

Case 9

In March 2012, Sequoia High School administrators removed a sophomore from honors English for cheating. When accused, the teen admitted that he had copied another student's homework. Under the terms of an academic honesty pledge they both signed, the students were removed from the International College Advancement Program (ICAP). ICAP prepares freshmen and sophomores for Sequoia High School's prestigious junior/senior program: the International Baccalaureate program, perceived as increasing students' chances to be accepted by high profile universities.

Attorney Jack Berghouse, the student's father, filed a lawsuit against the Sequoia Union High School District. Berghouse conceded that his son did cheat, but contended that the punishment—removal from an advanced college preparatory program—was too severe. In May, San Mateo County Superior Court Judge George Miram ruled against a Berghouse motion asking that his son be allowed to return to the class for the remainder of the school year while the lawsuit proceeded. On the motion, Judge Miram ruled that Berghouse failed to establish that he would prevail on the suit to be heard later in 2012.

According to the San Mateo County Times of April 26, 2012, Berghouse said, "He knows it's wrong," and went on to observe that, "You cannot imagine the mental and emotional penalty that has been inflicted upon him. He is a student who has a chance to do just about anything and he thinks that this could take that away from him. We've offered several penalties, anything other than being kicked out of the English program."

The high school offered to allow young Berghouse to resume the advanced program in his junior year. His father rejected this offer, claiming that spending the rest of his sophomore year in an ordinary college prep English program would disadvantage his son. Instead, Berghouse filed suit on his son's behalf against Sequoia Union High School District, the District Superintendent James Lianides and the Sequoia High School Principal Bonnie Hansen. Jack Berghouse's suit claims his son's rights to due process were violated.

The story made national news and precipitated strong reactions. Some parents and other supporters of the decision lauded the school for following its established and published standards. Others agreed with Berghouse that the punishment was too severe. Observers decried the need for the school district to use scarce resources to defend its decision in court. Some worry that children will come to believe that if they just had more money, they could behave badly and get away with it.