Erin contacted Honor Council with a concern that Peter had violated the Honor Code. She described seeing Peter, while drunk, show a number of people a final exam and exclaim, “It was so easy. I took it open book.” While she was not in the class with Peter, she knew that a number of people present were in his class. Having received an unsatisfactory response after talking to Peter and the professor of the class in question, she decided to contact Honor Council.

Honor Council wrestled with issue for quite some time. Council was very divided on whether the issue should be sent to an Academic Trial, a Social Trial, or a Student Facilitation Panel (SFP). While the issue revolved around an academic problem (cheating and violating exam policy), the professor had made it clear she did not want to be involved (having no way to prove or disprove the allegations), making an academic trial difficult. Some members of Council were also concerned that sending the issue to a trial was difficult given that there was no evidence, other than Erin’s claims, that Peter had violated the Honor Code. These members were concerned that it seemed unfair to Peter to take him to trial based on the accusations of a single person. Others felt that a trial was necessary in order to truly get at what had happened, and that there was a reasonable suspicion that the Honor Code had been violated. The issue raised a number of questions as to whether it was possible for Council to do additional fact-finding before deciding if it should send something to trial. In the end, based on the information it had, Council decided that the best compromise was to send the issue to an SFP. This would give an opportunity for Peter and Erin to have a mediated dialogue, and if unsuccessful could lead (as per SFP procedures) directly to a trial.

In accordance with SFP procedures, a member of Honor Council who was not serving on the SFP met with Erin and Peter separately to explain the SFP process. During these meetings Erin and Peter got the opportunity to clarify their statements. As is allowed by the procedure, Peter asked that one juror be replaced.

Pre-Meeting

The members of the Panel met in a Pre-Meeting as mandated by the constitution. The statements of both Peter and Erin were presented to the group and the Chair gave a brief history of the case including an explanation of why it had been brought to an SFP rather than an Academic trial. The panel discussed ways it thought it could be helpful to Erin and Peter in their mediation.
The Mediation

After a moment of silence, Erin shared her story. She described that she had been at a party at Peter’s dwelling during finals period. While at the party, she heard Peter comment that the final exam for Prof. Margaret’s “Introduction to Ichthyology” had been so easy that “he had taken it open book.” More disturbing to Erin was that while at Peter’s abode she had seen him take out the exam for the class and show it to other members of the class who had not yet taken the exam. The next day, continuing to about on the situation, she felt increasingly uncomfortable. Erin contacted Professor Margaret, who said that she hadn’t found any evidence of cheating on Peter’s exam, although she acknowledged that cheating might not be detectable. Professor Margaret also said that it was Erin’s obligation to confront Peter, and if she did not, Professor Margaret would have to confront Erin. Feeling caught between a rock and a hard place, Erin sent Peter an email about the situation. She had felt that his reply did not allay her concerns, and so that is when she brought the situation to the attention of Honor Council.

Peter began by saying that he wished someone had said something earlier, because the whole thing had been a complete misunderstanding. The exam that he had displayed to guests at the party was a practice exam; his real final was in his car ready to be handed in. The comment about taking it open book was nothing more than a joke and all just part of his gregarious and joking personality.

Erin was somewhat satisfied by Peter’s explanation, although she wondered why he hadn’t explained all this when she originally emailed him. Furthermore, Erin expressed frustration that Peter had put her in the position of needing to call him out on the issue. Peter apologized for having put Erin in a tough position. Erin said she felt mostly satisfied with Peter’s explanation, but also expressed frustration that at this point she had no choice other than to trust Peter, because she had no way of verifying or disproving his claims.

The discussion then began to focus on what resolutions would be helpful. Because this was an SFP and not a trial, resolutions were to be generated by the group and not only by the panel members. First the group discussed whether letters to the community would be helpful. Peter said he thought a letter would be helpful to help him think about and share how his words impact others. Erin also thought that writing a letter would be helpful. She thought it would give her a chance to share how the process and impacted her and her sense of trust in the community.

The conversation then turned to a discussion of the procedure. Erin felt very frustrated that it had taken so long for the SFP to get started. She also thought that there should be more concrete tools at Honor Council’s disposal, such as a way to force people to testify. Furthermore, she was frustrated that the professor didn’t handle the case and that she was forced to bring what she saw as a “hearsay” case to Council. Peter said he was confused at points about how the whole confrontation progressed and how the issue ended up with Council.

After some more discussion about these issues, the group came to the following set of tentative resolutions:

1. Both Erin and Peter will write letters to the community.
2. Honor Council will develop a forum that is better suited to students confronting each other, especially academically.
3. Honor Council will clarify guidelines for confrontation.
4. Honor Council should be sure to deal with issues quickly.

When the group reassembled after its period of reflection on the tentative resolutions, there were some changes that needed to be made. Erin realized that she didn’t think a letter to the community would be helpful for her. Peter said that he still would like to write one. He also continued to think that there should be clearer guidelines for how confrontations should progress, to give students a better idea.

The group also thought that tentative resolution (2) was vague and needed to be clarified. There also needed to be a timeline associated with that resolution. After some additional discussion and editing, the group came to consensus on the following set of final resolutions:

1. Peter will write a letter to the community to be released with the abstract.¹
2. Honor Council will develop a timely procedure for academic confrontations between students to be presented at Fall Plenary. The procedure should emphasize timeliness in dealing with these issues.²
3. Honor Council will prepare guidelines to help promote successful confrontations and outline post-confrontation procedures.
4. Honor Council will ensure proper dissemination of said material to the Haverford community.

**Discussion Questions**

1. Should this issue have gone to an SFP? Would another format have been more appropriate?
2. What should be the threshold for sending an issue to trial? To what extent should Honor Council “investigate” issues brought forward?
3. What are the limits of trust? Should Erin have trusted that Peter was telling the truth during the SFP?

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¹ Honor Council never received a letter from Peter.
² Honor Council failed to complete this resolution.