Call to Order

Approval of Minutes of September 2, 2010

Report of the Executive Committee (Brian Christman, Chair of the Faculty Senate)

Remarks by Chancellor Nick Zeppos

New business
Presentation and Discussion of Vanderbilt’s Honor System (Bobby Bodenheimer, Vice Chair of the Faculty Senate)

• Mark Bandas, Dean of Students
• Daniel Swinton, Director of the Office of Student Conduct & Academic Integrity
• Charles Brau, Head of the Appellate Review Board and Professor of Physics
• John Callison, Senior Deputy General Counsel

Good of the Senate

Adjournment


Voting Members absent: Atack (regrets), Balser, Bradford, Braxton (regrets), Calico (regrets), Carbone, Carter, Collins, Conway-Welch (regrets), Fischer (regrets), Floyd-Thomas, Guthrie, Halpern, Kovalcheck (regrets), Miller, R., Moore, Oppenheimer, Peek, Saff, Schwartz (regrets), Smrekar, Tansey, Wait, Weil (regrets), and Winder (regrets).

Ex Officio Members present: Bandas, Damon, McCarty, McNamara, Miller, B., Roberts, Williams, and Zeppos.

Ex Officio Members absent: Bernard (regrets), Fife (regrets), Fortune (regrets), Paschal (regrets), Raiford (regrets), Stalcup, Sweet, Wcislo (regrets), Wente, and Wright.

The meeting was called to order at 4:10 p.m. by Chair Brian Christman.
Next Item on the Agenda – Approval of Minutes of September 2, 2010

Chair Christman asked for any changes to the minutes. Hearing none, he then asked for approval of the minutes. They were approved unanimously.

Next Item on the Agenda – Report of Executive Committee

Chair Christman gave his report. He mentioned meetings with all deans. He and Vice Chair Bodenheimer have met with Dean Benbow and Dean Jeff Balser so far. The Executive Committee is also looking into the undergraduate alcohol issue. They have talked to Mark Bandas (Dean of Students) about this issue, and have plans to create a Task Force on Alcohol at Vanderbilt. Chair Christman mentioned that there are many deaths each year from this problem. He is going to be asking for help from senators who want to serve on this task force.

Chair Christman said that he wants to put together a council of past chairs of the Senate. He said that he will share more about this later.

Chair Christman turned the floor over to the Chancellor.

Next Item on the Agenda – Remarks by Chancellor Nicholas Zeppos

Chancellor Zeppos mentioned the news article about the new Medical Center in Franklin, TN. He said that Vanderbilt did buy land in Williamson County. This area is very important to Vanderbilt’s mission. He said that we are leasing lots of spaces there. But, there are no plans to build large buildings in Williamson County. It will be addressed in the future, but we have a very tight prioritization process. The Life Sciences/Engineering building, Kissam residential college, and more space for the College of Arts and Science are all priorities. He said that the media did not get this one right. It is a strategic move to put a footprint there, but we are not building anything yet. He said that he just wanted to clarify that today. He asked for questions.

Hearing none, he thanked Chair Christman for the opportunity to speak.

Next Item on the Agenda – Presentation and Discussion of Vanderbilt’s Honor System (Bobby Bodenheimer, Vice Chair of the Faculty Senate)

Vice Chair Bobby Bodenheimer introduced the panel, which included Mark Bandas, Dean of Students; Daniel Swinton, Director of the Office of Student Conduct & Academic Integrity; Charles Brau, Head of the Appellate Review Board and Professor of Physics; and John Callison, Senior Deputy General Counsel. Vice Chair Bodenheimer mentioned that the Senate’s charge is to look at the Honor System as a whole. He said that he and Mavis Schorn, chair of Student Life committee, have contacted all of the advisors of the professional schools and their honor councils. These are the three main issues that have come to light from these discussions:
1. The Graduate School honor council gets an average of 2 referrals per year, and they usually meet less than once a year, because many of students withdraw from Vanderbilt during the preliminary investigation.
2. The Owen School’s major issue with the honors system is that their decisions keep getting overturned by the Appellate Review System.
3. The Medical School’s honor council has not found anyone guilty in the last 5 years (even though students have been referred).

Vice Chair Bodenheimer said that the Provost has asked two bodies to examine the Honor System this year: the Faculty Senate and the Academic Associate Deans of the Undergraduate Schools (A&S, Blair, Peabody, and Engineering). He then introduced the panel and asked them to give a brief introduction of their roles in the honor system.

- Mark Bandas, Dean of Students: He gave a history of the honor code at Vanderbilt. He mentioned that one of the topics we might talk about is the institutional support for the honors council.
- Daniel Swinton, Director of the Office of Student Conduct & Academic Integrity: He also gave a more detailed history of the Honor Code. He only works with the undergraduate honor council (not the graduate or professional schools). He does advise them if they ask questions. He gave an overview of the current membership of the Honors Council. He explained the membership application process. He went over the structure of the honors council. He said that there is a Faculty Board of Advisors that actually came out of the Faculty Senate. There are 30 Faculty who are to “advise the Honor Council during hearings and investigations.” He went over the process for investigations and the hearing. He gave an overview of the workload. He said that the average time to resolution is 19.6 days. He went over recent changes to the Honor Council and the strengths of the current system: 1) procedurally sound, 2) student-member passion, and 3) honor code signing each year.
- Charles Brau, Chair of the Appellate Review Board and Professor of Physics: He went over the responsibilities of the appellate review board. He said that there have been about 25 appeals out of 125 or so cases. He said that he is tasked to correct problems, and he is working right now with Owen to correct some problems. He said that there are 4 grounds for appeal. He does not re-hear the case. He went over the remedies available to the ARB. He said that the decisions of the ARB are final, but decisions can be appealed. He went over their procedures. He said that it should take only 39 days for the process, but it usually takes 90 days or more. He mentioned that some of the problems/issues that need to be addressed: 1) group work, and 2) graduate and professional school honors councils. He thinks that there should be one honor council for all graduate and professional schools.
- John Callison, Senior Deputy General Counsel: He is being asked to talk about two issues. One is FERPA. Does FERPA create limitations on a faculty member to find out about what happens in one of these hearings? The faculty member knows nothing about why the decision is made, only what the decision is. But the
answer is that no, it doesn’t. If the student consents to it or if the university determines that a member of the university needs to know, it is okay to know (if is a “legitimate academic need”). But, that faculty member cannot tell anyone else about this information. If you do redisclose the information, it is violation of the federal law. He also mentioned that FERPA requires the confidentiality of student records. He said that if the accused said that it was okay, it is okay to mention to anyone. But you can’t mention the accuser. The other question he was asked to address is whether or not a faculty member decides to report an honor code violation—does this create a legal liability for the university? Yes, it could. We have a system of dealing with academic violations of the honor code. If a faculty member decides to go outside the system, they are going outside the bounds of what we agree. The faculty member can, however, exercise their judgment on a paper that this is a clear example of plagiarism. We need to use the systems that we have. If you go outside the system, we could be open for liability. We always need to show that we follow all of the processes. I encourage all faculty members to turn in students to the Honor Council to keep the process working well.

Vice Chair Bodenheimer then opened the floor for questions.

Senator Steve Hyman: I am intrigued why the Owen School decisions so frequently are overturned. Can you shed some light on this?

Professor Brau: The Owen School had some problems that they are addressing. I don’t want to get into the specifics. But some of it had to do with group work and issues of technology. In this case, the student was convicted on evidence that the student had never seen. There were procedural difficulties.

Dr. Bonnie Miller: Are the accusing students bound by confidentiality? Is that true of all honor councils?
Dr. Roy Elam: Yes.
Vice Chair Bodenheimer: For the ones that I have seen, yes, this is true.

Dean Hudnut-Beumler: Someone mentioned that we need one graduate/professional Honor Council. Can you talk more about that?
Professor Brau: I am extrapolating from my experiences. I see that all of the professional schools see very few cases, so that is why I feel that way. I think it would have to be worked out to what would serve all of the schools best.
Senator Hyman: Is the information that is brought up so specific that it couldn’t be dealt with by people from other schools?
Professor Brau: Not normally.

Senator Vanessa Beasley: Can you speak to some specifics to the institutional support issue?
Provost Richard McCarty: I have never been asked to provide any support for faculty advisors, but I think we need this and should not depend on the goodwill of faculty
members who have been serving in this role. I think we need to institute this. I think we need active, engaged faculty and I would love to see this.

John Callison: I was around when the Birkby committee was charged with improving the confidence in the honor system. This is why the faculty advisors were created and were involved in the process. When I look at these cases, I think that the Honor Council does a great job. If a faculty member has an issue with a Honor Council decision, they need to talk to that faculty advisor who sat in on the hearing.

Chair-elect David Weintraub: I don’t know any faculty who trust the Honor Council. I think we have a very serious institutional problem. I think we are back to 1987. We don’t have faculty buy-in.
John Callison: I think that we need to have more incentives for faculty members and we need to make changes to make it work better.
Senator Bridget Rogers: I have sat in as a faculty advisor, and was pleased with the process. Of course, the one time I brought a charge, the decision was overturned on appeal. I was dissatisfied since I never heard anything about the case.
Professor Brau: I think the faculty member should have an advisor and that person could provide the information to help the faculty member understand the case.

Senator Mavis Schorn: Is there any reason why the step of getting feedback to the reporting faculty member can’t be done?
John Callison: Sure that can happen. We just need to make sure that the information goes to the reporting faculty member, with the understanding that it stops there.

Senator Ann Price: Of the 100+ cases, which percentage are brought by faculty and how many are brought by faculty?
Daniel Swinton: 5% are brought by students and 95% by faculty.

Senator Sharon Shields: Charlie, you brought up a good point about documentation problems in cases. Should we have some training on how to do this better?
Professor Brau: I think the problem isn’t documentation so much as the case couldn’t be made because it couldn’t be proved.

Senator Daniel Gervais: The Law School is different because of their different process. My question: 20%-40% are not guilty, but it seems like some of these cases are dropped. Why are they dropped?
Daniel Swinton: If the case is submitted, and if there is no evidence, the case is dismissed. That happens to 7-8% of all cases. Also, some cases that go to the panel are dropped.

Senator Benoit Dawant: Group work—is it a matter of not being clear about our policies?
Professor Brau: Different instructors have different intent under their group work policy. There is an inherent “mushiness” in group work.
Senator Schorn: I wanted you to address the discrepancy about disproportionate amount of minority students who are brought before the honor council.

Daniel Swinton: Many of these students are unprepared academically, and they stretch themselves too much to do their work. I don’t think there is an inherent bias in the Honor Council. Maybe they need more academic help than other students on the front end.

Professor Brau: As a faculty advisor, I never saw racial bias in any of the cases. I don’t think it’s a problem of the honor system itself.

Richard McCarty: The issue of our students’ experience with honor systems at their high schools is all over the place. I think that we need to give some of these students better counseling about their options on the front end, too. We also have lost sight of the educational system as it is connected to the honor council.

Vice Chair Bodenheimer: There are a considerable number of faculty who don’t buy in to the honor system. Why don’t we allow faculty to vote in large panel cases?

Professor Brau: I am concerned that the students would be intimidated to please the faculty member. I can see that the students could possibly be intimidated by the accuser.

Daniel Swinton: Faculty members are allowed to give their opinion throughout the process. There is sanctity of the students holding each other accountable, and the benefits of the peer review process.

Senator Gervais: Do universities report their cases each year?

Daniel Swinton: Not typically. We have commissioned a report from a variety of universities, and we are waiting on those results.

Hearing no further questions, Vice Chair Bodenheimer thanked the panel.

Next Item on the Agenda – Good of the Senate and Adjournment

Chair Christman asked for any business under “good of the senate.” Chair-elect Weintraub asked to recognize Senator Ann Price for being inducted into the Vanderbilt Alumni Hall of Fame, and congratulated her for all her hard work and dedication to Vanderbilt.

Meeting adjourned at 5:36pm.

Respectfully submitted,

Robert E. Bodenheimer,
Vice Chair