Abstract discussions will be held on Tuesday, April 30, 2013 and Thursday, May 2, 2013 at 7:30 PM in Ryan Gym.

My Fair Lady: An Honor Council Academic Trial Released Spring 2013

This abstract was not released in accordance to the timeline specified by the Students’ Association Constitution. Both the confronted and confronted parties consented to the release of this abstract. (The addition of this disclaimer began in Spring 2010).

Key
Henry Higgins: Professor
Eliza Doolittle: Student
Victorian Manners: Academic Course

Trial Summary
Professor Henry Higgins, who taught Victorian Manners, noticed that one of his students, Eliza Doolittle, had accessed relevant course Powerpoint slides on Moodle during a midterm exam. After Professor Higgins confronted her, Eliza brought herself to Honor Council, which in turn consented to send her case to an academic trial. Before the trial started, Eliza withdrew from Victorian Manners due to health concerns. During the course of the trial, Eliza rarely came to trial meetings. Professor Higgins was uncomfortable with her absence, and with the fact that any grade changes would in essence be meaningless because she was no longer taking his course. The jury found Eliza in violation of the Honor Code and required her to write an essay about the Code and trial goals. After the passage of considerable time, the essay was turned in and reviewed, and the jury consented to separate Eliza for one semester. This case is particularly notable because of its unusual timeline. The case began second semester and was not concluded, and therefore ended up continuing in the summer and following academic year, forcing the chair of the trial to change in the middle of the procedure.

Pre-Trial
Eliza Doolittle was a student in Victorian Manners taught by Professor Henry Higgins. While grading a midterm exam, Professor Higgins noticed that the class’s Moodle record showed that Eliza had accessed several Powerpoint slides relevant to exam material during the exam. Professor Higgins
confronted Eliza with regards to her use of restricted materials during a closed book exam. Following the confrontation, Eliza contacted Honor Council.

Honor Council collected statements from both Professor Higgins and Eliza. After reviewing the statements, Honor Council determined there were grounds for a suspicion of violation and sent the case to an academic trial. Due to scheduling conflicts among the chosen jury, the first pre-trial meeting occurred a full two months after the initial confrontation. During the interim period, Eliza dropped Victorian Manners due to a prolonged illness.

**Pre-Trial Meeting**

The trial chair explained the trial procedure to the jury, and the jury reviewed the statements from both Professor Higgins and Eliza. In clarifying Eliza’s statement, the chair explained that Eliza admitted that she had indeed accessed Moodle during the exam period but claimed that she had not used any of the information to complete the test. Eliza claimed that this was apparent from her poor performance on the test. The meeting ended with a moment of silence.

**Fact-Finding**

Eliza and two of the jurors failed to show up to the fact-finding meeting on time. After attempting to reach the missing trial members and waiting for half an hour, the trial chair decided to proceed with fact-finding, with Professor Higgins’ consent. The chair noted to both Professor Higgins and the jury members that it was very irregular to proceed with this portion of the trial in the absence of the confronted party and other members of the jury.

Professor Higgins briefly elaborated on his original statement. When he was grading the first midterm exam for Victorian Manners, he had noticed that Eliza had accessed Powerpoint slides from Moodle during the exam time. Professor Higgins stated that Eliza did not do well on the exam, barely passing, but that there seemed to be evidence of her using the online information to complete the test. There were numerous answers crossed out, and on one question she crossed something out and rewrote the same answer. Professor Higgins said that he graded the paper at face value and wrote a note on it for Eliza to see him. They met, and Professor Higgins explained that he knew that she had accessed Moodle during the exam. Eliza initially claimed that she had failed to log out of her account before the exam had started. When Professor Higgins showed her the Moodle log, Eliza no longer denied accessing the files and explained that she had used her phone in the ladies room. He concluded by stating that the exam was not particularly long or complicated.

Halfway through Professor Higgins’s explanation, Eliza arrived, explaining that she had woken up late due to being sick. Following Professor Higgins’s explanation of the events, the chair asked Eliza to give her statement to the jury. Eliza gave a very brief statement: she said that she would not deny anything; that she did indeed access the files during the exam period; and that she had been sick for most of the semester and had ultimately dropped the class as a result. She finished by apologizing.
Fact-Finding Deliberations

This portion of the trial began during the second semester final exam period, causing considerable pressure to complete the trial before the end of the term. Each of the jurors who were absent from the fact-finding meeting were informed of the details from the meeting, and when they had questions the other jury members were able to answer them satisfactorily. The jury agreed that there was a violation of the code, then discussed how much the slides affected Eliza’s grades. The chair reminded the jury that since Eliza had dropped the course, the grade that she would have received with or without help was irrelevant, because there was no longer any grade to change. At this point the jury consented to the following statement of violation:

Eliza violated the Honor Code by failing to follow the professor’s instructions by accessing Moodle and relevant powerpoint slides during a closed note exam. (no jurors stood outside)

Post-Deliberations

Following the jury’s deliberations, the chair emailed both parties the statement of violation and explained that the trial would next proceed to circumstantial portion. Professor Higgins agreed to appear at this segment of the trial, but Eliza stated that due to her finals schedule and her health she would be unable to attend. Although the chair encouraged her to attend, Eliza reiterated that she would be unable until the finals period was over. The co-chair then discussed the matter with the dean of the college. It was decided that the best course of action would be to continue the trial so as to complete it before the end of the semester.

Circumstantial Portion

Eliza did not come to circumstantial portion, so the jury proceeded with only Professor Higgins. The jury asked Professor Higgins to review the situation again and to include any details which may be relevant to the circumstantial portion and the formulation of resolutions. Professor Higgins began with a timeline of what had occurred. He explained that Eliza’s illness had not come up at the meeting when he confronted her; it was not until she emailed him later in the semester that he found out she had been sick all semester. In that email, Eliza said that she was writing from home (where she needed to see a doctor), and wanted to know how to catch up on missed work. After Professor Higgins’s confrontation, Eliza continued in the class, took the second midterm exam, and turned in a paper. Her grades in the class were poor. As a result, Professor Higgins contacted her dean with regards to the academic trouble she was facing. Professor Higgins explained that the system was designed to prevent people from failing, so regardless of the pending academic violation he would have contacted the dean.

A few days later, Professor Higgins met with Eliza’s dean. Several days after that meeting, Eliza
met with Professor Higgins to explain that she was dropping the course. The Professor stated that this did not surprise him because of her poor performance, and he did not want to question a student’s medical status.

The professor then explained that the only circumstance he felt he could attest to was that a flagrant and serious violation of the Honor Code had taken place, and that Eliza dropping the class limited what could be done. He felt that he could not think of a way of dealing with the violation fairly. While he felt it would be unfair to rescind the agreement that she could drop the course, even though he understood that the dean did not know of the academic violation, Professor Higgins reiterated that it was a very serious violation and that her cavalier attitude towards Honor Council (not coming to trial meetings) demonstrated a further need for her to face consequences.

A juror then asked Professor Higgins if he would be comfortable having her in another one of his classes. The professor stated that he did not know if he could blindly accept her, but would need to put in some mechanisms to make sure the trust was restored. Professor Higgins felt separation was fairly severe as it involved informing family and friends, and he did not think that Eliza would respond well to it.

**Deliberations**

The chair explained to the jury that Eliza could not be available until Friday evening and that he could not hold a trial meeting the last night of the term as all of the jurors would have left campus. He explained that he did not know what to do since he never had to deal with a confronted party who simply would not show up to trial meetings.

The jury decided to consent to tentative resolutions, consider her response to the tentative resolutions, and hope that she would turn up to the finalizing resolutions meeting. Some jurors felt that by not participating, she should not be allowed to respond to tentative resolutions, but agreed that she should have a say in something that affected her so much.

The jury then moved on to creating a set of resolutions that addressed accountability, restoration, and education. The jury was uncertain as to whether they could recommend a grade change considering she had already dropped the course. The jury then talked about separation, discussing whether or not the academic violation in and of itself was enough to justify separation, how much her level of intent should play a role, and if separation would benefit her at all. One juror felt that showing up to the trial was the first step in acceptance and that her failure to do so meant that she had yet to take true responsibility for her actions or that she was unclear on how to take responsibility. Another juror felt that sending her away would only hurt the situation.

The jury turned towards other resolutions as a way to fulfill the goals of a trial without separation. The chair suggested Eliza write an essay about the Honor Code and trial goals. This essay would be reviewed, because an essay with a deadline might push her to take her violation and
restoration more seriously. Since Eliza had not been present for many of the meetings, the jury felt it would be useful to give her the opportunity to tell the jury what she was going through during this process, and that a decision on separation could not be made without this opportunity. The jury also decided that since she had not had much interaction with the jury, two jurors would meet with her to help her formulate her essay.

The jury also decided to recommend Counseling and Psychological Services (CAPS) as a means to help manage academic stress, and that it would be beneficial for Eliza to speak to Professor Higgins to repair the breach of trust.

The jury consented to the following tentative resolutions:
1. Eliza will complete the following resolutions to be reviewed within a month following the publication of tentative resolutions. A group of at least 8 jurors will review the material to make a determination for further resolutions including separation.
   A. She will discuss the Honor Code, trial goals, and academic integrity with an Honor Council juror and a community juror.
   B. Using these discussions, Eliza will write an essay responding to the following prompt: Define “trust, concern, respect” and discuss the goals of the trial (accountability, education, and restoration). In light of defining these terms, discuss how these ideas affect academic life at Haverford, in your case in particular. Consider why they are important, and how they affect your relationship with your classmates, the professor, and the community. Finally, address how you can handle academic stress in the future with these ideals in mind. (all jurors consented, no jurors stood outside)
2. Eliza will write a letter to the community to be released with the abstract. (all jurors consented, no jurors stood outside)
3. Eliza will meet with Professor Higgins with the goal of repairing the breach of trust. (all jurors consented, no jurors stood outside)
4. The jury encourages Eliza to meet with CAPS. (all jurors consented, no jurors stood outside)

Tentative resolutions: all jurors consented, no jurors stood outside

Post-Deliberations

Both parties confirmed that they would not be at the final meeting. Professor Higgins responded well to the tentative resolutions. Eliza agreed to the resolutions except for the jury’s suggestion that she should go to CAPS. She expressed that the jury was overreaching and had no right to tell her what she should do or how to handle her personal life. The chair responded to Eliza’s concerns, explaining that the CAPS suggestion is usually a resolution in trials that deal with academic stress. He said that he would pass her feelings on to the jury during the finalizing portion of the trial.
Finalizing

The jury expressed frustration at Eliza’s reaction to the CAPS resolution but ultimately decided to drop the contested resolution, leaving all other resolutions intact. The final resolutions were:

1. Eliza will complete the following resolutions to be reviewed by a month following the publication of tentative resolutions. A group of at least 8 jurors will review the material to make a determination for further resolutions including separation.

   A. She will discuss the Honor Code, trial goals, and academic integrity with an Honor Council juror and a community juror.

   B. Using these discussions, Eliza will write an essay responding to the following prompt:
   Define “trust, concern, respect” and discuss the goals of the trial (accountability, education, and restoration). In light of defining these terms, discuss how these ideas affect academic life at Haverford, in your case in particular. Consider why they are important, and how they affect your relationship with your classmates, the professor, and the community. Finally, address how you can handle academic stress in the future with these ideals in mind. (all consent, no jurors stood outside)

2. Eliza will write a letter to the community to be released with the abstract. (all consent, no jurors stood outside)

3. Eliza will meet with Professor Higgins with the goal of repairing the breach of trust. (all consent, no jurors stood outside)

Final resolutions: all consent, no jurors stood outside

Post-Trial

Close to the deadline for the essay, Eliza emailed the trial chair to say that she would not be able to meet the deadline due to her summer plans. The chair did not respond to her concerning her fulfillment of the resolutions. Later in the summer, the deans, noting that one of the resolutions had not been completed, contacted her to say that as a result, her enrollment was in jeopardy. The new Honor Council Co-Chairs notified her that a failure to fulfill a resolution is a violation of the Honor Code itself, and that the jury was counting on the essay to make a final decision on separation. After receiving these emails, Eliza contacted the jurors appointed to work with her on the essay assigned by the first resolution of the trial. The Honor Council Co-Chairs extended the due date for the essay to mid-September, at which point Eliza was able to meet with the jurors and write the essay.

In addition, Eliza’s dean had been notified that he had approved her course withdrawal without knowledge of the Honor Council trial. He and Professor Higgins then worked out a grade change independent of Honor Council.
One of the new Honor Council Co-Chairs came to trial meetings at the start of the semester to explain the events that had happened over the summer. Since the trial chair was no longer at the college, one of the original Honor Council jurors was assigned the role of trial chair.

Reviewing the Essay, #1

Two jurors began by summarizing their meeting with Eliza. They felt that although it is hard to tell when someone is being genuine when they know what they have to say, Eliza seemed sincere in her apologies about the preceding semester, she had not understood the importance of prioritizing a trial and she had not felt like a part of the community last semester. Eliza told them that stress, lack of prioritizing, and feeling attacked explained her absences during the trial. However, the jurors noted that she did not make excuses for herself. One juror noted that her essay was meant to show where she stood, and that her failure to meet the deadline showed a pattern of behavior.

The two jurors also said that Eliza reached out to Professor Higgins in the fall, but he responded that while her reaching out fulfilled the resolution, he did not want to meet with her. Professor Higgins emailed the Honor Council Co-Chair sitting on the case his explanation for not wanting to meet with Eliza. The Honor Council Co-Chair read Professor Higgins’s disappointed response towards Eliza’s behavior, which some jurors felt brought back their initial frustrations with Eliza.

The jury then addressed the nature of the trial’s resolutions. The jurors felt that her behavior and attitude towards the trial process was a larger issue than the academic violation alone, emphasizing that the resolutions should ensure a long-term constructive educational process for Eliza. The jury drafted the following resolutions as possible additions to the resolutions from the spring:

1. Eliza will go to two community abstract discussions this semester.
2. Eliza should meet with her dean to discuss her academic future. This discussion should focus on stress management and academic integrity, among other relevant topics.
3. The jury consents to not separate Eliza.

Pre-Deliberations

Between reviewing Eliza’s essay and attending final deliberations, the new trial chair met with Professor Higgins to discuss this case. Professor Higgins explained that Eliza did not convince him that she was fully invested in the process and did not seem sincere. He felt she had completed the resolution by reaching out, but that the breach of trust was not repaired.

Deliberations/Finalizing Post-Trial Resolutions

The jury discussed whether separation would be restorative and constructive for Eliza. Everyone acknowledged that she was in a better place than she had been in the past year, and that she needed a long-term process to truly be restored. The jury discussed at length whether or not the
summer break had served the same purpose as separation, if her essay addressed how to deal with situations of academic stress rather than simply avoiding them, and if separation would give her the opportunity to take responsibility on her own. One juror felt that Eliza had taken the first steps and that Honor Council should work with her further. Another juror felt that Eliza would use separation as an introspective experience if she were truly on a restorative path.

The idea of meeting with Eliza again was discussed, but the jury wasn’t sure what additional information they needed and realized that they would have to eventually come to a decision regarding separation. One juror felt strongly that separation was only being proposed because of her attitude and not because of the violation itself; others presented another perspective, saying it was hard to separate the two as the trial process is meant to see the student as a whole. A juror asked what the purpose of separating her would be. Some of the responses included the following: the academic issue and the breach of trust were never resolved; separation gives her the responsibility to come back to Haverford and decide what she wants out of it; separation is an opportunity for reflection; it would give her control over decisions. For those reasons, the jury consented to separation for one semester with two jurors standing outside. The jury also felt that they had many differing and complex reasons for consenting to separation, and that they should thus write a collective letter to Eliza explaining why they made the decision they did. The jury then consented to all of the following resolutions as attachments to the ones from the previous semester.

1. Eliza will be separated for one semester (7 jurors consented, 2 jurors stood outside---note that because of the change in jury size as allowed by the initial resolutions this allowed resolutions to pass).
2. The jury will write a letter to Eliza and the community explaining their reasoning for separation, including decisions to consent or stand outside. (All jurors consented, no jurors stood outside)
3. Eliza should meet with her dean to discuss her academic future upon return from separation. (All jurors consented, no jurors stood outside)
4. The jury recommends that this incident be reported to institutions of higher education. (No jurors stand outside)

Finalized resolutions: All consent, no jurors stood outside.

Post Trial

Eliza appealed the decision for separation to the president of the college. Her letter of appeal contained detailed personal circumstances that had not been brought up or revealed throughout the entirety of the trial process. The new trial chair, a community juror, and an Honor Council Co-Chair represented the jury and Honor Council in the appeal. The president upheld the decision to separate Eliza in the spirit of giving her the opportunity to take responsibility while creating a long-term process of
Letter from the Jury to Eliza and the Community (as per resolution 2)

Dear Eliza,

Over the past several months we, the jury, have discussed your case at great lengths and spent many hours deliberating over what the best decision for you and our community would be. Before we feel as if this process is complete, we want to make sure that you understand the reasoning behind our decision.

Although you completed all the required resolutions, possible separation remained in the jurors’ minds when we returned from summer break. While it is only natural to be frightened or intimidated by the trial process, the jury read your lack of participation as an indication of your failure to take accountability for your actions. Through the summer you continued to show little motivation to address your violation and work towards re-establishing yourself as a part of the Haverford community. In showing no eagerness to fulfill the resolutions and reflect on your violation, you demonstrated to the jury that you still did not understand what it meant to break the Honor Code. Violating the code is more than breaking a rule, its disregarding a set of moral standards that are based on mutual respect. Each student upholds the code not only for their personal integrity but because there is an understanding that their peers are doing the same. In disregarding the honor code you don’t simply fail your test--you cause the community to lose some of the strength that holds it together. Each member of the community is interconnected because we must trust each other if we are to have the strong relationships with friends and teachers that we know to be so unique. It appeared that your desire to contact honor council only surfaced when you became fully aware that your status as a student was in jeopardy. This troubled the jury because we wanted you to complete your resolutions, not out of fear, but out of a desire to restore yourself to our community and gain back your professor’s trust. As a result, the jury concluded that you had yet to fully internalize and reflect on your actions. This did not simply mean showing regret for the violation, but rather sincerely demonstrating that you see the Honor Code as an integral part of your academic and social life as a Haverford student. Since the jury was not convinced that you reached such a personal understanding, we could not trust that a violation would not reoccur if you did find yourself in a similarly stressful situation.

Throughout this discussion, each of us had conflicting feelings towards separation. We were hesitant to inflict such a serious consequence while you were mid-way through the semester and were trying to move past last year’s violation. After reading your letter, each of us could see that you were able to identify the purpose behind the Honor Code and had learned the goals of a trial. With that insight, we hoped that you could begin to further understand the importance of rebuilding and maintaining the community trust and personal integrity that the violation had weakened. Our major concern with consenting to separation was the fear that upon leaving, you would lose faith in the Honor
Code and lose the desire to restore yourself to the community.

Additionally, while we hoped the unusually long trial period would allow time for you to reflect on the events of the semester, we recognized that we could not and did not want to force reflection. This would inhibit it from being a self-motivated, genuine process. Therefore some believed it would be unfair to judge you under circumstances where perhaps you did not have sufficient time to come to conclusions on your own.

The final point that troubled the jury as they were coming to their decision was deciding what we had asked of you that you did not fulfill. You carried out the resolutions and showed genuine remorse for being in this situation. However, we finally decided in favor of separation because although there was nothing you neglected, it was the way in which you conducted yourself that made us question whether staying on campus for the semester would be beneficial for you and the community.

We hope that a semester away from Haverford, living in a different environment, will provide you with insight into why our community standards are so fundamental. We do not expect you to have solely positive views of the Honor Code because part of being at Haverford is having frustrations and disagreements with our system. What is important, however is to care that it exists and know the role it plays in everyone’s daily interactions. We want you to determine the position the code holds in your life and decide whether that role brings out an eagerness to return to campus.

We hope that this letter provides clarity into our reasoning.

-The Jury

Eliza’s Letter to the Community (as per resolution 2 of the initial set of resolutions)

Dear members of the Haverford College community,

I owe you the sincerest of apologies. I committed an infraction that involved an enormous breach of trust, and instead of actively participating in the process of restorative justice that makes Haverford unique, I ran away from it all. The infraction itself, while a serious violation of the Honor Code, was by far not the most shameful of my actions. What was truly disgraceful was the way I behaved subsequently. As Haverford students, we uphold trust, concern and respect as our core values. We have an Honor Code because we believe that our community should be held to the highest of moral standards. Haverford’s Honor Code and the Honor Council that represents it ask us to conduct ourselves with dignity and integrity even after we commit an infraction. After the violation, I acted instead with utter disregard. I did not communicate with Honor Council and they had to chase me down to get a trial date. Afterwards, I did not comply with any of the resolutions they gave me and I disappeared without a trace for the entire summer. Looking back, I am most ashamed at the disrespect
I showed the professor. I have always suffered from severe anxiety, and at a time when I was under a particularly significant amount of stress, he had been willing to help me through a difficult semester. A truly honorable person would have owned up to their mistake, offered the most heartfelt of apologies to the professor and worked towards repairing the trust that was broken. When I finally engaged with Honor Council, the original fracture that would have healed with sufficient care and attention on my part had become a break requiring intensive surgery.

When Honor Council informed me that I would be separated from the community for a semester, I was frightened and unsure of what being away from Haverford would mean. After having spent the semester at home however, I realize how much closer the trial and its aftermath have brought me to the core values of the college. I know now that in order to heal the wounds inflicted, I had to leave Haverford for a while. The process of reconciliation and restorative justice would not be complete without my separation, allowing me time to reflect and learn from my mistakes in a different environment. My time at home has turned out to be, pardon the cliché, a blessing in disguise. I used my time productively between working and taking classes at a local community college. I have taken my job seriously, proved to be reliable and was given increased responsibilities after only a short time. The money I have saved will go towards my education when I return to Haverford. This contribution to my family has earned me the respect of my parents, and while I have always been close with them, our relationship has matured into one of mutual trust, concern and respect between three adults.

Furthermore, I have a much deeper respect for our Honor Code and an entirely new perspective on what it means to be a Haverford student. I realize that the values the Honor Code instills in us reach far beyond our campus. We are top future leaders, many of us may go on to occupy high ranking positions in government, business and other institutions integral to human society. Unlike most other schools, ours teaches us that trust, concern and respect must govern our decisions whether they be in our academic and personal lives at Haverford or in our professional lives afterwards. Haverford College can say that every single graduate, many of whom may someday shape global economics and politics, is a model of stewardship and honor. Being a member of the Haverford community means embodying a higher standard. At Haverford, it is not enough to go to an elite institution just to get a degree and have an edge in the professional world. We must enter society with an impeccable moral compass and be worthy of the power a Haverford education gives us. There are not many places that can honestly say the same.

Last year, I could not call myself an honorable member of the community. I was going through a difficult time when I committed the initial infraction, and while this does not excuse it, I acted in a moment of extreme anxiety. However, there is no excuse for my behavior afterwards. I reacted horribly and I am truly appalled at myself. I write this letter to you having undergone a truly transformative process. Reflecting on what happened last year, I see a completely different person. I see someone who knows what it is to get an education at Haverford, who understands that trust, concern and respect are values that our school expects we personify during our college years and long after. After an extended trial and a semester away, I realize what a special place Haverford College is. Even after everything I
have done, Haverford is willing to welcome me back next semester. Trust, concern and respect are the three fundamental values of the Honor Code, but forgiveness also figures prominently. Every student should be honored to belong to such an institution, and live in such a way deserving of the trust and respect the college grants us by accepting us into such a community. I believe that with the experience and knowledge I gained from this process, I can return and prove myself an upstanding member of a unique and wonderful community.

**Discussion Questions**

1. How can juries best handle a case where the confronted party is consistently absent for trial meetings?
2. To what degree should a jury take the confronting party’s attitude toward the trial process into consideration in forming resolutions?
3. What weight should circumstances have in an appeal if they were not divulged in the trial process?