

Abstract discussion will be held on Thursday (3/26) at 7:00PM in Ryan Gym.

# **The Grateful Dead: An Honor Council Academic Trial Released Spring 2015**

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## **Key:**

[Sugar Magnolia]: Confronted Party

[Cassidy]: Confronted Party

Professor [Law]: Confronting Party

[Grateful Dead Fan Club 101]: Class

## **Pre-trial:**

[Magnolia] and [Cassidy], two Bryn Mawr international students, were contacted by Honor Council after being confronted by their [Grateful Dead Fan Club 101] professor, [Law], about inappropriate collaboration on their ungraded setlist identification test. Honor Council read the statements and consented to send the case to an academic trial. The Bryn Mawr Honor Board was unable to provide a Bi-Co Liaison for the trial, so the trial proceeded without one.

## **Fact Finding:**

Professor [Law] began by explaining that each first-time student in the [Grateful Dead Fan Club] must take a [setlist identification test] to ensure that they can memorize the [Grateful Dead's setlist]. Once they begin the test, they have a week to take it – it is open book and they can use any sources except other people. On the front of the test, there is an Honor Pledge that students must sign saying that the students will complete the test in compliance with the Bryn Mawr and Haverford Honor Codes, and that they will complete the tests entirely by themselves. Professor [Law] stressed the importance of this test, for it ensured that first-time students in [Grateful Dead 101] are able to keep up with the rest of the class, and ensure their proficiency in following the [Grateful Dead]. If students do not pass the test, they can withdraw from the [Grateful Dead Fan Club] without penalty, or they can take an [album naming test], in which

they have to recite the [Grateful Dead albums] in order for Professor [Law]. When [Magnolia] and [Cassidy] handed in the [setlist identification exams], he first graded [Magnolia]'s, and there were quite a few answers wrong. He then graded [Cassidy]'s and realized that there must have been cheating because both of their answers were very wrong in the same exact way. He commented that he may not have caught it if the answers were right.

[Magnolia] then spoke, and said that she came to this class two weeks after it started. She knew there was this test and heard from another person that this test was meant to find out whether she needed to take another [Grateful Dead] class. She had completed the [setlist identification test] at Bryn Mawr, but didn't bring the test to Haverford because she didn't think it was due. When [Magnolia] realized that the test was due that day and that she had left the test at Bryn Mawr, [Cassidy] offered her the extra blank copy she had of the test. [Magnolia] then worked on the test while they were in class. She got some songs from the setlist right, but was struggling with other parts. Both she and [Cassidy] were working on their own tests during their [Grateful Dead Fan Club] class and were looking up websites on their phones that may help them find the setlists, and often sharing the information they had found with one another. [Magnolia] said once [Cassidy] had realized how little of the test she had completed, [Cassidy] gave [Magnolia] her completed test and [Magnolia] copied it. [Magnolia] said she "didn't realize it was such a big problem."

[Cassidy] spoke, and said that she heard about the test from another student. Someone told her that they needed to hand in the test that class or else they would fail the course. When she told [Magnolia] this and [Magnolia] realized that she didn't have her copy, [Cassidy] gave her the extra blank copy, and [Magnolia] began doing the test in class. Near the end of the class, [Cassidy] gave her copy of the test for [Magnolia] to hand in for her. [Cassidy] said that she wasn't quite sure at that time if it was against the Honor Code because she did the work on her test by herself. Then [Magnolia] got the email from Professor [Law] and he said he needed to talk with both of them. He said that their answers were the same and he wanted to know why. At that time, [Cassidy] told him that maybe [Magnolia] copied her answers, and that she told her some answers [Magnolia] didn't know. [Cassidy] continued by explaining to the jury that, "it is bothering to talk in class because we were [listening to *Terrapin Station*] at the same time, so I let her copy my test."

[Magnolia] then responded to [Cassidy]'s statements, and from this interaction it became increasingly confusing whether or not [Cassidy] gave the test to [Magnolia] with the intention that [Magnolia] could or would copy it. [Cassidy] said that she did not give answers verbally to [Magnolia], while [Magnolia] disagreed somewhat with that.

Upon hearing this, Professor [Law] reminded them that students often come to him for help, and he lets those who clearly don't know the material on the test opt out of the test and take a supplementary course with him. He didn't quite understand why they were so confused about the purpose of the test, as he sends out weekly emails concerning this test and plans for the next [Grateful Dead Fan Club 101] meeting.

After the exchange between [Cassidy] and [Magnolia], there was some confusion about what had happened, as the two did not appear to be on the same page. A juror asked for some clarification about what exactly happened. [Magnolia] said that she thought she could copy [Cassidy]'s exam, but [Cassidy] disagreed. [Cassidy] said that she had given the test to [Magnolia] so that she could hand it in for her-not so that she could copy it. [Magnolia] then said that [Cassidy] passed her the test after she had finished everything she already knew, so she felt that permission to copy was implied. When asked if she agreed with [Magnolia]'s account of what happened, [Cassidy] said yes. [Cassidy] said that she knew that [Magnolia] was copying her test, and didn't try to stop her. With this clarification, the jury ended the fact-finding portion.

### **Statement of Violation:**

Once the parties left, the jury began debating statement(s) of violation. Jurors debated a lot about what parts of the situation were violations. The biggest point of contention was whether or not the girls' usage of cellphones and the sharing of resources found on the internet was a violation. Although it was a minor violation, most of the jury felt that this violated the professor's explicit instructions that students complete the test entirely by themselves. Another point of contention was whether giving a test to someone else is a violation of the Honor Code. However, in looking over the minutes from the meeting, the jury mostly agreed that [Cassidy] gave the test to [Magnolia] with the implication that [Magnolia] would copy it. The jury then came to four statements of violation.

- 1. [Magnolia] violated the Honor Code by copying [Cassidy]'s test, therefore representing [Cassidy]'s work as her own. (10 jurors consent)*
- 2. [Cassidy] violated the Honor Code by giving her test to [Magnolia] in order for her to copy answers, thereby engaging in inappropriate collaboration. (9 jurors consent, 1 stands outside.)*
- 3. [Cassidy] further violated the Honor Code by failing to confront [Magnolia] upon realizing that [Magnolia] had copied. (10 jurors consent)*
- 4. Both [Cassidy] and [Magnolia] violated the Honor Code by collaborating prior to copying, therefore failing to adhere to the professor's instructions. (8 jurors consent, 2 stand outside.)*

### **Circumstantial:**

[Cassidy] began by saying, referring to the person who lets someone copy, "in our country, the other person who copied is guiltless." She didn't feel that this copying affected the fairness to the rest of the class, because the assignment wasn't graded. She said that she let [Magnolia] copy because [Magnolia] is her friend and "it was the right thing to do." She also remarked that in her home country students are rewarded for aiding their friends when they are struggling academically.

[Magnolia] stated that she had a lot of other midterms and projects during the time of the violation. She said that she wasn't sure that the Honor Code would apply to the test, because she

thought it only applied to assignments that were graded. She agreed with [Cassidy], and said that she thought that cheating is only unfair when tests are being graded because it takes away from others' hard work. [Magnolia] didn't think she would pass the test anyway so she didn't see why cheating was a problem.

When the students were asked about their Honor Code education at Bryn Mawr, [Cassidy] said that her Honor Code education was focused more on not taking food from the fridge that isn't yours, not taking other people's bags, or returning things that you find that are not yours. [Magnolia] said the only way she knew about the Honor Code was that there is an Honor Pledge on the first page of every exam. [Cassidy] said that her understanding of the Honor Code was that it was to encourage people to "try and control their behavior." When asked if they had received any education about Haverford's Honor Code, they were surprised to learn that there was a difference between the two Honor Codes, and [Cassidy] mentioned that she didn't even realize Honor Council existed until Professor [Law] confronted them.

When asked how they felt about the statements of violation, [Cassidy] said that it is "a little bit weird" because in their home country giving help is considered good behavior. [Magnolia] said that exchanging answers on homework was ok in their home country, and because of the ungraded nature of the assignment, it felt more like homework than a test. They both didn't take it as seriously as a midterm or final. [Cassidy] thought that they weren't special because other people asked the professor for help. She said that she saw no difference between showing [Magnolia] the website and giving her the exam itself, because both have the same end, which is [Magnolia] getting the answers.

### **Tentative Resolutions:**

The jury all agreed that there was a serious disconnect in [Cassidy] and [Magnolia]'s understanding of the Honor Code. There was also some confusion about who they should ask for help if they need clarifying information in a class. The jury also felt that [Magnolia] and [Cassidy] did not completely understand their place in the community, and resolutions addressing this concern would be necessary for both education and restoration. Letters of reflection and attending abstract discussions were suggested as ways for them to reflect on their place in the community, but abstract discussions were decided against because it would likely put their confidentiality at risk, since BMC students do not normally attend Haverford abstract discussions. The jury also felt that education was desperately needed in this situation, which they felt could possibly be resolved through them taking the Academic Integrity Tutorial and both of them reading both Honor Codes and writing a reflection on them. The jury also felt that there was a serious breach of trust between Professor [Law] and the students, so it felt it would be helpful to have a resolution addressing restoration of trust between the confronted and confronting parties. Because of their complete lack of knowledge about anything concerning the Honor Code, one juror proposed the idea that the students could write FAQ's that Bryn Mawr students may have about Haverford's Honor Code.

There was a discussion about whether these FAQ's should be translated into the students' native language in order to make them more accessible to other students who may be struggling with a language barrier. After a lot of debate, the jury decided to not make the translation part of the resolution, because it could be alienating and could be pointing fingers at international students from a particular country.

This conversation then led to a question about how to reach BMC international students. One juror proposed that they write a joint letter reflecting on this process that would be distributed to students participating in Bryn Mawr's International Students' Orientation.

After a brief discussion among the jury, all jury members felt that both separation and reporting to graduate schools were not warranted given that the significance of the assignment on which they cheated was fairly minor. The jury also talked about a failing grade for [Grateful Dead Fan Club 101], upon which most jurors agreed because when [Magnolia] and [Cassidy] cheated on the test, they put the experience of the entire [Grateful Dead Fan Club 101] class at risk. Professor [Law] also emailed the jury alerting them to [Cassidy]'s and [Magnolia]'s inattentive behavior in class, and because of this and their failure to pass both the [setlist identification test] and the [album naming test], he would be failing them in [Grateful Dead 101], which means that they could not join the [field trip to the Grateful Dead concert].

With these ideas in mind, the jury consented to the following tentative resolutions, to be completed in order:

- 1. The jury reminds [Magnolia] and [Cassidy] to consult their syllabi and other course materials for guidance as well as their professors if clarification is needed. (10 jurors consent.)*
- 2. [Magnolia] and [Cassidy] will take Haverford College's Academic Integrity Tutorial. (10 jurors consent.)*
- 3. [Magnolia] and [Cassidy] will read both Bryn Mawr's and Haverford College's Honor Codes and will each write a reflection on what it means to be a member of the Bi-College Community. (10 jurors consent.)*
- 4. [Magnolia] and [Cassidy] will write a joint letter to be disseminated to students participating in Bryn Mawr College's International Students' Orientation. The letter should address the following: (a) Why the violation occurred (b) How to approach the situation differently (c) What it means to receive an education from Bryn Mawr and Haverford Colleges. (10 jurors consent.)*
- 5. [Magnolia] and [Cassidy] will devise 5-10 questions that they think are important to understanding Haverford College's Honor Code, Honor Council, and the culture surrounding the Code. An Honor Council juror and a community juror will work with [Magnolia] and [Cassidy] to answer their questions. These FAQ's with answers will accompany the letter to ISO and be posted on the Honor Council website. (10 jurors consent.)*

6. [Magnolia] and [Cassidy] will write a letter to Professor [Law] representing their understanding that cheating is a violation of the Honor Code no matter the relative importance of an assignment. (10 jurors consent.)
  7. [Magnolia] and [Cassidy] will fail [Grateful Dead Fan Club 101]. (9 jurors consent, 1 stands outside.)
  8. Should [Magnolia] or [Cassidy] be involved in another trial, that jury will be informed of this trial. (10 jurors consent.)
  9. This incident will not be reported to institutions of higher learning. (10 jurors consent.)
- Resolutions as a whole: 10 jurors consent.

### **Finalizing Resolutions**

One juror was absent during finalizing because of another engagement that he could not miss. Both [Magnolia] and [Cassidy] expressed that failing the class is too severe, since they attended every session. [Magnolia] suggested that maybe they should take the class again next semester not for credit. [Cassidy] mentioned that the professor did not allow students to miss class more than two times, and they didn't miss class more than two times, and therefore believed they met the requirements for the class. Both expressed that they still feel that the professor is responsible because "he wasn't clear." They also didn't think that failing the setlist identification test and the album naming test meant failing the class. Professor [Law] told [Magnolia] that she had some problems with the order on the [album naming test], and wasn't doing well in class overall when [Magnolia] took her [album naming test], which she ultimately failed. [Cassidy] thought that "it was weird" that Professor [Law] said that she also couldn't go on the [field trip to the concert] because she couldn't name all the [albums]. [Cassidy] said she didn't think that naming all the [albums] in order was important unless a student was going [backstage], which neither of them were. [Magnolia] said she wanted to go to the [concert], but "got kicked out for not naming the [albums] and [identifying the playlists] so well, which is unfair." A juror asked if they thought of their participation as a sort of a domino effect, in which if one of them didn't know the [setlists] or the [albums], they could mess up the flow of the class. [Magnolia] and [Cassidy] said that they had not thought of it that way, But [Magnolia] said she never messed up those "[setlist things]," so she never made anyone else confused about the songs. Both expressed concern that they didn't know that prior [Grateful Dead] knowledge was required to be in this class (which it is not). They saw participation as Professor [Law] requiring them to be in the room, but not necessarily knowing a lot about the [Grateful Dead]. [Cassidy] says that [Magnolia]'s problem is that she can't name the [albums] in order, which [Cassidy] feels wouldn't affect the rest of the class' vibe. [Magnolia] thinks she put in a lot of effort, and expressed that it was unfair that she couldn't go on the [field trip to the Grateful Dead concert] at the end of the semester.

[Magnolia] then mentioned a friend who cheated on a quiz or test and was brought to the Honor Board at Bryn Mawr as a prior experience with the Honor Code, and said in that situation

the student was not failed in the class and still had a good GPA, even after the trial. [Magnolia] says that there are a lot of people who didn't take the [setlist identification test] and did get to go to the [Grateful Dead concert]. She pointed to this as another reason for why it wasn't fair for them to fail the class. [Cassidy] feels that Professor [Law] should be held responsible because he didn't clarify that previous knowledge of the [Grateful Dead] is necessary for the course (prior knowledge of the [Grateful Dead], in fact was not necessary). [Magnolia] wished there was a replacement of the failing grade. She asserted that it might affect the visa she has. She didn't want to fail this class, because her home country may not let her come back to the US. [Magnolia] and [Cassidy] felt that it was unfair because "they did this test, and other people did not."

Once the parties left, the jury then discussed the disconnect that the parties have with the Honor Code, and felt that separation may be appropriate. Conditional separation would most likely be best. One juror pointed out that separation may poison the resolutions, in that the restorative aspects may be overlooked by [Magnolia] and [Cassidy] because separation was involved. Another then pointed out that we are the community and none of us would feel comfortable having them in the class, which are grounds enough for conditional separation.

The jury then discussed evaluating [Magnolia] and [Cassidy] on their own merits in order to re-enter the Haverford Community, because [Magnolia] seemed to have a better grasp on the violation than [Cassidy] did. The jury also did some moderate rewording of resolutions 4, 7, and 10 to make them recommendations rather than obligatory resolutions, because these resolutions were expected to be fulfilled by people other than the confronted parties and jury, and therefore, the jury felt that a recommendation was more appropriate. The jury also added the mediation clause to resolution 6, as jurors felt it would be helpful for Professor [Law], [Cassidy] and [Magnolia] to come to a common understanding and clear up any lingering resentment that may exist in the relationship.

After much discussion, the jury consented to the following final resolutions:

*These resolutions will be completed in the following order:*

- 1. The jury reminds [Magnolia] and [Cassidy] to consult their syllabi and other course materials for guidance as well as their professors if clarification is needed. (9 jurors consent, 1 stands outside due to absence.)*
- 2. [Magnolia] and [Cassidy] will take Haverford College's Academic Integrity Tutorial. (9 juror consent, 1 stands outside due to absence.)*
- 3. [Magnolia] and [Cassidy] will read both Bryn Mawr's and Haverford College's Honor Codes and will each write a reflection on what it means to be a member of the Bi-College Community. (9 jurors consent, 1 stands outside due to absence.)*

4. *[Magnolia] and [Cassidy] will write a joint letter addressing the following: (a) Why the violation occurred (b) How to approach the situation differently (c) What it means to receive an education from Bryn Mawr and Haverford Colleges. The jury recommends that this letter to be disseminated to students participating in Bryn Mawr College's International Students' Orientation. (9 jurors, 1 stands outside due to absence.)*
5. *[Magnolia] and [Cassidy] will devise 5-10 questions that they think are important to understanding Haverford College's Honor Code, Honor Council, and the culture surrounding the Code. An Honor Council juror and a community juror will work with [Magnolia] and [Cassidy] to answer their questions. These FAQ's with answers will accompany the letter in resolution 4 and be posted on the Honor Council website. (9 jurors consent, 1 stands outside due to absence.)*
6. *[Magnolia] and [Cassidy] will write a letter to Professor [Law] representing their understanding that cheating is a violation of the Honor Code no matter the relative importance of an assignment. After writing these letters, [Magnolia] and [Cassidy] will each participate in a separate mediation with Professor [Law] in order to restore trust and come to a common understanding about the Code. (9 jurors consent, 1 stands outside due to absence.)*
7. *The jury recommends that [Magnolia] and [Cassidy] fail [Grateful Dead Fan Club 101]. (9 jurors consent, 1 stands outside due to absence.)*
8. *Should [Magnolia] or [Cassidy] be involved in another trial, that jury will be informed of this trial. (9 jurors consent, 1 stands outside due to absence.)*
9. *[Magnolia] and [Cassidy] will be separated from the Haverford College community until the above resolutions are completed to the jury's satisfaction. In order for [Magnolia] and [Cassidy] to reenter the Haverford community, the entire jury must consent to their return. They will be evaluated individually. (9 jurors consent, 1 stands outside due to absence.)*
10. *The jury recommends that this incident not be reported to institutions of higher learning. (9 jurors consent, 1 stands outside due to absence.)*

*Resolutions as a whole: 9 consent, 1 stands outside due to absence*

### **Post-Trial:**

The trial resolutions were not appealed. Cassidy was subsequently involved in a related Honor Council trial for failing to adhere to her separation from Haverford college<sup>1</sup>.

### **[Cassidy]'s Reflection:**

What it means to be a member of the bi-college community

As members of Bi-co community, people should follow the honor code in order to live

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<sup>1</sup> This abstract for this subsequent trial was released under the pseudonym "Tangled" in Spring 2015



together, interact, and lead academic life with trust, fairness and freedom. Thus, Bryn Mawr and Haverford community depends on the mutual trust, concern and respect for oneself, one another and the community. We could only protect and improve the safety of the community by follow the honor code at anytime, anywhere. It is our responsibilities and obligation to adhere to Honor code.

As students, people should follow an instruction from a professor to keep the integrity in people's scholastic work. Thus, receiving and offering the aid in exams, papers and assignments are offensive to the Honor code. In this case, we should try our best to avoid plagiarism and be responsible for our integrity of academics; that is to say, both the one who plagiarizes and the one admits others to plagiarize violate the honor code that they both did not keep the integrity of their work. In this case, the one admits others to plagiarize is not guiltless even though he or she might not copy others' work. We students, more importantly, as members of Bi-college Community are responsible to protect the safety and fairness of our studying environment. It is our obligation to report and stop other plagiarizing. Ignoring means to admit silently and to some extend help others to violate the honor code and damage the trust-based environment. We should be alert that, knowing someone is plagiarizing but keeping silent and help others to plagiarize count as part of plagiarism.

Keeping the honor code in mind is our responsibility to protect the environment. Though the community exists far before our arrival, our behavior also reconstructs it. In our daily life, we should also consider whether our words and actions affect others. In the process we protect and consider others, we also protect the freedom of ourselves and the trust of the whole environment. Honor code is not for restricting people; it is for better constructing an educational and living environment and providing the possible growth for every member of the community.

### **Magnolia's Reflection:<sup>2</sup>**

Dear Professor [Law],

I'm writing to reflect on my behavior for the your [Grateful Dead Fan Club] class I took in [semester]. I didn't take the class seriously and didn't take the assigned placement test with respect. After I found out that I left my original work in my dorm, I talked to my friend and she gave me a blank copy and told me that she didn't finish either, so we started doing it in the class. However, we didn't finish it on time and we worked together on a few questions together, she showed me the website she looked for the answers as well as her own copy. So I checked answers with my friend in this class without considering the importance of Honor Code.

The whole thing didn't occur to me as a violation when I checked answers, which is even worse, because I should have had a sense of the importance of Honor Code on all academic works in this community. I have made two mistakes in this matter. First is that I didn't consult

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<sup>2</sup> This reflection fulfilled both resolutions 3 (the letter of reflection) and 6 (the letter of apology), and thus is directed at Professor [Law]

you about forgetting the assignment at home, instead I decided to finish the assignment anyway. If I had consulted you, I could totally bring that next week and get the problem solved. The second thing is that I didn't take this placement test seriously that I violated the code. Later I realized that any work should be considered part of my duty, and I should take full responsibility in finishing them.

After talking to you and the juries in Honor Board, I realized my behavior was a serious violation of Honor Code. I didn't have the understanding and respect for the mutual trust in the Haverford community, and that was very wrong because by doing this, I broke the trust from the community as well as from you. After reflecting on my behaviors, I kept thinking that if anyone else cheated and earned a better score in a test I studied hard on, I would also feel unfair and lose my trust to that person. Now I'm that cheater who did it to my peers. After you informed us that this is a serious violation, I read the Haverford Honor Code for times and felt ashamed about what I did. I would try my best to work on rebuilding the trust, and I would never take any academic work without serious attitude. I hope you can accept my apologies to you.

Thank you.

[Magnolia]

### **Discussion Questions**

1. Should the jury have focused more on the significance of the assignment? Considering it was an ungraded assignment and both students failed the class, was conditional separation warranted?
2. What does conditional separation accomplish? Does it have the potential to restore trust?
3. What is valuable about a comprehensive Honor Code that applies to all aspects of academic pursuits at Haverford, including ungraded assignments?
4. Does Haverford have a responsibility to educate non-Haverford students about our Honor Code and the manifold ways it applies to the community, particularly to academic pursuits? If so, to what extent, and how?
5. Do you think that the jury should have considered separating the confronted parties from Bryn Mawr? What responsibilities does the Haverford community, as represented by a trial jury, have towards the Bryn Mawr community?