The Role of the Office of the Judicial Administrator

When people learn about the type of work I do at Cornell, they often reflect, “Oh, so you work with the bad kids!” I quickly disabuse them of this notion, by explaining that I work with good students who have made bad choices. Students, like all human beings, make mistakes. Since undergraduates are late-adolescents and their frontal lobes are not fully developed, they do not have judgment that is fully developed. The role of Cornell’s campus disciplinary system is to help these students learn from their mistakes by holding them accountable, and to make sure the educational environment for the rest of the community is not negatively impacted by these mistakes.

One of the most important things I have learned during my thirteen years as Judicial Administrator (or, to use the vernacular, the “JA”), is that conflict leads to growth. When a student engages in conduct that violates the Code of Conduct, and when the campus disciplinary system holds that student accountable, the student experiences conflict: no one likes to be confronted for misbehavior. But, the conflict creates a space for the student to reflect on his or her values and the values of Cornell’s community, and to consider whether his or her behavior matched those values. This reflection allows students to struggle, to learn and to grow.

This philosophy applies in cases that are considered more minor and those that are extremely serious. For example, when a student is confronted with his or her consumption of alcohol when he or she is not 21 years old, the student sometimes has to reconcile that the values of peers may not be the values of the institution. The student will have an opportunity to learn more about safety, and in the process will learn that for Cornell students who drink, the vast majority consume alcohol in safe ways. The student will struggle with the myths and the facts, learning that “everyone does it” is not a good excuse, nor is it true. And, the student will be better able to assess risks of his or her behavior. If the value of alcohol consumption exceeds the value of participating in a Cornell education, it should raise concerns both for the student and the family.

For serious cases, for example, when a student engages in an act of violence that will certainly result in a separation from Cornell, students sometimes have a harder time understanding the educational philosophy. For accused students, the “educational” approach might feel punitive because their education is being interrupted. For complainants, victims of the violence, the “educational” approach might not feel punitive enough, because this system cannot put someone in jail, nor eliminate the trauma experienced by the complainant. Yet, the philosophy does still apply. Holding the accused person accountable for serious misconduct affords him or her the knowledge that he or she has the capacity to act in ways that deviate significantly from the values of self, family and community. Often these cases are fueled by alcohol, peer pressure or a lack of understanding of the rules. Being held accountable creates a learning experience that differs significantly from the bravado that may accompany escaping consequences.
Additionally, for both minor and serious cases, the education of the rest of the community must be considered. In serious cases, there are often complainants whose education has been negatively impacted by the accused. Addressing this in ways to remediate this disruption is a critical part of honoring the values of the Code. The entire Cornell University community can be impacted by both minor and serious misconduct. To carry through the example of underage drinking, residence hall communities are impacted by bathrooms covered in vomit or noisy, disruptive intoxicated residents, Greek houses lose the respect that their philanthropic works engender if their members act like Animal House, and Ithaca permanent residents may miss the energy and enthusiasm of living in a college community if some students misrepresent the norm of student behavior by trashing community property.

For students who are complainants, victims of another’s misconduct, it is important to know that the JA’s Office provides information about resources that can help the complainant through the trauma. In particular, the Victim’s Advocate can help navigate the various systems and counseling services through CAPS and can assist a complainant with the strong emotions that may accompany a negative situation. While the JA cannot guarantee any particular outcome for a complaint, the complainant will be encouraged to share his or her feelings about the appropriate resolution, and has some appeal rights if the case does not come out the way s/he anticipated. Additionally, and significantly, the complainant will be provided information about how to contact the police if the complainant wishes to file a criminal complaint in addition to the campus complaint. While the JA encourages complainants to pursue both a criminal complaint and a campus complaint, it is up to the victim to decide in which arena he or she wishes to proceed.

As family members of Cornell students, it is important for you to know that the processes in the campus disciplinary system are fair, that all parties have the right to be fully heard, and the members of the community involved in the system work hard to evaluate carefully all the information about every case. Whether it is a member of the JA’s Office, a board chair, or board members, each person works hard both to understand the facts to determine if there is a Code violation and to evaluate the appropriate sanction. Personally, I always treat each student as I would want one of my children to be treated (and, as a parent of two college-aged daughters, this is significant!).

Ultimately, the campus disciplinary process serves to support the education students receive in the classroom. By addressing disruptions to the educational environment and by challenging accused students to live up to their values and those of the community students have a broader education and are better able to make appropriate judgments in the future.