

Strict confidentiality policy protects individual rights in court

Editor's note: this is the second in a three-part series on the honor court at UNC.

Honor Court

By DAWN WILSON
Staff Writer

He didn't think one mistake would make such a difference. Tom never thought that failure to cite a source correctly would result in a trip to the Undergraduate Student Court.

A strict confidentiality policy prevents court hearings from being open to anyone except those involved in the case, so few students know what actually happens in that dreaded Undergraduate Student Court confrontation.

By tracing the hypothetical case of Tom, a fictitious UNC student accused of plagiarism, Undergraduate Student Court procedures become easily understandable.

Tom's professor suspected plagiarism when he realized that Tom's paper demonstrated a dramatic change in writing style. In order to press charges, Tom's professor must contact the student attorney general, Holly Pearson, who then reviews the evidence.

"I then send a letter of complaint to the defendant stating that he needs to talk to the student attorney general," Pearson said.

"My job is to decide if there is enough evidence to send the case to the honor court. I don't decide if the defendant is guilty or innocent. Even if I think that a student is innocent, if enough evidence has been presented, I have to send the case to the honor court."

In Tom's case, Pearson would consider whether the professor had access to the original source or merely had a feeling that Tom had committed plagiarism. "There has to be something for the court to go on," Pearson said. "You cannot charge a case on a hunch."

Pearson said plagiarism was a difficult case to decide, because plagiarism is defined as the intentional, unauthorized usage of another's writing or ideas. It is possible that a student could have incorrectly cited a source, she said.

Finally, the student attorney general listens to what Tom has to say in his defense. If sufficient evidence has been presented to indicate a possible Undergraduate Student Court violation, Tom's case is then forwarded to the Undergraduate Student Court.

"It would be hard to relinquish control of these cases if I didn't have faith. To have this job, you have to have faith

in the system," Pearson said.

Once Tom's case goes to the Undergraduate Student Court, he is assigned a defense counselor and an investigator, who collect and share any evidence that may be useful in the case. Therefore, if Tom confesses to plagiarism, both his defense counselor and the investigator know his guilt.

Confession, however, would not provide Tom with a lighter sentence; there is no plea-bargaining in the Undergraduate Student Court.

A notification of the violation is placed on Tom's transcript. This prevents him from avoiding the problem by transferring to another college in an attempt to acquire a clean slate.

After two weeks of investigation, Tom goes to trial. The hearings are closed to the public.

Strict confidentiality of cases and closed hearings protect students' rights, said Cynthia Cordle, vice chairwoman of the Undergraduate Student Court.

"Our primary concern, other than the Code of Student Conduct, is to protect the individual rights of the students. Confidentiality is the most fair thing to do to defend the student against negative publicity. A student may go through a tough hearing, and even if he's not guilty, still there may be a

stigma ... we want those who have to come before the court to feel comfortable."

During Tom's trial, the investigator presents the evidence, which in this case may consist of Tom's paper and the testimony of his professor. The defense counsel then presents the defendant's testimony.

The case is heard by five members of the Undergraduate Student Court, one of whom is a chairman or vice chairman who presides over the hearing. These justices are chosen randomly from the 30 members of the Undergraduate Student Court. If any member of the Undergraduate Student Court hears anything about Tom or the case that might cause a biased opinion, that member is excused from the case.

After Tom has presented his case and all of the witnesses have testified, there is a cross-examination.

"It (the honor court) is a lot like a real court, except the judge and jury are the same people. We're trying to get the truth, not courtroom theatrics," said Bill Stallings, an Undergraduate Student Court vice chairman.

Before the jury commences debate on the verdict, Tom is allowed to make a final statement in his defense before being excused from the courtroom. The

members of the jury carefully examine the evidence and decide upon a verdict based on a majority, not unanimous, vote.

If Tom is found innocent, his record is cleared of all charges and he resumes his normal routine at UNC.

However, if Tom is found guilty, the court progresses to a sanctioning phase. Usually, if found guilty of an academic offense, the sanction is suspension for a semester and an F in the course in which the offense was committed.

The Undergraduate Student Court then calls upon character witnesses in order to see if Tom committed the crime under unusual mitigating circumstances (UMC). UMCs usually indicate that there are circumstances that may place Tom in psychological or physical jeopardy by returning home. If a UMC is discovered, probation may be offered, but they are very difficult to discover.

Tom can appeal the case if he believes there has been a violation of his rights, insufficient evidence or an overly severe sanction. If Tom appeals, he is still officially in school until his guilt is proven in another court. If it is found that insufficient evidence was brought against Tom, the result is similar to a "not guilty" verdict.

There are different levels of appeal,

starting with the University Hearing Board, which comprises two members from the Undergraduate Student Court who were not present during Tom's initial trial, two faculty members and one representative from the administration. If a problem still exists after the hearing board tries the case, Tom may still appeal to the chancellor, whose word is final. Appeals are complicated, and only about 10 percent to 15 percent of all cases result in appeals.

If Tom is found innocent in an appeals case, the charge is immediately dropped from his record. If guilty, the plagiarism charge remains on his transcript until the end of his period of suspension. The incident also goes on Tom's disciplinary record, where it will remain for 10 years. Tom's disciplinary record will be revealed only if requested by potential employers.

Upholding the Code of Student Conduct and protecting the rights of students instead of simply condemning them are the two main functions of the court, Stallings said.

"I appreciate the trust that the faculty has in the students here ... I don't think there's anything more offensive than testing monitors. If there is a breach of that trust, the entire student body is affected," Stallings said.

Come sail away: UNC's fun-loving sailing club may just float your boat

By HEATHER SMITH
Staff Writer

Getting the most out of the water and the wind—these are the goals of UNC's sailing club.

The group, active at Carolina for more than 15 years, is open to undergraduates, faculty members and graduate students and requires no skill or experience to join, Tom James, a junior from Greensboro and president of the club, said. The club emphasizes the recreational aspect, he added.

"We're a very open club. We take

people who are just beginning," he said.

The club, with 40 members, sails on University Lake and is also associated with the sailing team, he said.

"What we have is a club and a team; with the team, we race and are competitive. We race three times a semester, usually down in Charleston, in the South-Atlantic league. If you're a member of the team, you're automatically a member of the club, and if you want to be on the team, practices are necessary," James said.

Melissa Michael, a junior from Lin-

colnton and a three-year member, said anyone can enjoy the club. "An inexperienced sailor can go out with someone who knows how to sail and learn a lot."

"The more experienced member will try to teach them what they can and get them used to the boat."

The relaxed atmosphere is one of the most alluring aspects of the club, she added.

"Unlike a lot of other clubs I've been in, we're not hard-core. We're laid back, and it makes being a member a lot more fun."

The group sails eight Vanguard 420s and is buying two lazars, a faster one-man boat, James said.

"The 420s are a two-man boat, and are very competitive. They're easy to sail as well as durable and fun. The lazars are extremely fast boats and will definitely be used competitively."

The Vanguard 420s were renovated as recently as four years ago, and their renovation has benefited the club and the team, said senior Chris Stanton, the club's original president and former team captain.

"My father owns a sailboat business, and my brother and I came here, and we took eight of the boats home. They were in really bad shape, so we used the plant facilities of my father's company and just totally remodeled them."

Competitions, such as regattas, offer experience and opportunities to meet new people, Stanton said.

"One of the most enjoyable parts of sailing is the regattas, because you get to go to Clemson and Charleston and race. You meet a lot of people from other schools and have a good time."

James agreed the club encourages a good time and good friends.

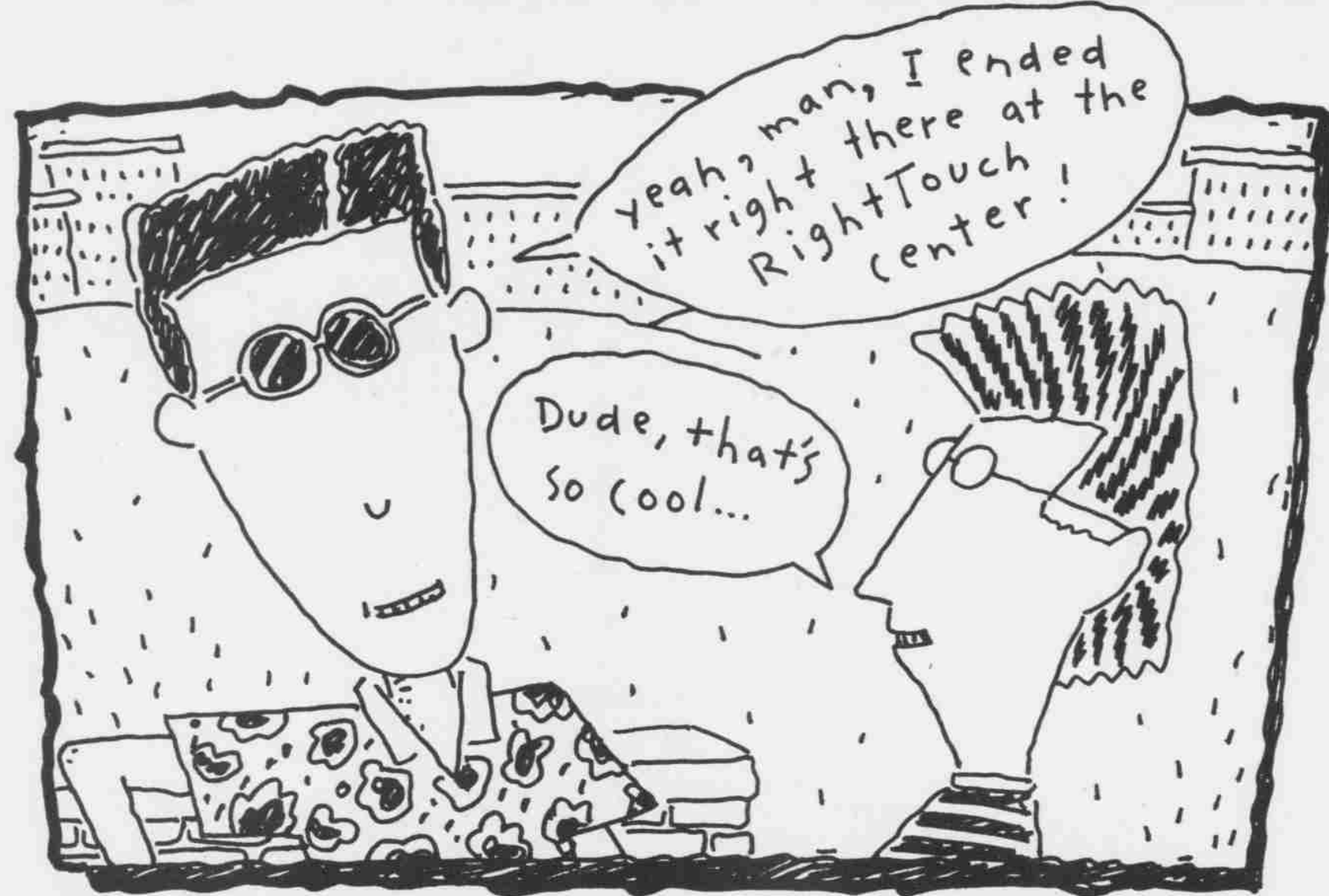
"Probably the best reason to join is to meet people because we're a very open organization," James said.

The regattas also provide experience in proper racing form, Michael said. "Because of the conditions out on University Lake, we don't get a lot of wind practice, so the races are basically learning how to sail under those conditions — it's a whole different kind of sailing, and it's a whole new experience that is really thrilling," she said.

Sailing fosters a special relationship, she said.

"It's some kind of bond you make between a few people that is different from having a friend in class."

YOU KNOW YOU GOTTA BREAK IT OFF FOR THE SUMMER.



Even the best relationships end this time of year. After all, it's time to blow outta town for a few months and you need your freedom.

Aren't you glad you can disconnect your phone service at a RightTouch® Center? It's perfectly painless. Just drop by the Frank Porter Graham Student Union or Granville Towers West and kiss that phone service goodbye. Here's all you need to do:

- 1) Find your Personal Access Code in the Messages section on the last page of your most recent phone bill and take it to the RightTouch Center.
- 2) Decide on a date you want your service disconnected.
- 3) Have an address and phone number where you can be reached after you've left school, so you can receive your final bill or refund.

Or, if you can't call it quits in person, just dial 780-2500, and do it over the phone with RightTouch® Service. It's available 24 hours a day.

And don't worry. When you come back in the fall, you can pick up right where you left off. Because reconnection is just as easy at your RightTouch Center.

So kick up your heels and have a great summer. Who says breakin' up is hard to do? **RightTouch Center**



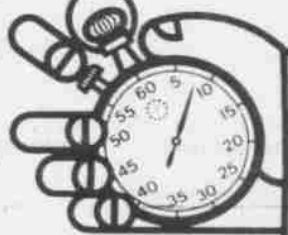
A BELL SOUTH COMPANY

© 1990 Southern Bell

It's On Time Or It's On Us.

Comprehensive copy service.

- Fast turnaround
- Seven days a week
- Guaranteed deadlines



CONTROL

100 West Franklin Street
933-2679

STUDENT BUDGET TRAVEL

Round trips from	
DURHAM	
AMSTERDAM	578
LONDON	530
PARIS	610
ROME	678
MUNICH	618
TOKYO	852
HONGKONG	874

Taxes not included. Restrictions apply. One way available. Work/Study abroad programs. Int'l Student ID EURAIL PASSES ISSUED ON THE SPOT!

FREE Student Travel Catalog Council Travel

Durham
919-286-4664

WE'RE CONCERNED ABOUT YESTERDAY'S NEWS.

News can appear one day and be gone the next. But the paper news is printed on can and should live on.

Last year, more than one third of all U.S. newsprint was recycled. And that number is growing every day.

Recycling is the one way we can all give something back.



Read. Then Recycle.