

Case Brief
Emily Lane

Name of the Case: Harwood v. Johns Hopkins University

Who are the Parties: The appellant is former student, Robert J. Harwood, Jr., and the appellee is Johns Hopkins University (“JHU”)

Which Court: Court of Special Appeals of Maryland, Judge Adkins, March 2, 2000

Facts of the Case: Robert J. Harwood, chemistry major, completed all courses and requirements for graduation at the end of the fall semester. JHU only holds one graduation ceremony each year at the end of the spring semester. Harwood chose to remain active on campus despite not being enrolled in any spring classes while he awaited graduation. During this time Rex Chao, JHU sophomore and political science major filed a harassment complaint against Harwood with the university. JHU responded by requiring Harwood to notify security of when he is on campus. Harwood agreed and complied with JHU’s requirement but continued emailing Chao. Shortly after, Harwood shot and killed Chao on the JHU campus. Harwood plead guilty to murder and was incarcerated during the lawsuit. From prison, Harwood requested to be allowed to graduate and receive his diploma. JHU denied his request citing violation of the student code of conduct. Harwood in turn sued JHU to be awarded his degree claiming that JHU had no authority to withhold his degree since he completed all graduation requirements before his criminal activity. Harwood also complained that he was denied due process in disciplinary proceedings initiated against him because JHU did not take his mental condition into account as required by the American Disability Association. Harwood also argued that JHU Dean Boswell violated the Conduct Code by denying him a hearing. Dean Boswell could not meet with Harwood in person due to his incarceration but did provide opportunities to respond to the charges against him before a decision is made through the submission of a statement or telephone communication. Harwood did not take advantage of the Dean’s offer to discuss the charges by telephone. Furthermore, Dean Boswell investigated the situation thoroughly and the record does not support any claim that she acted with partiality or harbored any personal animosity toward the appellant.

Issues: Does Johns Hopkins University have the authority to discipline Robert Harwood following the completion of his degree requirements prior to his criminal activity? Did JHU deny Harwood due process in the disciplinary proceeding initiated against him, specifically through violating the Americans with Disabilities Act

Holding: The Circuit Court for Baltimore City granted judgment in favor of the appellee’s motion for summary judgment, thereby approving JHU’s disciplinary decision to deny the appellant a diploma.

Analysis and Reasoning: Following a review of JHU’s Student Conduct Code, the court decided that Harwood did violate the student handbook which clearly states that “at the time of such award [a graduation diploma]” students must have complied with the terms of any penalties imposed as a result of misconduct including following the provision that students should not engage in activities that present a threat to the safety of others. JHU acted within its power when it expelled the appellant and refused to issue him a diploma. A private university has the right to withhold a diploma from a student who has completed all required coursework. JHU did not act arbitrarily and capriciously in refusing to award the appellant his degree. The court also evaluated their historical stance of allowing private institutions to withhold a student’s diploma despite completing all required coursework citing that; “It cannot be that a student having passed examinations necessary for a degree can, before his graduation, excite disturbance and threaten injury to the school or college without being amenable to some punishment”.

Other Opinions: There are not concurring or dissenting opinions noted in this case.

Personal Views and Opinions: I agree with the Court’s decision to approve JHU’s disciplinary decision to deny the appellant a diploma. Harwood murdered a fellow JHU student on campus before he was awarded his diploma, so he is required to abide by the student code of conduct until he is no longer a student of the university. Harm was brought to the university as a result of Harwood’s misconduct, therefore Harwood violated JHU’s Student Handbook. JHU’s representatives acted with due process and gave Harwood every opportunity to present evidence to defend himself from punishment, and there is no evidence of impartial judgment on the involved Dean’s behalf. Harwood should not be allowed to be a member of JHU after violating the student code of conduct before the time he was awarded a diploma.