The abstract discussion for this abstract will be held on Friday, September 30 at 7 p.m. in the MCC (Stokes 106).

The Wind in the Willows: 
An Honor Council Academic Trial 
Released Fall 2016

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.

Key:
Confronting Party: Professor Mole
Confronted Party: Otter
Confronted Party: Badger
Course: Society 301
Residence where Badger and Otter live: Toad Hall

Summary/Pre-Trial:
Two students, [Otter] and [Badger], were confronted by their [Society 301] professor, Professor [Mole] about a potential violation of exam instructions and inappropriate collaboration. Although both Otter and Badger acknowledged in their statements that Badger had copied an answer from Otter’s exam without permission, Honor Council consented to send the case to an academic trial in which both Otter and Badger were confronted parties, since Professor Mole’s statement indicated that he thought both students might have copied from the textbook inappropriately, or collaborated in violation of exam instruction.

After talking to all three parties in fact finding the jury consented to a statement of violation only for Badger and not for Otter because the professor no longer considered Otter’s actions in violation of the code. Badger described the circumstances surrounding his violation in depth, especially the process of his ADHD diagnosis and his use of on-campus resources. The jury discussed the possibility of separation but due to Badger’s circumstances decided such a resolution would be counterproductive to the goals of the trial.

One juror failed to attend any trial meetings. The jury agreed to operate with 9 jurors, allowing up to one juror to stand outside on consensus decisions.
Fact Finding:

Professor Mole described the midterm which was an open-book, open-notes take-home test in Society 301. Questions on the exam were open-ended and involved choosing examples and making arguments.

Professor Mole explained that he had become suspicious of a violation when he discovered that both Otter and Badger had used a few phrases or examples verbatim from the book, and one long, unclear sentence was identical between their two tests. He confronted each student separately, and then met with them together.

Badger started off by noting that he and Otter lived together in [Toad Hall]. When taking the midterm, he had been confused about some of the questions and not sure which examples to use. He had looked at Otter’s exam answers on his laptop for the first three questions, and incorporated some of Otter’s answers into his own. Next, he described how he had been scared and not sure what to do when Professor Mole first confronted him, partially because he had not yet admitted to Otter what he had done. After meeting with his dean and with CAPS, however, he told Otter what had happened, and then met with Professor Mole again to explain the situation.

Otter felt that most of what was relevant had already been said. He explained how he had taken the test in various locations and left his computer open and unlocked much of the time. When Professor Mole confronted him, he saw the similarities between the two exams and thought perhaps they were derived from both of them having used the textbook (an allowed source). However, when he later confronted Badger, Badger told him the truth about what happened.

One juror asked Professor Mole whether he considered the extent that Otter had used sentences directly from the textbook a violation, as the exam instructions had specified that answers should be in students’ own words. He responded that he was not concerned about it and on its own he did not consider it a violation, though he probably would have spoken to Otter about it privately. Professor Mole also clarified that the similarities were limited to a few specific questions of the test and the parties clarified the timeline of their conversations with Professor Mole and with each other surrounding the issue.

At this point, both Otter and Badger left the room. Professor Mole briefly explained to the jury that although he did not have much of a reason to suspect that inappropriate collaboration (rather than copying) occurred, he wanted the jury to consider the possibility. Professor Mole told the jury that a few days after his meeting with the students (after Badger had told Otter the truth), Otter said that he could no longer say that Badger hadn’t copied. This, combined with the way that both students conducted themselves throughout the trial, made Professor Mole feel that it was unlikely that inappropriate collaboration had occurred with Otter’s knowledge.
Jury Deliberations/Statement of Violation:

One juror began by saying that he felt that Otter did not violate the Code, but that he was somewhat uncomfortable that Otter had left his laptop open and unlocked all over campus. However, other jurors responded that they believed that Otter was actually following the Honor Code by doing so and that they did not see any reason that he should be held accountable for trusting others. The jury considered and quickly dismissed Professor Mole’s concern that inappropriate collaboration may have occurred, as there seemed no reason not to trust the version of events presented by Badger and Otter.

One juror worried that while Professor Mole was not particularly concerned about it, the extent to which Otter copied directly from the textbook might still be a violation of the Code. Another juror responded that he felt that the violation was of the type that Council would never have heard about if there was not a larger issue, and that could be resolved between a professor and a student. Because Professor Mole wasn’t concerned with the violation of instructions, the weight of the room was heavily in favor of a statement of non-violation for Otter. Although the jury discussed offering suggested resolutions for Otter, they eventually chose not to do so.

One juror was still concerned that there was a possibility of inappropriate collaboration, so the jury discussed the extent to which the jury’s role was to investigate the possible truthfulness of what they were being told. Most jurors felt that the Honor Council system requires that the jury trust the parties, and that restoration is impossible without that trust. The jury also considered and dismissed the idea that Badger lying to Professor Mole about the violation during their initial confrontation might be a distinct violation of the Code.

The jury consented to the following statements:

[Badger] violated the Honor Code by copying from [Otter]’s exam (9 jurors consent).
[Otter] did not violate the Honor Code (9 jurors consent).

Circumstantial Portion:

Badger explained that the class had had a week to take the exam, but he had not used his time wisely and put off taking the exam until the last few days because he went home for a weekend. He also felt he had not prepared enough. While taking the exam, he was not confident in his ideas about answers to the very open-ended questions, and made “a terrible choice” to look at Otter’s test. He was facing time pressure and wanted to check that his answers were correct for the first three questions.

Badger said he felt guilty and ashamed after Professor Mole first confronted him and Otter, and felt paranoid walking around campus. After a few days, he returned to talk to Professor Mole and told him the truth. Professor Mole had encouraged him to be honest in his dealings with Honor Council and during the trial process, and told Badger that everyone makes mistakes and he would be able to move on. Badger also discussed how he had broken Otter’s
trust, but felt that their friendship was going to be fine because the two had already spoken. He felt bad about putting Otter through so much stress including the confrontation and the Honor Council process.

Badger described some of the circumstances that had been impacting his life at the time of the violation. He had been dealing with a lot of stress with his family, and had recently been diagnosed with ADHD. He had been spending a lot of time during the semester working on finding new studying strategies to deal with his ADHD, and had been meeting with both the OAR and CAPS regularly for support. However, he hadn’t been getting as much help as he needed from either of these sources. When asked to elaborate on the pressure he was under, Badger said that this pressure comes from his family and himself—that he has high expectations to do well on tests and has always had trouble asking for help. A juror then asked how ADHD had affected him in the past year. Badger explained he went to CAPS when he started having trouble paying attention in class. During the semester before the violation, he began getting tested for ADHD by CAPS, which took a long time because it is not a service they typically provide. While he was waiting to get the report to give to the Office of Disability Services in order to receive testing accommodations (which he got after the violation), he had been meeting with someone at the OAR to discuss studying strategies, but it had not been very helpful.

A juror then asked how important this class was for his major and how Badger’s workload had been during the semester. He said that it was important to his major and he also took every exam seriously, including this one. When a juror asked if Badger had a sense of what had been different on this exam that had caused him to cheat, he described how it was unusual for him to be so unprepared. Additionally, he had been afraid of doing poorly, and felt he had not had enough time.

Badger was then asked for his suggestions of resolutions. He suggested writing a letter to the community, perhaps about respecting others and the Honor Code and perhaps about using the resources that are available to students. He also suggested that he could write a letter to Professor Mole or have a conversation with him. He also mentioned several resolutions that he did not think would be appropriate in this case, namely, separation and reporting to graduate schools. He felt that both of these measures would add immense stress to his life and cause his family a lot of stress and shame. He felt that he still had time to redeem himself during the rest of his Haverford career, and that the violation had already impacted him in many ways. When asked about a proposed grade change, he suggested that he could receive a zero on the exam questions which he had copied.

After this conversation, the trial chair read Professor Mole’s suggested resolutions to Badger and the jury. He said that he was against giving Badger a passing grade in the class, and that he feared that separation might be warranted. In response to these suggested resolutions, Badger said that he felt he could pass the course based on the rest of his work, but he was willing to accept the consequence of failing the course if it was what the professor thought was appropriate. He reiterated that he was uncomfortable with separation but felt that the jury already
understood his position.

**Jury Deliberations Part I:**

The jury realized that the nature of the violation meant that separation and reporting to graduate schools should be seriously considered, but the circumstances surrounding Bager’s violation made such considerations difficult. Given Bager’s family and personal circumstances, many on the jury thought that separation wouldn’t help restore him to the community, and might be financially punitive. The trial chair explained that any financial aid that Bager might receive would not be impacted by separation, and he could continue to receive it for all eight semesters at Haverford. The trial chair also explained that the recommendation to report to institutions of higher learning simply helps the Dean of the College decide whether to say that Bager had been involved in a disciplinary hearing at Haverford if a graduate school asks the college about this, and that it rarely ends up impacting a party’s life. Another juror added that the recommendation to report to graduate schools should be made as a reflection of the trial as a whole, including the other resolutions, so it was probably not helpful to consider it as an alternative to separation.

One juror suggested that a grade change or reporting to graduate schools would not be restorative, as they could exacerbate the academic pressure that Bager was already feeling. The jury’s feelings on reporting to graduate schools were mixed: some jurors felt that it would not be restorative and that a grade change would better hold him accountable; others thought that failing to report would violate Haverford’s institutional integrity.

The jury discussed making a statement, perhaps to CAPS, addressing the long delay involved in Bager getting diagnosed with ADHD after he began the process. They noted that the violation might not have occurred if he had received the accommodations he needed, such as extra time on tests.

One juror suggested a resolution supporting Bager seeking help from available resources including the OAR and CAPS when he was facing pressure. Next, several suggestions were raised about ways that Bager could educate the community using the knowledge he had gained from the entire process. These included a letter to the community, speaking at an OAR event about time management, and sharing his story anonymously for students with similar backgrounds. The suggestion was raised that Bager (possibly with the help of the jury) could make recommendations about what to do if a student needs accommodations that aren’t accessible based on their documented diagnoses, encouraging professors and students to have dialogues and make agreements outside of the ODS system.

The jury agreed that restorative conversations between Bager and Professor Mole and between Otter and Professor Mole might be helpful, but that they did not feel the need to require a conversation between Bager and Otter. The jury liked the idea of having Bager meet with his professors in the upcoming semester to help him become more comfortable approaching professors and to build relationships with them.

A juror proposed a grade change giving Bager a zero on the exam as a compromise between his suggested resolution of a zero on the first three questions and Professor Mole’s
suggested resolution of a zero for the course. The jury summarized their suggested resolutions to
this point and agreed to end the meeting, take a day to reflect, and reconvene.

Jury Deliberations Part II/Tentative Resolutions:

One of the nine jury members was not present for this meeting. The jury began discussing
whether or not the violation should be reported to other institutions of higher learning. The
weight of the room was in favor of not recommending to report, citing issues such as feeling that
the proceeding was more restorative than disciplinary, worrying that reporting would add too
much stress to Badger’s life, and feeling that the violation was largely the result of a failure of
the systems that should have been supporting Badger rather than his personal failure. A few
jurors raised concerns in favor of reporting, including that it felt dishonest to say that this is not a
disciplinary proceeding when comparing the case to the guidelines, that reporting is fair to
people who have faced similar circumstances and not violated the Code, and that they were
uncomfortable with saying that even arduous circumstances could reduce the need to hold
someone accountable in this way.

Since the weight of the room felt that separation would not be restorative, the jury
discussed other options for resolutions relating to accountability and eventually decided to
recommend a 0.0 on the exam and have Badger write various letters concerning respecting the
space of others and engaging with the Honor Code. The jury returned to the discussion of
reporting to graduate schools, and the weight of the room was in favor of not reporting, though
some jurors remained concerned. The jury consented to the following tentative resolutions:

Tentative Resolutions

1. The jury recommends that [Badger] receive a grade of 0.0 on the midterm exam. (8
   jurors consent, 1 stands outside in absentia)
2. [Badger] will write a letter addressed to other members of the community who may be
   under similar pressures to those that he faced. This letter will be released with the
   abstract. (8 jurors consent, 1 stands outside in absentia)
3. [Badger] will write a document explaining his perspective on the intrinsic value of the
   academic Honor Code to give to HCOs for use with their freshman. (8 jurors consent, 1
   stands outside in absentia)
4. [Badger] will work with a member of the jury to write an open letter to the faculty
   prompting a dialogue between faculty and students concerning the need to discuss
   accommodations outside of those formally offered by the ODS1, including for students in
   the process of being diagnosed. This letter will be appended to the abstract and emailed
   out to the faculty. (8 jurors consent, 1 stands outside in absentia)
5. Provided that [the director of the OAR] is willing, [Badger] will meet with her to

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1 Office of Disability Services
conceptualize and implement a long term project designed to assist the OAR in helping students in similar circumstances. (8 jurors consent, 1 stands outside in absentia)

6. [Badger] will meet with each of his professors for the [upcoming] semester, within the first month of classes for the purpose of establishing a relationship. (8 jurors consent, 1 stands outside in absentia)

7. The jury recommends that [Badger] meet with Professor [Mole] to repair any lingering breaches of trust. (8 jurors consent, 1 stands outside in absentia)

8. The jury recommends that [Otter] meet with Professor [Mole] to repair any lingering breaches of trust. (8 jurors consent, 1 stands outside in absentia)

9. The jury will write a letter to the administration concerning the need to allocate additional resources to CAPS. This letter will also be appended to the abstract. (8 jurors consent, 1 stands outside in absentia)

10. The jury supports that [Badger] continue to use CAPS, the OAR, and his deans as resources, as he sees fit. (8 jurors consent, 1 stands outside in absentia)

11. [Badger] will not be separated from the Haverford community. (8 jurors consent, 1 stands outside in absentia)

12. The jury recommends that this proceeding not be considered a disciplinary hearing for the purpose of reporting to other institutions of higher learning. (8 jurors consent, 1 stands outside in absentia)

Resolutions as a whole: 8 jurors consent, 1 stands outside in absentia

Finalizing Resolutions:

Badger said that he did not have a problem with any of the resolutions, and that he liked the resolutions asking him to write letters for the HCOs and to the community and the resolution about working with the OAR. He asked the jury how they had arrived at the grade change resolution. A juror explained that they had considered the weight of the test within the entire course and felt that it was an appropriate middle ground between getting partial credit on the exam and a zero in the course, representing an appropriate measure of accountability.

A juror asked Badger what he thought of the recommendation not to report to institutions of higher learning. He responded that he was glad that the jury came to the decision it did, but that he would take responsibility for his actions if the Dean of the College decided to report the matter to graduate schools. The jury asked Otter to share his thoughts and he said that he felt the resolutions were all fair. The trial chair then read Professor Mole's email responses to the resolutions. He was comfortable with the recommended grade change and agreed to implement it. He also said he would reach out to Badger and Otter as per the resolutions once the trial was over.

After the parties had left, the jury discussed their feelings about the recommendation to report to graduate schools. One juror explained how she had been uncomfortable consenting at
tentative and did so mainly because she knew she would have another opportunity to reconsider her decision. Having thought about it more, she was leaning more toward recommending to report, and felt that the proceeding did constitute a disciplinary proceeding. Another juror agreed, saying she felt that because the jury was imposing a grade change, the proceeding should be considered disciplinary.

Another juror argued that for him to consider something a disciplinary action the cheating would have to be malicious and not a result of a moment of weakness. Other jurors noted their frustration that this resolution does not leave room for flexibility, and that they wanted to consider the resolution’s impact on Badger, as well as the fact that he had been so remorseful and taken full responsibility throughout the trial despite the system failing him in many ways. One juror expressed that “while Badger let the community down, the community also let him down” and that in cases that are reported, the focus of the resolutions are on changing a mindset that is not in accordance with the Code, which was not the case in this instance.

Finally, the jury agreed that they could not come to a unified recommendation, and consented that each juror would write a letter to the Dean of the College expressing their own position. With that, the jury consented to the following final resolutions:

Final Resolutions

1. The jury recommends that [Badger] receive a grade of 0.0 on the midterm exam. (9 jurors consented, 0 stand outside)

2. [Badger] will write a letter addressed to other members of the community who may be under similar pressures to those that he faced. This letter should be written by the start of the [upcoming] semester, and will be released with the abstract. (9 jurors consented, 0 stand outside)

3. [Badger] will write a document explaining his perspective on the intrinsic value of the academic Honor Code to give to HCOs for use with their first-years. This document should be completed by [date redacted]. (9 jurors consented, 0 stand outside)

4. [Badger] will work with a member of the jury to write an open letter to the faculty prompting a dialogue between faculty and students concerning the need to discuss accommodations outside of those formally offered by the Office of Disability Services, including for students in the process of being diagnosed. This letter should be completed by the start of the [upcoming] semester, and will be appended to the abstract and emailed out to the faculty. (9 jurors consented, 0 stand outside)

5. Provided that the director of the OAR is willing, [Badger] will meet with her to conceptualize and implement a long term project designed to assist the OAR in helping students in similar circumstances. These meetings should begin before [date redacted]. (9 jurors consented, 0 stand outside)

6. [Badger] will meet with each of his professors for the [upcoming] semester within the first month of classes for the purpose of establishing a relationship. (9 jurors consented, 0
7. The jury recommends that [Badger] engage in a dialogue with Professor [Mole] to repair any lingering breaches of trust. (9 jurors consent, 0 stand outside)
8. The jury recommends that [Otter] engage in a dialogue with Professor [Mole] to repair any lingering breaches of trust. (9 jurors consent, 0 stand outside)
9. The jury will write a letter to the administration concerning the need to allocate additional resources to CAPS. This letter should be completed by [date redacted] and will also be appended to the abstract. (9 jurors consent, 0 stand outside)
10. The jury supports that [Badger] continue to use CAPS, the OAR, and his deans as resources, as he sees fit. (9 jurors consent, 0 stand outside)
11. [Badger] will not be separated from the Haverford community. (9 jurors consent, 0 stand outside)
12. In lieu of a unified recommendation on reporting this proceeding to other institutions of higher learning, each juror will write a brief letter to the Dean of the College containing their individual thoughts on the matter. These letters should be written by the end of [date redacted]. (9 jurors consent, 0 stand outside)

Resolutions as a whole: (9 jurors consent, 0 stand outside)

Post-Trial:
The resolutions were not appealed.

Badger’s Letter to the Community (Resolution 2):
Dear Haverford Community members,

I violated the honor code by reading responses from another student's exam and incorporating them into my exam. Throughout this process, I have felt so much shame and guilt because of my actions. I have been using this opportunity to grow as a student. I understand that this is a very serious offense and I broke the trust of my professor, my friend, and my community. Academic dishonesty should never be an acceptable route to success. Academic dishonesty undermines institutional integrity and threatens the academic structure of the community. It diminishes the quality of my own education and shows disrespect for the professors who have put in much work to teach me.

There were many ways that this situation could have been prevented. If I took the time to be honest with myself and realize that I was not prepared for the exam, then I could have spoke to the professor and we could have figured something out. I could have reached out to my dean or advisor to let them know what was going on. I had many options but chose not to ask for help and made a poor decision. I know that it is better to take a lower grade or fail rather than risking
everything that I have worked so hard to achieve. Choosing to cheat can mess up all your plans for the future and can also affect people who are counting on you.

As a student who has many people counting on me, I cannot just think about myself but I have to look at the bigger picture. I have much responsibility on my shoulders and I always feel the pressure to not disappoint my family. I have learned that I cannot let the pressure get to me but to always ask for help. Although I like doing things on my own, I have realized that it may be best to use my resources. My family is not proud of cheaters but they take pride in those who have worked hard even if that person fails. People look down on those who choose to take the easy way out. You will save yourself much guilt and misery if you just choose to be honest.

As a member of this community, it is my responsibility to keep the honor code in mind to protect the environment and consider how my actions affect others. I know that the honor code is not about constraining people but it is about building an honest educational environment so that all community members have the opportunity to grow. The honor code gives me much freedom but with that comes much responsibility. I hope I can redeem myself by working endlessly to restore all the trust that I have broken.

Badger’s Letter to the Faculty (Resolution 4):
Dear Faculty,

It is important to discuss academic accommodations outside of those formally offered by the Office of Disability Services with students, specifically with students who are currently in the process of being diagnosed with a learning disability. As a student who went through this process, I know that it is very long and can be frustrating at times. Dealing with a learning disability and not having the proper academic accommodations and added support from my professors affected my work significantly and drove me to make poor decisions.

As a faculty members, it is best to be flexible and supportive to students in anyway that you can. It is important to keep in mind that you can offer ways to assist your student without giving them an unfair advantage over their nondisabled peers. For example, a professor allowed me to take an exam in the library rather than in the classroom with the rest of the class because she knew that I got distracted easily. By allowing me to take my exam in a separate location, even though my accommodations were not approved yet, she was helpful to me but did not give me an unfair advantage over my classmates. Simple things such as offering advice on what other students in similar situations have done in the past or giving encouragement can really make a difference to students.

Another way that faculty can assist is by helping to reduce the stigma that can be sometimes associated with going to CAPS and ODS. Some students may not like the idea of going to CAPS because think they will be able to deal with their disability on their own but having a professors encouragement can help the student reach the recourses that they need. Professors can act as a support person to make sure that students know all the options that they
have to succeed in their classes. Overall, it is essential for faculty to understand that students may have diverse learning characteristics and they should be willing to work with students while they are in the process of getting academic accommodations.

The Jury’s Letter to the Administration (Resolution 9):
To the members of Haverford College’s Administration,

We, Honor Council and Community jurors who have recently been on a trial in which CAPS was involved, write to express our concerns with the lack of funding allocated toward this important resource that is provided to students of the community. Recently, there has been a growing number of Honor Council cases in which mental health has been an influential factor in the individual violations. In such cases, sometimes students had accessed mental health services in hopes of seeking professional help when dealing with their own psychological issues that interfered with their academic work, while others refrained from doing so for a variety of reasons. These reasons include: inability to get an appointment, having been to CAPS in the past and gone through a bad experience, or having been afraid or unwilling to seek psychological help because of the stigma associated with seeking help for mental illnesses, as well as many others. When these issues arise, it is difficult for students to be willing to access this resource. Ultimately, it may cause them to make decisions that represent academic dishonesty. We as jurors feel that this needs to be adequately addressed. Haverford works to ensure both the physical and psychological well-being of students on campus, and neglecting one at the expense of the other is failing to live up to its standards. We see this in the case of students who don’t access mental health resources (or cannot access them to the extent that they need to), because of the reasons previously stated, and continue living with the hardship of not being able to get adequate professional help.

CAPS is a crucial resource for the students of Haverford, not only because mental health is becoming an increasingly significant issue on college campuses, but also because the free services offered at CAPS are the only mental health services some students can access. For many students, psychological services outside of CAPS are unaffordable. Furthermore, at a place like Haverford, there is a focus on physical well-being, something that is demonstrated by, for example, in the PE requirement applied to students. It is important to also emphasize the importance of psychological well-being of students on campus. If either of these is neglected, students’ well-being can suffer.

We have mentioned thus far that CAPS is an important resource for the students of Haverford, and yet Honor Council sees many cases of trials where students have not accessed these services, or have not been able to benefit from them to the extent that they needed. We feel that it is
necessary for the administration of Haverford College to concern itself with these issues, and to allocate additional resources to CAPS.

CAPS could enjoy a variety of benefits if it were to have more resources. For example, an increase in funding could allow CAPS to hire more staff and thus to make more appointments available to students, who often complain of having to wait weeks before seeing a counselor. More resources would also allow CAPS to provide more comprehensive and ongoing training to its staff. This could be particularly helpful in relation to aspects of students’ identity that CAPS staff members may not be very aware of, such as students’ gender, religious, sexual, political, ability, and socioeconomic class identity, to mention just a few. Furthermore, an increase in resources could lead to more physical spaces becoming available for CAPS to use (there is a currently a lack of space which leads to students having to attend CAPS sessions located inside offices such as the CCPA). Finally, more resources would allow CAPS to reach out to the Haverford community (especially to students, but also to administrators, faculty and staff) in more ways and more effectively than it has done in the past. This can help to reduce the stigma around attending CAPS, inform students about how to use CAPS, and help students to become more involved and invested in CAPS as an institution.

In light of these concerns, we feel that it is not just important, but dire that the school find some sort of method to allocate more funds and resources so that CAPS is able to address everyone’s needs, as well as ensure that students don’t feel held back from accessing this resource. We feel that this should be considered so that students can academically thrive throughout their four years here.

Sincerely,
The jury of Wind in the Willows

Discussion Questions:
1. Should juries be asked to make a recommendation concerning whether or not a violation should be reported to other institutions of higher learning?
2. To what extent should juries rely on the honesty of confronted parties?
3. Are resolutions directed at the administration appropriate for Honor Council proceedings?