Abstract discussion will be held on Thursday, October 8th at 7 PM in the MCC (Stokes 106).

**Maroon 5:**

An Honor Council Academic Trial

Released Fall 2015

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 did not consent to the release of the abstract. (The addition of this disclaimer began in Spring 2010).

**Key:**

Confronting party: Professor James Valentine
Confronted party: Adam Levine
Haverford class that Adam took: Songs About Jane 106
Author of work from which Adam plagiarized: Jesse Carmichael
Author of work Adam studied in high school: Mickey Madden

**Summary:**

This case concerns plagiarism on a final paper and final exam by [Adam Levine], a student in Professor [James Valentine]’s class [Songs About Jane 106]. The trial was complicated by the fact that Adam left Haverford after the semester in which the violation occurred and was not able to be contacted about the trial despite the multi-semester efforts of Honor Council to communicate with him. Eventually, feeling that they had done everything in their power to try and make contact with Adam, Honor Council decided that they would have to run the trial without Adam’s participation.

Since the jury’s knowledge of Adam’s perspective on the violation would come only from Adam’s initial statement to Honor Council, resolutions focused on how Adam could best be restored if and when he decided to return to the Haverford community, as well as on education and restoration for both Professor Valentine and the Haverford community. The resolutions included a letter to the community, a letter to the professor, and the reconvening of the jury should Adam ever wish to return to the community. The jury also wrote a letter, included in this abstract, explaining the process they went through to conduct a trial as fairly as possible without the confronted party.
Pre-trial:

Upon reviewing statements from each party, Honor Council consented to a suspicion of a violation and sent the case to an academic trial. Adam then went on college leave for the following semester.

Honor Council tried repeatedly to get in touch with Adam, but did not get a response until eight months after receiving the initial statement. In his email, Adam apologized for his lack of engagement with Council. He went on to explain that during the time since his initial statement, he was being treated for depression, and he had been advised to not “think too much.” He also said that he had been traveling, and sometimes had no access to email. When he did have access, he chose not to check his email. He said that he now felt more ready to move on with his life in many ways, and that he looked forward to working with Honor Council when they saw fit. The trial chair responded promptly to this email, informing Adam that the trial should take place in a few weeks, at the start of the next semester.

Honor Council did not receive a response to this email or to a subsequent email regarding the upcoming trial. About three weeks later, the trial chair sent Adam another email, hoping to hear from him regarding his participation in this trial. The trial chair went on to say that although it would be far from ideal, if Adam was unwilling to cooperate in the trial process, it would be possible for the trial to proceed in his absence. The chair explained that this would mean that he would essentially forfeit his opportunity to speak with the jury. Since such a situation would not be in his best interest, the trial chair strongly encouraged Adam to respond to the email and agree to participate in the trial process. The email ended by saying that if Council did not hear back from him in the next 72 hours, the trial would unfortunately need to proceed in his absence.

To be sure that Honor Council was doing everything in their power to reach Adam, the trial chair requested that the Dean of the College send Adam a written letter from the Dean’s Office saying that if he did not reply to the trial chair within one week, the trial would have to take place without him, and the college would have to consider withdrawing him permanently from Haverford. This letter elicited no response. After feeling that they had made all reasonable efforts to contact Adam, the trial began - about a year after the case was originally received. The trial chair informed Adam when the trial was about to start, and both the Honor Council Co-Secretaries and Trial Chair included Adam on all email communications regarding trial proceedings and outcomes so that Adam could decide to participate at any point. Honor Council did not receive a response from Adam to any of these communications.¹

At the preliminary trial meeting, the trial chair discussed this unusual situation with the jury. The jury talked about how the trial goals could still be addressed without the cooperation of the confronted party.

¹ Since this trial, Honor Council has consented to a set of guidelines for situations in which a confronted party is not responsive:
http://honorouncil.haverford.edu/guidelines/guidelines-for-a-party-not-cooperating-with-proceedings/
Adam’s Statement:

Since Adam would not be present throughout the trial, the jury relied heavily on Adam’s initial statement. About one year before the trial began, Adam emailed Honor Council to report a potential violation of the Honor Code in the class Songs About Jane 106, which Professor James Valentine had emailed him about. He reported to Council that in this email, Professor Valentine stated his belief that Adam’s final paper had “more than an accidental resemblance” to a work by [Jesse Carmichael]. Adam added that Professor Valentine had requested an immediate meeting with Adam, but Adam had just left campus for break at the end of the semester and was not available to meet. Adam went on to say that after reading an example of the resemblance between his paper and Carmichael’s work identified by Professor Valentine, he understood Professor Valentine’s concern and agreed that he should turn himself in to Honor Council even before meeting with Professor Valentine.

Adam continued by clarifying that he did not admit to directly plagiarizing Carmichael’s work. He explained that he had taken an introductory [Songs] class when he was a senior in high school, and that when he was writing his final paper, he consulted not only his notes from Professor Valentine’s class, but also his notes from high school extensively. He elaborated that although most of his notes were from lecture, he had also copied important points from his high school teacher’s handout from time to time. He stated that he suspected that the handout his high school teacher gave him on another author, [Mickey Madden], included Carmichael's work. Adam went on to say that Professor Valentine had specified that the final paper was open book and open notes, and that this was the only reason he consulted his previous notes. He stated that his intention was to use his notes to produce a higher quality paper, not to plagiarize. Adam concluded his email by saying that he was ready to discuss the issue with Honor Council.

Fact Finding:

The Fact Finding meeting began with Professor Valentine providing his account of the incident to the jury. He began by letting the jury know that his memory of the specific circumstances was somewhat clouded because the incident happened over a year ago. He then went over the information submitted in his original statement, he stated that he had identified potential violations in both Adam’s final paper and final exam. In discussing Adam’s paper, Professor Valentine said that he initially was impressed with Adam’s work, but then became suspicious when he came to a paragraph toward the end of the paper citing a relatively obscure essay by Mickey Madden that had not been assigned or discussed in his course. He reported that he searched Google and Google Books, and came across a strikingly similar passage in a book by Jesse Carmichael. He went on to say that he soon turned up several other passages in Adam’s paper that were similar or even identical to passages in Carmichael’s book. He added that he also turned up a passage similar to a “sample” essay available online. Professor Valentine noted that use of secondary sources was discouraged for the paper; students were instructed to cite them correctly if any were used. However, no secondary sources were cited in Adam’s paper.
Professor Valentine then went on to address Adam’s final exam. He said that since his suspicions had already been raised from reading Adam’s paper, he checked Adam’s exam against Google Books and again found that some passages bore a close resemblance to Carmichael’s book. For the exam, students were instructed not to consult secondary sources at all, but were told that they could consult any of the assigned texts, as well as their notes and any handouts from class. Professor Valentine also shared with the jury copies of Adam’s paper and exam in which he had highlighted the portions that he suspected to be plagiarized and compared them to quoted passages from Carmichael’s work.

Professor Valentine described how he had asked to meet with Adam as well as reiterated the logistical difficulties, namely that Adam had already left campus for the end of semester, preventing such a meeting from taking place before Adam contacted Honor Council. Professor Valentine said that he never ended up meeting with Adam, but he did write him a few emails at different times asking to meet, to which he never received any responses. He hadn’t heard from Adam since the month that the incident occurred. He added that he would be happy to speak with Adam if the opportunity arose. Professor Valentine concluded his statement by requesting that he not be asked to make decisions about the student’s grade on the assignments in question because he didn’t feel like he could give them a grade.

One juror asked whether Professor Valentine believed Adam had directly read the obscure Mickey Madden source that Professor Valentine had mentioned, or whether he had simply read Jesse Carmichael’s writing about this source. Professor Valentine responded that he believed Adam did not look at the Mickey Madden source directly, but had only read about it in Carmichael’s book. Another juror asked Professor Valentine if Adam had ever contacted him regarding the use of his high school notes. Professor Valentine answered that he had not. When asked whether he thought Adam’s use of his high school notes was in keeping with the exam instructions, Professor Valentine responded that he thought Adam had “broadened” the instruction about the use of notes through his interpretation. He said that he did not think that Adam’s use of his high school notes was in keeping with the spirit of the exam instructions, but he felt that it was up to the jury to determine whether it was in keeping with the letter of the instructions. When asked if students were allowed to use notes when writing their papers, Professor Valentine said that he assumes students refer to class notes when writing a paper, so there was nothing about using notes in the final paper instructions.

One juror asked about the degree to which proper citation practices were discussed in class. Professor Valentine said that they were never discussed. He added that students are not expected to use secondary sources, but rather only the assigned books, noting that he didn’t have a problem with any of the passages in Adam’s paper or exam that cited class texts. He pointed out, however, that Adam had inserted quotations and citations from Mickey Madden into passages that were actually from Jesse Carmichael, which was a problem. In response to a question from the jury, Professor Valentine said that he was not sure that plagiarism did not occur on Adam’s earlier assignments and that he did not think he would feel comfortable
assuming that his other papers were fine. However, he later realized that he could give Adam’s earlier assignments a grade because he was now convinced that the plagiarism was limited to the assignments in question. He went on to say that he would have no problem implementing whatever grade the jury recommended. He went on to clarify the breakdown of the course grade - the final exam and essay together would make up about half of the total grade - and explained that Adam wouldn’t automatically fail the course if he received a zero on these two assignments. When asked for any additional suggestions for the jury regarding how to proceed in this unusual situation, Professor Valentine suggested that the jury send a letter to Adam inviting him to come back to Haverford. He said that his goal would be for Adam to graduate from Haverford.

**Jury Deliberations:**

The jury very quickly decided that a violation, specifically plagiarism, had occurred. They then focused their discussion on the intentionality of the plagiarism. With regards to the portions plagiarized from Jesse Carmichael’s book, some jurors felt it was possible that Adam did not realize that the words in his high school notes were not his own. Jurors pointed out, however, that it is a student’s responsibility to keep track of the sources referenced in their own notes so as to prevent plagiarism from occurring. The jury also discussed the fact that Adam’s paper also included a passage verbatim from an online sample essay, which was not included in his high school notes. The jury felt that the inclusion of this material made it clear that Adam had intentionally sought out a secondary source beyond the Jesse Carmichael source from his high school notes to use in his paper, but had not cited any secondary sources.

The jury then began to discuss whether or not Adam had violated exam instructions. The discussion focused mainly on whether or not Adam’s high school notes should be considered class notes or secondary sources (which were not allowed on the exam). One juror noticed that the lifted passages in Adam’s paper and exam contained wording seen in Carmichael’s book but not in Adam’s notes, which Adam had submitted to Council. This seemed to imply that he had looked directly at the book while completing the paper and exam. The jury felt that, even if Adam had just used his notes and had not looked directly at Carmichael’s book when taking the exam, he still used a secondary source when completing the exam, even if it was unintentional. This further convinced the jury that Adam had violated exam instructions.

**Statement of Violation:**

*Adam violated the Honor Code by plagiarizing extensively on his final paper and final exam. He further violated the Honor Code by using a disallowed source on his final exam. (10 jurors consent)*

**Circumstantial Portion:**

Because Adam was not participating in the trial process, and the primary purpose of the circumstantial portion is to give the confronted party an opportunity to talk about the
circumstances surrounding the violation, the circumstantial portion was not held. In preparation for this change in procedure, Professor Valentine was asked for his thoughts on potential resolutions during the fact-finding meeting.

Jury Deliberations on Tentative Resolutions:

The jury began these deliberations by discussing the fact that they must consider how the trial goals of education, accountability, and restoration could be achieved both in the event that Adam returns to the community and in the event that he does not. The jury first discussed how to achieve accountability by discussing a potential grade change. One juror suggested recommending that Adam receive a zero on both the paper and the exam, while other jurors expressed that a zero in the course would be more appropriate. One of the jurors in favor of recommending a zero in the course explained that she didn’t think Adam deserved to do as well in the course as a student who simply received a zero on the paper and exam for not turning in the assignments. In light of this reasoning and the fact that Adam had plagiarized on two separate occasions within the course, the weight of the room was in favor of recommending that Adam receive a zero in the course.

Continuing their discussion of accountability, the jury then went on to discuss whether this incident should be considered a disciplinary proceeding for the purpose of reporting to institutions of higher learning. One juror brought up the fact that Adam may not have been well educated on plagiarism. Another juror felt less inclined to be forgiving because so much time had passed and Adam had been so unwilling to participate in the trial process, indicating that he has been unwilling to hold himself fully accountable so far. In addition, the jury noted that such extensive plagiarism would be considered a disciplinary matter at other institutions and that Adam’s plagiarism was not an isolated incident. At this point in the discussion, the weight of the room was in favor of recommending that this trial be considered a disciplinary proceeding for the purpose of reporting to institutions of higher learning.

The jury then went on to discuss how to best achieve the goal of education in the case that Adam does decide to return to the community. The jury felt that education could be achieved by Adam retaking the Academic Integrity Tutorial in addition to reading Maud McInerney’s essay “Plagiarism and How to Avoid It,” followed by writing a response on how his actions constituted plagiarism and why this was a problem. The jury decided to require Adam to complete these educational resolutions before he returned to Haverford. The jury also felt that if Adam were to return to community, he should meet regularly with his dean upon his return to discuss his coursework in order to prevent such a violation from occurring in the future.

For restoration, the jury felt that another condition for Adam’s return should be that he write a letter to Professor Valentine. The jury also felt that they would want Adam to write this letter even if he does not return to Haverford. In the event that Adam returns to the community, the jury also felt that the breach of trust between Adam and Professor Valentine should be further repaired through an in-person meeting. Additionally, the jury felt that if Adam returns, he should
write a letter to those who attempted to facilitate the trial process and were met with his unresponsiveness. The jury thought that this would be important in helping Adam realize the effect his actions had on the attainment of the trial goals.

Finally, the jury did not think that Adam should be able to return to Haverford, even after completing the resolutions required for his return, without first reconvening the original jury in order to complete the trial process and develop further resolutions as necessary. The jury felt that their ability to make impactful resolutions was impeded by their inability to communicate with Adam, and so they wanted to be given another opportunity to properly carry out the trial process if Adam were to choose to participate. The jury felt that Adam couldn’t fully be restored to the community without first participating in the trial process.

Moreover, in terms of community education, the jury thought it would be beneficial for Professor Valentine to write a letter to the community reflecting on how this experience has impacted him and that the jury write a letter to the community addressing the unique circumstances of the trial. Lastly, the jury thought is was important that even if Adam did not return to Haverford, he write a letter to the community reflecting on his experience with the Honor Code in order to help restore the breach of trust with the community and help educate himself through reflection.

**Tentative Resolutions:**

1. *The jury recommends that [Adam] receive a 0.0 in [Songs About Jane 106].* (10 consent, 0 stand outside)
2. *The jury recommends that this process be considered a disciplinary hearing for the purpose of reporting to institutions of higher learning.* (10 consent, 0 stand outside)
3. *The jury will write a letter to the community addressing the unique circumstances of this trial.* (10 consent, 0 stand outside)
4. *The jury requests that Professor [Valentine] write a letter to the community reflecting on how this experience has impacted him.* (10 consent, 0 stand outside)
5. *Before returning to the community, [Adam] will write a letter to Professor [Valentine]. The jury strongly recommends that [Adam] write a letter to Professor [Valentine], even if he chooses not to return to Haverford.* (10 consent, 0 stand outside)
6. *Before returning to the community, [Adam] will retake the Academic Integrity Tutorial.* (10 consent, 0 stand outside)
7. *Before returning to the community, [Adam] will read Maud McInerney’s essay “Plagiarism and How to Avoid It.” [Adam] will write a response on how his actions constitute plagiarism and why this is a problem.* (10 consent, 0 stand outside)
8. *Upon completion of Resolutions 5-7, if Adam wishes to return to the community, he must request the reconvening of the original jury to complete the trial process and develop further resolutions as necessary. At least seven jurors must be present.* (10 consent, 0 stand outside)
9. Upon return to the community, [Adam] will meet with Professor [Valentine] to restore their trust. If either party wishes, a juror may be present. This will occur within one semester of his return. (10 consent, 0 stand outside)

10. Upon return to the community, [Adam] will write a letter to those who attempted to facilitate this trial process and were met with his unwillingness to cooperate. This letter should include reflection on the goals of the trial process and how his actions affected the attainment of these goals. This will be completed within one semester of his return. (10 consent, 0 stand outside)

11. Upon return to the community, [Adam] will meet every other week with his dean for a minimum of one semester. (10 consent, 0 stand outside)

12. If he decides not to return to Haverford, the jury strongly recommends that [Adam] write a letter to the community reflecting on his experience with the Honor Code. (10 consent, 0 stand outside)

Resolutions as a whole: 10 consent, 0 stand outside

Jury Deliberations on Final Resolutions:

Professor Valentine responded to the tentative resolutions by email stating that he thought the resolutions were thoughtful and just. In reference to the resolution regarding the reconvening of the jury, one juror pointed out that there could be a possibility that seven jurors from the original jury could not be assembled at some time in the future, and that the jury should include in the resolution instructions for what should happen in this event.

Final Resolutions:

1. The jury recommends that [Adam] receive a 0.0 in [Songs About Jane 106]. (10 consent, 0 stand outside)

2. The jury recommends that this process be considered a disciplinary hearing for the purpose of reporting to institutions of higher learning. (10 consent, 0 stand outside)

3. The jury will write a letter to the community addressing the unique circumstances of this trial. This will be completed by [date]. (10 consent, 0 stand outside)

4. The jury requests that Professor [Valentine] write a letter to the community reflecting on how this experience has impacted him. (10 consent, 0 stand outside)

5. Before returning to the community, [Adam] will write a letter to Professor [Valentine]. The jury strongly recommends that Adam write a letter to Professor [Valentine], even if he chooses not to return to Haverford. (10 consent, 0 stand outside)

6. Before returning to the community, [Adam] will retake the Academic Integrity Tutorial. (10 consent, 0 stand outside)

7. Before returning to the community, [Adam] will read Maud McInerney’s essay “Plagiarism and How to Avoid It.” [Adam] will write a response on how his actions constitute plagiarism and why this is a problem. (10 consent, 0 stand outside)
8. Upon completion of Resolutions 5-7, if [Adam] wishes to return to the community, he must request the reconvening of the original jury to complete the trial process and develop further resolutions as necessary. At least seven original jurors must be present. In the event that seven original jurors cannot be reconvened, despite every effort made by Honor Council to contact every juror, Honor Council will select additional jurors to reach a total of ten, including all available original jurors. All information from the original trial will be shared with this second jury. (10 consent, 0 stand outside)

9. If the jury reconvenes, an abstract will be released for this continuation of the trial. This abstract will be linked to the original abstract and use the same pseudonyms. The original abstract will be re-released with the second abstract. (10 consent, 0 stand outside)

10. Upon return to the community, [Adam] will meet with Professor [Valentine] to restore their trust. If either party wishes, a juror may be present. This will occur within one semester of his return. (10 consent, 0 stand outside)

11. Upon return to the community, [Adam] will write a letter to those who attempted to facilitate this trial process and were met with his unwillingness to cooperate. This letter should include reflection on the goals of the trial process and how his actions affected the attainment of these goals. This will be completed within one semester of his return. (10 consent, 0 stand outside)

12. Upon return to the community, [Adam] will meet every other week with his dean for a minimum of one semester. (10 consent, 0 stand outside)

13. If he decides not to return to Haverford, the jury strongly recommends that [Adam] write a letter to the community reflecting on his experience with the Honor Code. This letter would be distributed by Honor Council and appended to the end of this abstract. (10 consent, 0 stand outside)

Post-Trial:
The resolutions were not appealed. Adam responded to Honor Council’s email regarding abstract release expressing that he did not consent to the release of the abstract for reasons of confidentiality. No letter was received from the student.

Letter to the Community from the Jury:
We would like to take this opportunity to share some of our thoughts on the unique aspects of this trial. As the confronted party did not respond for an extended period of time after first bringing him to Honor Council, the trial process could not continue as usual. In proceeding with the trail without the confronted party, we needed to consider how the goals of accountability, education, and restoration applied to all those involved in the process and how we
could best meet these goals in [Adam]’s absence. Each trial goal - accountability, education, and restoration - was addressed with these unique circumstances in mind.

We believe participation in the trial process to the fullest of one’s ability is crucial in beginning to address accountability. This first step of engaging with the jury symbolized for us a willingness to be held accountable for one’s actions, and the absence of this participation therefore made addressing accountability difficult. While we were able to address accountability in some ways (e.g. making a grade change), we felt that [Adam] ignoring the trial process demonstrated an unwillingness to hold himself accountable for and face the consequences of his actions.

In many ways, the absence of the confronted party also hindered our ability to reach the goal of education. While we are able to inform the community of this trial by continuing without the confronted party, fulfilling one aspect of this goal, these circumstances made education of the party himself much more difficult. Because we were not able to discuss the circumstances that led to the violation, we felt we would not be able to formulate resolutions that addressed these concerns. In this way, we couldn’t make meaningful suggestions as to educational steps the confronted party should take. We believe that in order to complete a successful trial process, and fully address education, we will need to work to understand these potential circumstances through a conversation with the confronted party.

We believe [Adam]’s absence also interfered with the restoration of trust between himself and both the community and his professor. Much in the way that participation in the trial process is a crucial first step in being held accountable, the same is true for restoration. A desire to reach mutual understanding with the professor and the establishment of open communication were important steps in restoring trust that were unattainable because of the circumstances of this trial. As representatives of the community, we also felt as though we could not begin to restore the confronted party to the community without him showing a willingness to engage with us and the trial process.

While there were many aspects of the trial that were negatively impacted by the confronted party’s unwillingness to participate, we think the trial can still serve as a meaningful, if imperfect, educational and restorative process for the confronting party and the community.

Professor [Valentine]’s Letter to the Community:
To the Haverford Community:

One purpose of an Honor Council academic trial is to repair the relationships that are damaged when the Honor Code is violated. The confronting party may feel angry or mistreated; the confronted party may feel ashamed or persecuted. The hope is that, first by a direct confrontation, and then by a dispassionate consideration of the facts before members of the wider Community, the shame and the indignation can be laid aside and our life at Haverford resume.
In this case, however, the direct confrontation never occurred, the process dragged on much longer than it should have, and it did not reach a satisfactory conclusion despite the admirable efforts of the Honor Council and the jury.

How did this happen? I am still not sure. To begin with, though, there were practical considerations. The violation took place at the end of the term; when I wrote [Adam] to say I suspected portions of his final paper had been plagiarized, he told me that he was about to leave the country, and was unable to meet in person to discuss my suspicions. He also maintained his innocence and expressed a desire to be exonerated quickly. He wrote to the Honor Council to ask for a trial without the customary face-to-face confrontation. He sent evidence he believed to be exculpatory, and responded to some of my concerns.

Although I did not agree with [Adam]’s interpretation of events, I understood his desire to be done with the matter, and I wrote to him and the Honor Council to say that I would be happy to go directly to the trial.

Now I think this was a mistake: I should have asked him to wait until we could meet. In any case, soon after [Adam] submitted his evidence to the Honor Council, he fell out of touch. He stopped returning my e-mails. He did not return to campus the following term. An initial trial was postponed. When he did not return the term after that, I agreed with the Honor Council that he might be tried in absentia. But — though I appreciated the chance to talk things over with the members of the jury — it inevitably fell short of a genuine resolution between [Adam] and me.

It is hard to know what lesson to draw from this sad story. I do not think [Adam]’s behavior is representative of a broader trend at Haverford. Nor do I know why he has still not returned to campus. Maybe he simply feels ashamed. If that is the case, then I would like to take this opportunity to remind him, and everyone, that we all make mistakes. It is vain to pretend otherwise. The Honor Code does not demand moral perfection, nor is its purpose to heap disgrace on our failings — but to help us to remedy them as best we can.

Sincerely,
[James Valentine]

Discussion Questions:
1. In the event that a confronted party is not present throughout the trial process, how should Honor Council approach such circumstances?
2. Should the confronted party be held accountable for being unresponsive after a significant number of emails from both Honor Council and the Dean?
3. Is it beneficial for Honor Council to hold a trial at all for a party who has left the Haverford community?