

## HONOR COMMITTEE MEETING

January 26, 2020

### I. ROLL CALL

### II. COMMUNITY INPUT

- A. A student (“Katherine”) discussed her experience of going through the Title IX process after experiencing a sexual assault last year. She stated that after going through the Title IX process, the respondent was found not responsible even though she felt that she had evidence to the contrary. Katherine expressed that this decision was emotionally challenging for her and affected her life significantly. She decided to report individuals involved in her Title IX case to Honor for lying during her Title IX case. Katherine said that she had evidence that these other students had not been truthful in her case, and she stated that Honor had told her that the case could be adjudicated by Honor. She made this choice because she believed that she would be able to find justice through this route. Katherine said that Honor had dropped her case after she had reported it due to Title IX issues implicated in the case. She stated she did not believe that Honor had dropped her case out of maliciousness but out of ignorance, and that this decision had affected her negatively. She felt that Honor had not done justice in her case by dropping it, and that the Committee should take cases from Title IX in order to bring justice to survivors of sexual assault.

### III. OFFICER REPORTS

- A. **Vice Chair for Community Relations** (Lucy Krasker)
  - 1.
- B. **Vice Chair for Education** (Mary Beth Barksdale)
  - 1.
- C. **Vice Chair for Investigations** (Sally Greenberg)
  1. I-Panels to be scheduled
- D. **Vice Chair for Hearings** (Alex Spratley)
  1. Hearing completed yesterday 1/25
- E. **Chair** (Lillie Lyon)
  1. Proposed to extend last meetings of term by 30 minutes to get through remaining business.

### IV. SUBCOMMITTEE & WORKING GROUP REPORTS

- A. **Policies & Procedures Subcommittee** (Committee Co-Chair: Stephen Paul)
  1. None
- B. **Faculty & TA Advisory Committee** (Committee Co-Chair: Lucian Mirra)
  1. Need to find a place for the faculty/TA guide and resource online on the website or OCP
- C. **Investigative Procedures Working Group** (Chair: Sally Greenberg)
  1. Working and meeting one-on-one with support officers to get a sense of issues.
- D. **Joint Cases Working Group** (Co-Chairs: Elizabeth Thompson and Todd Truesdale)

1. Met with chair, feeling ready to have proposals and discussions by proposed deadline with chair

**V. REPRESENTATIVE REPORTS**

- A. ARCH: New standard syllabus out. Donut Friday events with ARCH Student Council.
- B. BATT: Met with BATT Grad Council
- C. CLAS: None
- D. COMM: Met with school administration about upcoming stock pitch event. Faculty lunch upcoming as well.
- E. GSAS: Working with GSAS Council and VCCR to cosponsor research grant on trusting and inclusive communities.
- F. GBUS: None
- G. MED: None
- H. NURS: None
- I. LAW: None
- J. SEAS: Working with professors in different departments.
- K. SCPS: Potential honor at the bedside event for future doctors.
- L. EDUC: None

**VI. OLD BUSINESS**

- A. Cases Arising Out of Title IX Proceedings By-law Proposal
  1. The Committee discussed at length the philosophy and the language in the proposal. LAW SP proposes that the standard is changed from “considered in the course of Title IX” to “material in establishing Prohibited Conduct.” Ensuing discussion by multiple Committee members. Main points as follows:
    - a) Committee generally agreed on the framework of the proposed policy, whereby Honor does not accept cases where it would have to consider previously adjudicated issues in Title IX, and the determination of previously adjudicated would be made with the consultation of the Title IX office with the potential for an override based on the discretion of the Executive Committee.
    - b) Multiple Committee members felt that the current language defining the “previously adjudicated” standard was too restrictive and would result in cases not being taken where Honor could adjudicate an honor offense without evaluating whether or not Prohibited Conduct occurred.
    - c) Some Committee members felt that the language was not too restrictive and a more narrowly definition of “previously adjudicated” would open the door to respondents in Title IX cases being able to report the complainants in their cases for trivial unrelated discrepancies in their testimony as a way of retaliating or discouraging reporters of Prohibited Conduct.

- d) All Committee members agreed that it was important to protect survivors of Prohibited Conduct and any rules to accept cases from Title IX should not allow people to report students accusing them of Prohibited Conduct as retaliation or discouragement. Committee members also agreed that Honor should not be re-adjudicating the underlying finding of responsibility for Prohibited Conduct, as Honor should not be an appeal system for Title IX and student juries should not be asked to determine whether or not Prohibited Conduct occurred under Title IX. Some Committee members suggested that fixing the definition of bad faith reporting would resolve concerns about potential abuse of Honor reports in Title IX cases.
- e) Committee members agreed that students lying in Title IX cases should be held accountable if it would not involve re-adjudicating whether Prohibited Conduct occurred. Committee members disagreed on the exact language that would allow for such reports without opening the door to the previously mentioned bad faith reports or re-adjudication.
- f) Some Committee members expressed concern about how reporters would argue for the criterion of significance in cases involving Title IX. In such cases, reporters would most likely want to argue that the alleged lying was significant because that act affected the outcome of a Title IX case, which would then force a student jury to consider the implications of a Title IX outcome in their deliberations.
- g) The Committee adjourned with directions to submit potential alternative language to be voted on the following week.

**B. Constitutional Amendment: Committee Member Impeachment**

- 1. Tabled for later meeting.

**C. Constitutional Amendment: Annual Popular Assembly**

- 1. Tabled for later meeting.

**VII. NEW BUSINESS**

- A. None.

**VIII. COMMUNITY INPUT**

- A. None.

**IX. CLOSED SESSION**

- A. None.