

Honor Council Procedure Modifications

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Whereas the below series of minor alterations to Honor Council procedure will allow Honor Council to function more smoothly and more consistently with the ideals of the Honor Code;

Be it resolved that the following package of resolutions will come into effect:

1.

Whereas the completion of open-ended trial resolutions is very difficult to monitor; and

Whereas past trial parties have at times graduated without completing their resolutions;

Whereas scheduling trials to accommodate all involved jurors and parties is extremely difficult; and

Whereas, due to this difficulty, the current rule requiring a break of between 24 and 48 hours between the Tentative Resolutions and Finalizing Resolutions portion of a trial is almost never followed, despite being constitutionally mandated; and

Whereas each jury is in its own unique situation and is therefore itself best equipped to determine the necessary time for reflection;

Whereas some resolutions make recommendations to faculty or administrative individuals and bodies not directly involved in the trial; and

Whereas these individuals and bodies should be made aware of the recommendations to them and given the opportunity to give feedback when those recommendations are in the tentative stage;

Be it resolved that the first paragraph of Constitution Section 7.02(f)(iv) shall be amended to read as follows:

When the chair feels it appropriate, the parties will leave the room, and the jury will continue discussing resolutions and will reach consensus on the resolutions that it feels are just. Resolution(s) should address such goals as educating the confronted party and the community, repairing the breach of trust between them and the community and holding the person accountable for their actions. **Any resolution requiring action by a trial party must have a deadline or time frame for completion.** After this initial consensus, the jury will adjourn ~~for at least 24 and no more than 48 hours~~ to think privately about the issues involved in the trial, and to rest. ~~In the event that this timeline poses scheduling difficulties, the jury may consent to only count business days toward the timeline.~~ A juror will inform the confronted and confronting parties, **as well as any parties not directly involved in the trial to whom recommendations are made**, of the jury's tentative resolution.

2.

Whereas requiring juries to re-consent to their tentative resolutions before the Finalizing meeting is in most cases an unnecessary formality; and

Whereas, in the cases when the tentative resolutions are changed, the alteration confuses the trial parties, who have prepared to respond to the original set of resolutions; and

Whereas there is no reason that the jury cannot wait to alter their resolutions until they are in consultation with the trial parties;

Be it resolved that the second paragraph of Constitution Section 7.02(f)(iv) shall be amended to read as follows:

At this point, jury members will not discuss cases in progress with anyone, including other jurors. However, jurors may talk with the trial chair and the trial chair may talk with Honor Council Co-Chairs and the Dean of the College regarding procedural concerns. ~~The jury will then reconvene and either reaffirm its position or reach consensus on another action.~~

3.

Whereas the jury is the only body sufficiently informed about the details of a trial to make a suitable recommendation to the Dean of the College as to whether or not an incident should be reported to another institution of higher learning;

Be it resolved that the first paragraph of Constitution Section 7.02(f)(vi) shall be struck in its entirety:

~~It will be the responsibility of Honor Council to make its own recommendation to the Dean of the College concerning reporting the violation on Graduate School's or Transfer School's application based on the published guidelines. During review of the abstract, Honor Council will receive the jury's recommendation and make its own with consideration of the jury's. If Honor Council makes a decision contrary to the jury's decision or the guidelines, it must give explicit reasoning. The Dean of the College shall be notified after Honor Council consents to its recommendation. This decision will not be linked to consenting to the abstract, as they are separate decisions.~~

4.

Whereas suspected academic violations of the Honor Code breach the trust of not only the involved professor and class but the community as a whole and therefore should in almost all instances be resolved in an academic trial; and

Whereas rare instances do occur in which the involved parties in a suspected academic violation of the Honor Code have reached a full resolution, including addressing the trial goals of education, accountability, and restoration, before the incident is brought to the attention of Honor Council; and

Whereas Honor Council may, in some of those rare instances, feel that the burden that a trial would place upon the involved parties and the jury would be greater than the good that would come out of that trial;

Be it resolved that the first paragraph of Constitution Section 7.01(a) shall be amended to read as follows:

Honor Council may decide that an academic situation needs to be resolved in a trial. A trial is **usually** necessary if a student is suspected of having violated our community academic standards and must, therefore, answer to the community for his/her actions. Almost all cases of suspected academic dishonesty are resolved in a trial. **Cases of suspected academic dishonesty can only be resolved outside of a trial if Honor Council believes that the trial goals of education, accountability, and restoration have already been addressed; in all instances in which Honor Council suspects that an academic violation of the Honor Code occurred but does not send the case to a trial, Honor Council will release an abstract outlining the situation.** Honor Council will designate a Council member to explain to the confronted individual the alleged charges, to explicitly inform the person of his or her rights, to familiarize the individual with the trial procedure, and to describe the implications and purpose of each step of the trial process.

5.

Whereas the Alcohol Policy currently requires that two members of Honor Council and Students' Council be appointed as members of JSAAPP; and

Whereas serving as representatives to JSAAPP is just one of a number of important and time-consuming duties of Honor Council and Students' Council members; and

Whereas having just one Honor Council and Students' Council representative on JSAAPP would not limit that body's ability to carry out its important functions;

Be it resolved that Alcohol Policy Section IV.4 will be amended to read as follows:

JSAAPP is composed of ~~two~~ **one** members of Students' Council and ~~two~~ **one** members of Honor Council, who are appointed by their respective bodies at the beginning of each semester; one representative from each of the freshman, sophomore, junior, and senior classes, two representatives from the Office of the Dean of the College, and a chair or two co-chairs. The Chair(s) and elected positions for class representatives will be year-long positions. Honor Council or Students' Council members, if elected and then appointed for consecutive semesters, may remain on JSAAPP for the entire year if desired. The election of the JSAAPP Chair(s) will follow the procedures set forth in Section 5.08 of the Constitution of the Haverford College Students' Association (entitled "Nomination and Election of the Students' Council"). The election of JSAAPP class representatives will follow the procedures for Fall Honor Council elections, except that all positions are year-long terms. If there is ever a vacancy in any class representative position, JSAAPP will ask the Appointments Committee of Students' Council to appoint a member of the appropriate class to fill the vacancy.