ADMINISTRATIVE BOARD OF

THE GRADUATE SCHOOL OF ARTS AND SCIENCES

DISCIPLINARY CASES

The Administrative Board, which is composed of faculty members and administrators, is the Graduate School of Arts and Sciences committee responsible for the administration of discipline. Cases requiring discipline typically involve lying to an officer of the University; cheating, plagiarism, or other forms of academic dishonesty; theft of or damage to property of the University or others; possession of stolen goods; physical violence (including assault and sexual assault), harassment, or disorderly conduct; violation of law (including unlawful use or possession of controlled substances, firearms, or hazardous materials); and other conduct that departs from generally accepted standards of integrity and behavior.

MEMBERS OF THE ADMINISTRATIVE BOARD, 2015-2016

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Patrick O’Brien  Assistant Dean of Student Affairs (Secretary of the Administrative Board)
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PROCEDURES FOR DISCIPLINARY CASES

1. THE GRADUATE SCHOOL LEARNS OF THE CASE.
The Graduate School has to know a case exists before the Administrative Board can act on it. Usually a faculty member, administrator, some other official, or student reports to the Dean for Student Affairs an incident that appears to violate Harvard rules or standards of conduct. If students know that they are in trouble, they might want to contact the Dean for Student Affairs first, saving a lot of time and starting things off on an open and cooperative footing.

2. THE STUDENT RECEIVES A “CHARGE” LETTER.
Students accused of a potential disciplinary matter will receive from the Dean for Student Affairs a letter telling them the gist of the accusation and asking that they prepare a statement in response. Any written material submitted by the person reporting the charges to the Dean for Student Affairs will accompany this letter.

3. THE STUDENT AND THE DEAN FOR STUDENT AFFAIRS CONSULT.
A crucial early step is the conversation between the student and the Dean for Student Affairs. Part of this conversation should be an acknowledgment between the student and the Dean for Student Affairs that the incident that they are discussing could result in disciplinary action, and that students recognize the Graduate School’s expectation that they will be open and honest in their discussions about it. This should not be interpreted as a sign that the Dean for Student Affairs distrusts or is pre-judging students; it is part of his job to make sure that students are aware of his dual role as fact finder and advisor to the student. In addition, the Dean for Student Affairs is trying to make the point that the Graduate School assumes that students are honest about their actions and are willing to take responsibility for them.

Sometimes something wrong may have appeared to have happened when in fact nothing did. If this is the case, it will come out in the conversation with the Dean for Student Affairs and the matter will most likely end there. On occasion, though, if there is a police report or a written complaint, the Dean for Student Affairs and the student will go through a modified version of the steps explained below, so that the Administrative Board can formally exonerate the student -- “scratch” the case -- so there will be no lingering doubt about the matter attached to the student’s record.

4. THE STUDENT SHOULD DECIDE WHETHER TO ASK FOR REFERRAL TO THE STUDENT-FACULTY JUDICIAL BOARD.
During the initial consultation the Dean for Student Affairs will bring up the subject of the Judicial Board to make sure that students are aware of its existence and understand its purpose. This is an opportunity for students to decide whether they would like to have the case referred to the Judicial Board.

The Student-Faculty Judicial Board was established by the Faculty of Arts and Sciences in 1987 to deal with alleged offenses that have broad implications for the community and on which there is no clear precedent or consensus in the community about the impermissibility of the actions or the appropriate response. The Judicial Board is charged with hearing cases in which the issues involved have special importance for the University community at large and the principles on which it is based.

For more information on the Student-Faculty Judicial Board, see GSAS Handbook.

5. THE STUDENT WRITES A STATEMENT.
It is vital that students tell the story of a disciplinary case in their own words and reflect carefully on their actions. Conversations with the Dean for Student Affairs will help prepare students to write the statement. In general, students should plan to do three things.
A. **Tell the story.** This is the student’s account of the facts of what happened; students should be sure they distinguish between what they know themselves and what they have learned from other sources (friends, others present at the time, police reports, etc.). Students should tell the Board what they were thinking at the time.

B. **Reflect on it.** Students should try to think and write about what happened now that they have had some time to consider their actions in different ways than perhaps they were able to at the time. Apparently something seems to have gone wrong -- some rule was broken, someone or something was hurt. If they can, and if it makes sense, the students should state clearly their understanding of why their actions broke a rule, violated a standard, or whatever (assuming they did). The Administrative Board is as interested in students’ understanding after the fact as it is in their honest account of what happened and what they were thinking at the time.

C. **Draw some lessons.** By writing it down for the Administrative Board, students should confirm for themselves what they have learned from the incident and what they might do differently in the future. Students should remember that through their statements they are in a conversation with the Administrative Board of the Graduate School; the people reading the statement tend to see things that happen here as essentially educational in nature, and as grist for the learning mill. While a court of law may be interested solely in establishing guilt or innocence, the Administrative Board wants to know whether and how students have grown or changed as a result of their experience.

Students should be aware that their statements may be shared with the person who presented the initial complaint. Should this occasion a written response from this person, students will have the opportunity to write a rebuttal to this response which in turn may again be shared with this same person.

A final piece of advice: students should say what they need to say to accomplish the goals above, but they need not write a book. The Administrative Board wants to know what happened and what students think about it, but there is no need to go into tortuous detail for its own sake. Again, the Dean for Student Affairs is a good resource for students as they try to determine how much is enough to tell the Board, as they tread the line between being forthcoming and being overwhelming. Students should remember that the Dean for Student Affairs (and they, if they decide to attend) will be at the Board’s meeting and can supply other information from their conversations together, if it will help the Board’s understanding. Finally, if the Board finds that it does need more information than is in the student’s statement, they will suspend consideration until the student has had an opportunity to provide it.

6. **A DATE FOR THE BOARD MEETING IS SET.**
The Graduate School Administrative Board only meets when cases are pending, consequently a meeting date and time convenient for all Board members and the student needs to be agreed upon.

7. **THE BOARD HEARS THE CASE.** Meetings of the Board are private when considering disciplinary cases. Students charged with misconduct have the right to appear before the Administrative Board in any disciplinary matter, except for Title IX allegations (see next paragraph for Title IX cases). Students should discuss this decision carefully with the Dean for Student Affairs. It is not required that students appear, nor is any conclusion drawn favorably or otherwise merely because students come to the Board. Most students who decide to appear base their choice on one of these considerations: Will their presence at the Board meeting and their conversation with the Board help the Board members understand the case better than the student’s statement and the oral report will? Will appearing at the Board
meeting add anything to the student’s peace of mind about the conduct and progress of their case?

Cases involving Title IX complaints will follow the FAS Sexual and Gender-Based Harassment Policy and Procedures.

If students decide to appear, this is what will happen.

A. Students may ask a personal adviser in addition to the Dean for Student Affairs to accompany them to the Board meeting. The adviser must be an officer of the University. The role of the adviser is to be a source of support for the student.

B. The student (and the adviser, if one has been chosen) will come to the meeting at a time agreed to with the Dean for Student Affairs. The Dean for Student Affairs will meet the student and come into the meeting with him/her.

C. The Dean of the Graduate School, as Chair of the Board, will introduce himself to the student and outline the procedures.

D. The Dean for Student Affairs will report the case orally, reviewing the facts and relating the gist of his conversations with the student, and the Dean will ask if the student has any comments to add. Then, if the student is willing, Board members may ask questions of fact or reflection on the case. When the questions are over, the Dean will ask again if the student wishes to add or emphasize anything.

E. If relevant and appropriate, the members of the Board may ask questions of the adviser.

F. The student and the adviser, if there is one, are excused from the meeting. The Dean for Student Affairs will make arrangements to get in touch with the student after the Board has considered the case.

In certain factually-complex cases, the Board may establish a subcommittee. In those instances, the student’s appearance will normally be before the subcommittee and not the entire Board. For information about other practices in subcommittee cases, please contact the Dean for Student Affairs.

8. BOARD CONSIDERATION AND DECISION. The Board will discuss the case with an eye toward identifying whether there was wrongdoing of the sort over which the Graduate School has authority. Some member of the Board will offer a motion (there is often a range of motions offered), and the Chair will call for the vote. In serious disciplinary cases, the Chair requires at least a two-thirds majority on the vote. The Dean for Student Affairs does not vote on the case.

Individuals wishing to attest to the character of a student ordinarily will be allowed to do so in written form only.

When reviewing a disciplinary case the Administrative Board may consider any information that, in its judgement, will help its understanding of the situation. Formal rules of evidence do not apply.

Decisions of the Administrative Board are final, except for those recommending expulsion or dismissal, which require a two-thirds vote of the Faculty Council of the Faculty of Arts and Sciences.

9. INFORMING THE STUDENT. Almost invariably, the Dean for Student Affairs will get in touch with the student shortly after the Board meeting ends. This is usually a brief conversation to inform the student of the decision and how the Board arrived at it, but it may go on longer if the student has questions about the decision, how the Board viewed the case, and what the ramifications of the vote may be. Shortly after this, the Dean for Student Affairs will send the student a formal letter, stating the Board’s decision and summarizing its understanding of the case. A copy of this letter, along with the student’s statement and any other
relevant documentation, goes into the student’s confidential file as a record of the case.

It is understood that ordinarily the deliberations of the Administrative Board in matters of discipline will not be discussed with anyone not on the Board. Individual Board members’ attitudes or votes will not be revealed. A student’s Department will be informed of the student’s status resulting from Administrative Board action. The accused student may be told only the disposition of his or her own case, and only by the Chair of the Administrative Board or the Chair’s designee.

In cases involving Title IX complaints the Administrative Board follows the FAS Sexual and Gender-Based Harassment Policy and Procedures.

**POTENTIAL ACTIONS OF THE ADMINISTRATIVE BOARD**

If the Board determines that wrongdoing occurred, it may take the following actions:

- **Admonition:** a reprimand which becomes part of the student’s official record, but is not considered a formal disciplinary action.

- **Probation:** probation is meant to serve as a serious warning to students whose conduct gives cause for concern. It is the hope of the Administrative Board that the sanction provided by probation will spur the student to resume satisfactory behavior. A student placed on probation for disciplinary reasons ordinarily will be relieved from probation if, at the end of a set period of time, satisfactory conduct has been maintained. Failure to meet the conditions of probation is a grave matter and will ordinarily result in requirement to withdraw.

- **Requirement to Withdraw:** action taken in serious disciplinary cases indicating that the student’s behavior is unacceptable in this community. Requirement to withdraw is normally effective immediately upon the vote of the Administrative Board. A student who is required to withdraw is not in good standing until readmitted. In order to be readmitted after having been required to withdraw, the student ordinarily must be away from the Graduate School for at least two terms, and must demonstrate an acceptable record of performance during the absence. In all such cases, the student must request readmission in writing. In disciplinary cases, the Administrative Board, as well as the department and the Dean of the Graduate School, must approve readmission.

- **Dismissal:** action taken in serious disciplinary cases that ends a student’s connection with the University by vote of the Faculty Council of the Faculty of Arts and Sciences. Dismissal does not necessarily preclude a student’s return, but readmission is granted rarely and only by a vote of the Faculty Council. A dismissed student is not in good standing until readmitted.

- **Expulsion:** the most extreme disciplinary action possible. It signifies that the student is no longer welcome in the community. It must be voted by the Faculty Council of the Faculty of Arts and Sciences. A student who is expelled can never be readmitted and restored to good standing.

Copies of these procedures shall be published and made available to any student involved in an Administrative Board matter. Should situations arise that are not covered by these rules or in which the application of these rules seems inappropriate, the Administrative Board may formulate an appropriate ad hoc procedure.
Revised, April 2011.