Abstract Discussion:

Thursday, November 16th at 9 PM, Campus Center 205

Christina, Britney, and Jessica

A Student Facilitated Panel (SFP)

Abstract Released Fall 2000

Introduction:

Jessica, the confronted party, represents her student-run organization, ORG as well as herself.

Christina and Britney, the confronting parties, are two students who wanted to organize an event to be subsidized by ORG.

Mandy is one of the support people for Christina and Britney.

Christina and Britney contacted the Honor Council chair concerned that Jessica had broken their trust in their dealings with her and the organization she was in charge of, ORG. They contacted Honor Council several months after Jessica had told them that ORG would not subsidize their event. After going through mediation with an Honor Council member, the parties felt like their issues were not getting resolved. Honor Council then discussed the matter and found a suspicion of violation and decided that the concern should be taken to a Student Facilitated Panel (SFP). The Panel members met before meeting with Jessica, Britney and Christina to go over written statements, discuss how a SFP works, what questions Panel members had for the parties and what community and personal issues seemed to be involved.

When the first meeting with all the parties involved occurred, Britney, Christina and Jessica all were given an opportunity to speak without being interrupted in order to give their sides of the story, as detailed in the guidelines for an SFP.
Cristina’s Uninterrupted Speaking Time:

Christina explained that she and Britney wanted to host an event that would cost some money. She knew that ORG would help to fund events, so Christina and Britney went to some of ORG’s meetings and then met with Jessica to make an arrangement for the conditions under which they would be reimbursed for their event. They signed an agreement at this meeting saying they would make sure that no non-students would be in attendance at the event. If this condition, as well as some other minor conditions regulating safety they talked about were followed, they would be reimbursed.

The event came around and Christina and Britney tried their hardest to make sure that their event kept out non-students. They both delegated that responsibility to others and helped to enforce the students-only zone. Christina emphasized that they really did their best to make sure that they were in the confines of the agreement.

Christina and Britney got an email from Jessica saying that they should meet to discuss reimbursement. At the meeting, Jessica was not clear about whether they would be reimbursed saying that she had heard that not everyone at the event was actually a student. They did not come to an agreement at the meeting about whether or not they would be reimbursed. After the meeting, Jessica sent an email saying that it had been decided that the event would not be reimbursed. Britney and Christina replied to Jessica via email about their disappointment with her decision, and she never responded. She also seemed to avoid them in public. They felt like there was a violation of trust not only in their not being reimbursed but also in the way that Jessica seemed to avoid them in public after not reimbursing them.

Jessica’s Uninterrupted Speaking Time:

Jessica’s story followed Christina’s until the day of the event. Jessica did emphasize that the minor safety regulations were not the issues in dispute – the presence of non-students at the event was her main concern and her reason for not reimbursing the girls. On the day of the event, Jessica went to the event after some of her friends had told her about it. She felt she saw an unreasonable number of non-students present while she was there and she did not see anyone trying to kick them out. She remembered talking to one of the girls about needing to make sure that this ban on non-students was being followed, but she did not see a change in the way the
event was being managed. Jessica realizes that non-students are hard to control, but the enforcement simply was not up to par, even after she talked to Christina or Britney.  

In terms of her not communicating well with Christina and Britney after their post-event meeting, Jessica said that she got their email, considered it just a snide remark and went away for a weekend and forgot all about the incident. She didn’t see the other girls around campus, especially since they no longer attended ORG meetings. Jessica did say that they were the first people affected by new standards on how well ORG events had to be guarded against non-students, but it was made clear from their first meeting that the new standards were the ones they had to uphold.

**Facilitated Dialogue**

Britney spoke about how she felt that she had been cheated and that Jessica did not handle ORG’s money well. She felt that Jessica had not held up her end of the contract while she and Christina had.

After some debating about the details of the contract, the chair of the panel asked what the confronting parties wanted out of the SFP. Jessica wanted to reach an understanding with Christina and Britney about why they were not reimbursed. Christina said that she wanted to get back some or all of the money she put in for the event. Discussion about how to evaluate the compliance to regulations set out by ORG ensued. Christina and Britney felt it was not appropriate for one person, Jessica, to make the decision. Jessica said she made it clear that she was the one who would decide if the event could be reimbursed. After more discussion, Mandy, the support person for Christina and Britney, expressed some concerns. The panel as well as both parties felt that the best way to hear those concerns would be for her to step down as a support person and for the panel to call her as a witness.

**Mandy’s Statement:**

During the event, Mandy kept checking on Jennifer, the person guarding the door and checking to make sure no non-students were allowed in. Mandy, at one point, escorted a group of
non-students out of the event. She then took over for Jennifer and said that she did not allow any non-students into the event until the event was over.

The parties continued discussing their different perspectives and finally agreed that while they did not agree with the viewpoint of the other, each person could understand what the other was thinking. They decided that they would never be able to tell if there was fault in the miscommunication or lack of communication and decided that both parties should have followed up more with that. The panel and the parties agreed that the lack of communication and respectful dialogue between Jessica, Britney and Christina did not constitute a violation of the Honor Code.

**It was decided that there was no violation of the Honor Code.**

**Resolution Deliberations:**

Although there was no statement of violation, the panel in an SFP is allowed to make resolutions. Ideally, the parties involved are involved in creating the resolutions. The main concern of Christina and Britney at this point was the matter of the money, since they felt that much of their miscommunication with Jessica had been addressed in the process of mediation and through the SFP. Jessica felt that she had made her decision and her decision was the one that Britney and Christina agreed to follow. She thought that there was no reason for Britney and Christina to be reimbursed at this point. Furthermore, she said, the issue of reimbursement was complicated by the fact that the organization was rather low on funds (at the time the trial took place, not when the event was held). Waiting until more money was available would most likely mean that Jessica would no longer be in charge of ORG’s budget and it would be difficult to enforce reimbursement without breaking the parties’ confidentiality. Jessica did not want to pay out of her own pocket, especially since she was acting for her organization, representing many people. Britney and Christina said that they had borrowed money from friends and that they needed to pay them back. They felt that they had met the parameters of the agreement and they were being let down and backed out on. After discussing the question of reimbursement for some time with the parties it was decided by all involved that the discussion was not going towards resolving the issue of the money and that it would be better for the panel to come to resolutions about that. The group came to consensus that more discussion without the involved parties should occur.
Resolution Deliberations without the Confronting and Confronted Parties:

After Britney, Jessica, and Christina left, the panel continued discussing what appropriate resolutions would be. The Panel felt that many of the unresolved issues about broken trust miscommunication had been resolved through the facilitation. In order to address the issue of education the Panel felt that it would be helpful for the parties and the community if the parties could submit recommendations for how ORG’s funding practices should work in the future and ways to improve the reimbursement process. The Panel felt that the parties had unique insight to offer about how the organization could be improved. The panel was not as unanimous in feelings about the reimbursement issue. Some members of the panel felt like it was solely Christina and Britney’s responsibility to have kept the standards that Jessica wanted to hold them to. They felt like Jessica made it clear about what needed to be done and who would decide if they would be reimbursed. Other members of the panel felt like judging from Mandy’s story the girls had met the expectations of ORG, especially considering that they were the first to be under stricter students-only standards. Some panel members felt that it was only fair if there was some sort of compromise because no one party was at fault.

The panel came to initial consensus on the following resolutions with no one standing outside.

1. The organization represented by the confronted party will reimburse the confronting party $125 – approximately half of the original amount in question.

2. All parties will write and submit recommendations to the organization and related bodies about how to improve the processes through which they function.

3. The Panel urges all parties to participate in future discussion regarding the evolution of the organization.
After the presentation of the resolutions some of the panel felt uncomfortable with the first resolution because they felt that the burden of following the rules lay on the people organizing the function, Britney and Christina. They did not want to set a precedent that all miscommunication about standards would result in some sort of monetary compromise. This case, some felt, was unique because there were new standards which the parties were expected to uphold. Most people on the Panel still felt that the resolutions were still acceptable. The Panel came to final consensus on the resolutions with one person standing outside on number one, all agreeing to numbers two and three, and one standing outside on all three resolutions together.

Juror Statements:

Juror 1:

I think that Christina, Britney, and Jessica were all acting in good faith the night of the event, but their definitions of what was necessary to keep their agreements were too different to reconcile. Jessica simply didn't think that the two girls had held up their end of the deal. Jessica and Britney thought that they did what they were supposed to, and they deserved to be reimbursed. I believe that the SFP was absolutely crucial in regaining a level of respect and communication that had been lost between the two parties. As far as this went, the SFP was a success. Unfortunately, the facilitated dialogue didn't also get them to agree on a solution.

So what to do? I personally thought that Jessica had grounds to deny reimbursement, because she saw non-students herself. You run a risk when you delegate responsibility because the only way to make sure something gets done how you want is to do it yourself.

Even so, I didn't feel right stiffing the two girls with the large sum in question. They did do what they thought was adequate, and something should be said for that.

I thought the only fair thing to do was to compromise between the two positions, because I simply did not feel that anyone was "at fault." I stand by all the resolutions. I do not think that this sets a precedent for miscommunication about standards, because this is a forgivable and particularly gray situation.
Questions:

This is only the second SFP in the history of the Honor Code. What worked well? What did not work?

Does the fact the panel had to come to resolutions without the two parties involved indicate there was a failure in the process?

Is miscommunication ever one person’s fault or is miscommunication always blameless?

Do resolutions made in trials and SFPs set precedents or ideas about community standards?