

Accountability

STANDARDS AND PROCEDURES FOR REGULATING CONDUCT

The following statement by the President of Wesleyan University and the **Joint Statement on Rights and Freedoms of Students** outline the standards, structures, and procedures for holding members of Wesleyan University accountable in matters of community standards and conduct.

A STRUCTURE FOR ACCOUNTABILITY

I. THE RATIONALE

In order to understand what the University community can reasonably expect from the system for handling complaints filed under the **Honor Code**, the **Code of Non-Academic Conduct** or the **Statement on Rights and Freedoms of Students**, it is important to have in mind some underlying assumptions about the nature of the University itself.

A university is an elaborate and in some ways fragile institution that exists to provide a free and favorable environment for teaching and learning. The university community, therefore, has a need to be able to hold its members accountable for actions that damage the environment, infringe upon the rights of other individuals or otherwise hinder the community in achieving its purpose.

It is essential to a sense of fairness that this principle of accountability be applied to each of the diverse constituencies of the institution: students, faculty, administrators, and staff. Although the ideal of promoting maximum individual freedom implies that these codes or restrictions should be no more elaborate or extensive than absolutely necessary for the university to protect its fundamental interests, it follows that each member of the university not only has rights, but also certain responsibilities for which he/she may be held accountable.

The rights and responsibilities of individuals in one group differ from those in another because of the differing ways in which various constituencies relate to the institution. The duties of salaried workers, for example, are generally quite specifically defined, and the terms of their employment are conditioned in part by state and federal legislation. Employees' "rights" are essentially those set forth in Wesleyan employment policy, and these employees are accountable to the head of the department in which they work.

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An administrator, on the other hand, generally has a broader and less specific set of responsibilities and a different set of rights. He/She is expected to meet whatever professional standards may apply and also to observe the policies of the institution. Administrators work without contracts and are accountable through their supervisors to the president.

Faculty members at Wesleyan compose still another category. They hold contracts—in fact, after achieving tenure, lifetime contracts—and are accountable to the university and their peers for upholding a special set of professional responsibilities. One characteristic of these responsibilities is that there is no clear distinction between responsibilities in the classroom and outside of it—teachers are accountable for their professional comportment in toto. If they become subject to disciplinary proceedings, they may request highly formalized hearing procedures. Even in the absence of formal dismissal proceedings, a serious question about the ethical conduct of a teacher may cast a shadow over his/her career.

The situation of students is different yet again. Students are at Wesleyan to learn from the faculty, from each other, and from the many experiences and sources of information available to them. Their primary responsibility—a debt owed mainly to themselves—is to learn to think critically and well. Their secondary responsibility is to put their intellectual faculties and their knowledge to good use. Students are held accountable to the first responsibility by the Honor Code. They are held accountable to the second under a Code of Non-Academic Conduct that is intended to curb those behaviors that pose substantial harm to the University and to members of the University community. A student disregarding his or her responsibilities under the Honor Code and the Code of Non-Academic Conduct may be found in violation of the regulations of the Codes and may be sanctioned. Sanctions for violating the Honor Code and the Code of Non-Academic Conduct range from community service to dismissal.

Many of the disputes on a university campus involve differences that can be resolved to the satisfaction of both parties through rational discussion and mediation. Formal proceedings resulting in the imposition of a sanction are, of course, necessary from time to time, but are surely not to be preferred when the complaint does not involve an explicit violation of a code or when the complaining party can be satisfied by mediation.

We have noted that the responsibilities that members of various groups owe to the institution differ, and that the consequences that they face if they disregard their responsibilities inevitably differ as well. Perfect symmetry is neither

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achievable nor necessarily desirable. But the general principles of accountability and of seeking reasoned, mediated settlement in preference to formal proceedings must apply to all, and the standards and procedures must be reasonably designed, given the special character of each constituency, and fairly implemented.

We turn now to the various components of the Wesleyan system for accountability.

Student Accountability—The trustees have lodged specific authority and responsibility in the president “in consultation with the faculty” for establishing and implementing policies governing student conduct. Accordingly, the president’s authority to change standards, structures, and procedures, acting, when appropriate, in consultation with the **Educational Policy Committee** and the **Student Life Committee**, stems directly from the Board. Both Wesleyan tradition and contemporary theories of university governance support the contention that students should play a substantial, though not exclusive, role in the development of standards of academic and nonacademic conduct and in the enforcement of those standards. It appears that the interests of the whole university will best be served by the presence of faculty and administrative representatives in the adjudication process, with full voice but without vote. For this reason, the **Honor System** provides for an **Honor Board** consisting of four students, with the Dean of the College as an ex officio member, and the **Code of Non Academic Conduct** establishes a Student Judicial Board with a voting membership of five students and a nonvoting advisory representation of faculty members and an administrator.

Staff and Administrative Accountability—Staff and administrators are accountable, through their supervisors, to the president. When a student, faculty member, or member of the staff believes that a staff member or administrator has acted in an arbitrary, unfair, or capricious way, he/she may lodge a complaint with the staff member or administrator’s supervisor. When unable to resolve disagreements at this level, the complaint may be brought to the next reporting level and so on up until it reaches the president.

If the complaint against the staff or administrator is related to issues protected under Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendment of 1972 (Nondiscrimination on the basis of sex); the Family Education Rights and Privacy Act; Section 504 of the Rehabilitation Act of 1973 (Nondiscrimination on the basis of handicap); or the Americans with Disabilities Act of 1990, it should be brought to the university’s Affirmative Action Officer.

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Faculty Accountability - A member of the faculty or staff may bring a complaint against a faculty member to the Faculty Committee on Rights and Responsibilities (FCRR). Normally the committee deals only with the most serious breaches of ethics or infringements of academic freedom, but it has developed simplified procedures for the handling of less serious problems. Before bringing a complaint to the FCRR, the complainant should attempt to resolve the matter informally and directly with the person against whom the complaint would be made. A department chair or academic dean may prove helpful in bringing about an informal resolution.

An undergraduate student with a complaint against a member of the faculty should consult with the Vice President for Academic Affairs (VPAA) or the Dean of the College, who will attempt to settle the matter. If the attempt is unsuccessful, the VPAA or the Dean will, at the request of the student, refer the matter to the FCRR. A graduate student should consult with the VPAA or the Director of Graduate Studies, and student in the GLSP program should consult with the VPAA or the Director of the GLSP. This procedure is available to any student who believes that an action by a member of the faculty violates a right protected under federal legislation, including the specific statutes listed in the preceding section.

For the specific procedures to be followed when a complaint against a faculty member involves a discriminatory form of harassment, see the policy on **Discrimination and Harassment**.

The foregoing introduction to the system of accountability is merely an overview, and a fuller understanding of the way each component will operate in relation to the others will require a close examination of the standards and procedures regarding the **Honor Board**, **Student Judicial Board**, the **Graduate Judicial Board**, the **Faculty Committee on Rights and Responsibilities**, and policies governing the use of the **Information Technology Services**.

This statement, revised in academic year 2004–05, is based on a statement developed during the academic year 1973–74 by the president in consultation with members of the academic community.