

Consistency is Key

It was little more than a month ago that two students sued NCSSM to stop their expulsion, charging lack of due process and racism. The school denied both of these charges, and Director Friedrich was quoted as saying the students "ought to be expelled from NCSSM."

Now, in an apparent change of stance, the school has settled with the students (see article page 8). In exchange for dropping the suit, the two students will be allowed to remain at NCSSM and receive the same punishment as the six other African-American students also caught for possession and consumption of alcohol on campus.

While there may be valid reasons for the settlement, there is a danger that this will send a message that students can be found guilty of a crime and not expect to receive harsh punishment or expulsion. It takes the backbone out of the judicial system, and deprives it of its legitimacy in the eyes of the community.

In fact, the current settlement opens up NCSSM to other similar lawsuits challenging the results of judicial hearings. A white student could challenge their expulsion on the basis that African-American students were allowed to remain at school. Any student could challenge the hearing and expulsion process. Every time the school makes a recommendation for expulsion, they will now be leaving themselves open to a lawsuit.

The solution to this dilemma is increased emphasis on consistency in all aspects of the judicial system. This means that the hearing process needs to be followed to the letter, so that students are assured all the rights afforded them in the handbook. More importantly, it means that punishments for offenses need to be the same for the same offenses. By having a clearly defined, consistent punishment policy, the school protects itself from lawsuits.

The most common student complaint about the judicial process is a perceived lack of consistency, not that the rules are too harsh (although that seems to be a close second). By having a well-defined consequential judicial policy, the school not only protects itself from lawsuits in the future, but makes great leaps forward in legitimizing its judicial process in the eyes of students and community.

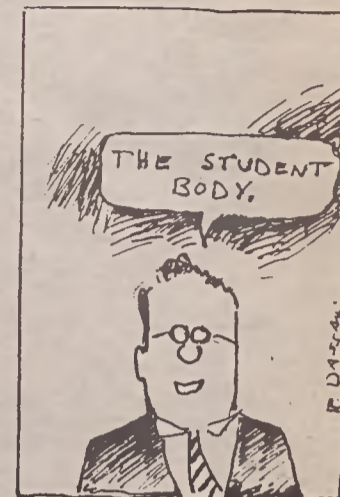
Working Together

Often students feel that their voice in school policies ranges from slim to none. However, at NCSSM, the administration has gone to extensive lengths in order to listen to students' opinions and act on them.

Students recently had a strong dissatisfaction because of their lack of input in cases heard by the hearing boards. Last year, Student Government brought up the idea that students should return as members on the Hearing Board to provide a necessary third perspective on student misconduct. Concerned students wrote a proposal to the Board of Trustees explaining the necessity of the perspective of students on the judiciary board. The administration listened to the suggestions made in this proposal and after some revisions were made, faculty members, such as Joan Barber and Steve Warshaw, supported it and are currently working to get the changes made.

Other increases in student involvement have been administration and staff initiated. These two groups have been working hard to produce a variety of surveys such as the Curriculum Council and a cafeteria survey on PFM food that take into account students' views and suggestions before any modifications are made.

A large factor in this student-faculty balance has been that of Speak Outs. At Speak Outs, students are allowed to express their concerns about residential and academic life at NCSSM and suggest some possible solutions. The administration realizes that we have to live here and should have a say in what the lifestyle is like, and for that we commend them.



LETTER TO THE EDITOR

Dear Editor:

While NCSSM's administration supports student representation on the judicial board, we are wrestling with the issue of whether it is fair to place a student in the stressful situation of voting to recommend expulsion. This is not an attempt to be patronizing or to keep students out of the hearing. We recognize that, intellectually, students know how to make tough and fair decisions. However, I have seen emotional pressure applied to students by "friends" after simply notifying an administra-

tor of a malfeasance. I have seen major pain caused for students who were ostracized from their social group for doing what they thought was right. A jury member isn't forced to live near a defendant's close friends before and after making a decision, but you would be doing so in an expulsion hearing. While some would honor your integrity, others would villify you or your motives for getting a friend kicked out. I've seen that happen to NCSSM students without involvement on a judicial board.

Student presence on the judicial board would re-

duce communication problems about discipline matters. It would aid administrators who are bound by privacy laws. But is a student vote on expulsion essential or appropriate to that representation? Would a non-voting presence in expulsion matters be sufficient to protect community interests related to process, discretion, mitigating factors, fairness and student rights? A decision on this matter has been postponed until March so that these questions can be taken into consideration but this will still be resolved in enough time to be implemented next school year.

-Director Friedrich

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