

Round 3



The Wandering Eye

DEFENDANT'S CONFIDENTIAL FACTS: Emmerson

Emmerson maintains that they were not cheating during the History mid-term exam and that their actions were misinterpreted by Dr. Johnson. Emmerson is prepared to volunteer for a polygraph under 4(c) of the policy, which would absolve them of any accusations. However, Emmerson is afraid the polygraph might do more harm than good because Emmerson admitted to their parents and counsel, they did look at their neighbor's paper, but not to copy, but rather, to see what section of the test they were on.

Emmerson was aware the mid-term would help indicate which seniors speak at graduation next year and simply wanted to see if their neighbor was having as difficult a time with the test as Emmerson was. Emmerson is afraid the polygraph will force them to admit about lying the first time they were questioned by the principal and thus want to avoid it.

Emmerson's parents are deeply concerned about the potential long-term implications of the suspension on Emmerson's academic record and college prospects. Since they are confident Emmerson did not cheat on the test, they are prepared to take this story to the news station and inform the station the school has suspended one of their highest achieving students based on speculation.

Emmerson's family could bring up a violation under A.R.S. § 15-841(1) and (2), because Emmerson was sent to the principal before Dr. Johnson documented any previous incident and because Emmerson did not do anything unruly, disruptive, or abusive that seriously interfered with the teacher's ability to communicate. Though it is likely to succeed in a school board review, bringing this dispute might prolong investigations by three more weeks and Emmerson's family is eager to lift the suspension above all else.

Emmerson's family is willing to cooperate with the investigation, provided at least that Emmerson is granted in-school suspension, so they do not fall behind on schoolwork. Further, Emmerson's family will agree not to take this story to a news station if the school maintains utmost confidentiality and removes any infractions or notes of this incident from Emmerson's record.