

# The Consequence-Free University

By Naomi Schaefer Riley

Pete Gillen, a former basketball coach at the University of Virginia, recently reflected on the behavior of his players over the years. "Whether it's a DUI, or a guy getting in fights, or a guy stealing, or worse, things happen at every school in the country." In other words, bad behavior is everywhere. Small comfort for the family of Yeardeley Love, the young woman who was found dead in her Charlottesville, Va., apartment this month.

George Huguely, a lacrosse player at the university, who has admitted to banging Love's head against the wall immediately prior to her death, has had other run-ins with police. In November 2008, he was arrested near a Washington and Lee University fraternity house. The arresting officer said she had to use a Taser gun to subdue him. And she told *The New York Times* that Huguely threatened to "kill everyone" at the police department. "He was by far the most rude, most hateful and most combative college kid I ever dealt with," she said. And there are now reports that he sneaked into the bedroom of one of his teammates last year and attacked him in his sleep. Don't worry, though. Huguely was "disciplined" by his coach at the next practice, according to the *Washington Post*. An extra set of push-ups and five laps should fix the problem.

The UVa administration is claiming to have had no knowledge of Huguely's violent past because students are responsible for reporting their own arrests to the university. (How often does that happen, one wonders.) But what about the other seven players on the men's lacrosse team who have been charged with alcohol-related offenses, including driving while under the influence? Six of them were convicted or pleaded guilty, but the university let them remain enrolled and on the team.

Pete Gillen's explanation—very likely shared by many coaches and administrators—that "young kids at that age think they're invincible" and that "when you're a star athlete ... you think you're king," is more than a little unsatisfying. Why do colleges put up with this behavior? Why are these kids still on campus? And it's not just athletes who are insulated from the consequences of their actions. It's college students in general for whom the rules, and the role of the administration in enforcing them, are rather fuzzy.

Young men routinely engage in bad behavior; you don't have to be a star athlete to have a heightened sense of invincibility. The difference is that for the non-college-going group, there are serious consequences to their actions. Not only legal ones, either. People who are convicted of alcohol-related offenses often lose their jobs, their apartments, and their vehicles. In other words, lives are ruined by these sorts of mistakes, but not if you're in college.

Gillen suggests that incidents of theft and assault are also not uncommon among the players he has coached. Does anyone think that employers, landlords, and law-enforcement officers look the other way when men engage in these activities off the campus?

It's been quite a while since American colleges and universities decided that they were no longer going to be acting *in loco parentis*. But most administrators still have trouble determining what their role is supposed to be. I remember as a freshman being told by a residential adviser that as long as your drink was in a closed cup, no one in a position of authority would demand to know the contents. But if, God forbid, someone found a hot plate or other "unauthorized appliance" in your dorm room, there would be serious trouble.

Colleges have embraced coed dorms and coed bathrooms, in the spirit of treating students as responsible adults in charge of their own bodies. But then they lecture undergraduates endlessly about sexual harassment and the finer points of condom use.

Some institutions still seem confused about how to deal with accusations of sexual assault when they occur. Are they supposed to act as referee, breaking up a fight between children, or as a bystander, and just refer the matter to law enforcement? A former Brown University student, for instance, just filed suit against the university for kicking him out after another student accused him of sexual assault. The student alleges that the university never told the police, but simply acted as judge, jury, and executioner, sending him home without any kind of hearing.

Given how broken colleges' discipline systems have become—secretive administrative boards, overseen by faculty members with a political ax to grind and administrators with little concern for rules of evidence—it is a good thing that most institutions turn these matters over to police. But that doesn't mean that colleges have no role in the process.

Colleges would not be overstepping their bounds to monitor student interactions with law enforcement. I suspect many of them already do, given the close relationship that most administrations have with local police departments. But yes, some misbehavior occurs off the campus. And if it means that administrators perform some kind of perfunctory background check to see who has been arrested since last semester, it seems a not unreasonable request. In fact, according to the *Washington Post*, UVA's president said last week that he would like the university to begin checking students against a statewide criminal database.

Critics may ask: Where will colleges find the time and resources to keep such close tabs on students? The answer is: They already do. Two weeks ago, all of Harvard Law School was up in arms over an offensive e-mail message sent by one student to two others suggesting that there is a possibility that blacks are genetically inferior to whites. Hours of faculty members' and administrators' time were

taken up with ensuring that the community wasn't offended by this particular young woman's private statements. No blood was shed, no law was broken. But the administration felt the need to intervene.

When students have been convicted of a real crime, or even a misdemeanor, the college has no obligation to keep them on the campus. Contrary to the rhetoric in Washington these days, a college education is a privilege, not a right.

*Naomi Schaefer Riley is writing a book on tenure and the academic labor market, to be published next spring by Ivan R. Dee.*