

## Round 3



### The Wandering Eye

#### PLAINTIFF'S CONFIDENTIAL FACTS: Dr. Johnson

Dr. Johnson and the school's council have been directed by the school board to resolve this incident discretely. The board is concerned that if the investigation concludes Emmerson was not cheating then Emmerson's parents may have reason to file suit under A.R.S. § 15-841(1) and (2). Though the decision to send Emmerson to the principal was justified, the board is concerned about the potential negative publicity Cardinals High School would receive. They do not want Cardinals High's reputation for academic excellence to be overshadowed by an incident with one of its highest academically ranked students. The board wants to avoid negative press unless the school can be sure Emmerson cheated.

The school principal is being pressured to resolve this investigation quickly. One way of doing so is suggesting that Emmerson agree to a polygraph under 4(c) of the policy. The principal can emphasize they will only ask three of the following questions and nothing more to absolve Emmerson:

1. Did you look at your neighbor's paper to cheat?
2. Did you lie about looking at your neighbor's paper? If so, why?
3. Did you have any intention to cheat during this mid-term?

If Emmerson agrees to answering these three questions, then the school principal can end the investigation promptly and lift the suspension immediately. However, to ensure the test maintains credibility, Emmerson must agree to take a new mid-term. Initial investigation of Emmerson's test and their neighbors did find both students answered two short answer questions very similarly. It is unclear if this is mere coincidence, but the school can bring up this point if Emmerson's family asks what evidence they have of cheating.

This obscure fact, along with Emmerson's conversations with other classmates before the test, justifies the need for the investigation. However, it may take another week or two before they can confirm whether Emmerson was truly cheating or if it was a mere misunderstanding. Dr. Johnson and the principal are open to a thorough investigation, but in the interest of time, they should seek to find a meaningful resolution that aligns with the school board's recent direction.