Abstract discussion will be Thursday, April 3rd at 8:00 pm in Ryan Gym.

The Iliad:
An Honor Council Academic Trial
Released Spring 2014

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

Key:
Achilles - Confronting Party
Patroclus - Confronted Party
Nestor - Professor of Warfare Strategies 257

Summary:
[Achilles] and [Patroclus] were living together and taking Warfare Strategies 257 together. After accidentally seeing his friend’s test and seeing that an answer was nearly identical to his own, [Achilles] confronted [Patroclus]. [Patroclus] initially denied but later admitted to looking at [Achilles]’s test which had been left out on [Achilles]’s desk. [Achilles] contacted Professor [Nestor] who asked them to contact Honor Council about the case. The jury came to a statement of violation and then tentative resolutions which [Patroclus] accepted. Final resolutions were made to meet the trial goals of education, accountability, and restoration, with emphasis on restoration.

Pre-Trial:
Honor Council had a very difficult time communicating with [Achilles], who was not on campus throughout the trial. It took him a month to respond to the first jury approval email, by which point the Honor Council Exec Board had decided to proceed without him. When the jury needed to be modified for extraneous reasons, [Achilles] did not reply in a timely manner and the Exec Board again decided to proceed without his approval. After the email responding to the first jury approval email, [Achilles] did not respond to any emails regarding the trial.

[Patroclus] was also difficult to contact. His responses to emails were often short and did not always address all the questions asked. Eventually, the trial chair started communicating with him largely by phone calls and text messages. Once the trial started, [Patroclus] was much more responsive. [Patroclus] Skyped in to all trial meetings. [Achilles] was not present for any.
Fact-Finding:

[Achilles]’s views are presented here as they appeared in his original statement to Honor Council. [Achilles] said that he had seen [Patroclus]’s test by chance and noticed that an answer followed a specific method that he had used on his exam. He then went to his room to check his test and noticed it was in a different place. Upon confronting [Patroclus], he wrote that [Patroclus] first denied the allegations and then ripped up his test in a fit of anxiety. [Achilles] kept [Patroclus]’s shredded test. [Patroclus] then disappeared. After trying to text [Patroclus], [Achilles] and another friend called [Patroclus]’s parents early in the morning. [Patroclus]’s mother then called Safety and Security, who found [Patroclus].

[Achilles] talked to [Patroclus] a few days later and asked him to talk to Professor [Nestor]. [Patroclus] contacted [Nestor], who asked that the matter go to Honor Council. [Achilles] also said that he later looked at the paper [Patroclus] had ripped up and said that several of [Patroclus]’s answers were exact copies of his own.

During Fact-Finding, [Patroclus] said that he walked into [Achilles]’s room and accidentally saw the test on [Achilles]’s desk. He also said that he picked up the test, looked at it, and put it back down when he had finished. This explained why in his statement [Achilles] said the test had been moved. Later when [Patroclus] was working on the exam he reproduced the same methods he had seen on [Achilles]’s exam. [Patroclus] also clarified that it was reasonable that [Achilles] had seen his own test since he had left it open on his desk and [Achilles] was often in his room. [Patroclus] said that he had left it open because he worked on it when ideas came to him, which was allowed because this portion of the test was open book and not timed. By the time [Achilles] saw the test, it was already largely completed.

In response to a question by a juror, [Patroclus] said he and [Achilles] had previously been careful about collaborating on previous assignments. Since he had collaborated closely with [Achilles] and a few other people, their tests would naturally have looked similar anyway. [Patroclus] also felt that he would have arrived at the correct answer even if he had not seen [Achilles]’s exam. [Patroclus] also mentioned that there had been two parts of the test. One was untimed, open book, and open notes. This was the part on which he said he had cheated and did not turn in. The second part of the test was closed note and timed. He did turn in this part.

[Patroclus] also relayed that after the semester in which he cheated on the exam, he was asked to take a two semester leave. This was an academic leave and unrelated to Honor Council. It also came up that [Patroclus] had trouble remembering large chunks of that semester, due to mental health issues. He also said that he only remembered looking at [Achilles]’s exam after a lot of therapy.

Jury Deliberations:

The jury talked about whether or not [Achilles], the confronting party, had violated the Code, either by looking at [Patroclus]’s test or by keeping [Patroclus]’s test after he tore it up. However, the jury decided that while it was uncomfortable with [Achilles] holding onto the exam, it did not believe a violation had occurred.
The jury then addressed whether [Patroclus] had violated the Honor Code. After a short period of deliberation, the jury came to the following statement of violation:

"[Patroclus] violated the Honor Code by reading a response from another student's exam and incorporating it into his own exam." (All jurors consented)

Interim:

After this meeting, the trial chair emailed Professor [Nestor]. He asked Prof. [Nestor] if any grade changes had been implemented, beyond giving [Patroclus] a zero on the portion of the assignment that he had not turned in. Prof. [Nestor] responded that he had not implemented any additional grade changes. He replied that between not turning in part of the test and doing very poorly on the rest of it, he had ended up with a score of 8/65. He said that changing this grade to a 0/65 would probably not have changed [Patroclus]'s overall grade and at most would have lowered it from a 2.3 to a 2.0. He also said, “Had [Patroclus] taken the midterm ‘straight’ and performed in a manner commensurate with his performance on other assignments,” Prof. Nestor estimated [Patroclus’] grade would have been significantly higher, more in the range of 3.3 or 3.7. Prof. [Nestor] finished by saying that any breach of trust between himself and [Patroclus] had been healed, although he requested the jury include a resolution asking [Patroclus] to have an unmediated conversation with him upon his return to Haverford. Moreover, he said he was more concerned with a potential breach of trust between [Patroclus] and [Achilles].

This email was forwarded to [Patroclus], along with [Patroclus]’s original statement and [Achilles]’s original statement. Usually, the information in Prof. [Nestor]'s email would have been shared in Fact-Finding. Also, parties normally do not see each other’s initial statements, since they give their own version of events during Fact-Finding. However, given [Achilles]’s absence, the jury decided that sharing the statement was appropriate.

The trial chair also asked [Patroclus] for a summary of what had happened since [Patroclus] left Haverford, to give to the jury. [Patroclus]’s was in the process of writing a letter which was necessary for him to return to Haverford. He forwarded this partially completed letter to the jury. This letter was shared with the jury immediately before Fact-Finding. The letter touched on the circumstances surrounding the violation that occurred.

Circumstantial:

The meeting started off with [Patroclus] giving more background about his last semester at Haverford. He said that the semester was very difficult for him. He often did not go to class, found it hard to interact with people, fell behind on work, and often did not eat or sleep. However, he said that while this contributed to the violation, as he would not have cheated without these factors, he still felt personally responsible. These factors impacted him the most in how he reacted to [Achilles] confronting him. He followed up by saying that he was in a better place now as he was seeing a psychologist and had a support system.
In response to the jury’s questions, he talked about the role of parental support, how to get support at Haverford, and his concerns about how to integrate himself back into Haverford.

Jury Deliberations:

When considering tentative resolutions, the jury focused heavily on the the circumstances under which the violation occurred (taking into account the mental, emotional, and physical state that [Patroclus] was in).

1. The jury recommends that [Patroclus] meet weekly with CAPS upon his return to Haverford for as long as he and his counselor feel it is appropriate. (All jurors consented)
   ○ The jury wanted to make sure that [Patroclus] had a good support system at Haverford, so if he started getting overwhelmed again someone would notice.

2. The jury recommends that [Patroclus] meet with Professor [Nestor] upon his return to Haverford. (All jurors consented)
   ○ The jury wanted to make sure that the restoration and the healing process between [Patroclus] and Prof. [Nestor] was completed. Prof. [Nestor] also seemed to want to meet, as he indicated in his email.

3. The jury recommends that [Patroclus] meet with [Achilles] upon his return to Haverford with the option of having a juror present to facilitate a conversation. (All jurors consented)
   ○ Similarly to resolution 2, the jury wanted to make sure that the restoration and the healing process between [Patroclus] and [Achilles] was complete.

4. The jury recommends that [Patroclus] meet with a dean biweekly upon his return to Haverford for as long as they feel it is appropriate. (All jurors consented)
   ○ Similarly to resolution 1, the jury wanted to make sure that [Patroclus]’s support system was well developed. It felt that meeting with CAPS would provide a different type of support than meeting with his dean.

5. The jury recommends that [Patroclus] write a letter to the community, to be released with the abstract. (All jurors consented)
   ○ The jury felt that a letter to the community would be cathartic for [Patroclus] and would give him a forum to address the community with any thoughts or concerns.

6. [Patroclus] will not be further separated from Haverford College. (All jurors consented)
   ○ Some members of the jury felt that this violation did not warrant Honor Council-related separation in the first place, setting aside academic or medical leave. No one thought that further separation was necessary.

7. The jury supports Professor [Nestor]’s decision to give [Patroclus] a 0.0 on the
portion of the assignment that he did not turn in and does not feel like a further grade change is necessary. (All jurors consented)

○ The jury felt that the original grades were sufficient to hold [Patroclus] accountable for looking at [Achilles]’s test and that further changes were not necessary.

8. The jury recommends that this incident not be reported to institutions of higher learning. (All jurors consented)

○ The jury felt that this trial addressed the three goals of a trial (accountability, restoration, and education), and it did not feel that it should be reported to institutions of higher learning (e.g. graduate schools), if [Patroclus] decides to apply. Although this trial did address accountability, the jury did not feel that this case was "disciplinary" as much as restorative.

Resolutions as a whole: All jurors consented.

Final Resolutions:

The jury met with [Patroclus] to discuss final resolutions and no changes were made from the tentative resolutions.

1. The jury recommends that [Patroclus] meet weekly with CAPS upon his return to Haverford for as long as he and his counselor feel it is appropriate. (All jurors consented)

2. The jury recommends that [Patroclus] meet with Professor [Nestor] upon his return to Haverford. (All jurors consented)

3. The jury recommends that [Patroclus] meet with [Achilles] upon his return to Haverford with the option of having a juror present to facilitate a conversation. (All jurors consented)

4. The jury recommends that [Patroclus] meet with a dean biweekly upon his return to Haverford for as long as they feel it is appropriate. (All jurors consented)

5. The jury recommends that [Patroclus] write a letter to the community, to be released with the abstract. (All jurors consented)

6. [Patroclus] will not be further separated from Haverford College. (All jurors consented)

7. The jury supports Professor [Nestor]'s decision to give [Patroclus] a 0.0 on the portion of the assignment that he did not turn in and does not feel like a further grade change is necessary. (All jurors consented)

8. The jury recommends that this incident not be reported to institutions of higher learning. (All jurors consented)

Resolutions as a whole: All jurors consented.
Post-trial:
There was no appeal of the trial resolutions. At the time of abstract release, [Patroclus] has not yet submitted a letter to the community. Should he choose to do so, the letter will be released separately and then appended to this abstract.

Discussion Questions:
1. How should [Achilles] have handled the situation when [Patroclus] gave [Achilles] his test? Should he have kept it? Should he have given it to Prof. [Nestor]?
2. Was it appropriate for [Achilles] and [Patroclus] to leave their tests out since they were living together and were both taking the same exam?
3. The confronting party was not present during any trial meetings. What responsibility does the confronting party have to be present during the trial process?