

## SHORT TAKES

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[http://www.mindingthecampus.com/forum/2014/02/why\\_have\\_a\\_hearing\\_just\\_expel\\_.html](http://www.mindingthecampus.com/forum/2014/02/why_have_a_hearing_just_expel_.html)

### 'Why Have a Hearing? Just Expel Him'

Posted by **KC Johnson**

"Why could we not expel a student based on an allegation?" That astonishing question was **posed at a conference** on how colleges respond to sexual assault issues by Amanda Childress, Sexual Assault Awareness Program coordinator at Dartmouth. According to *Inside Higher Ed*, Childress continued: "It seems to me that we value fair and equitable processes more than we value the safety of our students. And higher education is not a right. Safety is a right. Higher education is a privilege."

Give **Childress** credit for candor--even the campus spokespersons for increasing the number of guilty findings in campus tribunals usually aren't so bald in their disdain for basic principles of due process.

Childress' jarring remarks **coincided with news** that Dartmouth had *promoted* her, and given her additional power over the college's sexual assault policies. Last Friday, the college announced that Childress will head the newly-created Center for Community Action and Prevention, which Childress said would "be the focal point on campus for Dartmouth's sexual assault and violence prevention initiatives" and "drive the College's mobilization efforts around preventing sexual violence and increasing the safety and well-being of all members of our community." (All members, it seems, except students facing unsubstantiated allegations of sexual assault.) Incredibly, Dartmouth theater professor Paul Hackett suggested that despite Childress' appointment, the college isn't going far enough on the issue.

To reiterate: one of the nation's elite colleges thinks it's a good idea to enhance the power of a figure who wonders about the propriety of expelling possibly innocent students based solely on an allegation.

Childress' remarks doubtless will resurface if Dartmouth, like nearly a dozen colleges and universities, faces a lawsuit from a student railroaded out of school after experiencing his school's brazen procedures. The latest such lawsuit came against Swarthmore, already infamous for a Title IX accusers' complaint on absurd grounds that its procedures (which include a prohibition on accused students from even *talking* about the case with an attorney) is too unfair against the *accusers*.

The **Swarthmore lawsuit**, first reported by *Philadelphia*, shares similar characteristics to suits filed against Vassar, St. Joe's, and Xavier--but with one interesting twist. According to the filing, the accuser waited 19 months to file her charges (she never went to police or had a medical exam); the weakness of her case was such that even Swarthmore's biased disciplinary system didn't bring charges against the accused students. But two weeks after the Title IX complaints, Swarthmore reopened the case--and within less than a month, had completed its investigation, held a hearing, and completed the expulsion. The lawsuit alleges that Swarthmore failed to respect what passes for due process on the campus; the student's attorney claims that Swarthmore didn't give the student a right to respond in writing to the charges, among other things.