TRIANGLE HIGH SCHOOL
ETHICS BOWL

CASES

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Case #1: Performance Enhancement Drugs in the Classroom

Not too long ago, drugs like Ritalin and Adderall were used exclusively to treat children (and some adults) with Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD). Those affected by these disorders have difficulty concentrating on particular tasks. For instance, children with ADD or ADHD are unable to stay on task in school and are often unable to complete their work at the same pace as other children. Drugs, such as Ritalin and Adderall, help such children remain focused in school. They work by increasing levels of dopamine, a neurotransmitter, in parts of the brain. Among other things, dopamine controls attention and helps maintain concentration. Children who might otherwise perform poorly in school can be benefited tremendously by such drugs.

However, in the past few years, it is not uncommon to find drugs such as Ritalin and Adderall on college and high school campuses, being used by students who are not affected by ADD or ADHD. Students use the drugs to help them study longer with greater focus and efficiency. For this purpose, Ritalin and Adderall are better than traditional stimulants, such as caffeine. According to Dr. Eric Heiligstein, director of clinical psychiatry at the University of Wisconsin, “Students are able to accumulate more information in a shorter time frame. These drugs keep you awake longer. They minimize fatigue and help maintain a high performance level.” One Yale University junior credits Adderall with allowing him to read 576-page *Crime & Punishment* and write a fifteen page paper on the novel in only thirty hours.

The practice of taking medications intended to treat ADD/ADHD has been criticized, not just because of the drugs’ risks (increased heart rate, elevated blood pressure and insomnia, to name a few), but because of its ethical implications. Dr. Heiligstein argues that using Adderall or Ritalin to improve one’s academic performance is simply cheating, just as using steroids in an athletic event is cheating.

However, many students reject the claim that using ADD drugs is cheating, arguing that Ritalin and Adderall are not at all unlike another other kinds of stimulants or study aids that students routinely use. “These drugs are study tools, just like tutors and caffeine pills,” said one Central Florida student. “We use what’s available to us. It’s not cheating.”

Aside from the cheating-related concerns, others, such as Dr. Judy Illes, senior research scholar at Stanford University’s Center for Biomedical Ethics, worry about the potential for coercion to keep up with those who enhance their ability through ADD medications or other available mind-enhancing drugs. The use of steroids in sports suggests that the pressure to remain competitive may fuel the demand for such drugs in academics.
Case #2: Recording Without Consent

In a recent case, Florida authorities declined to file charges against a Miami Herald columnist for surreptitiously recording a phone call from a city commissioner who later committed suicide in the newspaper’s lobby. Authorities cited the unusual circumstances that led to the taping as the basis for not filing charges against the columnist. These circumstances were not enough for the Miami Herald, who took immediate action to fire the columnist for violating a company policy that prohibited the taping of sources and interviewees without the subject’s consent.

State laws related to the recording of phone calls and the courts interpretation of these laws vary widely in the United States. Many of these laws are intentionally written with ambiguous terms and interpretation is typically required on a case by case basis. The firing of this popular columnist caused much protest around the world. Many members of the Herald staff signed a petition requesting the decision to fire the columnist be rescinded. The columnist was friends with the city commissioner, and the commissioner provided regular sources for stories to the columnist.

According to the columnist, the commissioner was despondent over public allegations about his sex life and the tone of his voice on the phone conversation was so alarming that the columnist impulsively decided to record the conversation. The tape records the columnist’s attempts to calm the commissioner. Throughout their 20-minute conversation, the columnist attempted to steer the conversation to less volatile subjects in the hopes of lifting the commissioner’s spirits. But the call ended with the commissioner still despondent. A few minutes later, the commissioner shot himself.

Following the suicide, the columnist told editors of the Miami Herald that he had been interviewing the commissioner earlier in the day and had recorded part of the conversation without the commissioner’s consent. After being fired, the columnist was quoted as saying “In a tense situation I made a mistake. The Miami Herald executives only learned about it because I came to them and admitted it. I told them I was willing to accept a suspension and apologize both to the newsroom and our readers. Unfortunately, the Herald decided on the death penalty instead.”

The Miami Herald editors have taken the position that there must be an absolute prohibition of the paper’s reporters taping conversations without a party’s consent, and not just because it is against the law in Florida, as it is in many states. An executive of the Herald has stated that the policy is necessary to protect the paper’s integrity, as well as to foster trust from news sources. Journalists at the Herald have pointed out that at least one other reporter surreptitiously taped an interview, but was not fired. The journalists also have also stated that there is no written policy on taping conversations and that any verbal policy on expectations of reporters is unclear. The Miami Herald responded to the alleged case of a previous surreptitious taping by saying “we understand this happened 18 years ago”. They went onto state that the recent decision to fire the columnist was clearly guided by the environment in which journalists operate today; which is much more constrained in terms of the latitude given for violation of law and policy.
Case #3: Soldiers Losing Custody While Serving

The Service Members Civil Rights Relief Act was signed by President Bush to “help ease the economic and legal burdens on military personnel called to active duty status in Operation Iraqi Freedom.” To some extent, this Act safeguards members by postponing creditor action while they are serving their country (they cannot be evicted from their homes, and their property cannot be taken from them) and reinstating civilian health benefits upon return.

The Act is very beneficial if the only person that needs protection is the service member. However, there are approximately 140,000 single parents serving in the military who need protection for their families in addition to themselves. Single parents in the military have been forced to fight not only for their country, but their families and home life as well.

Tanya Towne is a single mother of two, Derrell, 12, and Darren, 4. Tanya divorced Derrell’s father 8 years ago when Derrell was only 4 and was granted primary custody. She has been raising him along with Darren, who is her son from a later marriage that also ended in divorce.

In 2004, Tanya was deployed with the rest of her National Guard unit to Iraq. During that time, Derrell’s father was granted temporary custody. Near the end of Tanya’s deployment, he filed a petition for permanent custody of Derrell. He was eventually granted that petition. Even though Tanya appealed, the appellate judges felt that Tanya’s second divorce along with her deployment played a part in creating an unstable environment for her son.
Case #4: “Pesterpower”

John works for an ad agency and has to design an ad campaign for ZazzBrands, a new client that manufactures clothing for teens. In their past campaigns through another agency, ZazzBrands has targeted the intended purchaser of their product, normally teenagers with their own clothes budget or parents of teens. But John suspects that a more profitable and far-sighted approach will be to target even younger kids. He envisions a line of similar styles for children and series of ads that would run on Saturday morning cartoons intended for audiences under eight years old. The ads would feature teenagers in social settings scoring prestige points with their friends because their choice of clothing is so independent, youthful, and because they are comically defiant in the face of the disapproval of parents and teachers. If handled properly, John reasons, the ad campaign could get children from a very early age to connect with ZazzBrands as an emotionally supportive company that truly understands what it means to be a repressed and misunderstood kid in a world dominated by adults.

According to some marketing studies, brand loyalty begins very early, possibly as early as age two. According to a report published on the Media Awareness Network website, by the age of three twenty percent of children make specific requests for name brand products. Furthermore, the Annenberg Public Policy Center reports that forty-seven percent of US children have a television set in their bedroom.

Many groups are trying to outlaw or restrict ads to children, citing several reasons. Small children are not able to distinguish between programming and commercials. Furthermore, because smaller children do not make their own purchases, companies who advertise to them rely on pesterpower to get children to nag and whine until their parent gives in to the demands. Advocacy groups claim that ads brainwash children into becoming eager consumers who increasingly define themselves in terms of the things they own. In many countries, in fact, ads to children are simply banned.

John believes that ZazzBrands products have nothing to set them apart from any other line of clothes, but turning today’s children into diehard fans of their product will build a solid, brand-loyal customer base for the future.
Case #5: Piercings and other Body Modification in Schools

The Church of Body Modification, a young, non-theistic, up-and-coming church, practices body modification, such as tattoos or piercings to enhance the bond between mind, body and soul. A 14-year-old member of this church, Ariana Iacono, wore a nose ring as part of her devotion and participation in the rituals. This was fine until she went to school, where officials in Johnston County, N.C. at Clayton High School, noticed her small ring and suspended her on the grounds of dress code violation. Iacono served her suspension, but continued to wear the ring on religious grounds, even citing the church as her reasons for continuing to wear the ring. School officials researched the church, yet did not deem her nose ring as necessary for religious ritual and suspended her again.

Iacono’s mother, Nikki, retorted that the school was out of bounds and no right to determine what was or was not suitable or necessary for their religious expression. Johnston County officials said that Iacono failed to meet all of the requirements for a religious exemption, which include a copy or citation of recognized religious text, a written statement by a religious authority and specific examples of sincerity of the student's religious beliefs. Officials from the Church even added that the officials were acting ignorantly, that they were not allowing the ring because they did not understand the religiosity of the matter. Iacono and her mother, took the Johnston County School System to court, and then to federal court on appeal, and the judge ruled in favor of the Iaconos on October 8, 2010.
Case #6: Citizens United

Freedom of opinion, speech, thought or other forms of expression is widely believed to be a fundamental and inalienable right shared universally among all human beings. In the United States, the right to these freedoms has been understood—at least in the legal system—as extending to political campaign donations, since monetary contributions during elections constitutes an expression of one’s political beliefs. Thus, such expression is legally protected—and, one might suppose, it is not only a legal right, but a moral right.

In the 2010 Citizens United v. Federal Election Commission decision, the U.S. Supreme Court struck down part of a 2002 campaign finance reform law which barred corporations from using company funds to create advertisements either criticizing or promoting particular political candidates. The majority reasoned that corporations have the same rights as individuals to express themselves in public debates—in this case, by financing such candidate-specific advertisements, since political donations are a protected form of expression.

Proponents of the Court’s decision affirm that corporations have free speech rights, just as individual persons do, and that these rights extend to advertising expenditures. They claim it is discriminatory to exclude corporations from exercising these rights on the basis of their identity as corporations. Opponents, however, contest the view that corporations have the same moral rights as individuals insisting, that the kind of expenditure permitted by entities like Citizens United will provide a disproportionately influential political voice to corporations, where the ability of individual human citizens to express their opinions is inequitably diminished.
Case #7: Amateur Athletics

Much public attention has recently focused on violations of NCAA policy regarding improper benefits and other forms of payment given to student-athletes at many major university sport programs. Former athletes at Auburn, Ohio State, and Southern California have respectively admitted to being paid cash by boosters; receiving benefits in the form of cars, tattoos, cash, drugs, and profits from the sale of personal championship memorabilia, including jewelry; and providing benefits to family members, including housing. Football players at UNC were suspended or ruled ineligible for receiving cash, jewelry, and other benefits from NFL agents and their employees. Ohio State coach Jim Tressel was forced to resign after neglecting to inform the NCAA or the University that players had violated NCAA policies regarding the receipt of benefits.

As it stands, college football and basketball is a billion-dollar industry and a lucrative source of revenue for universities and their athletic programs, both for well-known schools (e.g. OSU) and their smaller counterparts (e.g. East Carolina). Television revenues and merchandise licensing bring universities substantial amounts of money and some companies like NIKE donate to general scholarship funds.

Given the substantial amount of money flowing to the NCAA, athletic conferences, and universities, some disapprove of punishing players for accepting forms of payment for their services, since by playing they actually produce the product being sold: the entertainment of the game. However, others argue that athletic scholarships (which are in many cases full-ride scholarships) and the elevation to celebrity status is enough reward for any player.
Case #8: Recruiting International Students

With increasing costs and a poor economy, the quest for quality, prestige, and – ultimately -- income has led some universities to look abroad to bolster their incoming classes. While universities stand to benefit from the tuition dollars and diversity such students bring with them, the methods used to recruit these students is controversial.

Recruiting international students for both undergraduate and graduate studies has been a common practice for many years in Australia, the UK, and other countries which have sizable populations of international students, while American universities have enjoyed the privilege of being the destination of choice for graduate students—especially in science and engineering—for decades. Numbers have dwindled in recent years, however, as India and other countries start to offer their own local high quality graduate programs. But with increasing competition for tuition dollars, universities in the U.S. have started to actively recruit international students to bolster their undergraduate programs as well. In response to this demand, companies have sprung up to assist universities in their recruitment efforts.

The cost of recruiting international students without the use of outside agents is high. Traditionally, universities employ their own salaried recruitment officers to find students, but recruiting from Africa and Asia is an entirely different skill than recruiting from the next state over. Companies that recruit for universities in other countries often possess more intimate knowledge of foreign countries and students’ needs in those countries, and save universities from having to employ and train specialized recruiters for each unique region.

Many educational observers are nervous about the motives of agents working for these companies, especially since the agents can be paid a per-student commission, as opposed to a salary. Though this practice is common in Australia and the United Kingdom, U.S. federal law and laws in several states prohibit institutions from compensating recruitment agents in that manner. Compensating recruitment agents with a portion of these students’ tuition is being discussed by institutions such as Indiana-Purdue University. According to the Chronicle of Higher Education, the National Association for College Admission Counseling (NACAC) is even set to vote in July on a proposal prohibiting member colleges from paying commissions to recruitment agents abroad.

In better economic times, most universities would not consider using for-profit recruitment agencies. But in the aftermath of economic recession—when universities must do more with less—the practice looks much more appealing, if not necessary to keep afloat. Unlike scholarship-hungry domestic students, international students often pay full tuition, and cannot rely on subsidized student loans from the federal government. Often, they are also at an informational disadvantage compared to U.S. students. They often do not have the tradition of higher education in their home countries, making any offer from a U.S. university quite appealing. They can also lack the information to bargain and compare offers from competing U.S. colleges. Sometimes they pay more for an education from a comparatively lower-quality school.

And international students may not be the only ones to suffer. With increasing competition for limited domestic spots on college campuses, U.S. students may find themselves priced out of colleges that might have offered them scholarships in more prosperous times. Faced with a choice between a qualified but somewhat lesser prepared international student who can pay full tuition and a U.S. student who cannot, cash-strapped universities will have to make tough choices. The competition among top students will become increasingly intense. Top-scoring U.S. students tend to expect to be courted with fellowships, scholarships, and on-campus perks. Top-scoring international students do not necessarily have these expectations, making them more desirable from the perspectives of prestige and the pocketbook.
Case #9: Getting the Job Done

After the Spotsylvania, Virginia, Sheriff’s Department noticed that men frequented the Moon Spa late at night, the spa was put under investigation. Undercover officers, posing as customers, paid for and received sexual services.

Many law enforcement departments specifically prohibit officers from engaging in sex to aid in conviction. However, in Spotsylvania, as in some other jurisdictions, prostitutes cannot be convicted of a criminal offense without evidence that sexual acts were performed. Receiving money for sex without performing sexual acts is not sufficient for conviction, nor is a verbal promise of sex grounds for prosecution.

Supporters, such as Spotsylvania County Sheriff Howard Smith, defend the practice as the only way to gain convictions and rid the county of prostitution. Without proof of sexual activity, the charges are misdemeanors. Once sexual activity is initiated, the crime becomes a felony, allowing seizure of assets, which, Smith says, is the only way to discourage prostitution from becoming established in the area.

Opponents argue that this practice poses a serious risk to officers’ health, as well as to their current or future partners. Many sex workers are illegal aliens, coerced into the sex trade through a network of human traffickers: victims too ashamed or fearful of prosecution or deportation to escape or seek help. Further, they contend that the credibility of law enforcement agencies is compromised when officers engage in the criminal activity they are prosecuting, thus breaking the law in order to uphold it.

Attorney Irv Maze of Jefferson County, Kentucky (where the practice was supported until recently) said, "We in law enforcement have a higher standard than to act like that. Otherwise, we're no better..."

Similarly, in many jurisdictions, law enforcement officers buy drugs with public funds as part of their investigations. Some see a difference in buying drugs and buying sex. They argue that buying drugs gets them off the street and prevents their further distribution and use. Others see no difference, and contend that buying drugs increases demand, and therefore, supply.
Case #10: Cell Phone Tracking

Several cell phone companies now offer a service that allows parents to track their children’s whereabouts using their cell phones. Sprint, for example, has its Family Locator Service. Whoever pays for the phone is provided the ability to track it with GPS. (Global Positioning System, a satellite based navigation technology) In Finland permission is needed for tracking anyone over fifteen. The United States has no such law.

Parents who favor tracking are looking for security in light of child abductions, terrorist warnings, and online predators. C.T. O'Donnell, president of KidsPeace, tell his two teens, "It's my job as a parent to protect you." Robert Butterworth, a Los Angeles therapist, points out, “When I was growing up, neighbors were always watching us, and we didn't want to mess up because somebody might tell [our parents]. That sense of community no longer exists because no one wants to get involved, so parents are forced to use technology." In agreement with child therapists, O'Donnell agrees that kids should be told they are being tracked and why.

Critics warn that tracking children, with or without their permission, can erode trust and create anxiety about a “dangerous world.” They worry that kids will become resentful and look for ways to avoid tracking. Some suggest that unless a child has violated trust, such devices do more harm than good.
Case #11: Prisoner Rights

Early in the spring of 2006, self-professed Earth Liberation Front activist Eric Taylor McDavid was arrested and charged with conspiracy to blow up the Nimbus Dam and the nearby fish hatchery in Rancho Cordova, California, as well as a U.S. Forest Service genetics lab in Placerville, California. While awaiting trial, McDavid was held in the Sacramento County prison.

For the three years prior to his arrest, McDavid maintained a vegan diet. Early in March, McDavid embarked on a hunger strike and his attorney filed a federal lawsuit charging that the prison’s refusal to provide McDavid with vegan meals constituted a violation of his civil rights. According to the lawsuit, "His (McDavid’s) vegan diet is based upon his strongly, sincerely and firmly held beliefs, which are the same as a religious belief."

According to the Sacramento County Sheriff’s department, a vegan diet is considered to be a lifestyle choice rather than a matter of religious belief or conscience. Even if these were on a par, the department makes dietary accommodations only for medical reasons, not for religious reasons, and makes additional food items available in the prison commissary for inmates to purchase to supplement their meals. Some of the trouble lies in determining what constitutes a religious belief for legal purposes. A Buddhist inmate seeking the provision of soy milk to supplement his meatless diet on the grounds that vegetarian meals are necessary to Buddhist religious practice won his case despite the fact that his beliefs were not shared nor considered essential by others in the Buddhist religion.

Even if it could be determined what constitutes a religious belief under federal law, there is disagreement over whether the prison system has responsibility for providing special meals at all. While denying three New York inmates their appeal for vegan meals on the grounds that vegan meals are central to their orthodox Jewish beliefs, the presiding judge said she did not question the sincerity of the inmates’ religious beliefs, but agreed with the city’s claim that a blanket policy of not providing vegan or vegetarian meals to any inmates was important to an efficient, cost-effective food program. The judge also noted that the inmates were managing on their current food availability, saying, “I am not saying it’s been pleasant. I’m not saying it’s been easy. I’m not saying it’s been without effect, but they have tolerated it.”

Similarly, Sacramento sheriff’s officials said McDavid is free to discard what he finds inedible, and still get a diet that meets nutritional standards. Lt. Scott Jones said a dietitian has met with McDavid and determined that even if he discards animal products from his daily meals, his diet meets his nutritional needs. Mark Reichel, McDavid’s attorney said, "This really is beneath the dignity of a society that calls itself civilized."

After over 100 days of incarceration Eric McDavid finally received his first vegan meal, which consisted of two peanut butter sandwiches, cooked vegetables, plain rice, fruit, carrot sticks, and salad.
Case #12: Freedom to Burn Qur’an

The phrase “Islam is of the Devil” appeared on a roadside sign outside a small church in Gainesville, Florida several years ago and local residents responded with vandalism and protest. Later in the year, students at Gainesville High School and others were prohibited from wearing t-shirts that carried the same message. Finally, on July 1, 2010, Terry Jones, Pastor of the Dove World Outreach Center in Gainesville, Florida, released a YouTube video promoting the release of his book, Islam is of the Devil. Two weeks later, on July 12, 2010, Jones tweeted, “9/11/2010 Int Burn a Koran Day” and began a Facebook page entitled “Islam is of the Devil.”

According to subsequent statements, Jones intended to follow through with his announcement by holding a mass Qur’an burning on the ninth anniversary of the September 11th attacks, and invited Christians across the world to participate. Some 200 Qur’ans were obtained and, according to Jones, the Qur’an burning would serve as a warning that radical Islam would not be tolerated. Although Jones has not read the Qur’an, he maintains that “it’s full of lies.”

Word of the proposed desecration spread slowly at first, but by July 19, 2010, the Council on American-Islamic Relations had issued a press release and action alert calling for mosques to “Share the Quran” by giving copies to friends, family, neighbors, local leaders, etc. Other responses included the Gainesville Fire Department’s refusal to issue a permit for the burning, the revocation of website hosting by provider Rackspace, and a number of statements by prominent figures including the U.S. Secretary of State and the top commander of U.S. forces in Afghanistan urging Jones to reconsider. Jones reportedly prayed about the matter with a Muslim leader and eventually said on the day of the proposed burning, “We will definitely not burn the Qur’an...not today, not ever.” However, on March 20, 2011 Jones held a similar event, “International Judge the Koran Day,” at which he presided over the ceremonial burning of a Qur’an. The U.S. President condemned Jones’ actions saying, “The desecration of any holy text, including the Quran, is an act of extreme intolerance and bigotry.”

Mohammed Vawda, a South African Muslim law student, planned to respond by holding a “Bible burning day” but was stopped short when Yasmin Omar, representing the Islamic group Scholars of the Truth, asked the South African high court to prevent the event. Judge Sita Kolbe prohibited the event, in effect ruling that the Bible cannot be desecrated in South Africa. After the ruling, Yasmin Omar’s husband Zehir said, “Judge Kolbe ruled that freedom of expression is not unlimited if one exercises freedom of expression that is harmful to others.... We now hope American judges will see this decision and act accordingly by banning the burning of the Qur’an in America.”

Discussing Jones’ actions, Sen. Lindsey Graham said “I wish we had some way to hold people accountable. Free speech is great, but we’re in a time of war.” Although Graham has not suggested legislation to ban burning the Qur’an, he believes a flag burning ban would be appropriate. A Florida politician, Dwight Bullard issued a statement saying, “I took an oath to uphold the Constitution of the State of Florida and the United States of America. And while I believe strongly in citizens’ rights to protest, I believe we have an even greater moral obligation to protect the freedom of religion on which this country is founded.”

Executive director of the Florida ACLU Howard Simon called Jones’ burning of the Qur’an “ugly but legal form of free speech.” The ACLU has long supported the right of Jones and his followers to act as they have, filing briefs in support of the children wearing offensive shirts to school and, more recently, his right to protest outside of the Dearborn Michigan-based Islamic Center of America. Jones was recently arrested for failing to provide the “peace bond” required by Dearborn officials. The ACLU’s amicus brief argues that a peace bond amounts to constitutionally prohibited prior restraint. The Dearborn prosecutor, on the other hand, claims that the bond is necessary to guarantee public safety given Jones’ controversial position.