Abstract discussion will be held on Thursday, November 6 at 7:30 PM in Ryan Gym.

**Parks and Recreation:**

**An Honor Council Academic Trial**

Released Fall 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 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**
- Tom Haverford: Confronted Party
- April Ludgate: Confronting Party
- Ron Swanson: Expert Witness in Parks
- Leslie Knope: Parks Planning Expert
- Parks Planning 200: Course
- Blueprint Database: Prohibited aid
- Parks Planning Binders: Aid which was neither prohibited nor explicitly allowed
- Entrepreneurship: Confronted Party’s major
- Parks Planning: Confronted Party’s minor

**Pre-Trial**

Tom Haverford contacted Honor Council by email regarding cheating on part of his final assignment. He had been prompted by his Parks Planning 200 professor, April Ludgate, to do so. However, he denied having violated the Code. After receiving statements from both parties, a group of 5 members of Honor Council from the previous semester met. They consented to a Suspicion of Violation and decided to send the case to a summer trial with party consent. Professor April wished to wait until the following fall for time reasons. The trial was run at the beginning of fall semester.

**Fact-Finding**

Professor April Ludgate began by explaining why she was suspicious of Tom’s final assignment. The goal of the assignment was to listen to a description of a park that Leslie Knope had designed and create a blueprint for it. The description was available for listening on Moodle, and students were not aware that it was Leslie's blueprint. Tom’s work was nearly identical to the original work, a parks blueprint by Leslie Knope. April said the level of perfection was unusual. She also noted a number of idiosyncrasies specific to Leslie’s blueprint that were each unlikely for a student to replicate on his own.
These included the design of stainless steel benches, dancing fountains, teeter-totters, etc. Leslie’s blueprint was unique because it was used for amateur parks planners, hence specific choices like the stainless steel benches to make it easier for young students to design. Tom said that he had prior experience with stainless steel benches, which is why he included them in his blueprint. He also mentioned that stainless steel benches and dancing fountains were used in other blueprints earlier in the semester, so he felt that including them in his blueprint was appropriate.

Tom denied that he had used any prohibited resource in completing the assignment. He noted that he had used Leslie’s Park Planning binders extensively in completing the assignment as an aid to understand unfamiliar terms mentioned in the oral description of the park (which was not prohibited). This was a possible explanation for the surprising level of perfection in the work.

The jury asked April questions about the assignment and the idiosyncrasies. They asked Tom about how much time he had taken on the assignment and how he reacted to the confrontation. Tom said he took about 6 hours completing the assignment, and that he had worked very hard on it. April was surprised by this as she expected students to take only 2 hours on the assignment, considering the parks blueprint was only 1 part of the 3 part final assignment. She reiterated that this was the first time in her many years of teaching at Haverford that she suspected a student of cheating. She also reiterated that she didn’t think the perfect work Tom produced on the blueprint was on track with the rest of his average work in Parks Planning.

**Fact Finding Deliberations 1**

The jury decided it was out of its league with some of the planning concepts and agreed to bring in an expert witness in parks planning, Ron Swanson.

**Expert Witness**

Ron Swanson came to speak to the jury as an expert witness. One juror was not present for this meeting. After missing it, he was not a part of further jury deliberations.

Ron asked the jury many questions about what Tom and April had said. He was unsure whether or not a violation occurred. On one hand the level of perfection was surprising. Some of the idiosyncrasies he agreed were strange, others he was not convinced were that unlikely. He was not sure how Tom could have found the blueprint.

**Fact Finding Deliberations 2**

The jury deliberated for a long time on whether or not a violation occurred. They discovered that the name of Leslie’s blueprint could be found by searching for specific aspects mentioned in the Moodle description in a parks blueprint database, which was a prohibited aid. At the same time, they were not convinced that Tom had violated the code beyond a reasonable doubt. The jury agreed that this was a highly unusual situation, especially since the expert witness had been so ambivalent. The jury agreed that there had been a breach of trust with the community, though, and that resolutions could help address it. After several hours of deliberation, one juror proposed an unorthodox solution. The jury could consent to its own statement, saying it was unsure whether or not a violation had occurred, but that it would proceed with the trial process anyway. They discussed the fact that this could be grounds for an appeal, giving Tom a fair chance to object to the unusual procedure.

**Statement of Violation**

“In lieu of a statement of violation, the jury consented to the following:
While the jury as a whole is unsure whether or not a violation occurred, it feels comfortable proceeding with further stages of a trial to address possible breaches of trust between Tom Haverford, April Ludgate, and the community.” (9 jurors consent)

Circumstantial Portion

Circumstantial portion was short. Tom maintained that he had not violated the Honor Code. He said that he had been kind of stressed during finals week, but that his workload had not been overly strenuous during that period. During circumstantial portion, the jury asked Tom if he had used the parks blueprint database to find Leslie’s blueprint, which he firmly denied.

Jury Deliberations

The jury was still split. It was still unable to come to consensus on whether or not Tom had violated the Honor Code, which limited its ability to impose resolutions. It amended its statement of violation to better reflect the jury’s final stance. Eventually it decided that it would keep in mind two possibilities: either Tom was not telling the full story and had violated the code, or this was a misunderstanding and April was wrong. While the jury felt it more likely that Tom had not completed the assignment in accordance with the Honor Code, they did not feel comfortable enough with the evidence to write a concrete statement of violation.

In either case, the jury decided that there was certainly a breach of trust to be addressed, since April strongly believed a violation had occurred. In order to help repair that breach of trust between Tom and April, and to help clear up whether Tom was capable of performing the kind of work he eventually turned in, the jury decided to allow Tom to complete another similar assignment in a more supervised setting. It recommended giving Tom a 0 on the original blueprint, but then gave April the leeway to be swayed by Tom’s second blueprint to administer the final grade.

Tom was confused about whether or not to use Leslie’s Park Planning binders and how much, so the jury recommended that April be more explicit, while at the same time reminding Tom that ultimately it is his responsibility to clarify instructions.

The most contentious resolution was that of separation. Some jurors thought that whether or not Tom had violated the Honor Code, separation might have some benefits in restoring him to the community and healing the breach of trust. Throughout the trial, Tom seemed frustrated about the trial process and felt that he had been wrongly accused. Because of this, some jurors felt that separation may be appropriate in order for him to be restored to the community, since it would give him time to better understand the process. One juror expressed a concern about Tom graduating with a negative mindset about the Haverford community.

Tentative Resolutions

1. The jury amends its previous statement to the following: "It is more likely than not that Tom violated the Honor Code while completing the blueprint portion of his final assignment." (9 jurors consent, 1 absent.)
2. The Jury recommends that Tom receive a 0.0 on the blueprint portion of the final assignment. (9 jurors consent, 1 absent.)
3. In order to restore trust between Tom and April, Tom will complete a similar blueprint in a controlled setting. The results may be used at the discretion of April to determine
Tom’s final grade in the course. (9 jurors consent, 1 absent.)
4. The jury encourages Tom and April to arrange a meeting to discuss the trial process and the results of the additional blueprint exercise. (9 jurors consent, 1 absent.)
5. The jury recommends that April be more explicit in future assignments about the use of aids such as the Parks Planning binder. The jury reminds Tom that the Honor Code requires him “to ask for clarification if the instructions are not clear.” (9 jurors consent, 1 absent.)
6. Tom will read abstracts selected by the Honor Council Librarian that demonstrate the value of the trial process. (9 jurors consent, 1 absent.)
7. Tom will be separated from the community for one semester. (8 jurors consent, 1 stands outside, 1 absent.)
8. Tom will write a letter to the community reflecting on his experience with the trial process and his semester of separation. (9 jurors consent, 1 absent.)
9. Resolutions as a whole. (8 jurors consent, 1 stands outside, 1 absent.)

Finalizing Portion

Tom responded vehemently that separation would not be restorative. One aspect in particular that made separation punitive was his Entrepreneurship thesis, which he was working on with other students. As a Parks Planning minor, he was integral to the thesis project which focused on Entrepreneurship and Parks Planning. If he were separated, the whole thesis group would be significantly set back. As a competitive mini-golfer, he would miss his final season if he were separated. He said that distance from the trial was not necessary for him to be restored.

Final Deliberations

The jury debated the seventh resolution and decided that for the aforementioned reasons, separation was not appropriate.

Final Resolutions

1. The jury amends its previous statement to the following: “It is more likely than not that Tom violated the Honor Code while completing blueprint portion of his final assignment.” (9 jurors consent)
2. The jury recommends that Tom receive a 0.0 on the blueprint portion of the final assignment. (9 jurors consent)
3. In order to restore trust between Tom and April, Tom will complete a similar blueprint in a controlled setting. The jury recommends that this controlled setting be free of any electronics (e.g., phone, laptop) except for a CD player or other limited playback device. The results may be used at the discretion of April to determine Tom’s final grade in the course. (9 jurors consent)
4. The jury encourages Tom and April to arrange a meeting to discuss the trial process and the results of the additional blueprint exercise. (9 jurors consent)
5. The jury recommends that April be more explicit in future assignments about the use of aids such as the Parks Planning binders. The jury reminds Tom that the Honor Code requires him “to ask for clarification if the instructions are not clear.” (9 jurors consent)
6. Tom will read abstracts selected by the Honor Council Librarian that demonstrate the
Post-Trial
Tom decided not to appeal the trial. He maintained that he had not violated the Code. However, he said that he understood why the jury made the decision it did and looked forward to completing the trial resolutions.

Tom’s Letter to the Community:

Dear Haverford College Community,

This trial process has been an eye-opening experience for me. I remain unhappy with numerous aspects and results of the trial, but I have learned a great deal from my involvement with it. I did not attempt to gain an unfair advantage over my classmates, and this process made crystal clear that attempting to do so could never be worth the strain and repercussions of such a process. Although not to the degree alleged in the trial, I took liberties with the assignment that I did not need to take. As I proved in re-doing a significantly more difficult version of the assignment without any aids, I would have done very well had I completed the assignment exactly as my professor intended. When my professor asked about how I completed the assignment, I was not forthcoming in admitting that I used any aid, even though it was not explicitly discouraged. In the time since, I have reflected about the broader implications of my actions in this moment.

When asked to describe myself in high school with three adjectives, one of the three I chose was ‘trustworthy’. I came to Haverford largely because of the values instilled and upheld by the Honor Code. I still consider myself trustworthy, and I still hold the Code in high regard. But part of honesty and integrity is telling the whole truth, even when not prompted overtly. I could have done better to live by this ideal at that moment, and I can extend this lesson to other situations.

In life, the journey is often more important than the destination. This translates to education, where learning is more important than simply handing in assignments at deadlines and maintaining a certain GPA. Haverford’s small class sizes provide a special opportunity to embrace the educational journey and build a rapport with classmates and professors. I should have adhered more closely to the aforementioned principle and taken full advantage of the unique educational opportunities Haverford offers. I have tried to do this in the past, and I will make a concerted capitalize on my remaining time at Haverford. But my failure to live up to these expectations in this instance, combined with a lack of transparency in my interaction with my professor at the end of the course, contributed to a breach of trust between us that spurred the Honor Council proceedings.

I also learned a few lessons of note from the nature of these proceedings. The jury members attempted as best they could to balance the trust they had in both community members. At first glance this appeared to be a lack of trust in me, but I see it more as a sign of respect and trust in my professor. The jury never truly took sides even after coming to resolutions. They did not come to a statement of
violation, but they came to punitive resolutions nonetheless. Haverford’s Honor Code is unique in its encouragement of confrontations aimed at compromise. But in a situation such as mine, there is no precedent for such ‘compromise’. To my knowledge, no reputable system analogous to Haverford’s Honor Council operates outside the notion that one is “innocent until proven guilty.” I understand that these proceedings are time-consuming for jury members who are busy with other commitments, but I believe they should have deliberated for longer instead of proceeding to the circumstantial portion of the trial without truly having made a decision. These resolutions set a dangerous and potentially devastating precedent.

Despite my frustrations with the system, I know that there are steps I can take to make sure a situation like this never arises again. I want to make the most of my last year at Haverford. I believe I have been a valuable member of the community thus far, but I have not excelled to the best of my ability. I know that the community at large trusts me as one of its members, and I will demonstrate that that trust is not misguided. I will uphold the values of trust, concern, and respect, be an engaging presence in and out of the classroom, and take the lessons I have learned with me for the rest of my life.

Discussion Questions:

1. Do juries have the right to not come to a statement of violation yet move forward with the trial process?
2. How should juries handle situations in which parties have two different stories of what happened? Do they have more of a responsibility to the professor, who is an expert in his/her field, or the student, who has signed the Honor Code?