Abstract discussions will be held at 7:30 pm on Wednesday, February 9th and Thursday, February 10th in Ryan Gym

Wendy, Tinkerbell, and Professor Peter Pan
A Series of Honor Council Mediations
Released Spring 2011

This abstract was completed in accordance with the timeline in the Constitution.
The confronting and confronted parties were given the opportunity to review this abstract prior to its release.
(The addition of this disclaimer began Fall 2010).

Introduction
Wendy, a student in Professor Peter Pan’s Flying Class, confronted Tinkerbell, another student in the class, because she believed that Tinkerbell cheated on a quiz by looking at and copying from other people’s papers. Wendy believed that Tinkerbell admitted to cheating during the confrontation. Tinkerbell denied having ever admitted this, and maintained that she had not cheated. Wendy expressed unwillingness to act as a confronting party to bring the case to Honor Council, so Professor Pan brought the case as the confronting party. However, statements from all three parties were considered.

Professor Pan’s Statement

Wendy approached Professor Pan after class one day because she believed that she’d seen Tinkerbell cheating. Professor Pan told her that she should confront Tinkerbell and subsequently contact Honor Council. When Professor Pan later asked Wendy what had happened, Wendy told him that she’d confronted Tinkerbell and Tinkerbell had admitted to cheating on the quiz, but as Tinkerbell had promised never to do it again, the situation was resolved. Professor Pan told Wendy that Tinkerbell’s response did not resolve the matter and that he believed she needed to bring the case to Honor Council, or else be in violation of the Code for failure to confront. Wendy told Professor Pan that she was unwilling to act as the confronting party, but gave him Tinkerbell’s name.

After consulting with one of the Honor Council Co-Chairs, Professor Pan met with Tinkerbell and told her he had reason to believe that she may have cheated on quizzes. Tinkerbell said that Wendy had confronted her, but that she’d told Wendy that during the quiz she’d simply been looking around to check the time and get rid of nervous energy.

Since the accounts from the two students were at odds, Professor Pan met with Wendy and Tinkerbell together. Wendy continued to insist that she’d seen Tinkerbell cheat and that Tinkerbell had admitted to doing so during the initial confrontation. Tinkerbell continued to insist that she had not cheated nor admitted to cheating during the confrontation. Wendy returned shortly after the joint meeting to reiterate to Professor Pan that she’d seen Tinkerbell cheat and expressed frustration that Tinkerbell was lying. Professor Pan sent an email to the Honor Council
Co-Chairs saying that he couldn’t tell who was telling the truth, that Wendy refused to be the confronting party, and that he didn’t think it was appropriate for him to bring the case forward. However, after speaking with one of the Honor Council Co-Chairs, Professor Pan brought the case to Honor Council.

_Tinkerbell’s Statement_

Tinkerbell said that she was approached by Wendy, who suspected her of cheating on quizzes. Tinkerbell said that it had been an especially stressful day because of some family circumstances and her schoolwork, and that she was upset that she was being accused of something she hadn’t done, so she’d reacted emotionally. She recalled crying and saying to Wendy, “I’m so stressed out right now.” In retrospect, Tinkerbell concluded that Wendy must have interpreted this as her admission of cheating. She didn’t realize at the time that they’d interpreted the confrontation so differently. Upon receiving Professor Pan’s email, Tinkerbell went to his office and told him that she had not cheated, explaining that she looked behind her to see the clock and tended to fidget a lot. She and Wendy met with Professor Pan, at which point Tinkerbell restated that she hadn’t cheated, and that Wendy had misinterpreted her actions. Tinkerbell said that Professor Pan had contacted her the next day asking her to bring herself to Honor Council because he had “lingering doubts.” Tinkerbell expressed that she was upset he had lingering doubts when she’d told him that she hadn’t cheated.

_Wendy’s Statement_

Wendy said that she often sat with Tinkerbell in Flying Class, and that on several occasions she witnessed Tinkerbell looking at other students’ papers while taking quizzes and a midterm. Wendy did not confront at first because she wasn’t entirely sure Tinkerbell was cheating and because she didn’t want to jeopardize their friendship. She confronted Tinkerbell a few days after a quiz when she saw Tinkerbell move her body, look at another student’s paper, and copy from it.

Wendy told Tinkerbell during the confrontation that confronting her was hard, but she thought she’d seen her cheating and would report her to Honor Council if she saw her do it again. She described how Tinkerbell had started to cry and had said something along the lines of, “I’m so sorry, I just have so much going on and so much stress and everything and am under so much pressure with work and everything.” Wendy described how Tinkerbell had thanked her for confronting her and said how stressed and frustrated she was. Wendy claimed that Tinkerbell “admitted to the cheating without technically saying she did.” Wendy said she was frustrated that Tinkerbell had subsequently denied cheating, but said that there was nothing she, Wendy, could do about it. Wendy emphatically stated that she, Wendy, was not willing to participate in a trial because she believed that Tinkerbell would continue to deny cheating and it would simply be her word against Tinkerbell’s.

_Series of Mediations_

Honor Council reviewed the statements from Tinkerbell, Wendy, and Professor Pan and consented to a suspicion of violation. However, Council was less certain of the best way to
proceed with the case, and talked at length. Both an academic trial and mediation were considered, with a number of representatives supporting each option. Some representatives thought it likely that cheating had occurred, and felt that an academic trial was necessary for this case. Others were uncomfortable sending the case to a trial when there were such discrepancies in the statements, and thought it was a possibility that no cheating had occurred. Some representatives were reluctant to send the case to a trial given that Wendy said she would refuse to participate in one. Ultimately, Honor Council consented to send the case to a series of mediations, leaving open the possibility of sending the case to an academic trial at a later date if the mediations were not successful. Honor Council consented to send the case to two discussions and two mediations. The discussions would be between Wendy and an Honor Council representative to discuss the importance of engaging in the mediation process and between Professor Pan and another representative from Honor Council regarding his confusion and concern about a student’s obligation to confront. One mediation would be between Wendy and Tinkerbell and the other with all three parties.

**Discussions**

The respective Honor Council representatives talked with Wendy and Professor Pan prior to the first mediation, as specified by Council. Both discussions and the first mediation were held during the same semester the case was brought to Council.

**The First Mediation**

Wendy, Tinkerbell, and the mediator met at the end of the semester to talk about Wendy and Tinkerbell's confusion about the Flying quiz. Wendy and Tinkerbell took turns explaining their perspectives, and then discussed where the misunderstanding had occurred. It was an emotional and brief discussion, and Tinkerbell and the mediator left thinking that the meeting had been very productive.

However, on their way back to Never Never Land, Wendy explained to the mediator that she just knew that Tinkerbell was lying, even though she couldn't prove it. The mediator felt uncomfortable with this disclosure given how the mediation had just gone and that Tinkerbell was not present, and ended the conversation as quickly as possible. The mediator attempted to arrange for the mediation with Wendy, Tinkerbell, and Professor Pan before the end of the semester, but was not successful.

**Interim**

Wendy sent an email to the representative who had met with her initially in which she expressed concerns about how the mediation had gone and requested a different mediator. Specifically, Wendy questioned the mediator’s experience and felt that the mediator who had been assigned was not “intimidating” enough to compel Tinkerbell to confess. This email was forwarded to the one of the current Honor Council Co-Chairs. However, due to the fact that this email was not passed on from the current Co-Chair to the newly elected Co-Chairs for the next year, the email went unaddressed all summer. Due to scheduling limitations and the fact that it
was the end of the year, the second mediation did not happen during the school year, but was put off until the fall semester.

When attempts to schedule the mediation resumed, Wendy sent an email to the mediator expressing her unwillingness to continue with the process. Around this time, the past Co-Chair forwarded Wendy’s email to the current Co-Chairs, who presented the case to Honor Council to decide how best to proceed. Honor Council decided that it was Wendy’s obligation under the Honor Code to finish the final mediation and also agreed to have two mediators for this mediation. One of Council’s primary concerns was that Wendy didn’t understand the Honor Code and was confused about the purpose of mediation. Council decided to have an Honor Council representative talk with Wendy to clear up her misconceptions about the Honor Code and the purpose of mediation. The mediator would also discuss with her the importance of continuing to engage in the process. Given the way the case had devolved and the likelihood that the parties would continue to disagree, Council agreed that the mediation should focus on how to repair their relationships and move forward. Wendy discussed this with the Honor Council representative and agreed to participate in the second mediation as long as the focus was to talk about the process and where everyone was coming from and not to get to the “truth.”

**The Second Mediation**

Tinkerbell, Wendy, and Professor Pan met for the final mediation. Wendy acknowledged that she’d been frustrated along the way, but was glad they were meeting so they could put this behind them. Professor Pan described the sequence of events in the confrontation process and expressed his frustration with Wendy’s reluctance to confront. He said he’d felt his trust with the class had been damaged, but he did not know quite in what way. He said the incident has caused him to wonder whether more education was needed about following the Code even when the going gets rough. Tinkerbell talked about her concern that this incident would be the only thing Professor Pan would know about her and would influence what he thought of her. Tinkerbell also talked about how hard she’d worked in Professor Pan’s class, taking advantage of all the Flying-related resources offered.

Professor Pan and Wendy discussed their feelings about her confrontation. Wendy said she’d felt pressured, and that confronting had been made harder by the fact that she was Tinkerbell’s friend. Professor Pan said he felt he had a “professional responsibility” to follow through after Wendy told him her suspicions. He also talked about how the incident has caused him to question what is meant by students’ obligation to confront and how students themselves understand it. Wendy acknowledged that she did not want to deal with the issue herself and wanted Professor Pan to take care of it instead. Everyone talked about improving education about the Honor Code and the confrontation process.

**Follow-Up**

Several things Wendy had said during the second mediation made the mediators worried that she still did not understand the Honor Code and a student’s obligation to confront. Therefore, a follow-up conversation took place between one of the mediators and Wendy to address this issue.
Discussion Questions:
1. What is a student’s obligation to confront and take a case to Honor Council if he or she believes to have first-hand knowledge of a violation of the Honor Code?
2. What should a professor’s response be if a student reports, to the professor, that the student has witnessed another student cheating?
3. Was Honor Council right in sending this case to a series of mediations?
4. Can academic cases ever be resolved through mediation?

Professor Pan’s Statement:

This was my first experience where a student came to me expressing concern that another student had cheated on an exam in my class. I thought the Honor Code was clear that students have an obligation to confront and, if necessary, report to Honor Council any student that they observe cheating in this way. But to at least one student in my class, this was not clear, and that student was clearly uncomfortable with the advice I gave about how to proceed to be in compliance with the Code.

I hope that the abstract release will lead to discussions about what student obligations are under the Honor Code when a student observes academic dishonesty by another, and that in future years Honor Code orientation will include discussions of this issue. For instance, when the Code says that "the failure to confront or to report another student involved in a breach of the Honor Code is itself a violation of the Code", does the "or to report" imply reporting the violation to a professor is sufficient? If it is sufficient, or in any case, if it happens, what should the professor do with this information? Would it ever be appropriate under the Honor Code for a faculty member to confront a student in his or her class, or to give that student special scrutiny to try to "catch" cheating, based solely on a report by another student who wished to remain anonymous?

Tinkerbell’s Statement:

I found the mediation process to be very helpful. It was a forum in which I felt very comfortable engaging in open discussion. Although the confronting party and myself had already mended our relationship on our own, I did feel that it helped me to no longer feel like my Professor only knew me only as the accused party. I felt that the mediators asked good questions, but were also good at letting the conversation between the three of us remain natural and flowing, which I believe allowed for the level of comfort that was achieved through the discussion.

Wendy’s Statement:

Soon after I confronted Tinkerbell, I was emailed by Professor Pan about what had happened. I told him I had talked to Tinkerbell and that she admitted her wrongs and wouldn’t do it again. He told me that that was not, unfortunately, the end of it and that she had to submit herself to the Honor Council. It was at this part in the whole process that it started to get messy. I, which I now know, did not fully understand the confronting process here at Haverford and so told myself that I didn’t need to tell Tinkerbell that she needed to submit herself to Honor Council. I thought that
she would do that or that I could just pass off the responsibility to Professor Pan, who was her professor and the grader of her exams. I was scared by the pressure presented to me by Professor Pan and his vision of the Honor Code here and I didn’t know that his pressure was actually well-defined, organized and justified. I honestly had no idea how the confrontation worked and therefore did not carry it out to the precise expectations outlined in the Honor Code.

When Tinkerbell, Professor Pan and I met for the first time, it was very awkward. I did not know to whom I owed loyalty: Professor Pan, my professor who graded our exams and expected us not to cheat when he left the room, or my friend Tinkerbell, whom I really liked and respected and didn’t want to offend, or to the Honor Code in general, which governed our lives here at Haverford College strictly and reasonably. I still, clearly, had frustrations after this first conversation between Tinkerbell and Professor Pan and I, and I admitted to Professor Pan a few minutes later that I was still very frustrated with this whole deal and could not get over the fact that I knew Tinkerbell had cheated and she wasn’t admitting it. Professor Pan understood and, I assume, passed on this frustration to another Honor Council member.

This first meeting was followed eventually by mediation for just Tinkerbell and I with an Honor Council member. I thought it was going to go well, but I did not know, at the time, what the point of the mediation was. In my mind, I thought it was just another forum to discuss what ‘had happened,’ and not ‘how to resolve it’ or ‘how to come to terms with what happened.’ No one told me what the purpose of the mediation was and so when I got there and spoke, I thought the meeting was for one purpose, but it was actually not. I also felt very strongly during this meeting that the particular mediator was not necessarily the best candidate for doing our mediation since she was relatively new to being an Honor Council member and might not be able to handle two parties from her own graduating year. Because I thought the meeting was for a different reason that it was, I thought the mediator was not doing a good job at getting ‘the truth’ out of Tinkerbell – but this is where my knowledge failed me. I thought the whole time the mediation was for getting the truth out, but it wasn’t. Since no one had told me that that was the purpose, that is why I requested a different mediator for the next time. However, in retrospect, I can see the mediator was just doing her job.

I next met with an Honor Council member who has since graduated, who took notes on how I felt the mediation had gone. These notes and feelings I expressed never got passed on to anyone, so I just thought, Whatever, I’ll just move on.

The next mediation was between Tinkerbell, Professor Pan, me and two mediators. This meeting cleared up everything that had gone on and I felt a lot better about it by this time. I mean, I had already had a year to get over the whole experience, so it was more just a final clear up than anything. However, apparently, the things I said in the meeting regarding my obligation to confront were unclear and so I later met with one of the Honor Council mediators to discuss my real obligation to confront. Now I finally know what to do and what my true responsibility is from now on.