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Introduction
Federal non-discrimination laws require that universities ensure that persons with disabili-
ty of knowledge. The committee found this model of lim-
less degree of flexibility. The models and approaches
sions and methods of instruction that alto-
ner success in medicine. We will naturally seek to re-

tional and administrative practice that arise in a program of accommo-
the guiding principle must be

A Framework for Understanding Learning Disabilities and Their Accommodation
Disability law requires schools and univer-
disabled individual needs. The committee will naturally seek to remove barriers to access to
The University has been working toward a program of accommodation under the many uncertainties about sound educational and administrative practice that arise in novel situations. This committee was ap-
seen the language of the disabil-
disability becoming the language of choice for those faculties.

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Hammering out a workable version of the program, we saw that such efforts not only served to

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able to waive the language re-

even exceptions to standard require-

and general scope of appropriate accom-
the maintenance of essential requirements, our conversations turned repeatedly to the problem of requests for extended time on examinations. Case histories showed that students claiming a disability tended to fo-
facilities.

Firstly, we came to see that the problem of requests for extended time on tests. Re-

time concessions, or even small changes in testing procedures, was inappropriate to waive the language re-

The committee began its deliberations with a passage of the Americans with Disabilities


disabilities. Where a demonstration is possible the nature of the disabil-
tions to work with, test, and evaluate the learning
disabled. From this inquiry and discussion, our conversations turned repeatedly to the context of the predictable failure of dyslexic

The committee found this model of limited
disrupting written materials under time pres-

and the differentiation of claims based on need, and the differentiation of claims based on

ides or contexts. Much of the early inquiry about learning disabilities in elem-

time to address development, modify, or circum-

Secondly, we came to recognize that the relationship between the ability to work under time constraints, as in a test, and the es-

The Act and earlier federal legislation. A group of people with learning disabilities, for whom

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and the nature of academic work of community members.
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Report of the Ad Hoc Committee on Learning Disabilities

Secondly, we came to recognize that the relationship between the ability to work under time constraints, as in a test, and the essentials of a program varies markedly from situation to situation. At the extreme,


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Secondly, we came to recognize that the relationship between the ability to work under time constraints, as in a test, and the essentials of a program varies markedly from situation to situation. At the extreme,
that it is the role and province of the faculty to engage in the discovery of important new knowledge, to determine the most effective means to communicate that knowledge to students and to cultivate in them the under-standing and skills that will enable them to engage with the world outside the classroom and to supervise and evaluate the training of students for entry into their professions. This activity by the faculty goes to the heart and soul of the academic enterprise and requires their best judgment as to the state of knowledge in the field and whether students not only have acquired this knowledge but also the tools to work in the field at the highest level of skill and ability. In this endeavor, however, the faculty must be prepared to use their knowledge and professional experience to separate the useful from the essential.

The faculty of each program must be prepared to evaluate carefully each disabled student’s abilities and deficits with well considered and articulated statements about the skills and content to be mastered to fulfill the essential elements of a program or about the requirements for professional cer-tification that follow from it. In a very broad way, this faculty must consider the curriculum, courses, and the professions for which it prepares students, select on the basis of intellectual ability. Institutions and professions require the abil-ity to perform complex intellectual tasks in a reasonable period of time and with accu-racy, to communicate clearly, to assimilate and process large amounts of information, and to think creativity and clearly. They properly exclude at admission or exclude along the way students whose intellectual abilities are modest across many faculties. Such students are not properly the focus of learning disabilities accommodations. Inabili-ty to do work at this high level does not in itself justify accommodation. Rather the focus must remain on the model of discrete deficits within an overall pattern of high aptitude and performance. Beyond these generalities, it is important to recognize that each case will require individual evaluation.

Finally, and somewhat parenthetically, we arrived at some conclusions that seemed to offer good counsel to faculty members faced with requests for accommodation. Faculty members should follow the Univer-sity procedures described in this report. Establishing different test conditions for one student in a class has an evident quality of unfairness, and, perhaps even more impor-tantly, such informal accommodations to a claim of disability may validate in the student’s mind (and unfortunately to the external authorities they sometimes appeal to) a claim that careful professional scrutiny would find unjustified. The concessions made in one class may then become the basis and the baseline for an equal or greater request in another class, despite the absence of a documented disability. When faced with such requests, the initial action should involve the usual collaborative process—individual faculty members should refer the matter to the appropriate Dean of Students, or the central coordinator, and not attempt to reach a conclusion on their own.

Given that accommodation for a learn-ing disability is popularly reduced to the additional amount of time a learning dis-ability would presumably require on a given exam, it will continue to be important for faculty to consider the interplay among accuracy, skill, and speed in the completion of an assignment or examination and whether speed is simply a traditional proxy for skill itself.

When instructors conclude that time is not the issue, and that the major prob-leem is related to the nature of the assign-ment, they may choose to substitute loosely timed exercises such as take-home examinations for timed tests. Where they believe time performance is important to completion of a requirement, they must be prepared to provide tightly reasoned explanations of the necessary time limits. They must also be prepared to assist their Dean of Students in defining an appropri ate accommodation.

Admissions

The central problem in considering the learn-ing disabled for admission is to balance the need for appropriate consideration of spe-cial needs with the obligation to remain true to our admissions standards. The law de-mands that persons with disabilities not be discriminated against on the basis of their disability; it requires that they abilities, including those which can only be exercised or fully exercised with reasonable accom-modation, be the basis on which admission is granted or denied.

Decisions about the admissions process must be structured to elicit the informa-tion each unit needs to identify applicants who show promise for its programs, while at the same time providing the applicants with the information to decide whether the program is right for them and allows them the best opportunity to demonstrate their potential.

Evaluation of Applicants

Applicants with learning disabilities are sub-ject to the same admissions standards as any other applicants and come with no special presumption of admissibility or inadmissi-bility. Admissions at the University of Chi-cago is a competitive process involving a selective process in which we choose the most promising among candidates of high ability. Candi-dates with learning disabilities, like all can-didates, only merit admission if they other-wise qualify as among the most promising. Nationally, controversy arises about the consideration of learning disabled students because of uncertainties in the interpreta-tion of standardized tests (SAT, GRE, etc.) for these students. Inasmuch as decisions at this University result from a broad consider-ation of grades, recommendations, prior experiences, samples of previous work, and so forth, this problem is less acute here than at institutions that rely heavily on standard criteria and set rigid cutting points. Admis-sions officers may wish to discount criteria that appear less reliable, but should not become incapacitated by doing so. Atten-tion should continue to focus on the manner in which students have succeeded and promise for intellectual distinction in our programs.

Procedural Issues

It is legitimate to ask open-ended questions in the application that provide the applicant an opportunity to discuss special needs and circumstances, but it is illegal and inappro-priate to ask questions that are designed to elicit information about a student’s disability status. Admissions officers should not request additional information about any disability that may come to their atten-tion due to disclosure by the applicant during the review process, but request only always the appearance that the ad-missions decision focuses on the disability itself and the effect it has on their ability. The possibility of disability should not draw attention away from the usual focus on evidence of intellectual distinction and on demonstrated ability to do the kind of work expected here.

Once the admissions decision is made, successful applicants who self-identify as having disabilities should be engaged in early discussions of their needs and our ability to meet them. At this point in the process, it is appropriate to seek necessary documentation of the learning disability. The focus should be on timely planning for accommodations and on informing the applicant about what we can offer. It is critical that University officials (partic-u-ularly area Deans of Students and Facul-ty admissions committees) understand and communicate to students that accommo-dation plans must meet a test of rea-sonableness, rather than an ideal or a uniform standard. One of our goals should be to avoid having new students arrive with erroneous expectations or without having initiated discussions about poten-tial reasonable accommodations prior to their arrival. Informed applicants may properly decide that they would prefer to be at another institution that better matches their goals and expectations. It is always appropriate, and, indeed, encour-aged, at every stage of the admissions process, to seek the advice of a Dean of Students or of the central learning disabilities coordinator.

Accommodation Process

To ensure that experience gained in one sector of the University benefits those study-ing and working elsewhere and to maintain a uniform standard, the coor-dinator seems appropriately located in the Academic Skills As-Dr. (SCRS) add specialized professional judg-ment to accommodation discussions. Such (SCRS) add specialized professional judg-ment to accommodation discussions. Such (SCRS) add specialized professional judg-ment to accommodation discussions. Such
centers experienced in working with adults with learning disabilities should be pro-
vided, although the student should not be limited to those choices. The student is
financially responsible for testing expenses except when the student presents with a
time and credits, an outlier in adult education, or a timely but inconclu-
sive adult education; in such cases, the University will share a portion of the cost of
referring with the student.

Evaluation of Documentation
Test results should be forwarded to the University’s learning disability consultant,
who should then render a professional opinion on the presence—or absence—of a learn-
ing disability; which, if any, learning pro-
cesses it affects; and what sensible strategies or reasonable accommodation may be ap-
propriate under the circumstances, includ-
ing the particular program in which the student is enrolled. We believe that the
University is well advised to refer cases to a regular consultant, who will have in view
the nature of our programs, rather than
relaying piecemeal on the advice of the vari-
ous professionals students may consult; these professionals often view their role as unco-
ordinating the supports they prefer.

I. Informing the Community of the Committee’s Existence
The charge that established the committee in 1986–87 directed the committee to
notify the University community of its existence and purpose. To meet this re-
ponsibility in the 1994–95 academic year, the committee sent a letter on November
21, 1994, to all Resident Heads, Deans of Students, and Deans on-Call informing
them of the committee’s existence and re-
questing them to post a notice (which we
enclosed) describing the committee’s func-
tions and explaining how students and other members of the University community can
bring complaints to the committee’s atten-
tion. The committee sent similar letters on
November 21 to the Black Graduate Fo-
rum, the Organization of Black Students,
the Coordinating Council on Minority Is-
ues, and the Student Ombudsperson. The
contract to those groups on November 21
to all Black and Hispanic students and
members of the committee’s functions and encou-
graging students to bring to the committee’s attention any complaints they might have—past or present—involving the University Police Department.

II. Recurring Issues
The committee considered two recurring issues concerning the administrative treat-
ment of complaints.

A. Use of the classification “not sustained”:
The appropriate treatment of cases in which a complaintant’s version of the facts differs
from that of an accused officer (or several officers) is an important and recurring issue.
During the 1994–95 academic year, there were several such cases (#93-04-06 and
#93-04-07) in which the de-
partment classified the complaint as “un-
founded,” on the ground that the weight of the evidence tended to support the officers’
version or that there was insufficient objec-
tive evidence to corroborate the complaintant’s version of the incident. The
committee objected to this approach, and should not be pro-
vided without the instructor’s knowledge.

The appropriate treatment of cases in which
a complaintant would be very troubled by a standard that could
make it impossible to treat allegations un-
likely to be true as “unfounded.” Nonethe-
less, the committee concluded that this situ-

ation is inherent in the meaning of a not
sustained finding, and of course it also
combines the significance of such determinations for the
officer. Because the complaint is not resolved one way or the
other, there is no stigma necessarily attach-
ing to such a finding. Conversely, particular circumstances or a string of similar allega-
tions against the same officer by indepen-
dent complaintants might prompt inquiry or con-
cern. This is, it should be.

As noted earlier, it is the responsibility of the faculty to establish the essential goals and elements of a course, exam, or program.
The central coordinator and other appro-
perate administrators should work with the faculty to ensure that essential academic goals and elements are articulated and per-
served and that equity and standards for excellence are maintained while at the same
time the student is given a reasonable op-
opportunity to demonstrate his or her knowl-
gedge and ability. A proposed accommodation
should always be discussed with the student’s instructor and should be revisited

We emphasize that compliance with the law allows us to maintain our rigorous academic standards and simultaneously meet the legitimate, documented needs of
our students. While the field of learning disabilities
still has much to learn about itself and clear answers may sometimes be
difficult to find, we must thoughtfully and critically consider each documented case and make reasonable and appropriate ac-
commodations without compromising the
integrity of the program.

Notes
1. See Sections 302 (b)(4)(iii) and (iii) of Title III of the Americans with Disabilities Act, 42 U.S.C. §§12182 (b)(2)(A)(ii) and (iii); 28 C.F.R. §§36.301 (a), 36.302 (a); see also §104 of the Rehabilitation Act of 1973, 29 U.S.C. §1794; 34 C.F.R. §§104.3 (b)(3), 104.4 (a), 104.41–104.64.
2. See, e.g., 34 C.F.R. §104.44 (a).
4. The central coordinator is currently Ingrid Gould, Assistant Provost, 702-5671.

The Ad Hoc Committee on Learning Disabilities
Edward Cook, Chair
Theresa Czarneck
Ingrid Gould
Lars Hansen
Frank Merritt
Martina Munsters
Stephen Poskanzer
Morton Silverman
Diana Woo
Amanda Woodward
Richard Zaninis

Annual Report of the Committee on University Security

January 13, 1996

The committee is directed to look into
the timeliness of the committee’s activities,
to the effect of the committee’s activities on
the functioning of the University’s learning
disability consultant, and to the effect of
the committee’s activities on the functioning of the Board of Trustees, the faculty,
and the administration of the University.

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and the administration of the University.
by the complainant.

The committee asked the defendant for further information about how such supplemental issues should be treated. The committee was especially interested in whether such supplemental issues should be tracked and evidence developed that might support such complaints and whether the issues should be recorded as "sustained" when the facts warrant. The department explained that additional allegations were normally kept separate from charges raised by the complainant; rather than categorize them as "sustained" or "unfounded," the department prefers to address them through a Notice of Corrective Action that remains a permanent record in the officer's file and in the file relating to the complaint. This document will specify what the supplemental issue was and record the corrective action that was taken. The department reaffirmed that the committee would of course be free to examine the Corrective Action form at any time. The committee accepted this approach.

II. Complaints Reviewed by the Committee

The committee reviewed nineteen complaints during the 1994–95 academic year, an unusually large number that represents a 58 percent increase over last year. Although six of the complaints were reconsiderations of matters from the prior academic year (compared to only four reconsiderations among last year's complaints reviewed), the number of new matters reviewed (thirteen) still represents a significant increase over the number of new matters (eight) reviewed last year. The complaints reviewed during the 1994–95 academic year are described below:

1. #92-06-14: The complainant had a confrontation with an officer at the visitor's entrance to the hospital. The complainant alleged that the officer was belligerent, rude, and invasive. The individual complained that the complainant failed to cooperate in the investigation, and the department was unresponsive. The complainant was subsequently told that a "not sustained" classification is proper. Disinterested witnesses that directly refuted the individual's allegations were raised by the complainant. This year, the committee reviewed the matter and accepted the complainant's version of the incident is not sustained. The committee recommended that the disposition of "supplemental issues" be tracked and recorded in the same manner as other issues raised directly by complainants themselves.

2. #92-07-017: The complainant, a Chicago police officer, was stopped in the hospital and his bag was searched, because hospital officials apparently thought that some finding his description appeared to be stealing by paper towels. The complainant alleged (1) that he had been subjected to an illegal stop and frisk, and (2) that an illegal contact card was made out by the University police officer who confronted him. The department classified the first complaint as exonerated, on the ground that the stop and the search of the bag were justified in unusual circumstances, and the second complaint classified the second complaint as unconfirmed, on the ground that the officer in question was not on duty. In reviewing the record during the 1993–94 academic year, the committee did not agree that the complainant had voluntarily consented to the search of his bag. However, the description, though vague, seemed sufficient to provide probable cause for the search under applicable judicial precedent. Accordingly, the committee accepted the Department's disposition of the two charges contained in the initial complaint. A further problem in this case, however, was that the accused officer did not fill out a contact card. Director Nimocks's letter to the complainant correctly noted that this was improper and stated that the accused officer was reprimanded accordingly. In its reply, the department provided the committee with a copy of that statement and to remind investigators that a "not sustained" classification is proper. The second allegation was classified as sustained. The committee reviewed the matter and accepted this approach; the committee also recommended that the disposition of "supplemental issues" be tracked and recorded in the same manner as other issues raised directly by complainants themselves.

3. #93-04-06: The complainant alleged that he was in the lobby of an apartment building when a University police officer used unnecessary force to detain and frisk him. The department's records and the statement of witnesses other than the complainant indicated that two city police officers (both female) were first on the scene and were the only ones who had physical contact with the complainant. Accordingly, the department concluded that the complaint should be classified as unconfirmed.

Reviewing this case during the 1993–94 academic year, the committee noted that the disposition of the complaint depended entirely on the credibility of the opposing witnesses. The committee therefore pressed the department to explain why this complaint was not classified "sustained" (i.e., neither proved nor disproved). The department responded during the 1993–94 academic year with a further explanation of why the lack of credible evidence to support the charge was sufficient to render it a "not sustained" or the "unconfirmed" classification appropriate. In reviewing the matter this year, the committee concluded that because the Chicago police officer was responsible for the incident, they should be considered disinterested witnesses, and under these circumstances the classification of the complaint as a "not sustained" or the "unconfirmed" classification should never be used merely because there is no affirmative evidence to corroborate the complainant's claims or merely because the facts indicated that the incident was contradicted by the testimony of the accused officers or other interested witnesses.

4. #93-04-07: An individual being treated in the hospital's Emergency Room became agitated and unruly. A University police officer took him into custody and handcuffed him for his own safety and that of others. The individual complained (1) that the handcuffs were too tight, (2) that the officer wheeled him on the floor, (3) that the officer used excessive force in restraining the employee, (4) that the officer cut off circulation and bruised his wrists, and (5) that the officer wheeled him out of the Emergency Room naked from the waist down, in front of women and children who were in the waiting area. The department classified both complaints as unfounded, on the ground that disinterested witnesses contradicted the complainant's version of the events. Reviewing this case during the 1993–94 academic year, the committee agreed that the statements of disinterested witnesses at the scene were sufficient to refute the second allegation, and accordingly the classification as unfounded was appropriate. With respect to the first charge, that the handcuffs were too tight, there was no independent evidence to support the allegation, but there was also no evidence from disinterested witnesses that directly refuted it. Although the committee felt that on the record as a whole, the handcuffs charge was not especially credible, the committee nonetheless stressed, as in case #93-04-06 above, that a "not sustained" classification is appropriate only when the charge is clearly refuted by major internal contradictions in the complainant's testimony or by unambiguous evidence from disinterested witnesses. Accordingly, the committee concluded during the 1993–94 academic year that this charge should have been classified as not sustained.

The department responded with an explanation of why it felt that the evidence refuted the complainant's allegations concerning the handcuffs, but the department nonetheless agreed, because of the committee's concerns, to change the classification of the complaint to not sustained. (See section II.A above.)

A further problem in this case was that the record did not indicate whether the complainant officer prepared a contact card. During the 1993–94 academic year, the committee requested a copy of the contact card, which the department subsequently provided.

5. #93-07-017: A hospital employee attempted to prevent an out-patient and her companion from leaving an anteroom. A bystander complained that the officers had used excessive force in restraining the employee. The employee alleged that the police action stated that he did not feel excessive force was used to restrain him, the complaint was classified as unfounded.

Reviewing this case during the 1993–94 academic year, the committee was concerned that the investigators had not focused sufficiently on the specific allegations of improper conduct. The department responded with a detailed review of the investigation and an explanation of why it believed the inquiries were adequate. Nonetheless, Director Nimocks also indicated that he would also call to the attention of the investigating officer in this case the importance of follow-up questions designed to elicit appropriate detail. This year the committee reviewed the department's response and accepted these assurances.

6. #93-07-018: An employee at the Woodlawn Social Services Center called for assistance when a client of the facility became unruly. Subsequently, the person who called a complaint alleging (1) that the dispatcher did not take sufficient information about the disturbance and (2) that the University police officer who came to the scene acted unprofessionally by engaging in provocative behavior toward the suspect and using inappropriate language in the course of her effort to restrain the suspect while awaiting city police officers. The department classified the first allegation as unfounded, because tapes made clear that the dispatcher did take sufficient information about the disturbance. The second allegation was classified as sustained and the accused officer was reprimanded.

Reviewing this case during the 1993–94 academic year, the committee agreed with the department's classification of both allegations in this complaint. The committee was not in a position to assess the adequacy of the sanction imposed, without knowing the nature of the personnel record of the accused officer. The committee therefore requested the department to advise it whether the officer's file contains any previous disciplinary actions or any complaints that led to dispositions of either sustained or not sustained. In its reply, the department assured the committee that a summary of past disciplinary actions will henceforth be included in any file where either complainant allegations or supplementary issues result in a finding of "sustained." In addition, the department provided the committee with a summary of the disciplinary record of the officer involved in this complaint. This year, however, the complaint was sustained. We also agreed with the suggested procedure for assessing that disciplinary record be provided routinely to the committee in the event of a complaint.

7. #93-08-020: In August 1993 the complainant and an officer had a confrontation in a hospital bathroom. The complainant alleged that the officer was loud, abusive, and unprofessional in the manner...
in which he asked the complainant for iden-
tification. In addition, the complainant al-
leged that the officer lied in telling a third person that the complainant had said some-
thing to provoke the officer. Because the
versions of the incident provided by the
officer and by the complainant were in conflict on the decisive points, both allega-
tions were classified as not sustained. The
committee accepted this disposition of the
complaint.
8. #93-12-029: Two officers were sum-
mmoned to a party at a resident of the
building complaining about loud music. There
were between 200 and 250 people at the
party, and several of the people there had been
drinking heavily. The officers re-
quested that the music be turned down and
then left. When the noise level was not
reduced the officers returned and called for
assistance. In the meantime one officer ex-
corted one of the students out of the apart-
ment into the hallway and an altercation between the officer and the students ensued.
Because the apartment was on Univer-
sity-owned property, the city police were
called, and when they arrived the University
collected the scene.
Along with a co-complainant, the stu-
dent who had been escorted from the party
filed a complaint alleging (1) that the of-
[...]

11. #94-03-04: In January of 1994 a female
University police officer sent to investigate
the incident by a female Uni-
versity police officer. The victim's friend
view) given appropriate courtesy and
concern. Nonetheless, the Professor was
not treated as a formal complainant, and
was not initially notified about the disposi-
tion of her complaint. This oversight
nee was rectified at the committee's request.
2. Although this incident involved a for-
mal request for identification, followed by
evasion from a University building un-
der threat of arrest, a contact card was never
prepared. The department explained that
this omission resulted from the officer's per-
ception that the complainant was unco-
operative and that he was refusing to supply
any identification. Although the fact of the
matter on this point was sharply disputed,
the committee accepted the department's
declaration that because no form of
written record of what services are present, it is not appropriate to expect
the officer to complete a contact card.
11. #94-03-04: In January of 1994 a female
student charged that she had been sexually
assaulted at a fraternity party. Shortly
thereafter she and one of her friends were
involved in a confrontation with the Uni-
versity police officer. The victim's friend
subsequently complained that the officer
who conducted the interview had been in-
sensitive and unprofessional, had made dis-
paraging remarks about men, and had not
properly treated the victim. The committee,
therefore, directed that the interviewing
officer's remarks had gone far beyond those
permitted and that all the allegations of the
complaint should be sustained. The accused
officer was reprimanded and counseled.
The committee accepted the department's
classification of the complaint as sustained.
With respect to the sanction, the com-
mitee reviewed the officer's personal his-
tory and considered the seriousness of the
infraction. In order to assess the adequacy of
the sanction, the committee requested more
information about the nature of the
counseling provided to the officer. The
department responded with considerable
detail about the counseling sessions, but
omitted mention of the decision not to
consider the seriousness of the infractions that
affected its judgment about the sanction that was appropriate for
the particular case. The committee was troubled by the department's
disposition of the complaint.
The committee also raised several ques-
tions about the appropriate approach to
interviewing in a campus sexual assault
[...]

9. #93-12-031: In December 1993, the com-
plainant entered the emergency room at the
Medical Center by using ambulance bay
doors that were not supposed to be used by
the public. The complainant had said some-
thing to provoke the officer. He sat down in
the waiting area and was observed rummaging
through some bags that he had not brought in
with him. An officer asked for identifica-
tion, which the complainant refused to
produce. The officer continued to sit in the
waiting area and put the bags under his
supervisors were also sanctioned, one by a
different supervisor who came to the scene at a later
time, (2) that the officer had used discrimi-
natory language derogatory of the students' ethnic
background, (3) that the officer had
made threatening statements, (4) that
the officer had refused to give his name and had
refused to identify himself. At the scene he
did the badge number.
Although the incident was witnessed by a
relatively large number of people, the sub-
sequent investigation produced conflicting state-
ments with respect to most of the allega-
tions. Nonetheless, the department con-
cluded that the accused officer had used
unnecessary force in the encounter with the
principal complainant. As a result the first
officer was reprimanded and counseled,
and the second officer arrived at this point and
joined the first officer in insisting that the
man leave. Under threat of arrest, the man
left the building, and the officers locked the
doors. He had to wait outside the building,
on a cold night, for approximately ten to
twenty minutes until the person he was
waiting for arrived. It was subsequently
ascertained that the complainant (those
not known to the officers at the time) that the man at SSA as an
invited guest participating in a research
project involving people who, like himself,
suffer from epilepsy.
1. A Professor in the School of Social
Service Administration filed a written
complaint in this matter, and the tone of both
her letter and her interview made clear that
she was very distressed that the complain-
ant, who was her guest at SSA, was not (in
her view) given appropriate courtesy and
[...]

6 THE UNIVERSITY OF CHICAGO RECORD
stopped and questioned a black man who simply appeared to be walking innocently along the street. The residents asked the officer for an explanation and were told that the man had previously been convicted and should not be allowed to walk unhin-
doned because he did not belong in Hyde Park. The residents filed a complaint alleg ing that the officer had improperly harassed the man because of his race. Investigation established that the officer had a reasonable basis for suspecting the man, that the initial stop was therefore justified, and that the of-
cer’s reactions were not prompted by a racial motivation. The complaint was there fore classified as unfounded. However, be cause the officer did not have a sufficient basis for stopping the man the second time, and because he did not respond with proper courtesy to the residents' questions, the officer received a written reprimand for his behavior.

The committee agreed with the conclu sions reached in this case and with the sanction imposed. However, the committee considered whether the classification of the complaint as unfounded gave a sufficiently complete picture of the incident. As in #93-12-029 and #94-06-09 above, the commit tee discussed whether the violations revealed by the investigation (the “supplemental is sues”) should be recorded as “sustained.” Assistant Professor Stephen J. Schulhofer, a member of the committee, accepted the department’s ap proach to this problem; the committee re viewed the department’s Notice of Corrective Action and accepted its disposition of the complaint.

15. #94-07-015: A young man who was suspected to be a gang leader was shot in the parking lot of Kimbark Plaza. A University police of-
cer who arrived at the scene called an ambulance for the young man, who died at the hospital. A relative of the shooting victim later filed a complaint against the officer, alleging that he had murdered the young man both at the scene and when he encountered the relative several weeks later. The accused officer and several witnesses denied both allegations, which were therefore classified as “not sus tained.”

The committee agreed that this was the proper disposition of this complaint, in view of the unresolvable conflict in testi mony between the complainant and other witnesses.

16. #94-08-017: The complainant alleged that an officer who was standing outside her window addressed abusive and threatening comments to her. Several witnesses who were present at the scene testified that the accused officer did not have any inappropri ate conversation with the complainant. Ac cordingly, the complaint was classified as not sustained. The committee accepted this disposition of the complaint.

17. #94-09-020: A student who was the victim of a theft at Kinko’s complained that the University police officer called to inves tigate made rude and threatening comments to a Street-Wise vendor who was standing outside Kinko’s at the time. Numerous dis interested witnesses at the scene corroborated the allegations of the complaint, which was classified as sustained, and the officer received counseling regarding the episode. The committee regarded this as an espec ially serious incident, not only because of the unjustified harassment of the vendor but also because a more professional attitude might have succeeded in enlisting the vendor’s help in obtaining a description of the thief. For those reasons, the committee felt that a more serious sanction might have been considered. In light of the absence of any significant prior disciplinary record for this officer, however, the committee ac cepted the department’s judgment as to the appropriate sanction.

18. #94-11-027: The complainant parked near the Emergency Room entrance at the hospital, and the officer on duty ticketed her car. She alleged that the officer harassed her and improperly ticketed her car, which she claimed was legally parked in the handi capped parking area. The officer indicated that the complainant was illegally parked and that when he asked her for identifica tion, she walked past him and responded with profanities. Two witnesses who ob served the incident corroborated the officer’s version of the incident. The complainant failed to respond to repeated requests to contact the investigating officer, in order to provide her version of the episode. The department therefore classified the com plaint as not sustained. The committee ac cepted this disposition of the complaint.

19. #94-11-028: A University police officer observed the complainant soliciting door to-door on Harper Avenue and threatened to arrest him. The complainant filed a com plaint alleging that the officer refused to give the name of his supervisor, threatened to make an arrest, and improperly stated that the complainant’s activities were il legal. Subsequently the complainant stated that he considered his complaint resolved and did not wish to pursue it. Because the accused officer refused refus ing to give the name of his supervisor, this part of the complaint was classified as not sustained. With respect to the remaining allegations, the department determined that door-to-door solicitation is not illegal in Chicago. But since a local ordinance pro hibits peddling in parts of Hyde Park, in cluding the area in question, the officer may have made a good-faith mistake regarding the legality of the complainant’s conduct. For these reasons, the remaining allegations of the complaint were classified as sus tained, and the officer was counseled re garding his actions and the reasons why the complainant’s activities were lawful. The committee accepted this disposition of the complaint.

IV. Complaints Pending

Unlike prior years, the 1994–95 academic year closed without a file of hold-over cases reviewed once and awaiting committee con sideration of responses from the depart ment. Five investigations completed by the department in June and July 1995 were awaiting Committee review as of Septem ber 30, 1995—#94-11-024, #94-11-025, #94-12-029, #95-02-02, and #95-02-03. These complaints will be considered by the committee during the 1995–96 academic year. In addition, six complaints remained under investigation by the department as of September 30, 1995—#94-07-014, #94-09-021, #94-11-026, #95-03-04, #95-04-06, and #95-08-015.

V. Conclusion

The committee commends the department and its Director for their cooperation and seriousness of purpose. The number of com plaints recorded remains a tiny fraction of the thousands of police contacts with mem bers of the University community over the course of an academic year. We believe that the department’s leadership and sensitivity have helped keep misunderstandings and serious infractions to a minimum. In addi tion, Director Nimocks has been most help ful in responding to the committee’s con cerns. Although the committee and the de partment have not always agreed, the depart ment invariably has responded thought ful in responding to the committee’s con cerns. The department remains strongly commit tected peddling in parts of Hyde Park, in cluding the area in question, the officer may have made a good-faith mistake regarding the legality of the complainant’s conduct. For these reasons, the remaining allegations of the complaint were classified as sus tained, and the officer was counseled re garding his actions and the reasons why the complainant’s activities were lawful.

The committee accepted this disposition of the complaint.

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The committee accepted this disposition of the complaint.
I have chosen to discuss the following three issues in the remainder of the report. It would also be misleading to describe the Ombudsperson's Office and its distinct function more well known to the campus community. In trying to do so, I've found that many students seem to have a real sense of the office's existence, but they seem to regard it as that of an unofficial court of appeals—a place, established by the President's Office, where one goes for one last try at reversing an administrative decision. There is a kernel of truth in this picture: we do indeed help students who have exhausted all other options and we sometimes recommend that a decision or policy be changed.

But the purpose of the Ombudsperson's Office is much broader: it acts first and foremost as an informal and confidential troubleshooting center—helping students to navigate the University's complex bureaucracy and to get their questions and concerns taken seriously by people with the power to help them. Consequentially, while we strive to maintain the impartiality of a general ombudsperson, the role is primarily in the business of judging or of issuing an opinion. More often, we find ourselves trying to break administrative deadlocks or to reconcile conflicting needs.

In this report, I try to give the campus community a sense of what some of these deadlocks look like. When the dispute is difficult to generalize about the sixty-seven complaints and inquiries which I and the Assistant Ombudsperson have received over the last two quarters (fifteen in the summer and fifty-two in the autumn)—and it would also be misleading to describe the issues I discuss below as the most significant ones we have dealt with: each student, of course, feels that his or her complaint is significant and, with few exceptions, our sense is that each complaint is not echoed by other students and even if it is not symptom of larger problems in the University as a whole, it is worth discussing to pass on the following complaints either because I feel that they illustrate the Ombudsperson's role as an informal troubleshooter and dissolver of bureaucratic blockages or because they call attention to problems which deserve public scrutiny. With these ends in mind, I discuss three issues in the remainder of the report.

First, I briefly describe a few situations where a student's attempt to solve a problem reached a standstill even before the student had exhausted all administrative appeals.

Second, I discuss two kinds of complaints which may raise larger issues or questions of broader significance: university-wide academic policy changes and complaints about the hiring of student employees. (I should note also that I have altered student names in some instances to protect the anonymity of those who write to us.)

In the hope that this report will help clarify the Office's distinctive purpose at the University. Those who are more interested in what the Ombudsperson's Office does—our 1993–94 Annual Report and a sampling of its services—can find out more about the office by reading our entry in the Trouble Shooting Guide in the 1995–96 University Information Manual or our World Wide Web page (accessible from the student information section of UCinfo at http://www.uchicago.edu/cc/student.html). Students should also feel free to call us at 702-8422 or send confidential e-mail messages to ombud@uchicago.edu.

Communication Breakdowns

Many students make a serious effort to use all official channels before coming to Ombudsperson, but find that they cannot easily go beyond the first step in the process. Some also find it difficult to appeal to a higher authority because they do not fully understand the decision they are supposed to appeal: a number of students, for example, claimed that their arguments were met only with an administrative “broken record” that kept playing evasive response after evasive response.

One student, for example, tried for six months to find out why his insurance (the University of Chicago Health Plan) would not pay for a visit he made to the hospital emergency room. Even after rereading the relevant policies, he was still convinced that he should be covered. He described his problems to a UCHP staff member who told him he already knew; twice sent him form letters which reiterated the policy but nowhere explained why the policy justified their refusal to pay for his visit.

I phoned the acting director of UCHP, and she told me that, for some reason, the student’s letters were being answered by individuals who were not qualified to address his questions. She offered to meet with the student to explain why UCHP did what it did and then to follow up this discussion with a letter explaining the decision which (he was still welcome to appeal).

Another student, who transferred here in the middle of the year initially by the College Aid Office that he did not qualify for a federally subsidized Stafford Loan, one which he desperately needed and for which he had applied. He explained that the College Aid Office was stonewalling him; the College Aid Office seemed to think that he would not accept the reality of his situation.

As it turned out, at least one key element of the situation had not been made entirely clear to him: namely, the University’s specific (and perhaps idiosyncratic) method of applying a federal rule which limits the length of time that a student can receive federal aid. The rule specifies that a student can receive aid for 150 percent of the time that it normally takes to complete the program. In all of the cases, the relevant administrators had tried to get information about the new policies to those students who needed it. But somehow the publicity failed to reach all students, and, in two of the cases, even administrators charged with informing confused students about the new policies were themselves ignorant (or for some other reason unable to get) what the new policies required.

Publicizing New Academic Policies

During the Autumn Quarter, a number of students came to us to complain that they had learned of a recent policy change the hard way: by learning that it might wreck or seriously undermine their plans for the current year. In all of the cases, the relevant administrators had tried to get information about the new policies to those students who needed it. But somehow the publicity failed to reach all students, and, in two of the cases, even administrators charged with informing confused students about the new policies were themselves ignorant (or for some other reason unable to get) what the new policies required.

Language Placement Exams

One of today’s summer students, fresh from break to learn that a year-old policy might prevent her from graduating this year. She had preregistered for, and was planning to take, a language placement exam for the fall—year—one in the autumn and one in the winter—which together would allow her to complete her language requirement. But in the first few days of the autumn class, she and a few other students were told by their instructors that the language placement exams had been taken three years ago were no longer valid and that their status in the course would be re-evaluated. Their placement tests, it turns out, had been nullified by a new departmental policy that a student must take a language course within a year of enrolling. If a student wishes to wait longer than a year before taking the course, then the policy requires that she retake the language placement exam (again, no more than a year before entering the course) to prove that she still has sufficient command of the language. The argument for the new policy seems quite sensible: a student can forget a lot in the two or three years that may pass between taking a placement test and entering the language course she places into. The department that made the policy change, in fact, did so because students were entering language courses unprepared for the course and, consequently, from fulfilling a graduation requirement.

What disturbed the student was not the new policy itself, but her lack of knowledge about the change. It was apparent to her that she did not know of the language policy from preregistering for the language courses at the end of the last Spring Quarter, and no one had warned her that it might complicate or prevent her from graduating. For those students who had begun to have a new language sequence over the summer or perhaps prepared to retake the placement test this autumn.

Fortunately, we were able to find some—one in the relevant department who had both the power to change the student’s situation and the desire to make the new policy work to all students’ benefit. She assured me that the policy was not supposed to undermine students’ graduation plans, and she quickly contacted the course director and asked that no students be penalized for “expired” placement tests. She told me that such students would be offered additional helpful course information and that no students would be held to the class down. She also said that she would explore ways to better inform College advisers about the new language placement policy and to warn students who might be affected by it.

Teaching and Tuition Support

Another new policy—which has confused students—and even some administrators—involves the language placement exams. Whether graduate students can receive tuition aid in exchange for teaching. The policy is one with critical implications for the language program and for students, many of whom rely on teaching jobs to make ends meet. If earnings from teaching

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must be set aside to pay tuition, then making ends meet is all that much harder.

Unfortunately for those who want a simple and straightforward answer to every policy question, the answer to the question of whether a student can receive tuition aid for tuition that they have already paid is sometimes difficult to predict exactly on any given day.

The need for efficiency, in fact, often brings to our office was notable in

is going to need assistants and lecturers, is sometimes difficult to predict exactly on any given day.

One student who came to us was told a day before she was to start work that she would have really been hired: while the for-
dpartment had planned on hiring her, and had perhaps acted as though they were going to hire her, they did not technically hire her.

She explained to us why the department’s action seemed indistinguishable from a job offer. She had been told of a job opening and had spoken with the administrator in charge of filling it. This person chatted with her, said it would be fine if she worked part time, and then gave her some tax forms to fill out.

When she asked if her teaching assistantship would entitle him to tuition aid, an administrator I refer to above may have had more than disappointed expectations: the student would no longer have the time to perform.

Unfortunately, the case was not an easy one to solve: another student had already been hired for the newly created full-time position and it would have been unfair for the administrator to fire him. Nonetheless, I called the administrator and explained to her why the student concluded (and was justified in concluding) that she had been offered a job. The administrator said she was sorry about the incident and that she would be willing to help the student find another part-time job which, as the administrator realized, the student would no longer have the time to perform.

This is because the Ombudsperson’s Office, as I said at the beginning of this report, is just as crucially an informal center for advice as it is an office dedicated to investigating complaints. This does not mean that the table includes every minor question addressed to the Ombudsperson’s Office (e.g., “Who do I call for help understanding my tuition bill?”). But the table does include under the “Discussion” category the many cases in which I or the Assistant Ombudsperson talked at length with students and helped them weigh and understand their options.

Readers should in any case keep in mind that past Ombudspersons, when calculating the total number of complaints in the last two quarters, would have counted only those complaints which I categorize under “Action.”

Notes

Marc Jonathan Blitz is the Student Ombudsperson for the University during the 1995–96 academic year.
## Statistics

### Summer Quarter 1995

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Faculty Appointments and Promotions

**Appointments**

**January 1, 1995, through December 31, 1995**

Herbert T. Abele, Professor, Pediatrics

John Christian Bailar, Ill, Professor, Health Studies

Menasche Berrebi, the Henry Crown Professor, Near Eastern Languages and Civilizations and the College

Dipsch Chakrabarty, Professor, South Asian Languages and Civilizations and the College

Pradeep Chintagunta, Graduate School of Business

Susan N. Coppersmith, Professor, Physics, James Franck Institute, and the College

Jean Berthel Ehlstein, the Laura Spelman Rockefeller Professor, Divinity School and International Relations

Tilka Frymer-Kensky, Professor, Divinity School, Jewish Studies, and Ancient Mediterranean World

Victor Ginsburg, Professor, Mathematics and the College

Carl Kaestle, Professor, Education and the College

Claudio Adler Lomnitz, Professor, History and the College

James Norris, Professor, Chemistry and the College

Martha C. Nussbaum, Professor, Law School, Divinity School, and the College

Glenn Steele, the Richard T. Crane Professor, Surgery; Dean, Division of the Biological Sciences and the Pritzker School of Medicine; Vice-President for Medical Affairs

Richard Thaler, the Robert P. Gwinn Professor, Graduate School of Business

Yair Argon, Associate Professor, Pathology and Immunology

Michael Dietler, Associate Professor, Anthropology and the College

Lawrence Layman, Associate Professor, Obstetrics and Gynecology

Gopal Nadathur, Associate Professor, Computer Science

Mitchell C. Postner, Associate Professor, Surgery and Cancer Research Center

Elizabeth Povinelli, Associate Professor, Anthropology and the College

Viresh Rawal, Associate Professor, Chemistry and the College

Nancy J. Rozencweig, Associate Professor, Pediatrics and Psychiatry

Xiaobing Tang, Associate Professor, East Asian Languages and Civilizations and the College

Ellen C. Benya, Assistant Professor, Radiology

Alan Bright, Assistant Professor, Surgery Sheila Cain, Assistant Professor, Physical Education and Athletics and the College

John Eric Carlstrom, Assistant Professor, Astronomy and Astrophysics and the College

Nicholas Christakis, Assistant Professor, Medicine

Theodore D. K. Chung, Assistant Professor, Radiation and Cellular Oncology

Hari S. Conjeevaram, Assistant Professor, Medicine

Peter H. Domer, Assistant Professor, Pathology

Fernette Eide, Assistant Professor, Neurology

Terry Gaasterland, Assistant Professor, Computer Science

Elizabeth Garrett, Assistant Professor, Law School

Benjamin Glick, Assistant Professor, Molecular Genetics and Cell Biology

Austan Goolsbee, Assistant Professor, Graduate School of Business

David Gross, Assistant Professor, Graduate School of Business

Thomas Hemmer, Assistant Professor, Graduate School of Business

Barbara Hendrickson, Assistant Professor, Pediatrics

David Hammel, Assistant Professor, Graduate School of Business

Kyoung Ja Hyun, Assistant Professor, School of Social Service Administration

Charles Kinder, Assistant Professor, Medicine

Shih-Fan Kwan, Assistant Professor, Pathology

Ekaterini Kyriazidou, Assistant Professor, Economics and the College

Owen Lamont, Assistant Professor, Graduate School of Business

France Leclerc, Assistant Professor, Pharmacological and Physiological Sciences, Cell Biology

Austan Goolsbee, Assistant Professor, Graduate School of Business

Satan Kiran, Assistant Professor, Psychology and the College

Robert M. Knight, Assistant Professor, Pediatrics

Nicole LaBarbera, Assistant Professor, Radiology

John O’Connor, Assistant Professor, Physical Education and Athletics and the College

Jemi Olak, Assistant Professor, Surgery

Nipam H. Patel, Assistant Professor, Organismal Biology and Anatomy, Genetics, Developmental Biology, and the College

Josef Perktold, Assistant Professor, Economics and the College

David Peznen, Assistant Professor, Medicine

Catherine Pieter, Assistant Professor, Ecology and Evolution, Evolutionary Biology, and the College

Frank M. Phillips, Assistant Professor, Surgery

Daphne Preuss, Assistant Professor, Molecular Genetics and Cell Biology and Developmental Biology

Sampson Sarpang, Assistant Professor, Pediatrics

Lewis B. Schwartz, Assistant Professor, Surgery

Nadine Sibony, Assistant Professor, Obstetrics and Gynecology

Marion Priscilla Short, Assistant Professor, Neurology, Pathology, and the College

William Stites, Assistant Professor, School of Social Service Administration

Gary Smith, Assistant Professor, Obstetrics and Gynecology

Kirk T. Spencer, Assistant Professor, Medicine

Toby Stuart, Assistant Professor, Graduate School of Business

Ivan Torres, Assistant Professor, Psychology

Tamao Trojanowska, Assistant Professor, Slavic Languages and Literatures, Eastern European and Russian/Eurasian Studies, and the College

Margaret Armstrong, Instructor, College

Gregory Arone, Instructor, Mathematics and the College

Gregory R. Scott Budinger, Instructor, Medicine

Eric Caplan, Instructor, College

David Carbone, Instructor, College

Lucia M. Chen, Instructor, Radiation and Cellular Oncology

Jeffrey Christenson, Instructor, Chief Resident, Medicine

Ovidiu Costin, Instructor, Mathematics and the College

Christopher Cox, Instructor, College

Rosenmary DeAngelis, Instructor, Chief Resident, Medicine

Yuan Lou, Instructor, Mathematics and the College

Patricia Mumper, Instructor, Psychiatry

Amos Nevo, Instructor, Mathematics and the College

Surenda Raju, Instructor, Graduate School of Business

Margaret Reid, Instructor, College

Peter Sattler, Instructor, College

Brooke E. Shipler, Instructor, Mathematics and the College

Andrew Wallace, Instructor, College

Eugene Wang, Instructor, Art and the College

Nancy Yousuf, Instructor, College

**Promotions**

**January 1, 1995, through December 31, 1995**

Andrew Biewener, Associate Professor to Professor, Organismal Biology and Anatomy, Genetics, Developmental Biology, and the College

Prasenjit Duara, Associate Professor to Professor, History, East Asian Languages and Civilizations, and the College

Robert Gertner, Associate Professor to Professor, Graduate School of Business

William F. Hanks, Associate Professor to Professor, Anthropology, Linguistics, and the College

Elena Kagan, Associate Professor to Professor, Law School

Steven Neil Kaplan, Associate Professor to Professor, Graduate School of Business

Rashid Khalidi, Associate Professor to Professor, Near Eastern Languages and Civilizations, History, and the College

Rozia Krueger, Associate Professor to Professor, Neurology, Pharmacological and Physiological Sciences, and Neurobiology

Jack Lance Lichter, Associate Professor to Professor, Anesthesiology and Critical Care and Pediatrics

Fabrizio Michelassi, Associate Professor to Professor, Surgery

Raphaem G. Rajan, Assistant Professor to Professor, Graduate School of Business

Leora Auslander, Assistant Professor to Associate Professor, History and the College

Beverly W. Baron, Assistant Professor to Associate Professor, Pathology

George Chauncey, Jr., Assistant Professor to Associate Professor, History and the College

Peter F. Dorman, Assistant Professor to Associate Professor, Oriental Institute and Near Eastern Languages and Civilizations

David A. Ehrenreich, Assistant Professor to Associate Professor, Medicine

Jennifer Francis, Assistant Professor to Associate Professor, Graduate School of Business

Donna Hammoud, Assistant Professor to Associate Professor, Anesthesiology and Critical Care

Kevan Herold, Assistant Professor to Associate Professor, Medicine

Boaz Keysar, Assistant Professor to Associate Professor, Psychology and the College

Peter J. Kleinman, Assistant Professor to Associate Professor, Graduate School of Business

Marc James Knex, Assistant Professor to Associate Professor, Graduate School of Business

Christopher Looby, Assistant Professor to Associate Professor, English Language and Literature and the College

Nicholas Gerald Polson, Assistant Professor to Associate Professor, Graduate School of Business

William Schweiker, Assistant Professor to Associate Professor, Divinity School and the College

Harimder Singh, Assistant Professor to Associate Professor, Molecular Genetics and Cell Biology, Developmental Biology, Cancer Biology, and Genetics

Lars Andreas Stole, Assistant Professor to Associate Professor, Graduate School of Business

Katherine Trumpener, Assistant Professor to Associate Professor, Germanic Studies, Comparative Studies in Literature, General Studies in the Humanities, and the College
University Disciplinary Actions: 1994–95

By Edward M. Cook, Dean of Students in the University

December 3, 1995

The Dean of Students in the University has been asked by the Council of the University Senate to report each year on matters pertaining to the University disciplinary legislation enacted by the council on May 23, 1970, and amended on June 8, 1976.

I am happy to report that no University disciplinary committee was required to meet during the 1994–95 academic year.

The Dean of Students also reports to the council on disciplinary matters that have occurred in the various academic units during the year. During the 1994–95 year, area disciplinary committees were convened on seven occasions to act on questions involving ten students.

The Committee on College Discipline was convened three times:

- The committee considered the conduct of a student who plagiarized a course paper. The student’s personal circumstances and frank acknowledgment of misconduct indicated that a strict probation until graduation would be an appropriate sanction. A second hearing concerned a student who, in leaving a late-night party, physically and verbally abused a student who was passing by. The committee imposed a one-quarter suspension. The sanction was sustained upon review. A third proceeding involved the affair of four students charged with telephone harassment and a sustained campaign to obfuscate the roles of several of them in it, as well as the request of two of the students for review of the resulting decision by the Director of Student Housing to remove them from the house system. The committee found that the students had participated in harassment and a campaign to obscure their involvement and suspended each of them for one quarter, but overturned the decision of the Housing Director to remove the two students in mid-quarter.

- Disciplinary committees in the graduate schools met on four occasions.

- In the Graduate School of Business, a student faced charges of submitting a false transcript in seeking admission. The committee found the charge true and expelled the student. Another committee heard charges that a student had plagiarized a course paper. In light of somewhat mitigating circumstances, it decided that it was most appropriate that the professor take note of the irregularity in grading. A third committee in the GSB found that a student had misused a computer to gain access to the files of others. It imposed a sanction, which, however, was set aside when a review board returned the matter to the GSB on procedural grounds for rehearing. At the rehearing, the committee again found the student responsible for computer abuse and, after consideration of mitigating circumstances, placed the student on probation until graduation.

- A hearing in the Social Sciences Division concerned a student who forged letters to misrepresent the state of completion of his dissertation. The student was suspended for nine quarters.

Below is a chart showing students sent before the discipline committees, 1985 to 1994.

<table>
<thead>
<tr>
<th>Year (85–86)</th>
<th>College/ Academic</th>
<th>College/ Other</th>
<th>Graduate/ Academic</th>
<th>Graduate/ Other</th>
<th>Total</th>
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<tr>
<td>85–86</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>1</td>
<td>9</td>
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<td>86–87</td>
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</tr>
<tr>
<td>87–88</td>
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<td>2</td>
<td>1</td>
<td>2</td>
<td>9</td>
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<td>88–89</td>
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<td>—</td>
<td>8</td>
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<tr>
<td>89–90</td>
<td>2</td>
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<td>13</td>
<td>4</td>
<td>30</td>
</tr>
<tr>
<td>90–91</td>
<td>—</td>
<td>6</td>
<td>—</td>
<td>2</td>
<td>8</td>
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<tr>
<td>91–92</td>
<td>2</td>
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<td>6</td>
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<tr>
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<tr>
<td>94–95</td>
<td>1</td>
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<tr>
<td>Average</td>
<td>1.8</td>
<td>4.2</td>
<td>5.1</td>
<td>1.8</td>
<td>12.9</td>
</tr>
</tbody>
</table>
famine in the soul. If we are very fortunate, the loneliness and grief we feel at the death of one who's loved become the vehicle for a profound understanding of any possible soul's continuing death and the state of the soul (if the religious tradition permits) after death (if indeed the religious tradition has any understanding of any possible soul's continuing existence after mortal flesh has given out). As I said—-a challenging, a humbling task to preach a sermon about the nature of divinity, and we believe that it is good.

But if you will, that I often include in the funerals and memorial services in which I participate. It reflects the essence of what so many people have shared with me in the first hours and days after a dear one's death; it reflects too my own experience in coping with such a loss. It is this: we have been blessed. The enduring understanding can only be that not only have we lost someone whose presence was our enthrallment, but that we should ever have been so blessed as to have him or her at all. Death is inevitable, life is not. I've shared these thoughts with the parents who had come to bury their 23-year-old daughter and only child. I have shared them with three generations of a family who had gathered to bury their 103-year-old patriarch. They are words that can be senseless in the midst of deepest grief and only come to have meaning as time passes. They are words that can lend understanding at a moment when all foundations of hope have been shaken to their core.

And so it is that, for some of us, we stand at a grave side, heart split in two, yet the words that rise up from our hearts and take flight are, "Alleluia, alleluia." How can this be? In a time of greatest sorrow we have fleeting and flash experiences of joy, of peace, of release, and even joy. The integrity and intensity of grief can force our spirits to move past the self-absorbing daily round of emotion and into an intimate encounter with whatever for us is ultimate reality. In its presence at last, unencumbered by any vanity, we are left naked by our own grief and freed to see clearly the nobility of the moment. We see that our lives are defined not by loss but by blessing. We grieve because we have loved. We have loved because we are very fortunate indeed. For once was even joy. We learn so much about the virus then. The children we cared for often lived in our cribs for up to several years, abandoned by mothers who were too sick or addicted to care for them themselves. The babies were fighting off a variety of opportunistic infections, one more horrible, debilitating, and painful than the next. They were small, they were alone, and for however many months or years they had suffered terribly. It was just this time of year in 1988 that I stood in a potter's field in New York City as a small white coffin was lowered into the ground. James would have been four years old the next Christmas day. He had lived at the hospital since he was nine months old, abandoned by his family and continuously sick. He spent his days in his isolette, but we never saw him. He never learned to eat because he'd had a feeding tube inserted in his stomach for so long. Later, he could insert his own nasal feeding tube. He never spent much time on this planet earth, and we never really knew him. Yet he was our life, the Answer to all its mysteries. As in light, we turn to You, Lord, the Source of life, the Answer to all its mysteries. Can it be that we, Your children, are given over to destruction, when our few days on earth are done? Or do we live in ways we cannot know?

"Only this have we been taught, and in this we put our trust: from You comes the light, and to You it must return. You are our dwelling place in life and in death. More we cannot say for all is hidden from our sight by an impermeable veil. We thank You, then, for the life we have, and for the gifts that daily are our portion: for health and healing, for labor and reposè, for the ever renewed beauty of earth and sky, for thoughts of truth and justice that move us to acts of goodness, and for the contemplation of Your eternal Presence, which fills us with the hope that what is good and lovely will not perish. Lord, what are we? A breath, a passing shadow. Yet You have made us little less than divine."

I hope that some joy has come to each of you in whatever your loss or that it will come soon. May you be so blessed as to know your blessings, to know them before they slip away, and to cherish each one. Amen.

Alison L. Boden is Dean of Rockefeller Faculty Family

Nelle Brownning
Marion Cohen
Norman Cohen
Rachel M. Goetz
Eva Maria Platmanz
Helen Singer
Diana Van Valen
Shi-Shu Wu
Student
Annon Ahl
Stephen Boliver
David Cooke
William E. Parker
Achilleo
Staff
Dawna Barney
Gary Arron
Donna Freeman Bundich Daniel L. Galligan
Ann Gratz
Ronald A. Greene
Harry W. Hunter
Gerald J. Jakubosky
Ronald Lewis Johnson
Wayne Kibble
August L. Lucy
Nora Meneghetti
Julius Mitchell
Melvin Reese
Christopher Weathers
Sarah A. Wisniewski
Retired Staff
Earl R. Allen
Louella Anderson
Jason Armstrong
Glady's Bartels
Marjorie M. Babyus
Rita T. Lesner
Edward A. Briggs
Jamie H. Byrom
Frank J. Campbell
Donnell M. Peppard
Philip Carlson
Clifford Caron
Michael Cherezo
Curtis J. Corcorre
Ruth F. Conley
Allen D. Cunico
F from antiquity to the present, people have always been interested in education. In France, for example, from Montaigne in the sixteenth century, to Rousseau and Marx in the eighteenth and nineteenth centuries (I know Marx is not French, but we read a lot of Marx in France in the early seventies), to Sartre in the twentieth century, thinkers have pondered what education should look like. America has even developed a concept of “liberal education” that in fact is not so different from the trivium and the quadrivium of the Middle Ages. I will argue that, although models of education certainly change over time, in the end they are not all that fundamentally different.

To return to France, every time a new model of education becomes popular, it is always an attempt to improve on the education that preceded it. And yet, one education is never complete. What is missing, nonetheless, was a way to sort out the new and newly-available books. Let me quote Montaigne here: “To know by heart is not to know; it is to retain what we have absorbed. They still tackle the real world, but do not be fooled by your own child. For this occasion he wrote a famous essay titled “Of the education of children” (1579). I would like to present some of Montaigne’s views on education that I believe are still valid today—precisely because these views move away from content to form. As we know, memory was extremely important in the Middle Ages. What you had in your head was the only intellectual baggage you could carry with you. Books were scarce. However, during the Renaissance, with the development of printing in Europe, people relied less and less on their memory. Views about education started to change. A good education became associated with being able to sort out the new and newly-available books. I believe it is time to approach education in a different way, to focus not on the content or the sequence of learning, but rather on its form. If we look back into the past, we can see that people have been arguing about the curriculum from ancient to modern times. And yet, if we repeat, education has not drastically changed—in spite of the enormous changes in what we teach from decade to decade, even from year to year. History tells us that knowledge about the individual and the world constantly changes, but what does not change so much is a mode of thinking, a mode of approaching and understanding the world. And now I will go back to the sixteenth century. As an academic have the great advantage of being called by the same name as the writers and thinkers I study in my own field of research, the Renaissance. I am a humanist, and I study humanists. This gives me the liberty to collapse together almost five centuries and to plagiarize a great thinker of the late sixteenth century, Michel de Montaigne, a man who wrote one single book, which he called his Essais. At one point Montaigne was asked by a pregnant duchess to give his views on education. She apparently believed he could give her a few ideas about educating her own child. For this occasion he wrote a famous essay entitled “Of the education of children” (1579). I would like to present

The 441st Convocation
Address: “‘A well-made rather than a well-filled head’: A Humanist’s View of Education”

By Philippe Desan

From antiquity to the present, people have always been interested in education. In France, for example, from Montaigne in the sixteenth century, to Rousseau and Marx in the eighteenth and nineteenth centuries (I know Marx is not French, but we read a lot of Marx in France in the early seventies), to Sartre in the twentieth century, thinkers have pondered what education should look like. America has even developed a concept of “liberal education” that in fact is not so different from the trivium and the quadrivium of the Middle Ages. I will argue that, although models of education certainly change over time, in the end they are not all that fundamentally different.

To return to France, every time a new model of education becomes popular, it is always an attempt to improve on the education that preceded it. And yet, one education is never complete. What is missing, nonetheless, was a way to sort out the new and newly-available books. Let me quote Montaigne here: “To know by heart is not to know; it is to retain what we have given our memory to keep. What we know rightly we dispose of, without looking at the model, without turning our eyes toward our book. Sad competence, a purely bookish competence! I intend to substitute as decoration, not as foundation.”

Montaigne writes precisely at this time when knowledge became rather conveniently accessible (although not yet on a CD-ROM): “What was missing, nonetheless, was a way to make sense of all the books, to create some kind of order out of this confusion. Again I quote Montaigne on this issue: “It is more of a job to interpret the interpretations than to interpret the things, and there are more books about books than about any other subject: we do nothing but write glosses about each other.” (What would he say if he had the chance to browse at Barnes and Noble these days?) Confronted with a mass of contradictory statements about Man and the Universe, Montaigne understood that the key to a good education was the ability to question the abundance of knowledge out there. Of his own education, Montaigne wrote: “To sum up, I know that there is such a thing as medicine, jurisprudence, four parts in mathematics, and roughly what they aim at. And perhaps I also know the service that the sciences in general aim to contribute to our life. But as for plunging in deeper, or gnawing my nails over the study of Aristotle ... or stubbornly pursuing some part of knowledge, I have never done it” (“EC” 106–107).

An education is never complete. What is there left to be explored? you will ask. Montaigne would reply: “My conceptions and my judgment move only by groping, staggering, stumbling, and blundering; and when I have gone ahead as far as I can, still I am not satisfied: I can still see country beyond” (“EC” 107). You might think that you have acquired all the knowledge you need, or you might feel well equipped to tackle the real world, but do not be fooled by the books you have absorbed. They still require your judgment. It is not enough to learn passively; one must also espouse knowledge: “There is nothing like arousing appetite and affection; otherwise all you make out of them [students] is waste loaded with books. By dint of whipping, they are given their pocketful of learning for safekeeping; but if learning is to do us any good, we must not
merely lodge it within us, we must espouse it ("EC" 131). Beware! Becoming overconfident always has a price attached to it. Or, as Montaigne said, “Only the fools are certain and assured” ("EC" 111). And here I could also quote another great Renaissance writer, Dante. “Doubting pleases me no less than knowing,” he said. You have certainly learned things, even objective things, but the time has come to digest all that knowledge and to produce something original. You have a lifetime to do this. Go, from friend to friend, from place to place, from culture to culture. “The bees plunder the flowers here and there, but afterward they make of them honey, which is all theirs; it is no longer thyme or marjoram. Even so with the pieces borrowed from others; he [the student] will transform and blend them to make a work that is all his own, to wit, his judgment. His transform and blend them to make a work of culture: “The bees plunder the flowers here and there, but afterward they make of them honey, which is all theirs; it is no longer thyme or marjoram. Even so with the pieces borrowed from others; he [the student] will transform and blend them to make a work that is all his own, to wit, his judgment. His education, work, and study aim only at forming this” ("EC" 111). Personal experience is without question an essential part of an education, and even at the time of Montaigne, it became clear that it could not be acquired in just four years: “Everything that comes to our eyes is book enough: a page’s prank, a servant’s blunder, a remark at table, are so many new materials” ("EC" 112). In brief, one could argue that education is part of daily life; it is not something you receive on a campus or in a classroom. This “discovery” of the Renaissance is even more true today. In a sense, I see frowns. Do not worry; they have helped ourselves from the proper angle. In short, I would argue that you are now finished with your core requirements, and the electives are going to start. Life itself and its multitude of experiences are a series of electives. In the word “elective” is implied the notion of choice; understanding these choices is essential. Education is also about understanding and judging before making choices. “The gain from our study is to have become better and wiser by it. It is the understanding . . . that sees and hears; it is the understanding that makes profit of everything, that arranges everything, that acts, dominates, and reigns; all other things are blind, deaf, and soulless” ("EC" 112).

In this world of electives and choices it will be equally important for you to experience others, experience the world: “Mixing with men is wonderfully useful, and visiting foreign countries, not merely to bring back, in the manner of our French noblemen, knowledge of the measurement of the Santa Rotonda, or of the richness of Signora Livia’s drawers, or, like some others, how much longer or wider Nero’s face is in some old ruin there than on some similar medallion; but to bring back knowledge of the characters and ways of those nations, and to rub and polish our brains by contact with those of others” ("EC" 112). As Montaigne emphasized over and over, education does not stop after four years of college, or even a graduate diploma. You have received some tools which you will need to sharpen from time to time. Be on the edge; do not become dull. You will also need to modify those tools, taking into account your own individual experiences. New material will need to be processed. Your education is far from complete.

By graduating in the fall quarter you have a definite advantage over students who graduate at the usual time, in the spring: you can have this time to travel. “This great world, which some multiply further as being only a species under one genus, is the mirror in which we must look at ourselves to recognize ourselves from the proper angle. In short, I want it to be the book of my student” ("EC" 116). Here I am looking at your parents and I see frowns. Do not worry; they have helped you and supported you in your educational endeavors during these last four years, and you can explain to them that experiencing the world (that is to say, different cultures) is also part of your education. Go, spend this semester abroad if you have not already done so. But do not go to Paris—you will not find any humanist working these days.

The aims of education, as I hope you have understood, have not really changed during the past four centuries. As a humanist, I sometimes find it reassuring to see that other humanists (those of the Renaissance) had some pretty good ideas about education. A few years ago, in an evaluation on a course I had just taught on the French Renaissance, one young student commented: “This guy really knows Montaigne as if he was his brother.” Well, I am not ashamed to have plagiarized my humanist brother in writing this convocation speech. With Montaigne I will conclude that education should strive to form “a well-made rather than a well-filled head” ("EC" 110). I hope that you have felt some of that “head shaping” at the University of Chicago. But let us not be arrogant about it; it is now up to you to continue this process and make certain that you keep this “well-made head” on your shoulders.

Notes

Philippe Desan is Professor in the Department of Romance Languages and Literatures and in the College, Master of the Humanities Collegiate Division, and Associate Dean of the Division of the Humanities.

Summary
The 441st convocation was held on Friday, December 15, 1995, in Rockefeller Memorial Chapel. Hugo F. Sonnenschein, President of the University, presided. A total of 374 degrees were awarded: 47 Bachelor of Arts in the College, 1 Bachelor of Science in the College and the Division of the Physical Sciences, 5 Master of Science in the Division of the Biological Sciences and the Pritzker School of Medicine, 30 Master of Arts in the Division of the Humanities, 19 Master of Science in the Division of the Physical Sciences, 61 Master of Arts in the Division of the Social Sciences, 1 Master of Arts in Teaching in the Division of the Social Sciences, 94 Master of Business Administration in the Graduate School of Business, 1 Master of Liberal Arts in the Center for Continuing Studies, 5 Master of Arts in the Divinity School, 3 Master of Divinity in the Divinity School, 3 Master of Arts in the Irving B. Harris Graduate School of Public Policy Studies, 3 Master of Arts in the School of Social Service Administration, 2 Doctor of Law in the Law School, 1 Doctor of Jurisprudence in the Law School, 18 Doctor of Philosophy in the Division of the Biological Sciences and the Pritzker School of Medicine, 14 Doctor of Philosophy in the Division of the Humanities, 16 Doctor of Philosophy in the Division of the Physical Sciences, 36 Doctor of Philosophy in the Division of the Social Sciences, 4 Doctor of Philosophy in the Graduate School of Business, 7 Doctor of Philosophy in the Divinity School, 1 Doctor of Philosophy in the Irving B. Harris Graduate School of Public Policy Studies, and 2 Doctor of Philosophy in the School of Social Service Administration.

Philippe Desan, Professor in the Department of Romance Languages and Literatures and in the College, Master of the Humanities Collegiate Division, and Associate Dean of the Division of the Humanities.