

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 2, 2010

Present: Anna Brockway, Jen Zelnick, Florencia Foxley, Cory Downing, Josh Mussa, Connor Bralla, James Taggart, Jacob Horn, Aaron Schwartzbaum, Alexandra Wakoff, Franklyn Cantor

1. Moment of Silence
2. Introductions
3. Read Introduction
4. Discussion:
 5. Jen: Interesting that confronting party was administrator. Odd that neither the Quaker Bouncers nor Safety and Security officer on duty took it upon themselves to confront
 6. Cory: Or any of his friends..
 7. Jen: What does it mean if the "community" or "administrator" know that something happened but no one involved wants to confront?
 8. Anna: Is it appropriate for an administrator to confront?
 9. Jen: Yes, but I think I would want to ask Quaker Bouncers and Safety and Security why they didn't want to confront... Why did the administrator feel it needed to go to Honor Council while Quaker Bouncers didn't?
 10. Connor: Safety and Security didn't feel the need to confront...
 11. Cory: Doesn't it say that Dame Van Winkle thought no one person felt the brunt of the confrontation
 12. Anna: Do you think it would be more appropriate for the student to be the confronting party?
 13. Cory: A student probably could have done this... Wary of administrators getting too involved in Honor Council- becomes punitive
 14. Jen: Hilary and Anna's point- the people that would be able to piece this all together would be the deans who get the combinations of all these reports, effectively being the only ones who knew what would happen
 15. Cory: Could be contacted as witness?
 16. Floriencia: Inevitably a really uncomfortable power dynamic... Especially here. Maybe it could be better handled in the future but the confronted (Jacob: and confronting) parties felt uncomfortable
 17. Jacob: (has chocolate on his face) Dame VW was aware of it too and seems paradoxical that it could be something that wouldn't come to play in her mind when she was confronting but wouldn't come into play during a mediation that the confronted party felt would be productive.
 18. Anna; You think there's a different way that that power dynamic is manifested?
 19. Jacob: *nods*
 20. Jen: What if we decided that administrators could not be confronting parties and then this wasn't presented at all? Would the end result be better or worse, or what would the implications be?

These minutes reflect the opinions of Hilary "is not a real person" Schwartz and Alex "I still love you" Tonsing, the Council co-secretaries (hschwartz@hc or atonsing@hc) and are neither approved nor reviewed by the rest of Council. Questions/ comments? Email code@hc!

21. Anna: The administrator could ask a student to be the confronting party...
22. Cory: Same thing just sneaky
23. Jen: If I was a student asked to be a confronting party, I would not respond well
24. Florencia: A lot of the resolutions were things the confronted party had already started doing... Obviously won't be the case for every time something like this happens should it happen again but really the only difference that came about was that this student clearly now has a lot of bitterness towards Dame VW but I do think he came to a better understanding of the purposes of Honor Council and the purposes of a trial...
25. Aaron: Is there precedent for a class action confrontation? I think the honor council itself did what it should have done...
26. Anna: Do you think it would have been appropriate to have a rep from EACH party (Quaker bouncers, safety and security...) ALL be the confronting party?
27. Aaron: it seems like the administrator wanted to hand the case to Honor Council... At the end, he should have learned his lesson but shouldn't have been a lot of neg. feelings
28. Jen: What if the Quaker Bouncers don't want to be a part of it either?
29. Anna: When are you obligated to confront? Who can ask you to confront? Big issues given the confrontation clause of the Honor Code. Later in the abstract it says the director of Safety and Security told Rip "Don't worry about it"...if the person affected doesn't think it's a big deal but everyone else does, how does it change the trial process?
30. Jacob: If everyone else does, there's still a breach of trust, and someone feels there was breach of trust
31. Hilary: What do you do when there's a breach of trust within the COMMUNITY and there's no one there to specifically confront?
32. Jen: The administrators are still members of the community... Why are we excluding them from the community?
33. Florencia: Confrontation is resolving issues between individuals and not how does the community deal with one person?
34. Jen: Are you saying the Honor Council procedures are not adequate or appropriate to deal with community wide issues?
35. Florencia: I think how confrontation was used in this case was inappropriate, because confrontation is resolving of issues where a breach of trust has happened between individuals, and when that breaks down, you involve Honor Council, that communication never happened in this case
36. Jen: say someone vandalized something and it offended the entire community, would it then be the obligation of one person confronting that person or the community confronting them?
37. Florencia: I could see that happening where multiple people confront the same person
38. Aaron: I don't think the administration should be confronting students on behalf of the student body; given what happened with the paramedics, that's an external situation, that's their job
39. Jacob: If they didn't feel comfortable being part of the process they shouldn't be confronting. At the same time, as much as I think there's stuff that's

- disrespectful of the process, I think this started out of an attempt to respect the process. This administrator could have easily had the student come into their office and said "this is how you're being punished for this.." I feel like this whole thing started out of a respect for trying to allow the student process in place to work, so trying to negotiate those two ideas is a difficult thing
40. Connor: People are being a bit hard on the dean, I feel like we're saying if a dean's confronting it's automatically a punitive measure...doesn't have to be any more punitive than if a student confronts
 41. Floriencja: I agree with you but I think there was no confrontation
 42. Hilary: What do you think should have been done?
 43. Florencia: Dame VW should have had a conversation with the person and if they didn't feel involved enough they shouldn't have been confronting
 44. Jen: What happens when someone violates confidentiality? Even though there wasn't necessarily a lot of discussion about it afterwards, at the time it was such a big deal that we acted as confronting parties over a body of issues that had happened. Got a lot worse when people were like "Oh, it was you two". How can we address; hesitant to confront someone after that process; what happens when people don't respect the confidentiality process and what are the effects for not only the confronted or confronting party? How might a dean be somewhat an alternative process?
 45. Anna: Instead of students confront who might be somewhat _ to a breach of confidentiality, have administrators confront?
 46. Jen: I could see a student have some interest in this but not wanting to go through with it...
 47. Florencia: I agree but I really have an issue. In the case you're discussing, you were confronted as just regular students. Dame VW isn't confronting as herself but as the general community
 48. Hilary: Which is why she didn't want to be personally involved...
 49. Jen: Do we have a statement from Dame VW?
 50. Florencia: Her statement is the Safety and Security statement
 51. Jen: Was Dame VW given the opportunity to explain her motivations
 52. Anna: I know there are paragraphs in the abstract that say "Dame VW thought..."
 53. We've talked a lot about who's confronting? One of the issues that came up a lot was power asymmetry. From my point of view, Dame VW took a limited role BECAUSE of that asymmetry
 54. James: Were she be confronting as a member of the community rather than the community in general, I think the power problem would be fine- just strikes me as odd that she confronted and immediately passed it off
 55. Jen: I have to respectfully disagree just because of personal experience. I confronted as 2 individuals who happened to be familiar with the experience, and suddenly it became "QUAKER BOUNCERS AND JSAAPP TEAMING UP". If I were to confront someone about alcohol would my position on JSAAPP carry more weight? I don't think it should but I think it does...
 56. James: I don't think it should but yeah, I think it does.
 57. I think breaches of confidentiality may cause even bigger problems in that case

58. Florencia: I think there can be steps taken to minimize that as much as possible
59. Anna: We've talked a lot about the confronting party, what do you think about the actual confronted party and his actions- does it merit a social trial?
60. Hilary: I think a trial was necessary. Breach of trust with the community means a trial...
61. Jen: Rip send a letter to the Quaker Bouncers and the Quaker Bouncers said there was no breach of trust... Safety and Security as a confronting party would have changed their role in the community...
62. Anna: It wasn't the Quaker Bouncers who were affected...
63. Jacob: Unless it was completely external, the decision, then I think that there was enough investment for her to have taken more of a role
64. Florencia: Ignoring how it came to Council, I do think a social trial was the most appropriate situation. Rip didn't connect his actions with a breach of the Honor Code b/c he was drunk
65. Jen: ALC. POLICY!
66. V. Read through Resolutions
67. VI. Discussion:
68. Anna: Were they appropriate
69. Jacob: Is there usually some report of mediations with an abstract?
70. Anna: Not necessarily, if it specifies in the resolution. There can be but I don't think it's "usual"
71. Jacob: I am very curious to know how the mediation went..
72. Anna: Some clue in the letter, but I'm not sure how it actually went
73. Anna: What do you think about asking Rip to write a letter of apology to the hospital staff?
74. Florencia: I thought it was weird because it was I mean yes, what he did was rude, but at the same time, he had already taken so many steps to repair breaches of trust with more immediate community members. It seemed kind of vague to write letters of apology to the staff of the hospital and excessive to ask who was treating him. Strange thing to ask of him even if it was in keeping with what he had done for other people...
75. Jacob: We were talking early about it is what security is here for.. In some ways I think this is weirder. I think it's good that he took the initiative to write the letter to security and the quaker bouncers...I'm fine with him taking the initiative to do it but I think it's weird to recommend it... It feels weird having it written down because to a certain extent it is what someone who works in a hospital is what they're getting in for... Perfectly entitled to take the initiative but I agree that it does seem weird
76. Florencia: changed in resolutions from "will" to "we recommend"
77. Jen: Seems to be serving more of an administrative purpose... I can understand why from an administrative perspective it would be in the bees interest to have the student apologize but I think that detail falls out of the realm of a social trial.
78. Anna: I think as a rule Honor Council tries hard to not say "write a letter to the community and apologize" because it is up to you, you can say whatever you

want...in this instance I assume that's why it was changed to we recommend than we require

79. Jen: Let's talk about number 4! One of the resolutions was to have Rip bounce as a volunteer. Raised a number of concerns, some specific to Quaker Bouncers (we want people to work because they want to, do a better job if they want to be there); we saw this as a punitive and were frustrated by the fact that we were not asked and not forewarned...When this person suddenly appeared to bounce, we were just like "oh...okay" and didn't really know what to do with it.
80. Florencia: With regard to the first part, it was one of Rip's suggested resolutions. I think the idea would be he could then empathize with the people he supposedly offended. The fact you didn't know was completely unacceptable
81. Jen: there's value in the first part but there's difference in Rip writing this letter on his own volition and HC recommending him to do these things...
82. Hilary: Doesn't his suggestion make it his idea?
83. Jen: I know from other trials that the confronted party has suggested ideas that are wonderful in theory but just don't pan out
84. Florencia: I think it also addresses education and accountability
85. Jen: Was it fair to the Quaker Bouncers?
86. Florencia: No...
87. Franklyn: Is there any circumstance where working with the Quaker Bouncers can be restorative?
88. Hilary: Yes for the reasons Florencia pointed out
89. Anna: Jen I'm curious to hear your thoughts on this, is there ever a time when that is an appropriate resolution?
90. Jen: Something we always go back to, is even if Rip did this of his own volition, outside of Honor Council, his own motivation wouldn't be the same as someone who just wanted to Bounce or even someone who just wanted money. It's a job but at the same time we see ourselves also as an organization and having these certain ideals, and it felt like when you get cited for something and have to do community service, which isn't useless but you can end with a lot of brass in your mouth...but I wonder if the benefit to the individual counteracts or minimizes the potential detriment to the organization?
91. Hilary: Aren't his motives better than just wanting money?
92. Florencia: and it's something he suggested...
93. Jen: It seems to just be a sense of guilt
94. Florencia: But when doesn't that come into play with proposed resolutions?
95. Anna: We spent some time talking to the Quaker Bouncers about resolutions. We have this image to uphold so that people trust us and such, if we have someone not properly trained who hasn't been volunteering with the quaker bouncers, that's essentially detrimental to the entire organization and the image of the organization. I think that's a really good point. Is the benefit to the individual greater or less than the detriment to the organization?
96. James: I think that benefit could have been found
97. Florencia: If he had been trained...

98. Jen: A feeling of general confusion that they were not aware that they were supposed to be fulfilling this function as part of the restorative/educational process
99. VI. Read through Letter
100. VII. Discussion
101. Jen: I think that's proof of the system being flawed... And that reaffirms my concerns. I really like the idea of confrontation but like if I were in a situation again, I don't know if I'd want to deal with it. And I don't know how we can remedy that at all...
102. Franklyn: There's some really comical language at the end.
103. Jen: One other question: logistically, how can anyone mandate someone else to go to CAPS?
104. Hilary: Sometimes involvement with Safety and Security or cops or hospital then it's sometimes required before coming back to campus
105. End with moment of silence