Abstract discussions will be held on Wednesday 10/23 and Thursday 10/24 at 7:30 pm in Ryan Gym.

Project Runway:
An Honor Council Academic Trial
Released Sunday 10/27/2013

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

Key
Confronting Party: Professor Nina Garcia and Professor Michael Kors
Confronted Party: Heidi Klum and Tim Gunn
President of the College: President Bravo

Pre-trial
Heidi Klum and Tim Gunn, who were dating, were in Fashion Design 101 together, taught jointly by Professor Garcia and Professor Kors. The class was given an assignment where they had to design and make jackets for themselves. Professor Garcia noticed that Heidi Klum's and Tim Gunn's jackets were extremely similar, both the initial sketches and the final products. She and Professor Kors confronted the two students and asked them whether they had collaborated on the assignment. When the students denied that this was the case the professors asked them to bring themselves to Honor Council. Honor Council came to a suspicion of violation, and sent the matter to an academic trial.

Fact-Finding
Professor Garcia explained that as she was grading the assignments, she noticed that Heidi’s and Tim’s were more similar than would be possible with a permissible amount of collaboration. She then compared the jackets side by side and saw that they had similar color schemes, fabric choice, and stitching. Professor Garcia confirmed that Heidi’s and Tim’s jackets were more similar to each other than any of their classmates’ jackets resembled Tim’s and Heidi’s, or any others. When she and Professor Kors confronted Heidi and Tim together, Heidi and Tim were unable to explain the similarities.

Tim said that the jacket he created was entirely his own. He conceded that there might have been some minor collaboration with Heidi, but nothing beyond vague questions. Tim had had another midterm due the same day as this assignment, and had therefore decided to start working on his jacket early. He used two separate sewing machines for different parts of the jacket, and stitched the pieces together only at the end. Despite starting the assignment early, he got busy with work and had procrastinated. He said he did not have time to see Heidi at all
prior to the assignment’s due date, besides a little bit the night before.

Heidi said that she had more time than usual to work on the assignment, and that she wanted to do a really good job. She split up her work on the jacket over several days and worked on different parts concurrently. Heidi said she spent more time on the assignment than Tim, and mentioned that their jackets had different lapels.

Professor Garcia mentioned that the stitching was consistent across the two jackets. Tim responded that this was most likely the case because he had taught Heidi how to sew. Heidi said that the stitch on the jackets was the only stitch she knew. When the professors pointed out other similarities, Tim and Heidi suggested that the fact that they were the same size might have led them to make similar decisions when creating their jackets.

**Statement of Violation**

After much discussion, the jury concluded that the jackets were much too similar in both design and execution to have been done independently. Since both Heidi and Tim denied any collaboration at all, it was unclear to the jury who was actually responsible for creating the jacket, whether one had copied off of the other without permission or whether the two had collaborated equally, etc. It was clear, however, that inappropriate collaboration of some sort had taken place, and the jury agreed that Tim and Heidi were in fact collaborating by refusing to implicate one another. The jury then came to the following statement of violation:

*Tim Gunn and Heidi Klum violated the Honor Code by inappropriately collaborating. Their collaboration extended far beyond that which is outlined in the professor’s guidelines.*

**Circumstantial Portion**

Tim began by saying that he “would do literally everything” he could to avoid this type of situation in the future, and that he wanted to always be able to prove his innocence in the future – which could mean not taking more classes with Heidi. Heidi mentioned that the trial was very stressful. At no point did Tim or Heidi take responsibility for what the jury believed to be evident improper collaboration.

Professor Garcia said that this assignment was intended to create a creatively diverse spectrum of work, and that the assignment was not discussed in class to leave room for interpretation. She and Professor Kors expected and were okay with students collaborating on general assignment clarifications, but that students were then to take their own route. Tim’s and Heidi’s jackets were too similar to indicate only vague collaboration, as Tim had put it.

When a juror asked whether the Honor Code had ever been discussed in class, Professor Garcia said that they never specifically discussed it, but that the syllabus and assignment had been reviewed thoroughly, making it very obvious to her what was appropriate. It had also been very obvious after the first class that Tim and Heidi were dating, furthering her suspicion that they had collaborated improperly.

Professor Garcia told the jury that she did not believe Tim and Heidi’s account of the events, and that if the jury believed them then she would lose faith in the Honor Code system. Tim and Heidi explained that they came to Haverford because of the Honor Code, and that they would lose faith in the system if the jury did not believe them. Professor Garcia also took issue
with Heidi’s attitude and lack of respect, which posed additional difficulty in restoring trust between the parties. Heidi explained that she suffered from a lot of anxiety, which her professors might be misinterpreting.

When asked about proposed resolutions, Tim and Heidi stated that they felt they should receive the same set of resolutions. They proposed a reduced grade on the assignment, a letter to the professors, and a letter to the community. They felt that anything else would be too severe.

Professor Garcia recommended a zero on the assignment, and an alternative assignment to complete. She felt that separation was not warranted based on the violation, but that it was an Honor Code violation to refuse to admit to a previous violation, and perhaps separation was appropriate for that reason.

Tentative Resolutions
Heidi and Tim continued to deny any intentional plagiarism, but in the eyes of the jury, their explanation was not believable. Thus, the following tentative resolutions were agreed upon:

1. The jury recommends that Tim and Heidi receive a 0.0 on the assignment. Since passing the course is conditional on completing all assignments, they receive a 0.0 in the course. (All jurors consented.)
2. Tim and Heidi will be separated from the community for two semesters. Prior to their return, they each must write a reflective essay about how the ideals presented in the Honor Code impacted them over their separation and how their view of the Honor Code has changed. This essay should be emailed to code@haverford.edu. This essay is not to be released with the abstract. (Two jurors stood outside of consensus)
3. Within six weeks after their return to the community, Tim and Heidi must write a letter to the community that describes their thoughts regarding the trial process and their renewed role in the community. (All jurors consented.)
4. This violation should be reported to graduate schools. (All jurors consented.)
5. This abstract will be released upon receipt of the letter, or [date withheld], whichever comes first. (All jurors consented.)

One juror stood outside of consensus on resolutions as a whole.

Finalizing Resolutions
Tim and Heidi did not agree with the tentative resolutions put forth by the jury, preferring instead to have a mediation with the professors, since they felt that much of the trial was founded on misunderstanding and that they and the professors had difficulty getting along. They were unhappy that their side of the story was not being accepted as the truth, and they called the jury’s decisions punitive. Heidi thought that separation and grad school reporting was too harsh. Tim agreed that separation was too harsh, but took more issue with the grade change. Tim also explained that his father would not let him live at home during the separation.

After considering these concerns, however, the jury consented to the following final resolutions:
1. As a result of Tim and Heidi’s inappropriate collaboration, the jury considers the assignment incomplete. Since passing the course is conditional on the completion of all assignments, the jury recommends that Tim and Heidi receive a 0.0 in the course. (All jurors consented.)

2. Tim and Heidi will be separated from the community for two semesters beginning [date withheld]. Prior to their return, they each must write a reflective essay about how the ideals presented in the Honor Code impacted them over their separation and how their view of the Honor Code has changed. This essay should be emailed to code@haverford.edu. This essay is not to be released with the abstract. (Two jurors stood outside of consensus.)

3. After Tim and Heidi’s return to the community, they must submit within six weeks a letter to the community that describes their thoughts regarding the trial process and their renewed role in the community. (All jurors consented.)

4. This violation should be reported to other academic institutions to which Tim or Heidi applies. (All jurors consented.)

One juror stood outside of consensus on resolutions as a whole.

The reason one juror stood outside of consensus on the resolutions as a whole was that he believed there should be more conditions for Tim and Heidi’s return to the community.

Post-Trial

Tim and Heidi appealed their case to the President of the College. President Bravo decided that Tim and Heidi could compose a reflective essay, and should the content of the essay be sufficient, the trial resolutions would be changed.

As a result of this process, the jury’s resolutions were overturned, and President Bravo issued the following:

- I support the jury's recommendation that you receive a 0.0 on the assignment.
- I ask the professors to determine the appropriate grade you will each receive for the course.
- I ask you to follow up on the actions you propose in your statements (attached) regarding this matter to renew your commitment to the Honor Code, repair your relationship with the professors of the course, and restore the community's faith in your honor and integrity.
  Please report back to me before the end of the semester.

If I am satisfied that you have made a sincere effort to take responsibility for your actions and grow through this experience, I will allow you to return to Haverford in the fall with no violation on your records.

Feeling strongly that President Bravo had failed to recognize the gravity of Tim and Heidi’s Honor Code violation, the chair of the trial expressed his dissatisfaction and disappointment in an email to the President, and President Bravo responded. His letter does not necessarily represent the views of the jury. As appeal decisions are binding, the resolutions put
forth by President Bravo were unchanged.

**Discussion Questions**

1. How should a jury handle a situation in which the confronting party and the confronted party give different accounts of a situation? Should a jury’s response differ based if the parties are students versus faculty?
2. What is the best way to hold a confronted party accountable when they refuse to do so themselves?
3. Is appealing to the President of the College the best recourse to give a confronted party? Does this appeal process undermine the Honor Council trial process?
Appendix

Trial Chair’s Letter to President Bravo

President Bravo,

Your decision is, to say the least, disappointing. Apparently, despite the ample time between the alleged violation and the trial, Tim and Heidi have only recently come to the "realization" that they discussed a few details pertinent to the assignment prior to the due date. They claim that the pressure of the trial prevented them from reflecting properly on what had occurred. However, they both had all of Winter Break and the beginning of the semester to think about what had happened, yet apparently neither of them recognized during that time that inappropriate communication had taken place.

Furthermore, Tim and Heidi had been asked specifically about this issue by the professors immediately following the alleged violation and by the jury during the trial. They were asked by the professors whether they discussed the assignment prior to its completion, to which the responded that they had only spoken about it in a "vague and conceptual" manner (Tim's words). We asked them a similar question multiple times during the trial and received the same response: that no concrete details had been discussed. Since they were asked this so frequently (and also at least once immediately following the incident), it is inconceivable that they wouldn't have remembered their discussion(s) with one another.

Thus, by now admitting their discussion, they have done little more than show that they were not speaking truthfully in their conversations with the professors and the jury. Even if one does give them the benefit of the doubt regarding this issue -- that they didn't realize that they had had significant discussions about the assignment -- it does not erase the fact that they violated the Honor Code by inappropriately collaborating on an assignment. It seems to me that Tim and Heidi were given numerous opportunities to explain exactly what happened, but they denied any wrongdoing at every chance they had. Only when faced with real consequences did they admit anything at all.

Wouldn't it be nice if every student who came before Honor Council were afforded this option? If every student could deny everything up until the appeal, at which point they give up a few crumbs of culpability and escape virtually scot-free?

Yet, the worst part of all of this is that Tim and Heidi’s recent admissions do not even come close to explaining the similarities in their assignments. To think otherwise would be to exhibit a large degree of incompetence. According to Heidi, "some stuff" did result from their
conversation, but much else was "coincidental." [The trial chair gave three specific examples of similarities between the assignments.] In fact, I strongly doubt that those similarities could have even arisen from a brief discussion about the assignment.

To let something like this slide through with a minor slap on the wrist is a huge disservice to the people involved and to the college as a whole. First and foremost, it completely undermines Honor Council and the Honor Code. A large part of what makes Haverford the unique, well-respected, academically rigorous college that it is, is the level of trust among the students and between the student body and the faculty, both of which flow directly from the Honor Code. Because we have this degree of trust, we take any breach of it -- especially plagiarism -- very seriously (more seriously than most other schools, I would imagine).

Thus, when a student represents another's work as his/her own, the professors and the student body expect that the situation will be dealt with in accordance with the Honor Code. In this case, the Honor Code calls for separation -- it's as simple as that. I would imagine that if some of the faculty saw the two documents in question and knew that you imposed such an insignificant sanction, they would be unhappy. It's just another hit to the academic integrity that Haverford cherishes so dearly.

Moreover, this decision significantly undermines the self-governance that the student body enjoys at Haverford. Nine other students and myself, along with two professors, spent hours upon hours coming to the conclusion that this was a significant violation of the Honor Code. We also spent hours thinking about potential consequences and their impact on the involved parties. In the end, we made the (confident) decision that separation was necessary. Yet, you decided to throw this -- and all of our hard work -- out the window without so much as an explanation of why. You have taken ten people's well-thought out opinions and stated clearly that they do not matter relative to your own. In a college like Haverford, where students are supposedly treated as important community members, this is simply a disgrace.

Finally, I want to address your decision not to send this matter to graduate and/or transfer schools. It constitutes lying. Schools ask whether the students have undergone disciplinary review, even if the matter has been expunged. In this case, Tim and Heidi not only went to an Honor Council trial, but also received a grade change (at least on the assignment). This definitely falls under the purview of what grad school applications are inquiring about. Not to answer this question is dishonest -- just as dishonest as Tim and Heidi have been.

Sincerely,
Trial Chair
Letter from President Bravo to the Trial Chair
Dear [Trial Chair],

Thank you for your forthright statement of your views. I, in turn, appreciate the opportunity to address them with equal candor.

Do know that I deeply respect the Honor Council and the role that you and the other members of your jury played in carefully examining and adjudicating this case. Your work is an important part of the record. I do not dispute, and I did not undo, your findings of a violation of the Honor Code. My role as president is broader and different from that of the Honor Council. I need to concerned from a broad institutional perspective about proportionality of infraction to punishment and about having processes that are constructive and restorative and not merely judgmental and punitive. We are an educational institution, after all. More specifically, my concern was focused on getting [Tim] and [Heidi] to face up to their culpability, to set upon a process of deeper self-understanding, to apologize for their behavior, and to take steps towards reconciliation and restoration.

Frankly, unlike a simple case of plagiarism, there are genuinely some areas of gray in this case -- potential confusions and misunderstandings about what constitutes appropriate or inappropriate discussion of an assignment among two students who know each other well. Nonetheless, I agree wholeheartedly with your conclusion that these two students went over the line; what they did was wrong. It was a violation of the Honor Code. Both students have declared that they recognize this now, regret what they did; are embarrassed by the way they comported themselves in the trial, have suffered through a protracted and painful process, have grown in self understanding and will continue to learn from this experience. I hope that that is true. While none of us can ever read with total certitude the human heart of another, I have accepted their contrite explanations. I believe that this has been a profoundly unsettling experience for them both; they have been judged by their peers; they have been found to be dishonorable. They have hardly got off "scot free."

Separation from the community for two semesters is a very consequential, life-changing punishment. It is my judgment as president that such a punishment would be disproportionate to this infraction and so I tempered judgment with mercy. It is my hope and expectation that the Honor Code is not narrow and rigid but capaciously understanding of our imperfect but perfectible human behavior.

Sincerely,
[President Bravo]
*These two letters had small amounts of text removed to protect the identities of parties involved in the trial process. Honor Council felt that they still aptly represent the views of the Trial Chair and President Bravo.