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

**Scrubs:**

**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 was not available to consent to release of this abstract. The confronted party was not available to consent to release of this abstract. (The addition of this disclaimer began Spring 2010).

**Key:**
Turk: Confronting party  
JD: Confronted party  
Rowdy: Friend of JD  
Dr. Cox: Professor of Pathology  
Carla: Turk’s girlfriend  
Pathology 200: The class  
Virus diagramming & famous pathologist report: Assignments for the class

**Summary:**
This case involves JD, a student in Dr. Cox’s Pathology 200 class. When Dr. Cox emailed him about a late paper, he replied that he was confused about the deadline, and he hoped to receive an extension. As JD wrote this reply email, he read it aloud to his friend Rowdy while his roommate Turk was also in the room. The following day Turk confronted JD and asked him to bring himself to Honor Council for misleading Dr. Cox by trying to receive an extension and an unfair advantage on the paper. The ensuing trial was delayed because JD waited to bring himself to Council until the summer. In the trial resolutions, the jury asked that JD write a letter to the community and work to repair the breach of trust with Dr. Cox.

**Pre-Trial:**
For his Pathology 200 final, JD had to make detailed diagrams of 18 viruses due on the first Tuesday of finals, and write a paper on any famous pathologist to be turned in on the first Friday of spring semester finals at midnight. JD had been having problems with keeping himself motivated lately, especially when it came to essay writing, and he therefore missed the deadline for the paper. The Sunday after the Friday deadline, his professor, Dr. Cox, emailed him asking where his paper was. JD read his email response out loud to his friend Rowdy while his roommate Turk was also in the room. In the email, JD told Dr. Cox that he was confused about the deadline and was working on his paper.

The next day, Turk confronted JD for lying about being confused with the deadline. JD spoke to Dr. Cox the following Wednesday and admitted that he had lied, to which Dr. Cox replied that they should have talked earlier. JD told Turk about his meeting with Dr. Cox and they agreed it would be best if JD still brought himself to Honor Council after finals week.
JD failed to send any email to Honor Council and a month later, Turk sent an email to the previous Honor Council co-chair, who replied that Honor Council had not received an email from JD. Several weeks later, JD did bring himself forward, but because he did so in the middle of the summer, the new co-chairs decided the trial would have to wait until the fall. In the fall, Honor Council reached a suspicion of violation and sent to the case to an academic trial. The case was delayed due to a complicated jury selection process. Additionally, Turk was not at Haverford that whole semester and would have to be Skyped into the trial.

**Fact-Finding:**

The jury met with JD and Dr. Cox for fact-finding, but Turk could not Skype in because of a time difference. JD recounted the details found in his statement and agreed that he had lied to Dr. Cox and therefore violated the Honor Code.

The jury asked questions regarding the timeline of the case and Dr. Cox’s reaction. JD explained that he turned his paper in on the second Tuesday of finals weeks rather than the first Friday on which it was due. Dr. Cox was upset but still gave him a grade. The jury asked JD about his discussions with Turk, in which JD explained that he agreed to bring himself to Honor Council the week after he got home from school, but did not send an email to Honor Council until July. After answering brief clarification questions from the jury, JD left the room.

The jury proceeded by reading Turk’s fact-finding statement. The Trial Chair emailed Turk, asking him some questions to prompt a discussion that would help the jury to further understand Turk’s view of the facts. The Trial Chair then asked why he felt JD’s actions constituted a violation of the Honor Code, to which he responded that JD knew the deadline of his assignment and tried to excuse himself by lying about when he thought it was due. He felt that this extension, not offered to other students, gave JD an unfair advantage. He also felt that JD violated the trust of Dr. Cox and the rest of the Pathology students. Turk clarified that simply turning in the paper late would not have been a violation, but the fact that JD lied about his progress and reason for failing to submit the paper constituted a violation. The next question the Trial Chair asked was why Turk waited a day to confront JD. Turk said he was not comfortable confronting JD while a third person was in a room and wanted to first talk to an Honor Council member to reassure himself that JD had violated the code. The final question was if JD’s failure to report himself in a timely fashion constituted a violation of the Honor Code. Turk stated that his trust was violated, but that it was not itself a violation. Turk was somewhat ambivalent towards the question, as he too had failed to send a follow up email in the allotted amount of time.

**Deliberation:**

The Trial Chair asked if the jury felt there was a violation of the Honor Code and they quickly agreed that a violation had occurred in JD’s act of lying to his professor. The jury discussed whether JD’s failure to report himself according to the timeline which he and Turk had discussed constituted a further violation, but they concluded that that was not the main concern of the academic trial.

The jury unanimously consented to the following statement of violation:

*JD violated the Honor Code by lying to his professor thus compromising his scholastic integrity. (3.04 1)*
Circumstantial:

Neither Dr. Cox nor Turk was able to attend the circumstantial meeting. JD began the circumstantial portion by explaining the difficulties he has been having ever since he came to Haverford: how he had initially planned to be a Pathology and Surgery double major, but soon realized he didn’t want to study Surgery, which greatly upset his family. When he returned sophomore year he took only medicine classes but was having trouble “clicking” with Turk as a roommate. He had also started taking a medication, which affected his mood. JD hoped that his struggle with lack of motivation and apparent depression would end when he went home for summer vacation, but this did not prove to be true. Recently, he started going to CAPS and was put on a different medication.

The jury asked about JD’s relationship with Turk. He responded that Turk was always with his girlfriend Carla, and that when Carla was sick on the Friday that the paper was due, Turk had her sleep in JD’s bed and JD slept on the couch, which was stressful for JD, even though he offered. JD also wished Turk had said something before he sent the email, but harbors no ill will towards him. He is “proud of what Turk did” and thought this could have been avoidable if the roommates had been closer, but he felt they couldn’t talk about their problems to each other. A juror asked if he would want a mediation with Turk, but JD didn’t see the point, as the roommates were civil but no longer friends. JD expressed that he understood why Turk did what he did.

The jury then asked about JD’s relationship with Dr. Cox. He explained that the talk went very well and he wishes he had been more open with him from the start. A juror asked if he would be comfortable taking another course with Dr. Cox, but JD said no—Dr. Cox’s class was very stressful and unusual because he expected both diagrams and written work. In addition, Dr. Cox had said things about his diagrams which JD felt were rude and deterred him from wanting to take another of Dr. Cox’s classes. A juror followed up asking if Dr. Cox would be comfortable having JD in a class, to which he responded yes.

The jury asked JD if he had any proposed resolutions. He said he thought he should continue going to CAPS but was unsure of what else to do. Turk’s email to the jury proposed that JD write a letter to the community about his experience with academic integrity and how his view had changed. Turk felt that the delay between when Honor Council received the parties’ statements, and when the trial began, was punitive to both JD and himself. In conclusion, Turk thought JD should receive a zero on the paper due to the dishonesty. Turk did feel that a zero might not reflect how hard JD had worked in the class, especially since it was his major, but he was also concerned that JD had not taken responsibility for his actions. Turk said he would be opposed to anything more severe.

Deliberations:

The Trial Chair asked if any of the jurors felt that separation was appropriate, but the jury was very strongly opposed in this case. She then asked about the zero on the paper, to which the jury responded it would be punitive especially since Dr. Cox had already given him a grade in the course, well aware of the situation. The jury agreed that writing a letter to the community would be very appropriate, and they also thought JD should reach out to Dr. Cox again. The jury consented to the following tentative resolutions:

1. **JD will write a letter to the community emphasizing the importance of open**
communication with professors.
2. JD will communicate with Dr. Cox regarding his experiences with the trial.
3. We encourage JD to continue meeting with CAPS.

While the jury and trial chair did not remember to record consensus details, it should be noted that no more than two jurors can stand outside of consensus for a resolution, or the resolutions as a whole, to pass.

Post-Deliberation:
The Trial Chair emailed both parties the tentative resolutions. Turk emailed back saying “While I am not sure I fully agree with the resolutions, I do not take issue with them.” He felt that accountability may not have been reached but because he was not present, he trusted the jury to make the right decision. The Trial Chair passed the information on to the jury during finalizing deliberations.

Finalizing:
The jury met and re-consented on the tentative resolutions to ensure that everyone was okay with them before meeting with JD. JD entered the room and stated that he did not have any problems with the resolutions. The jurors had no questions, and JD left.

The jury decided to keep the resolutions as they stood despite Turk’s comments. The jury consented to the following final resolutions:
1. JD will write a letter to the community emphasizing the importance of open communication with professors.
2. JD will communicate with Dr. Cox regarding his experiences with the trial.
3. We encourage JD to continue meeting with CAPS.

Post-Trial:
For reasons unknown to Honor Council of Spring 2014, this case slipped through the cracks some number of years ago and the trial resolutions were not tracked. As a result, we have no letter to the community from JD, and have not verified that he completed his resolutions before graduating. We are deeply troubled by this, and hope that this abstract will serve as a reminder for posterity to make sure that we have systems in place to account for the completion of trial resolutions. We believe we have already preempted this from happening again with more thorough record keeping. In addition, this Spring Plenary we introduced the position of the Honor Council Staff Support Person – a paid employee outside of Honor Council whose duties include following up on resolutions from old trials. We are confident that this kind of oversight will not happen again.

Discussion Questions:
1. To what degree should a confronted party's failure to follow the timeline and meet the deadlines of the trial process factor into the jury's decisions?
2. In cases where the integrity of a student's work is in question, is it appropriate/a good idea for the professor to assign a grade and inform the student of that grade before contacting Honor Council?