THE HONOR CODE
2000 - 2001

I. PREAMBLE

As Haverford students, we seek an environment in which members of a diverse student body can live together, interact, and learn from one another in ways that protect both personal freedom and community standards. If a diverse community is to prosper, its members must attempt to come to terms with their differences; this goal is only possible if students seek mutual understanding by means of respectful communication. By holding us accountable for our words and actions, the Honor Code acts as an educational tool, instructing us to resolve conflicts by engaging others in dialogues that yield greater awareness for all parties involved. By encouraging respectful conduct, we hope to create an atmosphere conducive to learning and growing.

II. INTRODUCTION

We believe the values articulated in the Honor Code create an open and supportive environment that promotes personal and community growth; hence, we ascribe to the principles in the Code.

Community Standards

The Honor Code depends for its effective operation on our personal concern both for each other and for ourselves, along with our collective concern for the maintenance of the community standards reflected in the Code. These three concerns (regarding ourselves, others, and community standards) are central to the functioning of the Code, and have meaning only as they form the basis for the conduct of our daily lives. When we speak of "community," we imply the student body, faculty, staff, and administration, each of which contributes to the collective conception of community standards.

The Code makes it possible for a climate of trust, concern, and respect to exist among us, a climate conducive to personal and community growth. Growth arises from honest exploration and
analysis. Only by treating ourselves with dignity and self-respect can we experience genuine honesty with ourselves and others.

Confrontation

In order to maintain the atmosphere of trust, concern and respect, we must be willing to face situations that may be uncomfortable. We cannot always expect to feel at ease when confronting another student about his/her actions. Despite the difficulty sometimes entailed in challenging the behavior of a fellow community member, we must take upon ourselves individually the responsibilities stated in the Code, or be ourselves in violation of the Code because of our failure to act. As confrontation is often a matter between two individuals or parties, it is advisable to exercise discretion and respect privacy accordingly when initiating a dialogue.

Confrontation is one of the primary means by which community members can learn from one another and thereby facilitate the realization of a truly diverse environment. It should often take the form of a constructive, engaging discussion, especially in non-academic concerns. “Confrontation,” in the Haverford sense, can be defined as initiating a dialogue with another community member, with the goal of reaching some common understanding by means of respectful communication. It should be understood that achieving a common understanding does not necessarily mean reaching agreement.

Honor Council

Although we are each responsible for doing our part to uphold the standards of the community, some administrative responsibilities must be carried out by a community body. In addition we may sometimes be unable to resolve conflicts with others or actions may occur which breach the trust of the community in a very serious way. It is Honor Council’s task to manage the administrative aspects of the Honor Code and to help resolve difficult situations and apparent violations of the community’s trust. Honor Council is charged with interpreting the sections of the Code that leave room for flexibility. It is, for example, Honor Council’s responsibility to decide if a situation warrants the convening of a trial or if it can be resolved on a less formal basis.

Consensus

All decisions made by Honor Council, including those approving Council publications, are made by consensus. This method depends on reaching unity; it is time-consuming and requires that all present avoid obstructionism in a common search for agreement, but it has the great advantage of not leaving behind an unhappy minority.

It should be noted, however, that unity does not necessarily require unanimity. When discussion has reached a point where the chairperson proposes a decision that clearly has the support of the “weight of the group,” remaining dissenters can, and often do, withdraw their disagreement in order that unity be achieved. If the disagreement is fundamental, and becomes a matter of conscience, the dissenter may block consensus and discussion must continue with the object of finding a new formulation that is satisfactory to all. If consensus among all jury members cannot be reached after lengthy discussion, then, with the agreement of all jury members, consensus can be declared with any dissenters being recorded as standing outside of it. There can be no more than two dissenters.

Confidentiality

As confrontation is often not a public matter, Honor Council will keep all cases brought before it in the strictest confidence. This allows individuals in the community to bring issues to Honor Council without fear of attaching a public stigma to parties involved.

The Pledge

We realize that as part of the Haverford College community, our actions affect those around us and the spiritual quality of this institution. We understand that membership in the Haverford community is dependent on commitment to the Honor Code, as illustrated by our signing the Honor Pledge card, which states: “I hereby accept the Haverford Honor Code, realizing that it is my duty to uphold the Honor Code and the concepts of personal and collective responsibility upon which it is based.” We all must sign the Honor Pledge prior to our admission or readmission to the college, and our withdrawal from this commitment will result in separation from the community.
III. JURISDICTION

The Honor Code applies to both the academic and social realms of Haverford College. All students at Haverford, including Bryn Mawr, Swarthmore and University of Pennsylvania students enrolled in Haverford courses, are obligated to adhere to the Code, and are under its jurisdiction while on this campus, and while doing work for Haverford courses. Haverford students studying abroad are also compelled to behave in accordance with the Code.

A. ACADEMIC CONCERNS

As students we are responsible for proper conduct and integrity in all of our scholastic work. We must follow a professor’s instructions as to the completion of tests, quizzes, homework, and laboratory reports, and must ask for clarification if the instructions are not clear. Students should not give or receive aid when taking exams, unless the professor specifies this practice as appropriate. In addition, students should not exceed the time limitations specified by the professor.

Plagiarism

If a student represents “another person’s ideas or scholarship as his/her own” (p. 53 Faculty Handbook), that student is committing an act of plagiarism. Students are expected to properly cite (in footnotes, quotations, and bibliography) all sources used in the preparation of written work, including examinations, unless otherwise instructed by the professor who assigned the work. It should be noted that some professors consider the memorization and reproduction of material without citing its source as an act of plagiarism.

It is each student’s responsibility to find out exactly what each of his/her professors expects in terms of acknowledging sources of information on papers, exams, and assignments. A gross act of plagiarism constitutes a student’s withdrawal from the commitment to the academic honesty required by the Honor Code, and will normally result in separation from the community.

B. SOCIAL CONCERNS

Our social relationships should be based on mutual respect and concern. We must consider how our words and actions may affect the sense of acceptance essential to an individual’s or group’s participation in the community. We strive to foster an environment that genuinely encourages respectful expression of values rather than unproductive self-censorship. Upon encountering actions or values which we find degrading to ourselves and to others, we should feel comfortable initiating dialogue with the mutual goal of increasing our understanding of each other.

C. CONFRONTATION

As individuals who are also members of a community, we are obligated to examine our own actions as well as the actions of those around us in light of their effect on the community. If it becomes clear through self-reflection or through expressions of concern by others, that either our academic or social conduct represents a violation of community standards, we are obligated to report our own breach to Honor Council, even if doing so may result in a trial and the possibility of separation from the college.

Similarly, we must confront others when their conduct disturbs us. Ideally, conflicts like this will be resolved through an initial stage of respectful communication and dialogue. When we confront another student whose behavior has disturbed us, we must recall that this process is a dialogue in which each party first tries to understand the standards and values of the other in order to avoid self-righteousness or the appearance of moral superiority. Additionally, a member of Honor Council may act on behalf of another student in an initial confrontation if this process would cause the student involved undue emotional anguish or place him/her in physical danger (i.e., cases of physical assault).

If a problem arises which cannot be resolved by the students involved, the confronted student is asked by the confronting party to contact an Honor Council member to help. If a confronting party has asked the confronted student to contact an Honor Council member, and a Council member has not acknowledged this report to the...
confronting party within one week of the request, then the confronting party is obligated to report the matter him/herself.

Members of the faculty follow a similar procedure in cases of suspected academic violations. They first discuss the problem with the student; then, if not satisfied that a breach of the Code did not occur, urge the student to report him or herself to Honor Council. If the student does not do so promptly, the faculty member will take the matter to the Honor Council.

Since we do hold ourselves responsible for each other, the failure to confront or to report another student involved in a breach of the Honor Code is itself a violation of the Code.

If community members cannot resolve an issue amongst themselves, one of four circumstances will take place:

1. ACADEMIC TRIAL

If a resolution cannot be reached, Honor Council will decide if the academic situation needs to be resolved in a trial. A trial is necessary if a student is suspected of having violated our community academic standards and must, therefore, answer to the community for his/her actions. Almost all cases of suspected academic dishonesty are resolved in a trial.

2. STUDENT FACILITATION PANEL

Often the initial discussion during a confrontation or a discussion mediated by Communication Outreach or trained Honor Council Members is sufficient to resolve a problem between students. In cases when it is not, or in cases when this dialogue is not possible, a Student Facilitation Panel will be called by Honor Council. The Panel's primary goals are facilitating respectful communication with the intent of reaching some common understanding, and encouraging individuals to take responsibility for past actions.

3. JOINT STUDENT/ADMINISTRATIVE PANEL

Occasionally, situations may arise which do not necessarily require immediate action, but which are, legally, administrative concerns and at the same time concern students socially. Such cases will be dealt with by a joint student-administration committee, consisting of four Honor Council members (to be chosen by Council and the Dean of the College), the Dean of the College, and one additional Dean. Examples of situations where such a committee will be used are drug dealing, sexual abuse, and cases where legal authorities are active on campus.

4. SUMMER TRIAL

If a violation is reported after the beginning of summer break, the Chairperson of Honor Council will contact members of Honor Council and invite five of them to the College where they will decide whether a trial is necessary. Convening a Summer Trial is optional, for the confronting and confronted parties may refuse and instead wait until the fall to resolve the issue according to the standard trial procedure.

Jury Responsibilities

The jury's task is to find a resolution that balances, as fairly as possible, the interests of the community as a whole and those of the individual student involved. The goals of resolutions are to repair the breach of trust, and to achieve and address accountability and education. Although this is a community based on trust of all community members, there are times when the jury may be presented with a conflict between testimony and apparent fact, or between two testimonies. It is the duty of jury members to balance their trust of community members with their obligation to determine what has happened before they can arrive at any resolutions. If they are ultimately satisfied that their conclusion is correct beyond a reasonable doubt, then they may find the student in violation despite his/her claims to the contrary.

Appendix A: Regarding the Nature of Honor Council and the Election Process

Honor Council is an elected group of 16 students (four from each class) which administers the Honor Code on behalf of the community.

Although we are each responsible for doing our part to uphold the standards of the community, some administrative responsibilities must be carried out by a community body. In addition we
may sometimes be unable to resolve conflicts with others or actions may occur which breach the trust of the community in a very serious way. It is Honor Council's task to manage the administrative aspects of the Honor Code and to help resolve difficult situations and apparent violations of the community's trust.

Among the administrative responsibilities of Honor Council are the following: producing literature about the Code for prospective students; introducing first year students, transfers, and new faculty members to the Code; publishing abstracts about past cases; advising faculty about specific situations they may discover; and informing the community of campus issues related to the Code.

ELECTIONS

Honor Council is made up of 16 students, four from each class. The chairperson and the secretary are elected by the entire student body, and the other fourteen are elected by the members of their classes only. All council members serve one-year terms, except all first-semester and two second-semester first-year students, and seniors elected in the second semester. Elections are staggered to allow overlap in Council membership of new and experienced members.

Elections are held during the first two weeks in September and by the end of the third week of the spring semester. The Honor Council Chair is elected in the third week of April, in accordance with procedure outlined in Article III, Section 4, Part 2 of the Constitution. In September, four first-year students and two members from every other class are elected. The first-year students serve for only one semester. The Honor Council Secretary is elected in January, for a one-year term.

To maintain a balance of class membership, the secretary's class has three regular representatives instead of four. In February, the first-year class again elects four members. The two with the greatest number of votes serve one-year terms. The other classes elect two members for one-year terms, except the chairperson's class, which elects as many members as needed to balance the class allocation.

If the "No Vote" category wins a plurality of votes for secretary, one more open election will be held. This election will take place a week after the initial election to allow ample time for candidates to make themselves known. If no student candidate receives a plurality of votes, elections for other representatives will be held according to the class positions available.

Candidates for secretary will be recruited from the newly-formed Honor Council, and another community-wide election will be held. If "No Vote" category wins/ties yet again, Honor Council will have the right to appoint an interim secretary (or secretaries) from among its members. Whether the Honor Council member is elected or appointed, his/her term will end in April. Elections for the remainder of the year-long term will be held according to this same procedure.

Appendix B: Honor Council Responsibilities

A. RESPONSIBILITIES TO THE COMMUNITY

1. In the interest of keeping the community informed, abstracts must written within four weeks of every trial, joint panel or SFP. Abstracts must be released immediately upon being written, unless one or more of the individual(s) involved in a trial, panel, or SFP requests that the abstract be delayed. If an individual(s) requests that the abstract be delayed, Honor Council will weigh the importance of keeping the community informed with the effects of immediate release on the confidentiality of the involved individual(s). Honor Council will then reach consensus on whether or not to withhold the abstract. Abstracts may be withheld for no longer than one year.

Abstracts are detailed enough to outline the issues, but vague enough to protect the confidentiality of the people involved. No names or revealing information such as specific dates, classes, instructors or, in social cases, any detailed information which would identify any individual, are included. Abstracts may be published for mediations and discussions as well if the Honor Council feels that the community could benefit from their distribution. All abstracts are kept on file and maintained by Honor Council and are left accessible to the
entire community. Following the publication of the abstract, a community wide abstract discussion will be held by Honor Council so that community members can voice their questions and thoughts on the trial. Additionally, any member of the community who would like to speak to the Council about the trial can notify the chairperson and attend the next Honor Council meeting to discuss the trial.

2. Honor Council is responsible for documenting all changes made to the Honor Code over the course of its term. This record should also include all major publications (i.e., committee findings, letters of concern from the administration and faculty, etc.) regarding the Honor Code. This record will remain accessible to all community members so that they can view the history and changes of the Honor Code.

3. Honor Council should be involved in the education of the community about social concerns such as alcohol abuse, sexual harassment, emotional stress and drug abuse. While Council members are not trained to be crisis counselors, Council can serve as a source of information where students can go for help. In addition, Council can serve as a consciousness-raising body, by holding discussions, sponsoring collections and lectures, and distributing queries about these sensitive issues.

4. Honor Council should post signs and otherwise remind students that the form, content, and degree of difficulty of any examinations are not to be discussed during finals week. While this rule applies for all exams, it is especially crucial to remind students of the importance of exercising discretion and of not discussing examinations during finals week.

5. It is the responsibility of the Honor Council to provide up-to-date and informative literature about the Honor Code for prospective students. The Council should keep the Admission Office informed of any changes or new developments which would be of interest to prospective students.

6. During Customs Week, Honor Council should spend a substantial amount of time discussing the Honor Code with first-year students and transfers. There should be an introduction to the entire group of incoming students made by the chairperson, and a historical perspective of the Code given by an appropriate community figure. The introduction should be followed by at least two meetings involving each Customs group and its Honor Code Orienteer. Honor Code Orienteers will be members of the community who have undergone training sessions with Honor Council. It is recommended that the introduction and the first of these meetings take place on the same day, and the second meeting on the next day.

7. As student leaders and representatives of the community, Honor Council members are urged to participate in community-oriented activities such as Collection, special lectures, plenary, and community celebrations.

B. RESPONSIBILITIES TO THE INDIVIDUAL

1. All matters involving individual students which are brought to Honor Council's attention must remain in strict confidence. No Council member shall discuss cases in progress with other students who are not members of Council. After a matter has been resolved, Council members may discuss the case in abstract, but should be extremely careful not to reveal the identity of anyone involved.

2. While precedent is to be used as a guide in handling concerns, each case is still to be considered on its own merits.

3. If a case must be resolved in a trial, Council members who feel that they cannot be objective should remove themselves from the jury.

4. Honor Council must follow the stated procedures for handling concerns. A breach of procedure will be grounds by which the confronted student, in the hope of altering the Council's decision, may appeal to the President of the College.

C. RESPONSIBILITIES WITHIN HONOR COUNCIL

1. Honor Council is charged with interpreting the sections of the Code that leave room for flexibility. It is, for example, Honor Council's responsibility to decide if a situation warrants
the convening of a trial or if it can be resolved on a less formal basis. It is the Honor Council's responsibility to handle each case as a unique situation, yet keep in mind that it is also one of a number of similar occurrences, and will therefore serve as a precedent for future cases brought to the Honor Council. In interpreting the Code, it is the Honor Council's responsibility to consider both the community and the individual involved, and to try to find the balance between what is best for both.

2. Honor Council meets on a weekly basis, to discuss current issues involving the Code and any individual concerns which members of the larger community have brought to the Council's attention. These meetings are closed to the community at large, as confidentiality must be observed. However, anyone may attend an Honor Council meeting by making prior arrangements with the chairperson. In addition, minutes of meetings will be published on a regular basis, to keep the community at large informed of Honor Council's actions. The chairperson can call special meetings in addition to the weekly meetings if it is necessary to do so.

3. After trials, Council members who were on the jury will discuss the trial in detail with the rest of the Council, sharing their impressions, reactions, and reasons for reaching the decisions they did. This discussion is an important educational experience for both the jury members and the rest of Council. It is important that there be constructive criticism of the process and the performance of the jury so that improvements can be made.

4. New Council members are given a thorough introduction to the functioning of Honor Council. They should read the filed abstracts of past cases and be informed of policies and interpretations Council is adopting. In choosing jury members, there should be a healthy mixture of experienced and inexperienced Council members, so that new members can gain experience while there is still continuity and overlap in jury membership.

5. At the end of the second semester, Honor Council members may need to remain on campus for a few extra days to finish cases and hold trials, if they cannot wait until the next year.

D. RESPONSIBILITIES OF THE HONOR COUNCIL SECRETARY

1. The Honor Council secretary is a full member of the Honor Council and participates in all discussions and mediations which occur in the Council as a whole. It is the specific duty of the secretary to take notes and publish minutes of Honor Council meetings, and to take care of the typing and copying of Honor Council publications. Since these tasks can be time-consuming, the secretary can be relieved of some other Honor Council duties, at his/her own discretion.

2. Since the secretary and the chairperson are elected on a staggered basis, it is also the responsibility of the secretary to aid the new chairperson in adjusting to his/her office and to inform him/her of cases which have been carried over from one chair to the next.

E. RESPONSIBILITIES OF THE CHAIRPERSON

1. The chairperson is also a member of the executive council of the Students' Association and is welcome, but not required, to attend Students' Council meetings and take part in its activities as well as those of Honor Council.

2. The chairperson is responsible for seeing that all procedures are followed and that Honor Council's responsibilities are carried out.

3. It is the chairperson's responsibility to see that all Honor Council members participate and share in doing the Council's work. If some members of the Council are not doing an adequate job, he/she should talk to those members and voice his/her concern to them. If improvement is not noted, then the entire Council should discuss the problem. A continued deficiency can result in the Council's forbidding (by consensus) a student to run for re-election to the Honor Council.

4. At the end of his/her term, the chairperson will submit a report to the next chairperson which describes the Council's activities (in brief) over the past year, and which gives hints about what to expect and how to deal with specific problems which may arise.
5. The Honor Council chairperson will keep the Dean of the College informed of cases which come to the Council’s attention. After every trial, the chairperson will notify the Dean of the College of the recommendation of the jury within 24 hours of the trial’s completion. The chairperson will subsequently submit a report to the Dean giving a reasonably detailed account of the trial and the resolution agreed upon by the jury.

6. At the first faculty meeting of every semester, the Honor Council chairperson will report to the faculty the past semester’s Honor Council activities, trials, and concerns. At the beginning of every year, an orientation for new faculty members will be held before classes start. All new faculty, and those who have been away for a year or more, will be expected to attend.

7. At the end of his/her term, the Honor Council chairperson will submit a written report to the President of the College, reviewing the past year’s cases and Honor Council activities. The President of the College will refer to this report before he/she decides to renew the policy of student administration of the Honor Code for the coming year.

Appendix C: Universal Trial Procedure

If a resolution to a conflict cannot be reached through confrontation, Honor Council will decide if the situation needs to be resolved in a trial. A trial is necessary if a student is suspected of having violated our community standards and must, therefore, answer to the community for his/her actions.

A. PRE-TRIAL

Before the trial, the confronted student and the confronting party will be informed by an Honor Council member about the trial procedure and their roles in the process. The confronted student must be informed in writing of the reasons why he/she was referred to Honor Council, and Honor Council must explain to the student why a trial is being held to resolve the situation. The student must be informed of who will be on the jury. He/she may remove up to three members if he/she feels they cannot be objective.

B. ROLE OF THE HONOR COUNCIL CHAIR IN A TRIAL

The chairperson of Honor Council is automatically a member of every trial or other procedure, except in extenuating circumstances, when, with the permission of the student involved and the Dean of the College, s/he need not be. The Honor Council Chair shall act in an appropriate capacity specific to each procedure (i.e., either as chairperson, jury/panel member, or support person to the chairperson). In cases where the Honor Council Chair will not be leading the procedure, Honor Council will appoint an experienced Honor Council member best suited to chair the trial. Student Facilitation Panel Joint Student Administration Committee. When the Honor Council Chair not chair a trial/panel, the abstract for that trial/panel will include the role the Chair played in the trial/panel, and the specific reason(s) for this decision.

C. ROLE OF THE JURY IN A TRIAL

The jury’s task is to find a resolution which balances, as fairly as possible, the interests of the community as a whole and those of the individual student involved. Although this is a community based on trust, when the jury is presented with a conflict, it is the duty of its members to balance their trust with their obligation to determine what has happened before they can arrive at a resolution. If they are ultimately satisfied that their conclusion is correct beyond a reasonable doubt, then they may find the student in violation despite his/her claims to the contrary. The jury will answer three questions:

1. Does what happened constitute a violation of the Honor Code?

2. If it does, what were the circumstances under which this occurred?

3. What is an appropriate action in response to this problem?

D. ROLE OF THE SUPPORT PERSON

The role of a support person is to be available (whether attending a trial or for emotional support. Broadly speaking, support people are not supposed be “witnesses” or “legal counsel,”
although their specific role in any particular trial is up to the Chairperson.

1. FOR THE CONFRONTED AND CONFRONTING PARTIES

The confronted party may bring another community member to the proceedings for support. If the confronting party is a student, s/he may bring another student to act as a support person. It is strongly recommended that a support person for a confronting party have no direct connection to the issue involved in the trial.

2. REGARDING FACULTY

If the confronting party is a member of the faculty, s/he may consult with another member of the community for advice and support (as outlined in the Faculty Handbook) although they should not reveal the identity of confronted party. Faculty members will not attend the trial proceedings as support people.

E. THE ACTUAL TRIAL

1. FACT FINDING

At the beginning of the trial, the chairperson will give a brief review of the trial's purpose, answer any procedural questions, remind those assembled of the need to maintain confidentiality, and ask jury members whether they feel they can be objective.

The first part of the trial will focus on the facts. The confronting party will tell the jury what he/she believes the problem is, and why he/she felt it should be brought to Honor Council. The student will then give the jury his/her view of the situation. The jury will be free to ask fact-seeking questions of all parties. After the jury feels that it has no more fact-seeking questions, the two parties will leave the room.

All persons involved in the trial, including confronting and confronted parties, support persons, and jurors, should consider the importance of maintaining confidentiality insofar as it affects all others involved in the trial.

2. JURY DELIBERATION

During the next part of the trial, the jury will decide whether or not it feels that the event described transgresses the values and standards of the community, as expressed in the Honor Code. This decision must be reached through consensus. During the course of a trial, the jury may request that the confronted party return to answer more factual questions. When this occurs the confronting party will be given the option of either returning to the proceedings or waiving his/her right to be there. If there is more than one confronted or confronting party in a trial, the jury has the right to request that an individual person be questioned out of the other's presence. For this action to take place, the confronted and confronting parties must give their consent.

If the jury feels it needs to recess until the following business day, it may do so. During a recess, jury members may not discuss cases in progress with anyone, except other jurors and for support purposes. All individual discussions will be brought to the entire jury's attention at the next jury meeting:

If it is decided that the student's actions were not in violation of the Code, the matter is dropped, and both parties are so informed.

3. CIRCUMSTANTIAL

If it is decided that the actions were in violation of the Code, then the student will return. All points made in the confronted person's absence will be repeated to him/her by the chairperson. The jury will ask him/her about the circumstances surrounding the event in question. After this discussion, the student will be asked what he/she feels is a fair resolution of the problem and why. The jury will then discuss various resolutions with the student.

4. JURY DELIBERATION

When the chairperson feels it appropriate, the student will leave the room, and the jury will continue discussing resolutions and will reach consensus on one that it feels is just.

After this initial consensus, the jury will adjourn for at least one, but no more than two business
days to think privately about the issues involved in the trial, and to rest. A juror will inform the confronted and confronting parties of the jury’s tentative resolution. At this point, jury members will not discuss cases in progress with anyone, including other jurors. The jury will then reconvene and either reaffirm its position or reach consensus on another action.

5. PRESENTATION OF THE RESOLUTION

The confronting and confronted parties will then be asked to return to hear jury’s resolution and, if they disagree with this resolution, present their own to the jury. The confronting party, the confronted party and the jury will discuss their reasons for making their decisions; the confronting and the confronted party will leave; the jury will decide if it wants to change its recommendation.

The jury will then reach a final consensus on a recommendation which the chairperson will present both orally and in writing to the confronting party, the student, and the Dean of the College. Before the trial is adjourned, the jury will choose one of its members to act as a liaison between the jury and the President in the event of an appeal or administrative offering of alternative resolutions. The liaison’s function will be to speak with the President to explain the jury’s position and answer any questions.

F. POST-TRIAL

In an academic case, if the Dean of the College feels that the jury’s resolution is unsatisfactory, he/she may make a recommendation of his/her own to professor, after discussing the recommendation with the jury. A student’s final grade in a course is the professor’s decision, as neither the jury nor the Dean can do more than recommend to a professor that a certain grade be given in a course. However, in cases where the jury and/or Dean recommend that a student be separated from the College, or any other sanction which does not involve a grade alteration, the professor has no jurisdictional power to change that resolution. In such cases, and in social cases, if the Dean strongly disagrees with the jury’s recommendation, s/he may offer resolutions to the President. The Dean’s recommendation will be only after discussion with the jury about the resolutions, and not longer than one week after receiving the Chairperson’s report detailing the trial.

Before making a decision, the President will speak with the jury or its liaison. Following their discussion, the President will have one week (while present at the College) to make his/her final decision on what will be done.

Appeal

A student has a period of five business days from the time of the trial’s completion in which to appeal to the President to change the resolution. The appeal must be presented orally and in writing, and may be made on either substantive or procedural grounds.

Appendix D: Specific Trial Procedure

A. ACADEMIC TRIAL

Almost all cases of suspected academic dishonesty are resolved in a trial. The Honor Council will designate a non-involved Council member to explain to the confronted individual the alleged charges, to explicitly inform the person of his or her rights, to familiarize the individual with the trial procedure, and to describe the implications and purpose of each step of the trial process. If Honor Council decides that a trial must be held to resolve a problem, 6 of its 16 members, along with 6 randomly chosen members of the community, will serve as the jury. The random jurors will be chosen from a random jury list maintained by the Honor Council Secretary. The Honor Council will the goal of achieving a more diverse jury by ensuring that at least three members of the 12 members of the jury will be representative of Haverford’s multicultural population. This will be accomplished by randomly selecting the appropriate number of jurors from a multicultural list maintained by the Honor Council Secretary. The balance of the jurors from the community will be chosen from a list of the general student population.

B. STUDENT FACILITATION PANEL TO RESOLVE "SOCIAL" CASES

Often the initial discussion during a confrontation or a discussion mediated by
Communication Outreach or trained Honor Council Members is sufficient to resolve a problem between students. In cases when it is not, or in cases when this dialogue is not possible, a Student Facilitation Panel will be called Honor Council. The Panel’s primary goals are facilitating respectful communication with the intent of reaching some common understanding, and encouraging individuals to take responsibility for past actions.

Structure of Panel: This Panel will consist of six members of the Students’ Association, three of whom will be Honor Council members trained in mediation, including the Chair, and three will be randomly selected community members. Two of the Panel members will be chosen from the multicultural list maintained by the Honor Council Secretary, and at least one will be a student not currently serving on Honor Council. The procedure followed by such Panels is as follows:

1. ORIENTATION

Honor Council will designate a non-involved Council member to meet separately with each party in order to explain the purpose and implications of the Facilitation Panel process. At this time the confronted party will be informed of who will serve on the Student Facilitation Panel. The confronted party may remove up to two members if he/she feels they cannot be objective. During these meetings, the Honor Council member will also help each party to articulate his/her concerns about the issue to be shared with the other party and the Panel. Each party will then prepare a comprehensive statement of every issue which s/he wishes to discuss. This statement will be read by each party as well as the Panel prior to any further meeting.

2. PREPARATORY MEETING

The Panel will meet to discuss the parties’ written statements. At this meeting the Panel will be given an introduction to the process and the basic of mediation. This introduction will emphasize impartiality and confidentiality, the format of procedure, and a reminder of the goals of this process. At this meeting the Panel will look at the following sorts of questions:

How and why did the communication breakdown occur?

What are the personal issues that the parties should address?

What are the community issues that should be addressed?

In considering these types of questions, the Panel will discuss how they envision the Facilitated Dialogue to proceed.

3. FACILITATED DIALOGUE

After this preparatory meeting, the Panel and the disputing parties will meet. The parties will each tell their account without interruption. Following the opening narratives, the Honor Council Chair will guide a discussion of the relevant issues and concerns. The discussion and the questions asked will attempt to encourage s self-examination and the understanding of the opposing perspectives. This discussion will continue until one of the following occurs:

1) The parties have reached an agreement upon resolutions to their dispute. In this case, the Facilitated Dialogue will be followed by the procedure outlined in 4a.

2) The parties and the Panel reach consensus that further dialogue will not be productive. In this case, the Facilitated Dialogue will be followed by the procedure outlined in 4b.

4a. Consideration of Tentative Resolutions

Generated During Facilitated Dialogue

The meeting will adjourn for at least 24 hours. During this time all parties, including members of the Panel, will reflect on whether or not the tentative resolutions are comprehensive and sufficient. The Panel will meet during time to discuss any possible additions or revisions to the tentative resolutions.
4b. Consideration of Alternative Resolutions to Unsuccessful Facilitated Dialogue

The Panel will meet separately in order to deliberate about how the parties' concerns might be addressed despite the apparent impossibility of further constructive dialogue. They then will formulate and reach consensus upon resolutions. In either 4a or 4b, if one party, or a Panel member, believes that a violation of the Honor Code might have occurred, this possibility will be discussed by the Panel. In order to reach a decision on whether there has been a breach of the Honor Code, the Panel may gather any additional contextual information they think is necessary. This may include contacting additional persons. At the conclusion of this portion of the process the Panel will reach consensus on any statement of violation, if they deem such a statement necessary, as well as possible resolutions.

C. JOINT PANEL

Occasionally, situations may arise which do not necessarily require immediate action, but which are, legally, administrative concerns and at the same time concern students socially. Such cases will be dealt with by a joint student-administration committee, consisting of four Honor Council (to be chosen by Council and the Dean of the College), the Dean of the College, and one additional Dean. Examples of situations where such a committee will be used are drug dealing, sexual abuse, and cases where authorities are active on campus. If a student wishes to appeal a decision made by this committee, the appeal must be made to the President of the College.

D. SUMMER TRIAL

By the end of the academic year, the Secretary of Honor Council will have gathered from among the entire student body a list of volunteers willing to serve on a summer trial. If a violation is reported after the beginning of summer break then the Chairperson of Honor Council will contact members of Honor Council and invite five of them to the College where they will decide whether a trial is necessary. If such a trial is called two additional jurors will be selected randomly from the list of volunteers. Transportation for all jurors will be funded by the college.

This procedure is optional and the confronting and confronted parties may refuse and instead wait until the fall to resolve the issue according to the standard trial procedure. If this special procedure is chosen, however, the confronted party may remove only one member of the jury, not the usual three.

Appendix E: Ratification of the Honor Code

At Spring Plenary there must be a 2/3 vote in favor of ratifying the Code, followed by 2/3 of the student body signing and returning their ratification cards. If 2/3 of those assembled at Plenary do not ratify the Honor Code, the Code fails the first round of ratification and it is the responsibility of the Students' Association to create and sign a petition requesting the collection of a Special Plenary. 40% of the Students' Association must sign this petition conveying their desire for and pledging to attend a Special Plenary. If 2/3 vote in favor of ratifying the Code, ratification cards will be due the fourth and fifth days following Spring Plenary. The ratification card collection box will be located on a table in locations where Honor Council deems appropriate, with copies of the Honor Code accessible nearby. There will be an Honor Council member present at these locations to answer any questions and to receive any criticism of the Honor Code which arises in discussion. Honor Council will make ratification cards accessible in the variety of ways they see fit.

Ratification cards will have three options and a place for comments, questions, suggestions, or criticisms. Each student is strongly encouraged under the Honor Code to return the card or communicate to Honor Council reasons why she did not or could not.

a) I have thoughtfully considered my position on the Code and I vote for its ratification for the following reasons:

b) I have thoughtfully considered my position on the Code and I vote for its ratification, but I have the following objection(s):

c) I have thoughtfully considered my position on the Code, but I cannot vote for its ratification for the following reason(s):

——— 22 ———
If more than two-thirds of the student body checks either option “a” or “b”, then the Honor Code is ratified.

If less than two-thirds of the student body checks either option “a” or “b” but more than two-thirds of the student body returns their cards, then the Honor Code fails, but a Special Plenary will be scheduled to modify the Code in such a way as to enable a two-thirds majority to vote for ratification.

If less than two-thirds of the student body returns their cards, the Honor Code fails. Students should strongly consider the wisdom of convening a Special Plenary. Such a Plenary would be convened only if two-thirds of the student body signs a petition not only asking for the Plenary, but pledging to attend. At such a Plenary, two-thirds of the student body would constitute quorum.

Appendix F: Special Concerns

A. ADMINISTRATIVE CONCerns

Matters which would tend to overburden the Code (i.e. parking violations) are not handled by Honor Council, but by the appropriate offices of the College. Also, violent and life-threatening situations which require immediate action are handled by the administration of the College.

B. JOINT HONOR COUNCIL / ADMINISTRATIVE CONCerns

Occasionally, situations may arise which do not necessarily require immediate action, but which are, legally, administrative concerns and at the same time concern students socially. Such cases will be dealt with by a joint student-administration committee, consisting of four Honor Council members (to be chosen by Council and the Dean of the College), the Dean of the College, and one additional Dean. Examples of situations where such a committee will be used are drug dealing, sexual abuse, and cases where legal authorities are active on campus. If a student wishes to appeal a decision made by this committee, the appeal must be made to the President of the College.

C. HARASSMENT

All cases of alleged harassment (including those anti-Semitic, homophobic, racist or sexist) brought before Honor Council should also be brought before the Dean of the College. After the Dean of the College and the Chairperson of Honor Council have discussed the matter, the case should be brought before an EEOC (Equal Employment Opportunity Commission) Officer. Should the EEOC Officer decide that EEOC grievance procedures need to be instituted, Honor Council and the deans are asked to remove themselves from any judicial capacity in the case. Should the EEOC Officer decide that EEOC grievance procedures would not be appropriate, then the Chairperson of Honor Council, the Dean of the College, and the EEOC Officer will consult with each other. Honor Council will serve as the coordinating body for this decision making process.

Appendix G: Clarification of Judicial Procedures

These clarifications were drafted by the Dean’s Office, EEOC officer, and Honor Council in order to better inform the community about avenues for hearing cases of alleged violations of community standards. The points elaborated are not meant to supplant or replace the Honor Code. Rather they are an attempt to make clear how cases may be adjudicated in the context of our current internal judicial structure.

When a student(s) confronts a Staff or Faculty member and the case comes forward for adjudication, it is heard by an EEOC Panel. When a student(s) confronts another student and the case comes forward for adjudication, it is heard by either Honor Council or a Joint Administration/Honor Council Panel.

1. When a case involving a student confronted for a non-academic Honor Code violation comes forward for adjudication, there will be a meeting of the Chair of Honor Council, an EEOC officer, and the Dean of the College, to discuss the appropriate judicial avenue, i.e., Joint Administration/Honor Council Panel hearing or Student Facilitation Panel. Following this meeting, the Chair will inform Honor Council of
Appendix C: Universal Trial Procedure

A. Pre-trial
B. Role of the Honor Council Chair
C. Role of the Jury in a Trial
D. Role of the Support Person
   1. For the Confronted and Confronting Parties
   2. Regarding Faculty
E. The Actual Trial
   1. Fact Finding
   2. Jury Deliberation
   3. Circumstantial
   4. Jury Deliberation
   5. Presentation of the Resolution
F. Post-Trial
   Appeal

Appendix D: Specific Trial Procedure

A. Academic Trial

B. Student Facilitation Panel to Resolve "Social" Cases
   1. Orientation
   2. Preparatory Meeting
   3. Facilitated Dialogue
   4a. Consideration of Tentative Resolutions Generated During Facilitated Dialogue OR
   4b. Consideration of Alternative Resolutions to Unsuccessful Facilitated Dialogue
C. Joint Student/Administrative Panel

D. Summer Trial

Appendix E: Ratification of the Honor Code

Appendix F: Special Concerns
A. Administrative Concerns
B. Joint Honor Council/Administrative Concerns
C. Harassment

Appendix G: Clarification of Judicial Procedures

Appendix H: Outline of the Honor Code Structure