

Honor Council

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

Public Portion Minutes from November 14, 2010

Members Present: Josh, Alex, Florencia, AJ, Sam, Phil, Ian, Charlie, Anna, Emily, Seth, Connor, Jamey, Noah,

Members Absent: Hilary, Emma, Abby

Guests: Jonathan

1. Moment of Silence
2. Committee Reports
 - a. Trico
 - i. Noah: Status is the same as last week. Been studying for the GRE and nothing else
 - ii. Anna: Can you guys set up a meeting with Martha and send us the contact info for the contacts at the other institutions
 - b. Student Outreach
 - i. AJ: quiet week this week. Been discussing some stuff but we've had an abstract release overload. We don't want to overload people. We'll probably focus on some sort of time line next week. Plus we have Pizza, Professors, and the Code (PPC) this week.
 - c. Abstract Committee
 - i. May or may not have met
 - d. Faculty Outreach
 - i. Seth: PPC is on Wednesday with Krippner and Schantwiler. There will be a HC facebook event soon. Will put together a poster.
 - ii. Emily: Can we get another professor? We usually get three or four.
 - iii. Seth: I'll do what I can to get another professor. We've done two before.
 - iv. Anna: In my experience a professor usually cancels at the last minute and you don't want just one professor.
 - v. Piza discussion
 - vi. Anna: Questions for the professors...
 - vii. Jamey: That will be the same time as the budget
 - viii. Seth: We can caucus after this
 - e. JSAAPP
 - i. AJ: T-shirts are a go. We have three designs. One is a math pun including shots, "Stay classy Haverford" with a picture of the trifecta, and something with Smokey the Bear.
 - ii. Noah: What's printed on the inside and around the edge?
 1. General laughter ensues
 - f. Emailing Faculty and Staff
 - i. Alex: For staff it's Daily Digest
 - ii. Anna: Where do you send them to get them on the Daily Digest

These minutes reflect the opinions of Florencia "Bert" Foxley and Alex "Ernie" Tonsing, the Council co-secretaries (hschwart@hc or atonsing@hc) and are neither approved nor reviewed by the rest of Council. Questions/comments? Email code@hc!

- iii. Florencia: You can send it to the broadcast for faculty
- iv. Anna: Are we allowed to send it to the broadcast emails? Alex, can you figure this out?
- g. Pendle Hill Retreat
 - i. Still looking for someone to go this weekend.
- h. CSSP
 - i. Anna: Emily and I typed something up
 - ii. We want an Honor Code stone like Westpoint!
 - 1. Florencia: Jacob said it would be the most expensive upkeep project at Haverford. We'd have to keep re-chiseling it.
 - iii. Read Statement
 - 1. Josh: We need to get rid of the word "regardless" in the last paragraph because it creates more confusion about what the distinction is between "only" and "regardless"
 - 2. Charlie: Reading the main body makes it seem that the student actually doesn't have any choice
 - 3. Jamey: It says "I plan to let CSSP know" when maybe it could be something that doesn't make it sound like it will happen anyway.
 - 4. Anna: We need to take out the "before I do so" clause.
 - 5. Seth: Maybe "if you are ok with it being shared..."
 - 6. Anna: But we don't want the student to go into the conversation to think they have veto power. We want it to be a conversation, not just a refusal.
 - 7. Connor: Make it say "We will come to a decision about whether or not this information will be shared"
 - 8. Josh thumbs up!
 - 9. Anna: Do we want to talk about the "regardless" part?
 - 10. TANGENT!: Josh: Was there conversations with new faculty about the Honor Code
 - a. Anna: We had so many. We had 15 professors. We made it mandatory
 - b. Emily: They cared about the social code. It was exciting
 - 11. Ian: Should we distribute this to hear what other people think?
 - 12. Anna: I don't think so. This is just Honor Council's recommendation.
 - 13. Consent on statement formally: All consent with zero standing outside consensus
- i. Should juries find out about previous Honor Council proceedings during circumstantial portion?
 - i. Could we have a similar set up as the CSSP statement?
 - ii. That would require HC chairs and secretaries to know about names of people on past trials
 - iii. Florencia: But don't we have the spreadsheet?

- iv. Emily: The spreadsheet doesn't have information on closed cases. The Dean of the College will have the records.
- v. Anna: There's no reason that we should have records that go back years and years when we weren't involved.
- vi. Anna: Currently we have a spreadsheet with pseudonyms, trial names, nature, and whether it's been resolved or not.
- vii. Emily: A lot of it went back 5 years and there's no reason for us to have that.
- viii. Anna: Currently the spreadsheet has names of the parties and that's not necessary
- ix. Seth: But if someone is taken to Honor Council again while still a student wouldn't we need to know?
- x. Emily: But that's for the Dean of the College to inform us about. We want to keep what we have on the spreadsheet but without all of the identifying information.
- xi. Jamey: How would that work?
- xii. Emily: We would then ask the Dean of the College
- xiii. Florencia: But the spreadsheet was created to keep better records
- xiv. Emily: Exactly. But it was made for current trials, not past trials. We should not know names of people who were on trial before we were chairs.
- xv. Seth: Honor Council already has some issues with things running smoothly. Relying on the dean will not help that.
- xvi. Anna: The dean knows the name of everyone in an Honor Council proceeding. It won't be that difficult for her.
- xvii. Seth: What form does Martha have the chairs reports in?
- xviii. Anna: It's on her computer. It has everything that happened in the trial including emails and more.
- xix. Noah: It shouldn't be a problem for her to look anything up. She probably has her own spreadsheet.
- xx. Emily: Are you guys ok with us going through and deleting identifying information on trials that have been completed? Mainly just delete the names of confronted and confronting parties.
- xxi. Anna: Now the question is, should a jury find out about a previous proceeding with a confronted party?
- xxii. Noah: The jury has to find out sometime. We do have people who keep coming in front of HC and obviously aren't restoring themselves, but the jury should not find out before the statement of violation.
- xxiii. Emily: Exactly. We want to put it in circumstantial because we don't want juries to be biased by the knowledge of a previous trial.
- xxiv. Jamey: I don't like that.
- xxv. Anna: The confronted party should be able to talk about the case
- xxvi. Florencia: But what about the confronting party? They should not be there
- xxvii. Anna: So maybe it should be after the first round of proposed resolutions?

- xxviii. Connor: Have Martha talk to student about whether they should tell the jury during circumstantial or not.
- xxix. Seth: But that's not Martha's or the student's decision necessarily
- xxx. Phil: HC is a student-run process. It's not Martha's place.
- xxxi. Noah: Maybe the chair should use their discretion
- xxxii. Seth: If the point of the process is to be restorative and the person went through and did the same thing again then there's probably an issue with the community here. The jury needs to find out about it. I feel uncomfortable with Martha making the decision.
- xxxiii. Anna: Let's split this up. Just talk about whether juries should find out.
- xxxiv. Florencia: It can be helpful. But not always. Very similar issues are relevant.
- xxxv. Ian: Don't think there is ever a situation in which we can break someone's confidentiality.
- xxxvi. Connor: Is that more important than making sure that someone is properly restored?
- xxxvii. Seth: I agree; confidentiality shouldn't be something you hide behind. Shouldn't prevent the community or the individual from having their trust restored.
- xxxviii. Emily: How about if we use a procedure similar to CSSP?
- xxxix. Jamey: But who would ever voluntarily give up their confidentiality? No one is ever going to not hide behind his or her confidentiality.
 - xl. Anna: Well, we wouldn't give the student veto power.
 - xli. Charlie: Can we consider creating a definite distinction between academic and social trials?
 - xlvi. Jamey: Don't think anyone was saying it would be appropriate to use one when considering the other.
 - xliii. Emily: Sounds like we are pretty divided on whether information should be shared. Let's focus on the issue of if we want this information to be shared.
 - xliv. Jamey: Difficult that we preach confidentiality so much but then we are going to strip people of that right. People deserve to keep their stuff kept quiet. Don't like the idea of stripping someone of that right. Doesn't disagree that it might be necessary, but think it's dangerous.
 - xlvi. Noah: But people in the community need to be able to trust each other. Excessive confidentiality would damage our ability to restore people most effectively.
 - xlvi. Phil: Also, it's being kept in a confidential setting, not like we are broadcasting it to the entire school.
 - xlvi. Ian: Doesn't matter, it is still confidential.
 - xlvi. Noah: But then why do we have juries? We need to be effective.
 - xlix. Connor: the point of HC is not to protect confidentiality. The point is to restore people to the community. We wouldn't be breaking confidentiality to many people – only to people who need

the information. They should have the opportunity to air their grievances and explain why they wouldn't want confidentiality broken, but they don't have the final say.

1. Seth: Confidentiality is not a goal of HC. It's a means of restoring a student to the community. As soon as one of our measures for restoration is blocking restoration, we have to disregard it. We can't let confidentiality get in the way of restoration
- li. Emily: I don't see this as a breach of confidentiality because in my mind a breach is when someone who has no connection to a case or no reason to need to know finds out. I see your logic but I see it in a different way. I mean, in a sense, whenever we have a trial we are forcing students to break confidentiality for a jury of ten students. It would be the same for the second jury.
- lii. Josh: I am comfortable with sharing past trials so they can make the appropriate resolutions for restoration. Uncomfortable with the information from someone's past case becomes part of the abstract, because then former juries could piece this together.
- liii. Anna: Think we could get around that by being really vague about the past proceeding. We can pretty easily take care of that problem.
- liv. Sam: I have some more general concerns. I think a jury will look at a past issue will look at it very suspiciously and make resolutions to try to take care of two issues instead of just the one.
- lv. Phil: Because it would be related to the second trial, juries would be trying to fix a recurring issue, not two separate ones.
- lvi. Anna: The main purpose of Honor Council is restoration, so I don't see any issue with presenting this sort of thing to a jury.
- lvii. Emily: Weight of the group is moving towards sharing – Jamey and Ian, is there any way that your concerns could be assuaged?
- lviii. Jamey: I know trials are supposed to be restorative, but I think there is no way to make this information sharing not seem punitive.
- lix. Sam: Also, could be damaging because the jury won't know the entire scope of a previous violation and might take it the wrong way.
- lx. Anna: How about we present this to make it seem like a guideline, not set in stone?
- lxi. Connor: I think Sam brings up a good point and I would want to know how we could balance over sharing and the jury getting a too one-dimensional picture of what happened in the previous trial. I guess that would be something else for the Chair to consider.
- lxii. Emily: Would just have to make sure that this information didn't take over the trial, and was more of side information. Maybe that could go into the paragraph of intent.
- lxiii. Noah: Like the idea of a paragraph of intent, and trust Haverford students to be thoughtful jurors.
- lxiv. Jamey: Understand why this is necessary, but I don't like it. I don't think the ends justify means. I don't think you should prioritize values.

- lxv. Noah: Well, you can't avoid making a trade off. So do you want to restore effectively or not?
- lxvi. Jamey: But punishing people twice is unfair, and will make people resent Council and the trial system.
- lxvii. Josh: Jamey, so are you concerned both with confidentiality being breached and how a jury will use this information?
- lxviii. Jamey: Yes.
- lxix. Sam: So Noah, you said we don't punish people, we restore them. Well, bringing up prior information is moving way over to making the trial process more like punishment and like it's a three strike policy.
- lxx. Seth: Well, that would only work if we instated a three strike policy.
- lxxi. Emily: Well, I think this has been a good discussion, but since we aren't under deadline to decide anything, we should table it and move on. We have made some headway, but think revisiting it would be more effective.
- lxxii. All agree.