

HONOR CODE REVIEW COUNCIL

CASE NO. 84-2

The Honor Code Review Council has reviewed Case No. 84-2, and has voted to change the penalty assessed by the Judicial Council.

A unanimous panel of the council, which both reviewed the opinions of the Judicial Council and heard the defendant pursuant to Section 8.03 of the School rules, votes to assess a penalty with three parts. The panel seriously discussed the alternative of expulsion but it finally decided that it did not wish to impose so severe a penalty. The penalty which the panel hereby assesses recognizes the gravity of premeditated substantial plagiarism in a paper that constituted the entire basis of the grade in the course in question. The three-part penalty includes these provisions:

- 1) There shall be permanent and specific notation of the offense on the student's transcript. This part of the penalty is in accord with the penalty assessed by the same panel in Case No. 84-1, decided this day. The panel repeats its view in that decision that this should be the minimum penalty for any serious academic honor violation.

- 2) There shall be a requirement that membership on any student publication at Northwestern, achieved through a writing competition, shall be conditioned on the defendant's notification of any journal to which she applies of this offense and the penalty, and on that journal's independent

decision, in light of that information, to admit the defendant to membership.

This part of the penalty is less severe than the penalty assessed by the student tribunal, which would have barred journal membership entirely. With some reservations on this point by one member of the panel, we believe that journal members should be able to decide, given a student's record of admitted plagiarism, whether the student should be admitted to membership.

3) The defendant shall be subject to at least a two-year suspension from the School of Law, with readmission to be achieved only through the regular readmission processes of the School. A notation of this offense and penalty shall be sent to the Associate Dean in charge of admission.

While we commend the student Judicial Council for its careful, and personally anguishing, review of this matter, we are all agreed that the suspension element of the penalty should be increased. Our view stems from several sources. We believe that a more severe penalty is necessary as a signal to other students about the seriousness of the offense and the School's willingness to respond strongly to academic dishonesty. We believe, moreover, that the longer suspension and the requirement of a readmission process will permit the defendant an opportunity for genuine proof of rehabilitation, will help to overcome the natural disincentive among students to report honor offenses, and will in general help the School to deal with an apparent upsurge in these kinds of violations.

Since Section 8.08 of the School rules provides that "[a]ny action by the Council providing for either suspension or expulsion . . . shall automatically be submitted by the Council to the full faculty for review," we submit this report.

Robert W. Bennett
Anthony A. D'Amato
Marshall S. Shapo, Chair