is today. Meetings were very helpful to collecting and collating all visions for Honor for the coming year.
   c. “Hearts and Minds” campaign- (Power Point presentation)
      i. Quotations to start off, represent the overarching themes for the year.
1. Bruce Springsteen quote- “…but I think Harry instinctively knew that it was going to take a lot more than love to survive. That it was going to take a strong sense of purpose, of duty, and a good clear eye on the dirty ways of the world.”

2. “The Wire” Quote- “…and all the pieces matter.”- Lester Freamon

ii. Hearts

1. You want an Honor System that people believe in. Because you want it to impact students’ lives and you want them to care about it. Therefore, it has to be an intellectually defensible system. You have to believe in it, and work to make it the best it can be.

2. University-wide email: this email will go out to all students, faculty, and staff. This email will explain the IR and link to more info. Will also include an invite to the roundtable.

3. Faculty Engagement: faculty will get this email. Potentially will also send a physical packet to all faculty members homes discussing Honor and the recent changes. Faculty reception will kick this off, but want to also have high touch individual conversations throughout the year.

4. Orientations, summer and fall: Graduate School reps talked about this a lot. Honor needs to be discussed more effectively at graduate school orientations. Grad schools should also be signing the scrolls and we want to make that happen this year.

5. Continued conversations and Co-sponsorships: meetings with exec boards of other groups, co-sponsoring events that relate to Honor. Goal in mind to align upper-case and lower case “honor.” Want to get aligned with the Bystander Intervention Training “Step Up UVa”

iii. Minds

1. Informed Retraction By-laws

2. Expanded Jury Training: options for making this more robust since jury reform didn’t pass. Want to take action procedurally with what we have to make jurors as effective as possible.

3. Surveys and evaluations: evaluations- Conor already added a line on juror evaluation form to evaluate Trial Chair and Official Observer. Survey- support officer engagement survey is currently underway. Also want support officers to continually evaluate one another. Want to systematize this for every case so that support officers can get good feedback after each case. Survey- floated the idea of sending out a survey to the student body. Might be interesting to see how the opinions of the student body have changed perhaps since the campaign. Logistically more likely in the fall.

4. Online Reporting and Case Processing: want to make these both more robust. Online Case Processing needs to be tweaked continually.

5. Systematization: want to make sure that training is systematized. Training needs to be improved each year, and we want to make
sure that this happens this year through advanced preparation and implementing systematic syllabi.

d. Discussion:
Pati - what do you mean, “the scrolls”?
Austin - most graduate schools don’t sign the same convocation scrolls that first years do. And I have wanted for a long time to make this happen in other schools as well.
Michelle - clarification: faculty reception is actually the 16th - so not this Tuesday, but next Tuesday.

IV. OLD BUSINESS

NO OLD BUSINESS

V. NEW BUSINESS

A. Informed Retraction By-laws Discussion—Evan Behrle, Chair

a. Framing the discussion: these have a sunset clause of May 1. This Committee must ratify permanent by-laws.

b. Discussion: Getting everything on the table that is potentially worthy of reconsideration.

i. How much information is necessary for a student to decide to file an IR:
   
   Conor - from a support officer standpoint. How much information do you deliver to a student before they decide to file an IR. Problem is: want the student to have enough information to know what is going on, but don’t want to give so much information that the IR becomes a plea bargain, where the situation is calculated based on evidence. The IR should come out of the someone’s conscience and we need to find that balance.

   Andi - IR Information is now defined as the “initial interview with the reporter or other primary witness. And other relevant documents in the possession of the Honor Committee.” The essence of the IR is more of a person coming and saying “yes I made a mistake.” You don’t want someone ‘gambling.’

   Austin - when it was discussed last year, the initial conception was the reporter interview. Other documents shouldn’t be included because the interview should be sufficient. It would not be fair to have different information depending on who reports the case. The primary witness should be who is interviewed even if that person is not officially the reporter.

   Michelle - You should be able to put the label “primary witness.”

   Evan - So how much information in an ideal world should a student have when making this decision?

   Colin - what assignment was it, what part was cheated on, plagiarized, etc. What source does the person think it came from?

   Conor - so does the student need to know why they were suspected?

   Colin - you want it to be consistent, so that it isn’t unfair for some students. It should be standardized so every student gets the same thing. You could do the interview and then pull the info out of the interview itself and put it on a form to give the student so it is standardized.
Sam- it is important to have it standard. A form makes sense in cases where the reporter is not the primary. It is an easier way to consolidate multiple “primary” witnesses. You don’t want to make this process less convenient for the reporter because you don’t want to have to call them back if very little info is collected at first and then there is no IR and they have to come back.

Marie- instead of having 2 interviews, maybe you have a spot on the form that lists names.

Evan- themes: fairness in presenting all students with the same amount of information. How much information leads to the best IR? Other note- FERPA requires us to provide the student with their academic record, so we are somewhat restricted. But there are ways that we can only obtain information. This is logistical and I am mainly interested in the philosophy of what we want them to “have.”

Colin- so if you want the student to really make a decision out of their conscience, then you wouldn’t want to collect additional info, but that doesn’t feel right, to refuse to collect something.

Evan- we would never want to be in a situation where there is any level of gamesmanship.

Colin- it seems inappropriate to pick and choose information to collect. Maybe we can work this by sending a pre-interview form to the reporter to fill out. Don’t want to inconvenience the reporter too much, but we need to make it fair.

Evan- one idea that has been floated is changing the case status form. A lot of them provide “sufficient information” in and of themselves, but you could expand it to ask the reporter to provide certain information so that the student choosing to take an IR can understand the charge. But this would be done at the time of the report.

Michelle- so the student would just be given the case status form?

Will- is the investigation then delayed a full 7 days? So there is essentially no investigation there? Don’t want to add length to the process either.

Conor- either way we are putting 7 days stuck in the middle. So whether it is time after the reporter interview or after the case is reported doesn’t really make a difference?

Andi- it might actually be faster if you put the 7 days at the beginning.

Will- so there is no way to form by-laws that has the 7 days be concurrent with the IR period?

Austin- well it might be moot in a lot of cases then if they take an IR.

Andi- well what if it is an option of the reporter?

Brittany- but then we get back to the FERPA issue.

Sam- is there a process by which a student can request more information if they feel they don’t have enough?

Evan- it is up to the discretion of the VCI. If the student says it’s not enough, the advisor would make this known to Andi (VCI), and she can negotiate and decide what is reasonable.

Michelle- some professors come with evidence when they make the report, don’t really know what to do with that?
Joanna- if you have a standardized form, you might direct the student to the additional information without providing it up front.

Marie- doesn’t getting additional information defeat the purpose of an IR? The student should come forward after standard basic info is given.

Andi- what if it was up to the discretion of the reporter? They can be told to bring additional info if they think it is necessary.

Evan- any time you put the ball in someone else’s court, it might lead to unnecessary unfairness.

Patrick- the student is trying to decide whether or not he or she is guilty, and the jury would be too, so why not give them the same amount of information?

Evan- it’s a philosophical question. You can only guess what a jury will do. But you know whether or not you cheated.

Brittany- its hard to compare those two situations directly. The philosophy of the IR is different from trial.

Colin- doesn’t the student have a right to see everything? Can we dig ourselves into a hole here? This might be a question for general counsel.

Evan- I have only had initial conversations with Rachel. FERPA guarantees academic record information. Due Process discusses fairness and notice. We need to go back over all of this with Rachel.

Michelle- we need to look at the constitution to draw some of these conclusions too.

Conor- so say it was legally OK to just give a “case status form” are there people who are uncomfortable with that?

Austin- that’s the whole point. Owning up to what you did is the point. Don’t want it to turn into a battle of the evidence.

Will- I have served on a lot of trials where evidence was really granular and would not be easily condensed in one or two lines on a case status form. I don’t know how you would handle this in practical cases.

Students may not be able to make a decision based on a description in those really granular cases. We can’t really standardize the “unstandardizable.”

Madison- the IR has this underlying ideal, but there is an larger ideal to err on the side of the student, and the best way to standardize it is to give the student everything. I would be uncomfortable with changing the current processes in order to have less given to the student.

Michael- even in granular cases, the student should know what happened and know what they did.

Marie- you have to be careful with the assumption of the student not knowing. If the student comes forward in good faith, then they know what they did.

Patrick- this is the two extremes, knowing everything or knowing nothing. The best idea probably is to give them the reporter’s report. Giving any more or less is too much or too little.

Noah- when you accuse at ipanel, you do a once sentence summary. This is not too much to ask of a reporter. For purposes of the IR, you should know immediately whether you cheated from this sentence. This should,
in most cases, be enough for the student to go on. Asking this of the reporter would also help them to focus their ideas.

Patrick- what about in cases where it is not enough?
Evan- that’s the whole point. This is a spectrum of ideas.
Sam- if the student doesn’t take an IR, they will go through investigation and argue their case at trial. We want the student to have a way to acknowledge wrongdoing after being given just enough info to know what the situation is. There is still plenty of due process after the IR period if they choose not to take an IR.
Steven- what about a situation where the professor confronts the student? And they want the student to just “go submit an IR.” This could still be an issue.
Joanna- it sounds like faculty have always been discouraged from confronting the student. But given that we now have a time window, I think it just speaks to the quickness with which we should be sitting down with the student.

ii. 7 day IR Period:
Evan- on the topic of the “window” question- something that we have talked about is meeting with a Dean before the student takes their IR. Clearly the IR is a departure from expulsion, but it is still very serious. One logistical question that came from this is, how does this dean’s meeting effect the IR process and the 7-day time period. After 7 days, the form needs to be completed. So you have to do all this within 7 days. Is 5 days long enough for this to happen? There was also some discussion about the 7 day number. For instance, if you are an international student, is 7 days enough time to make a decision, get appropriate signatures, meet with ISO, meet with dean, and turn in form.
Noah- I would just leave it at 7 days, and we can grant extension for good cause.
Evan- if we were granting a ton of extensions, we could always revisit this timeline.
Marie- we should talk about what this extension means. It needs to not be ambiguous.
Evan- other thoughts? We will have another chance to talk about these next week.
Colin- was concerned about how the 7 days interacted with CMD. If it comes back to Honor, it isn’t codified that they get another 7 days.

iii. Single Nexus of Events and Multiple Concurrent Honor Offenses:
Andi & Conor- Single Nexus of Events: old Committee envisioned this as: if a student cheats, and then lies to the professor about the cheating. Under these by-laws, this student might be able to take an IR covering both of these offenses. However, Evan and Conor were of the opinion that they really are two Honor offenses. And it doesn’t sit well that they could cover more than one Honor Offense. Though there are some cases where this might make sense.
Katie S.- if as you look at this, a lot of things are vague. This is purposeful because you can’t anticipate every circumstance. Discretion of the Vice Chairs is important here.
Evan will table discussion for next week.

VI. CLOSED SESSION