Abstract Discussion:

Thursday, December 7th, at 6:00 pm, in the Sunken Lounge

Lucy and Ricky

Abstract Released Fall 2000

A Joint Honor Council-Administrative Panel

Introduction:

Ricky, the head of a department within the college, suspected that Lucy, a student employee, had stolen a piece of property from the department. Ricky confronted Lucy, who immediately confessed to the theft. After discussing the matter with the Dean of the College, Ricky decided that the matter should be directed to Honor Council. Honor Council consensed on a suspicion of a violation of the Honor Code. The matter was then sent to a Joint Honor Council-Administrative Panel.

Note: This case was chaired by the Secretary of Honor Council because the Honor Council Chairs were unable to chair the trial.

Personal Statements:

Ricky’s Statement: After Ricky discovered that the property was missing, he directed the student supervisor to send e-mails to the student workers requesting that the property be returned if any of them knew where it was. Lucy replied to the supervisor and made arrangements to return the property. Ricky asked Lucy to meet with him to discuss why she took the property. They engaged in a dialogue in which Lucy readily admitted that she stole the property and asked to be fired. Ricky then explained to Lucy that she had committed a crime, as well as a breach of trust within the department. Ricky also explained that the reputation of the department had been put
into question when the owner of the property discovered it was missing. He emphasized that nothing had ever been stolen from the department before, and as a result, all members of the department were put under suspicion. Ricky then suspended Lucy from employment within the department so that he could determine what to do next. After discussing the matter with the Dean of the College, Ricky decided that this would be an appropriate case to take to Honor Council.

*Lucy’s Statement:* Lucy stated that she took the property from the department impulsively. Afterwards, she felt guilty and discussed the matter with her friend Ethel. She realized that her actions violated the Honor Code. Lucy then decided she would return the property. Before she could do so, she received an email from her student supervisor asking for the return of the missing property. Lucy made arrangements with her supervisor to return it. Afterwards, Lucy received an email from Ricky asking her to meet with him to discuss the issue. During the meeting, Lucy suggested that Ricky fire her. She felt this would be an appropriate repercussion despite the fact that she was on financial aid. Lucy believed that this meeting would resolve the issue, however Ricky felt that the matter should be brought to her Dean and perhaps to Honor Council.

*Ethel’s Statement (A Witness, Lucy’s friend):* Ethel noticed the property one day and asked Lucy about it. Lucy then explained that she had taken the property and had been feeling guilty about her actions. Lucy and Ethel discussed some possible options for how and when Lucy should return the property.

*Note:* This conversation took place before Lucy received the email from her student supervisor.

**Panel Deliberations:**

The Panel felt that even though Lucy had asked to be fired from her job, a greater breach of trust had occurred. The Panel felt that Lucy’s actions had violated the Honor Code in two ways. The first way was the theft. The Panel felt that stealing in itself is dishonorable. Secondly, the Honor Code states that, “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” (Honor Code, Section 3, C). The Panel determined that Lucy had violated the trust between herself and her employer. She also violated the trust of the Department by placing all members under suspicion. Finally, Lucy violated the trust of the community by putting into question the reputation of the department and the community’s trust in student workers. The Panel reached consensus on the following statement of violation:

Lucy violated the Honor Code by stealing. In doing so, she also breached the trust of her supervisor, the department in which she worked, and the community as a whole.
Both parties accepted the statement of violation.

Circumstantial Portion:

During the communication that took place between Lucy and her student supervisor, and Lucy and Ricky (in the form of emails), several issues were unclear.

1. When the student supervisor sent out the email asking for the missing property, he stated that the property should be returned “No harm, no foul.” After reading this statement, Lucy believed that returning the property would resolve the issue in its entirety.

2. In the email from Ricky to Lucy in which he requested to meet with her, Ricky stated that if Lucy did not meet with him, he would refer the matter to Honor Council and the Dean. Lucy took this email as a threat, and felt that the issue had already been decided because the email was also copied to the Dean.

*Ricky’s Circumstantial Statement:* Ricky explained that during the time of the theft, he was overburdened with work. Therefore, he told the student supervisor to find out who had the missing property. Ricky never read the “no harm, no foul” email, so he was not aware that the email might have misled Lucy.

2. Ricky stated that he wrote the email to Lucy, because he wanted to meet with her to give her the benefit of the doubt. He copied the email to the Dean because he had already discussed the theft with the administration. After they met, he felt that Lucy had decided her own punishment and didn’t understand the affect that her actions had on the department and the community. He then decided that Honor Council could be a useful educational tool.

*Lucy’s Circumstantial Statement:* Lucy felt that both emails were unprofessional and misleading. The emails left her with the impression that the meeting with Ricky would end the matter and there would be no repercussions. When the matter did not end, Lucy was upset because she felt as though Ricky had misled her.

Panel Deliberations:

After hearing both parties statements and circumstantial evidence, the panel began to discuss possible resolutions. Many panel members expressed concern over the miscommunication that occurred between Lucy and Ricky. After some discussion, they concluded that the miscommunication that took place in the exchange of emails was irrelevant to the theft.
However, they did want to address the misunderstandings in one of the resolutions (See resolution #5). The Panel discussed whether or not Lucy should resign from her job or if Ricky should fire her. The Panel decided to recommend that Ricky should fire Lucy, since she had originally suggested this course of action. Additionally, members discussed the possibility of barring Lucy from working on campus for a certain amount of time. Some panel members felt that a working experience off-campus could be educational for Lucy. They stressed that working on campus is a privilege, rather than a right of students. Other panel members were concerned that such a resolution would be punitive due to the financial concerns that Lucy had expressed. The Panel decided not to bar Lucy from working on campus.

One of the most important concerns of the Panel was for Ricky and Lucy to repair the breach of trust that occurred between them. In order to do this, the panel felt that Lucy needed to be educated on the effect of her actions. The Panel decided that Lucy should meet with the E.E.O.C. officer (a staff member who works with employer/employee relations) who could help Lucy understand how her actions impacted other employees in the department. The Panel wanted this to take place before Lucy and Ricky discussed the issue again. After much discussion, the Panel consensed on the following resolutions.

**Resolutions:**

1) The panel recommends to her supervisor that Lucy be fired from her job.

2) Lucy will meet with the EEOC Officer, Marilou Allen, about her behavior and its impact on her fellow employees. This will occur within two weeks of the end of the Panel proceedings.

3) In order to repair the breach of trust, Lucy will write a letter of apology to the affected members of the department who were placed under suspicion because of the theft. This letter should be sent within three weeks of the end of the Panel proceedings and after the completion of Resolution #2.
4) Lucy will write a letter to the community. This letter will address how her actions affected her relationship with both her employer and other members of the Department. It will also address how her behavior could affect the community's trust in student workers. This letter will be released with the abstract.

5) Finally, Lucy will have a dialogue with her employer to repair the breach of trust and bring closure to this matter. This meeting should take place by the end of the semester.

Presentation of the Resolutions:

Ricky was not present for the presentation of the resolutions. He notified the panel through email that he approved of the resolutions.

Lucy agreed to all of the resolutions.

The panel consensed on the final resolutions.

Discussion on the Appropriateness of this Panel:

The guidelines for a Joint-Panel state that “Examples of situations where such a committee will be used are drug dealing, sexual abuse, and in cases where legal authorities are active on campus” (Honor Code, Section 3, Part C, #3). After the conclusion of the Panel proceedings, this Panel discussed whether or not it was appropriate to send this case to a Joint-Panel since the issue did not involve drug dealing, sexual abuse, or legal authorities. Several Panel members pointed out that, under the present Honor Code, there is no venue for cases involving students and administrators to go through besides a Joint-Panel. The Panel discussed the possibility of either changing the Joint-Panel guidelines, or perhaps re-instating some form of a social trial. The goal of a change would be to provide a venue for cases involving students and the administration that do not fall under the guidelines for the Joint-Panel trial. The Panel felt that this issue should be brought to the attention of the community.
Questions:

1. Is a Joint-Panel the appropriate trial situation for cases involving theft or vandalism?

2. Should barring a student from working on campus be considered if it might jeopardize the student’s personal welfare?

3. To what extent should juries consider miscommunication that has occurred between the confronting and confronted parties?

Juror Statement #1

For the most part, this is a cut and dry case. Lucy admitted both the theft and the fact that this was a violation of the Honor Code. As a jury, we spent most of our time addressing how Lucy could repair the breach of trust and reinstate trust in student workers in the department. What concerns me, however, is that this type of violation went to a Joint Panel in the first place. Joint Panels were designed to deal with very serious violations of both the law and the Honor Code (like an assault), not for "misdemeanors" such as theft and vandalism. This is not to say that theft and vandalism are acceptable under the Honor Code. They are unequivocally not. This is a matter, however, that could have been dealt with an all-student social trial of some sort. Unfortunately the Honor Code as currently written provides no such option. I would urge Community members
to consider whether they feel Administration involvement was needed in this case, or whether the philosophy of the Honor Code would allow us to deal with what was essentially a student concern.

*Juror Statement #2*

Coming into this panel, I had a pretty limited view of what repercussions a theft has on co-workers, a department, and this community. Now I think I'm a lot more cognizant of how our actions, even if they are impulsive or relatively small, affect other people. I think that Lucy has a much better understanding of this situation as well and that was encouraging to see. Though I do think this situation warranted some sort of panel or trial (mostly due to the larger ramifications), I think that given the original mission of the Joint Panel, another venue would have been more appropriate. Certainly, issues of faculty/staff as confronting and confronted parties need to be dealt with. I don't think that this Joint Panel is in the position to make strong recommendations but I hope that this example highlights a gap within our current policy.

*Lucy’s Letter to the Community:*

Dear Haverford Community,

Recently I broke a seal of trust that used to be inherent to campus employers and employees i.e. student workers. My insensitive and stupid actions hence cast doubt throughout the entire college community as to the whether or not students should be given such responsibility by certain employing departments at Haverford. The answer is yes they should. Although
the actions of one have had negative ramifications on the relationship
between employer and employee on this campus, the anxiety felt by all
employers now is a direct result of my abuse of trust. I'm in the process
of repairing this bond, so that an absolute trust can once again transcend
the entire community. Once again I apologize for my actions and the
negative results they had on Haverford's community.

- Lucy