

Honor Council

H A V E R F O R D C O L L E G E

Rip Van Winkle Abstract Discussion Minutes from November 11, 2010

Members Present: Connor, Charlie, Phil, Emily, Anna, Alex, Florencia, Noah, Ian

Members Absent:

Guests: Glynis, Allison, Christy, Janela, Fairleigh, Jacob, Sam, Mary-Claire, Molly, James, Jonathan, Andy, Susanna, Jacob, Sally

1. Introduction
2. Reactions
 - a. Glynis: Rip sounds like a douche in general and that's highlighted in the letter to the community
 - b. Mary-Claire: Rip and Dame are not actually related
 - c. Allison: Would Honor Council suggest mediation between the two parties? What does that mean?
 - i. Emily: It would give the two parties the opportunity to get it all out and get on the same page. It was recommended but Dame did not feel it was her place prior to the trial to enter in mediation
 - d. Emily: Really interesting case because administrator confronted. Was that appropriate
 - i. Janela: How did Dame hear about everything and how was she involved
 - ii. Emily: Dean's office found out about it and sent an administrator to do the confrontation because there was not student who could confront Rip.
 - iii. Mary-Claire: It makes sense because in living in a community, any member of the community should have the right to confront any other member of the community. If Dame felt offended even on behalf of the community then she should be able to confront Rip
 - iv. Charlie: Rip's comment on coercion. He said he felt forced and Charlie thinks that the coercion could seem like an issue when the administration confronts. The administration may be trying to reach a punishment whereas that's not how it is for students confronting students.
 - v. Florencia: Dame was not confronting on behalf of herself but for the community. It created a really strange dynamic. In this case it was handled very poorly and coercion was present.
 - vi. Susanna: Does not have an issue with an administrator confronting. But what's hard in this case is that communication between Rip and Dame fell apart. Dame thought she was serving her part but she didn't fully explain what was going on and what his options were.

- vii. Mary-Claire: Would be better if someone who was involved had confronted. Maybe Safety and Security, she doesn't know. But a trial was necessary it's just who should do it that's in questions
- viii. Jacob: Supports the statement but Dame may not have been the right person to confront Rip. Maybe Safety and Security or a non-involved Honor Council member. Someone who would not have been on a trial perhaps. It should have been a student-to-student dialogue
- ix. Emily: That's an interesting proposition but Honor Council is adamant that it is not a police force and that HC will not bring anything to HC. She wonders how the community would accept that proposition.
 - x. Susanna: It's very difficult to ensure an unbiased jury.
 - xi. Florencia: Agrees that if someone does something as outrageous as this is that they should be held accountable. But if people you encountered did not feel upset by what you did, should there be a confrontation?
 - xii. Susanna: But if S&S see this as part of their job they won't confront
 - xiii. Mary-Claire: Maybe we should make it clear to groups like S&S that they can confront when they feel offended
 - xiv. Janela: The idea that she is not allowed to confront something if she is not a direct victim seems incorrect. She thinks that non-involved people should be able to confront someone
 - xv. Glynis: Wonders if anything would happen even if you told faculty members that they are allowed to confront a student because the Honor Code is such a student document that functions and changes. She can't see a S&S member wanting to take part in a trial. What Rip did was offensive and should be held accountable but can you just be held accountable just for being a jerk without offending someone in particular?
 - xvi. Emily: Can you have a breach of trust with the community without breaching trust with an individual?
 - 1. Susanna: Yes.
 - 2. Jacob: In this case the dean might have felt that she was uncomfortable with the actions in themselves
 - 3. Alex: This can affect how non-community members see Haverford in general and how they may respond to us in the future
 - 4. Mary-Clarire: Yes it's realistic that faculty members might not want to come in front of a jury of students but having an avenue for this is better than not having it at all
 - 5. Glynis: The S&S faculty member did not have an issue with this in general
 - a. Emily: That was the director. Not the person who had vomit thrown at them.

6. Mary-Claire: Worries that S&S will have a distorted view of Haverford College
 7. Florencia: She's uncomfortable with the idea of forcing to confront
 8. Noah: He sees her point but the Honor Code requires students to confront.
 9. Anna: But the Honor Code does not say that faculty members don't have to confront. They aren't forced
 10. Emily: The Code applies to everyone. Even if they aren't bound to it in the same way they are definitely included.
 11. Susanna: Has heard that faculty members say they may lose their jobs if they don't work with the Honor Code.
- xvii. Phil: Seems that Dame didn't follow through. She confronted but she didn't want to be involved in the rest of the trial. It seems that if you confront someone then you have to follow through and commit. If the dean's office has a problem with this then they have to follow through.
1. Andy: It does seem contrary to the idea of restorative justice to just confront someone and not follow through
 2. Jonathan: Seems like two questions. The relationship between Rip and Dame or Rip and the community. It seems the disrespect of individual people that this was not the right way to go along with it at all. It wouldn't make sense for the police to take part in Honor Council proceedings
 3. Janela: But students who are abroad or at the hospital are bound by the Honor Code
 4. Jonathan: Yes, but the members of the hospital are not bound by the Honor Code and you can't expect them to take part in the trial. The two should be separated.
- xviii. Glynis: Why was this not a JSAAPP hearing
1. Emily: Underage drinking in itself is not a violation of the alcohol policy. There are cases, like this, that seem to be more of a social violation in which alcohol played a circumstantial part. A JSAAPP hearing involves a direct breach of the alcohol policy.
 2. Jonathan: Could JSAAPP confront?
 3. Anna: JSAAPP is, like Honor Council, concerned about being a police force
- xix. Charlie: The real issue is where people's impetus of confrontation comes from. It's not an issue if Dame had confronted as a community member but she confronted as a Dean. The same could for a JSAAPP member who could confront as a member of the community rather than as a representative of JSAAPP.
1. Emily: So you're saying that it would have been better for Dame to say that she was personally offended by Rip's actions rather than say that the Deans were confronting.

2. Glynis: By having Dame confront on behalf of the community and not following through herself with the trial it destroys the dialogue and communication. It seems like Dame was just having him punished.
3. Janela: It seems he's being held accountable for being offensive but not for offending someone in general. It should be that he had offended someone and that they now need to restore the trust.
4. Florencia: What kind of understanding to faculty members have about the Honor Code? This is clearly a huge problem if this is a commonly held belief.
5. Mary-Claire: What's the procedure if someone violates the Honor Code while abroad?
 - a. Emily: When that student comes back there will be an Honor Council proceeding. We'd ask for statements from people at the other college.
 - b. Mary-Claire: But who's confronting? She realizes it's politically difficult for Honor Council to act as a police force but it should be up to bodies like Honor council to uphold the standards. Just because there's no one confronting party it doesn't seem like it makes sense to not restore trust with that person
 - c. Susanna: But it's not Honor Council's standards but community standards. It is up to individuals.
 - d. Florencia: Why would it makes sense for Honor council to deal with a student after they get back from being abroad but HC wouldn't deal with it if the student had been "dealt" with at Swarthmore.
 - i. Anna: HC would get statements but there's no blanket statement of what would happen. It's case-by-case.
 - e. Mary-Claire: She does not see HC as punitive so if someone is tried twice (once by the other institution and once by HC) it doesn't matter and is important because the student has to be restored to our community. It's not punitive. It restores. Her feeling is it's not a bad thing to go in front of Honor Council.
 - f. Florencia: But ideally HC is the last step in a social situation
 - g. Phil: But the confronting party should be someone who is offended
 - h. Florencia: Dame made it clear that she was not confronting personally but was just doing it for the Dean's office. Thus she was uncomfortable to play a part in the circumstantial portion because she did not want to express her own opinions

- i. Jacob: He was offended when he read the abstract. The issue is that the confronting party said there was no mutual understanding that needed to be arrived, then there's no point. Honestly, when you have no one to work issues out with and when you're being confronted by someone who you don't have issues with, he wonders what the value of the whole proceeding has on the confronted party. Obviously Rip affected other people but maybe HC is not the place that should rectify that. It should have been that one person confronted Rip and said, "this is how you affected me."
- j. Glynis: Rip is obviously not restored to the community. All the letter shows is that it did not work for him and that now he's disillusioned. Rip says he understood what he'd done is wrong but that Dame messed it up and disillusioned him with regards to the Honor Code in general.

3. Letter to the Community

- a. Florencia: A lot of these resolutions Rip had already started doing before the trial had started. She thinks his anger is based on how the whole situation was handled on the part of Dame.
- b. James: Perhaps that he feels punished especially since his medical records were brought into the trial.
- c. Glynis: Wants to question the accuracy of his statements because of the exaggeration. He presents Honor Council as a non-neutral body. She questions how much he exaggerates.
- d. Jonathan: he says that Dame is biased against him, not Honor Council.
- e. Florencia: We saw the Safety & Security report. No confidential medical records were given to the jury. His issue was that the Jury knew about him receiving an IV
- f. Jacob: He makes it vague as to what his medical records are. He implied that the jury got much more information than they did.
- g. Jonathan: It's not fair to assume that his letter is so angry just because he's an angry guy. This whole process just doesn't work if you assume negatively about everything. He is potentially just upset with how the trial went.
- h. Glynis: He obviously feels victimized. She does not want to discount the letter but Rip's word choice is very biased and manipulative. It might make sense from where he's coming from and that the trial was not handled the best way and he did bear the brunt of that but the letter is not flattering for him.
- i. Jacob: The rhetoric is over exaggerated. Rip said he felt put out because it was a common case of alcohol related incident. But it wasn't a common incident. This was an active form of disrespect.
- j. Phil: But no one involved felt the need to confront. Either Rip was trying to resolve issues he had with people or people weren't offended until

Dame came around and sent him to Honor council. This is not how HC should work. It needs to be based around people who were actually offended.

- k. Jacob: Reading this he is offended but doesn't know if he would have confronted. But he (Jacob) was definitely offended.
 - l. Florencia: Rip took initiative himself to apologize with people. He did a lot of preemptive stuff.
 - m. Emily: Does it matter that he started to repair the breaches of trust himself?
 - i. Janela: It does matter that Rip was already trying to restore the breaches of trust particularly because Dame claimed to be representing the people that he had breached trust with.
 - n. Christy: What's upsetting about the letter is that he seems to come out of it feeling like there needs to be another confrontation. There seems there was mishandling in the Dean's office.
 - o. Emily: There's no real way to avoid a trial. Honor Council has to follow certain procedures and decide where to send things. But knowing about what Rip had already started to do, would it make sense for HC to not necessarily send Rip to a trial?
 - i. Christy: doesn't feel that there was a problem with the trial. It mostly seems that the issues stemmed from the involvement of Dame Van Winkle
 - ii. Andy: It's really regrettable that Dame did not play a part. Mediation may have been a good way to go.
 - p. Mary-Claire: Seems that it was nice of the Deans to offer Honor Council as an option. The deans aren't meant to be a friend and have mutual understanding. At a certain point, no matter how drunk you are, there will be appoint where you might go beyond Honor Council and go straight to the deans. Maybe it conflates the idea of restorative justice that the deans sent Rip to Honor Council and did not just punish him
 - q. Florencia: That's not how it works at Honor Council. Ultimatums are not ok in confrontation. Confrontation should not be used as a threatening thing.
 - r. Janela: Gets from the readings that things did not go as poorly with Dame as Rip is portraying it.
 - s. Jacob: Honor Council did not have a choice because there was a breach of trust. Dame made the mistake.
 - t. Jacob: finds it unfortunately ironic that later on Dame was concerned about the sort of power disjointedness between the two when it seems to be the asymmetry of power was what forced him to go to HC. She saw it inappropriate for a mediation but not inappropriate for a confrontation.
4. Moment of Silence.