Introduction

Professor Ophelia e-mailed Hamlet expressing her concern with his large number of absences from her class during the first part of the semester. In his response, he said that he didn't think that his absences were a problem as they weren't affecting his high grade. A copy of the e-mail was CC’d to the department head, Prof. Polonius. The department head found that Hamlet had placed into advanced level courses, and after meeting with him, decided that he believed Hamlet had violated the Honor Code by taking a course below his ability level as demonstrated by his placement, and that a breach of trust had occurred between the student and the department. Before contacting Honor Council, Hamlet asked that Prof. Polonius wait for his dean to determine if there were exculpatory circumstances surrounding the situation, and he agreed. Hamlet then contacted Honor Council after his dean found no reason for levy. Thereafter, Hamlet contacted Honor Council in regards to the matter, and Council agreed on a suspension of violation.

Fact Finding

The jury first heard statements from the confronting and confronted parties.

Professor Polonius' Statement – Prof. Polonius received a carbon copy of an e-mail sent to Hamlet Professor Ophelia regarding his excessive absences. It was also made clear that he was maintaining a 4.0 in the class, despite his many absences. This led Prof. Polonius to check the student’s placement scores, and he realized that Hamlet had placed well above the level that he was currently enrolled in.

After several e-mail exchanges, the two parties expeditiously agreed to meet. In their meeting, Prof. Polonius asked Hamlet several questions about what courses he had shocked and why he had chosen to take a lower level class, and found his responses unsatisfactory. He was also concerned that Hamlet enrolled in a course below his placement while also saying that he could prove that his absences would not hinder his proficiency in the subject matter. He asked if Hamlet saw anything wrong with what he had done, and was distressed when he did not. At the end of the meeting, Hamlet offered to retake the placement tests, but Prof. Polonius stated that there would be no way of assessing the validity of the test since Hamlet had already attended a good part of the class and because a breach of trust had already occurred in regard to the first placement exam. Prof. Polonius said that Hamlet’s statements had indicated that he was not absent from class when his professor asked whether everyone in the class had placed at that level. However, Hamlet did not recall the question being asked.

The department head raised the issue of trust between the department and the students in the department. He stated that the department trusts the students to talk to them regarding concerns about placement, and they trust the students to adhere to the placement decisions of the department. Because the confronted party did not do either, he felt that a violation had occurred.

Q and A – The jury asked many questions, and recovered the following information:

When a student has previous experience with the subject, the placement exams are required, and the departmental policy, though not written, is such that students are not allowed to enroll below their placement without consultation with the department. Only in certain cases are exceptions made. In the case of the confronted party, the disparity between his placement and his course selection would not have been approved.
The class is pitched to the needs of the students, and therefore Hamlet's performance affected the level at which the class was being taught.

Hamlet's Statement – Hamlet started off by agreeing with most of what Prof. Polonius had said, and then went on to add more details. When he showed the upper level courses his freshman year, Hamlet found them all to be too difficult, and decided not to take any courses in that subject that year. Later, when he did decide to take a course in this subject, he looked at the books for several lower level classes, and saw that some of the material in the easier levels was still new to him, and this led to his decision to take a lower level course. He did not believe that his placement scores were accurate, and noted the fact that it had been several semesters since he had last been exposed to the subject. He felt that his abilities now were no longer on par with what his placement suggested.

He noted that his faculty advisor, though not necessarily aware of his exact placement, knew that Hamlet was taking a course below the one that he had shopped previously and raised no concerns. He also does not remember ever being told that he had to talk to the department if he didn't agree with his placement results.

Another exculpatory circumstance was that Hamlet could not find any written policy saying that he had to adhere to the placement results, and what courses he took appeared to be his choice alone. It is also noteworthy that he did not remember being asked about his placement results in the beginning of the class.

Q and A – Again the jury had a plethora of questions, and got the following information.

Hamlet felt that the course he had chosen was right for him because there was material that he did not cover in high school. When asked about his absences, he said that he was having trouble attending all his morning classes. He also noted that his advisor did not tell him to talk to someone in the department.

He explained that in his high school, students talked to each other about what classes to take, rather than the professor. Because of this, the idea of talking to the professors in the department for advice on his course selection was a foreign concept, which is why he did not do it in the first place. He felt that he knew his ability well enough to make the decision. He did not feel that attendance at the lectures was necessary for success, as long as he kept up with the coursework.

The jury then heard a statement from Hamlet’s friend, Rosenkrantz.

Rosenkrantz' Statement – Rosenkrantz stated that Hamlet had talked to him about the course and verified that Hamlet had worked hard on homework for the class. Then he was done.

Jury Deliberations

The following day, the jury contacted Hamlet’s faculty advisor and Professor Ophelia in order to ask some clarifying questions.

The advisor did not recollect his conversation with Hamlet in this particular matter, and said that he did not possess a copy of Hamlet’s placement results.

Prof. Ophelia said that she had asked on several occasions whether or not all the students had placed into that level, and that she makes a point of doing this every year. The question is usually asked at each class during the first week, in case some students do not come to the first one. She said that if he had said something at that point, he would not have been allowed to continue in the course. The jury had to work on the assumption that to attend Haverford classes, students have to attend at least one class in the first week, and that he was present in at least one class where the question was asked.
The jury then deliberated to decide if the Honor Code had been violated. They discussed whether Hamlet had shown concern for his fellow students when he made his course choice. He didn't think about how his previous experience in the subject might affect the other students in the class, and his choice to go so far below his placement was also unfair to those who placed into the same level as him and took a course in accordance with their placement.

The jury reminded itself that they were deciding merely on whether one or more violations had occurred and that Hamlet's actions had to be considered in reference to the Code, rather than to the actions of other members of the community.

They also discussed the fact that Hamlet had not spoken up when asked about placement. As students, we are responsible for following all instructions given by the professor, and Hamlet obviously had not done this. They considered whether this was a case of Hamlet misrepresenting himself, but decided that if he did not hear it, then he could not have misrepresented himself. However, not answering the question is improper conduct in an academic setting.

The fact that the policy was not written became a point of contention, but the jury decided that as a community with standards that promote conversation between faculty and students, not talking to a professor about this kind of decision is not upholding the standards. However, the jury decided that he could not be in violation for failing to talk to the professor and for violating written policy. Because he could only have found out about the policy from the department, to fault him for that as well would put him in double jeopardy.

Even though Hamlet felt that he was able to accurately assess his ability, he had a responsibility to consult with the faculty because he had taken a placement test. Though he did not realize that he was breaking the Code by doing this, he still broke it.

Following these lengthy considerations, the jury reached consensus on the following statements of violation:

- By not talking to the department before enrolling in the class far below his placement, the confronted party did not act with integrity required by the Honor Code.  
- By not telling the professor about his level of placement, and by not answering questions asked in class about placement exam results, the confronted party failed to act with “proper conduct” as required by the Honor Code.
- The confronted party did not consider how taking a class far below his placement might affect other students and members of the department.

Circumstantial Portion

The jury heard circumstantial statements from each party and asked the parties to suggest appropriate resolutions to address accountability, education, and repairing the breach of trust.

Professor Polonius said he understood the difficulty of the situation and hoped that the length of time that the situation had already gone on had not had a deleterious effect on Hamlet's performance in the class. He felt that no credit should be granted for the class. In terms of education and repairing the breach of trust, he had no suggestions and said he trusted the jury to address these.

---

1 Part III, Sec. A. “We must follow a professor's instructions…”
2 Part III, Section A. “As students, we are responsible for proper conduct and integrity in all our scholastic work.”
3 Part II, Community Standards. “The Honor Code depends... [on] our collective concern for the maintenance of the community standards reflected in the Code.”
Hamlet said he works hard for the community and has shown dedication and caring. He had gone through a lot of mental anguish through the ordeal and with trying to understand how what he did was a violation of the Honor Code. He said he had not done better than others in the class and that his professor thought he was "alright" in class. He was concerned that Prof. Ophelia was excluded from the trial process. He raised the point that some people come into other courses that do not have placement exams with years of experience in material that is repeated in their first semester. He raised the concern that if he had taken a class that was too hard for him, he would have hurt the rest of the class by slowing them down and stated that he had shown concern for himself in trying to take a course that would be right for him. He said he was trying to understand the violations because he still wasn't sure how making a decision about his own ability level was a problem, but also said that his conversation with the jury had already helped that process along.

Hamlet brought a circumstantial witness, Guildenstern. Guildenstern said that they had not been asked about placement in class and thought that Hamlet was at about the same level as the rest of the class, and helped the class with his participation.

In suggesting resolutions, Hamlet felt that accountability had already been addressed just by having been found in violation of the Honor Code. He thought that being denied credit for the class was too severe, as he would be behind schedule for graduation. He suggested that he write a letter to the community to educate both himself and the community about how the Honor Code relates to placement exams. He also wanted to have a mediated dialogue with Prof. Polonius to repair the breach of trust that occurred between them, to be followed by a letter from Hamlet to Prof. Polonius reflecting on the dialogue.

He also stressed that Prof. Polonius had never told him not to enroll in second semester. This fact weighed heavily in the jury's decision regarding credit.

**Jury Deliberations**

The jury felt that Hamlet's suggestions about the letter to the community, the mediated dialogue and the subsequent letter to Prof. Polonius would help him to reach an understanding of why his actions were in violation of the Honor Code. The processes would also help to repair the breach of trust between him and Prof. Polonius. The jury also felt that the breach of trust between Hamlet and the department needed to be addressed; they decided that having Hamlet send a version of the letter he would write to Prof. Polonius to the whole department, with any additional comments he would like to make to them would be sufficient in this capacity.

The jury had a much more difficult time addressing the issue of accountability, particularly in regards to credit for the class. Because the violation really occurred first semester when he initially enrolled in the class, they felt that first and second semester should be addressed separately. It didn't seem fair to deny him credit for second semester, for he was never told not to enroll in second semester even after the department was aware of the situation. Had he been told not to take second semester, he would have been able to use that time to take another class for full credit. Instead, taking second semester precluded the possibility of taking another class.

The jury deliberated for a long time about how to address first semester credit and considered everything from not giving him credit to giving him a reduced number grade to giving him full credit. After considering the extenuating circumstances, such as the fact that Hamlet had not realized he was violating the Honor Code and that his advisor had signed his registration card, the jury eventually decided that taking away all credit would be too severe. The jury also thought that it was important to acknowledge that many students take classes below their placement without considering this in the context of the Honor Code and that this was a good reason to exercise leniency in this particular case.

After considering all this information, the jury reached consensus on the following resolutions:
Resolutions

1.) Hamlet should receive a CR/NCR credit for the first semester, which will not satisfy distributional or other college credit requirements. Hamlet should receive full credit for second semester, which will satisfy distributional but not other college credit requirements.

2.) Hamlet and Professor Polonius will engage in a mediated dialogue in order to address the miscommunication between them, and the issues raised by the trial. This dialogue should primarily aim to repair the breach of trust between the two parties.

3.) Following the dialogue, the Hamlet will write a letter to Professor Polonius reflecting on the entire process, including the violations, the trial and the dialogue. A version of this letter will be forwarded to the rest of the department with additional comments aimed at repairing the breach of trust between Hamlet and the department.

4.) Hamlet will write a letter to the community, including but not limited to his reflections upon his actions and the role of the Code in placement exams.

Presentation of Resolutions

Professor Polonius found the first resolution regarding the credit issue to be completely unacceptable to him and the department. He informed the jury that he and the department had decided that credit would not be given for either semester. He said that he would consider giving Hamlet a withdrawal-without-penalty from second semester, but could not agree with resolution #1. The jury explained its reasoning to the professor and engaged in a lengthy discussion on the topic. Prof. Polonius voiced his concern that this would establish a precedent and send a message to the community that it is okay to take courses below your ability and that you can still get away with a pass/fail credit. The jury explained that, because this was the first time a trial like this had ever taken place, it will not govern how future cases are handled, as each case is treated as unique with precedent serving only as a guideline, rather than the rule. He also raised the issue of how this will affect the academic integrity of the College. He found the rest of the resolutions to be satisfactory.

Hamlet thought the last three resolutions addressed the issues well. He explained that the first resolution was not the outcome he had wanted, but after hearing the discussion with Prof. Polonius, he understood where the decision was coming from, and thought that it struck a good balance between the two sides of the issue.

The jury discussed the issues raised by Professor Polonius following the discussion, and though they understood his concerns, they reached a final consensus on the resolutions as they were drafted.

Juror Statements

Juror 1 – My reasons for coming to consensus on the violations and resolutions only came clear after much discussion during the trial, and personal thought during my own time after deliberation ended. I’m sure that most students have been faced with the same situation, and may have even made the same decision. The only difference is that the confronted party is the first student to have been “caught.” I will admit that I have also been faced with the same situation and made the same decision, without even realizing that the Honor Code should have been a significant factor in my thought process. The truth is, the Code should be remembered when it comes down to making important decisions. It holds us accountable for all the things and interactions we do and have in our daily lives, so why wouldn’t that apply to the decisions we make? I felt that it was such a tough spot because it took us so long to decide that there actually was a violation; does this mean everyone

\[\text{Appendix B, Sec. C: "It is the Honor Council’s responsibility to handle each case as a unique situation..."}\]
Juror 2—Deciding on the credit issue was the biggest problem in the resolutions for me. The faculty advisor had definitely signed his card, and the student did not know all the subject material for that semester. But he did go far below his placement, and I think he got an advantage because of it. However, he also did the work for the class, and I found it unacceptable to totally invalidate that work. The CR/NCR seemed like a good way to deal with that, because then he didn’t get the boost for his GPA, but he still was recognized for his work with the credit. As for second semester, he was allowed to enroll with the full knowledge of the department, and it was their responsibility to stop him if they had a problem with it. They didn’t do that, and so I felt that he had every right to take that class for full credit with a number grade.

I’m glad with the way the resolutions turned out, because I think they actually accomplished what they needed to without coming down too hard on Hamlet. It is my firm belief that he acted with what he thought was proper conduct because that is the way Haverford students sometimes do it. I feel bad that he was the one that had to go to trial for something that others have done, but I think that the jury did a good job of accounting for the fact that this was the first time anything like this had come to trial.

I think that Hamlet learned a lot through the process, and that it definitely helped him understand why what he did was a violation of the Code. I am not so pleased with Prof. Polonius, as he said he would not follow the jury’s suggestion. It seems that he brought Hamlet to Council because he trusted the process, and then reneged on that by invalidating the work we had done to address the credit issue. It seemed to me by the end the Prof. Polonius was only there to get the jury’s decision on the credit issue, and to get support for it. I think it’s too bad that he does not trust our judgments and that he’s essentially ignoring them, but I know that we did the best thing. Overall, I learned a hell of a lot from this trial, and I think we definitely found a new section of our lives that is affected by the Honor Code. Rock on.