Elizabeth and Professor Fox
An Honor Council Academic Trial
Abstract Released Spring 2003
Abstract Discussion:

Introduction:
Elizabeth was a student in Professor Fox’s class. After discovering that Margaret’s exam was missing and finding disturbing similarities between Elizabeth’s and Margaret’s exams, Professor Fox asked Elizabeth to contact Honor Council. Honor Council came to a suspicion of violation based on the statements submitted by the confronted and confronting parties.

Fact Finding:
Professor Fox’s statement:
Professor Fox stated that he gave out an exam early to two students (Margaret and another student) because they wished to complete it before it was handed out to the rest of the class. Margaret turned in her exam to the professor’s office several days before the due date of the exam. Finding no box outside the office, Margaret slipped her exam under the door and emailed Professor Fox to ensure that the exam was received. The following day, Professor Fox handed out the exams to the rest of the students. Professor Fox, wanting to keep all the exams together, placed Margaret’s exam in the box outside his office where he expected the rest of the students to turn in their exams.

Leaving his office later that day, he noticed that Margaret’s exam was still in the box. However, when he returned two hours later, he noticed that it was gone. Worried, he emailed Margaret to see if she had taken her exam back for any reason; Margaret replied that she had not. Professor Fox asked a colleague, Professor Jones, who had been near his office while he was gone, if he had seen any students near the box. Professor Jones had seen Elizabeth around the box during the period in which the exam disappeared (shortly after Professor Fox had left).

Hoping that Margaret’s exam would be returned, Professor Fox collected the exams personally and placed them in his office immediately. Whenever he could not be in his office, he asked a colleague to collect the exams for him, and to notify him immediately if Margaret’s exam turned up. While Professor Fox was out of the office, Margaret’s exam was placed in the box with three other exams. The colleague notified Professor Fox immediately that Margaret’s exam had been
returned. Elizabeth’s exam was one of the three other exams returned with Margaret’s.

Professor Fox compared the exams and found several striking similarities between Elizabeth’s and Margaret’s exams: Both students had answered the same questions and the answers were structured largely in the same manner. Most of the mistakes made on Margaret’s paper were replicated on Elizabeth’s. In many of these cases, these two students were the only students in the class to make the unusual mistakes. After consulting with a colleague, the professor determined that the chance of the two exams being so similar was so small that it was virtually impossible if each exam had been completed independently.

Professor Fox contacted both Elizabeth and Margaret and asked them to meet with him individually. Neither knew that the other had been contacted, nor the identity of the other student. Margaret met with Professor Fox and expressed concern on hearing that her exam had been missing but had not seen her exam since she handed it in, and had not told any other student about the exam after taking it. Having no suspicion of an Honor Council violation on Margaret’s part, Professor Fox said that Margaret could contact Honor Council, but that he was not suspicious and would not contact Council if Margaret chose not to.

Professor Fox then met with Elizabeth. Elizabeth said she had not picked up Margaret’s exam and could not account for the similarities between the two exams. Despite wanting to believe Elizabeth, Professor Fox could not comfortably account for the similarities between the exams and the fact that Elizabeth was seen at the office both when the exam disappeared and reappeared. Faced with these facts, Professor Fox was still concerned that Elizabeth had taken Margaret’s exam from the box, copied it, and returned it with her own exam.

**Elizabeth’s Statement:**
Elizabeth said that she could not account for the similarities between the exams but that she did not take Margaret’s exam and that she had taken her exam independently, during the time allotted. She also said that if she were to cheat, it seemed illogical that she would cheat by stealing another exam as opposed to simply opening her books, since this was a closed-book exam. She said that she had discussed broad themes with several students the night before and had studied very hard for the exam.

Elizabeth admitted to being around the office at the time the exam was missing, but said that she had just gone to ask Professor Fox a question regarding the exam. When she noticed that he was not there, she asked Professor Jones for paper to write Professor Fox a note. She reviewed some more and took her exam the following morning, alone. She took her exam with her to class, and turned it in to
the drop box at the same time as several other students. She said that she has always been and is dedicated to the Honor Code, and that she is not the kind of person who would cheat.

Jury Questions:
The jury asked a number of clarifying questions specifically in regards to the exact nature of the similarities between the exams and to the specific timetable in which the events occurred. Professor Fox showed the jury the two exams and explained why it was virtually impossible for the similarities to exist had the two exams been completed independently. Elizabeth acknowledged the striking nature of the similarities but could not explain them. Both Professor Fox and Elizabeth provided the jury with their personal schedules for the days in question. The jury asked Professor Fox to clarify why he had only chosen to confront Elizabeth.

Jury Deliberation I:
The jury first decided that it seemed impossible that these exams could have been completed independently. The jury painstakingly studied the exams, and found further similarities that had not been brought forth by the professor. The jury tried to think of any possible scenario that could account for the similarities which would be consistent with the belief that both students worked independently. The jury found none.

Next, the jury considered whether or not there was reasonable doubt that Elizabeth had taken the exam and copied it. Given the timetables provided by the confronted and confronting parties and the similarities on the exams, the jury concluded that there was no reasonable explanation for the similarities except that Elizabeth took and copied the exam. The jury considered the following other scenarios:

- **Could Margaret have taken back her own exam?** Because Margaret had originally slipped her exam under Professor Fox’s door, she would probably not know that it had been placed in the box outside the door and therefore would be unlikely to know that it was possible for her to retrieve it. There was only a two hour window of time in which Margaret could have taken the exam. Furthermore, the jury had no evidence that she had been anywhere near the office during that period of time.

- **Could Margaret have taken Elizabeth’s exam from the box and copied it?** Assuming that Margaret had taken back her own exam (which the jury believed to be extremely unlikely), the jury did not believe that Margaret had the time to take and copy Elizabeth’s exam. Since Elizabeth’s exam was taken from the box by Professor Jones no more than ten minutes after she placed it in the box, there was no window of time in which Margaret
could have taken and copied the exam. She would have had to remove the exam, find a place to look at the answers, copy the vast majority of them, and put the exam back without being seen, all within a ten minute window of time.

- **Could Elizabeth and Margaret have collaborated?** Given the nature of the similarities, collaboration seemed unlikely. Furthermore, collaboration would have required Margaret to take her exam back (which the jury believed to be unlikely) and give it to Elizabeth. Otherwise, she would have had to copy all of her own answers, while taking the exam, and give the copy to Elizabeth (which still would not account for the missing exam). Most convincingly, Elizabeth never indicated in any way that she had collaborated, which was consistent with all the other evidence. The jury felt that if collaboration had occurred, it was Elizabeth’s responsibility to come forward with this information.

- **Should the jury have contacted Margaret and/or Professor Jones?** The jury seriously thought about further questioning Margaret and Professor Jones. However, due to considerations of confidentiality and doubts as to what new information they could bring to the proceedings, the jury decided not to involve them in the trial process. Furthermore, although Professor Fox had not requested that Margaret contact Honor Council, Honor Council had requested a statement from Margaret before the trial began. However, based on the information contained in her statement, Honor Council was not suspicious that Margaret had violated the Code. Thus, the jury doubted that there would be any further information brought forth, questioned whether or not it was even possible, according to the Code, to involve Margaret in the trial, and decided that the preservation of confidentiality outweighed the small possibility of gaining further information.

The jury wanted to trust Elizabeth, but felt that it needed to “balance their trust of community members with their obligation to determine what has happened before they can arrive at any resolutions” (Honor Code, Section III. “Jury Responsibilities”). Given the evidence presented, the jury could conceive of no reasonable explanation for the similarities of the exam other than Elizabeth having taken Margaret’s exam, copied it, and returned it with her own. The jury then came to consensus, with no one standing outside, on the following statement of violation.

**Statement of Violation:**
*The student violated the Honor Code by taking and copying another student’s submitted exam without that student’s knowledge.*
Circumstantial:

Professor Fox’s Statement:
Professor Fox could not attend the circumstantial portion but submitted a statement saying that he had already proposed to Elizabeth that she receive a 0.0 for the exam but would not be in favor of any more severe academic repercussions.

Elizabeth’s Statement:
Elizabeth reiterated that she did not cheat on the exam. She said that she was not stressed during the exam, and felt fine about the exam after she turned it in. Elizabeth said that her relationship with the professor remains productive. However, Elizabeth did not support the 0.0 for the exam that Professor Fox had suggested. She proposed instead that the exam be dropped, since she believed that the circumstances were still uncertain and that her grade be calculated based on the other work in the course. Furthermore, Elizabeth felt hurt that she had brought the violation before Honor Council in order to find out what had happened, and now it seemed like the authorities had turned on her.

Jury Deliberation II:
The jury considered resolutions to address accountability, education, and repairing the breach of trust. The jury initially discussed separation. It felt that in many cases the trial itself works to repair the breach of trust and to educate the individual; however, the jury believed that this reparation had not taken place in the trial. Furthermore, the process of repairing the breach of trust between the student and the Professor Fox, the student and the class, the student and Margaret, and the student and the community needed to be addressed by separation. The jury felt that Elizabeth needed to be separated both for issues of education and to begin repairing the breaches of trust. The possibility of two semesters of separation was discussed to address the multiple breaches of trust but dismissed as not necessary.

The jury then discussed academic resolutions to address accountability. It debated whether or not Elizabeth should receive a 0.0 for the exam or the class. Given that she had only been found in violation of the Code for this one exam, should she fail the whole class? Some members initially believed that she should not; however, most of the jury thought that it would be unfair to the class and to Margaret if she were only to receive a 0.0 for the exam and be able to get credit for the course. The possibility of Elizabeth receiving a 0.0 for the exam and no more than a 1.0 was also discussed. However, the jury came to consensus, with two members standing outside, that Elizabeth should receive a 0.0 for the class.
In order to repair the breach of trust between Elizabeth and the community, the jury thought that it was important that she take part in a mediated dialogue with Professor Fox, write a letter to the community, and re-sign her Honor Code Pledge to reaffirm her commitment to the Honor Code.

Resolutions:

1. The student will be separated for one semester.
2. The jury recommends that the student receive a 0.0 for the exam.
3. The jury recommends that the student receive a 0.0 for the class.
4. The student and the professor will take part in a mediated dialogue before the period of separation.
5. Before returning to the community, the student will re-read the Honor Code and re-sign the Honor Code Pledge.
6. Following the student’s period of separation, the student will write a letter to the community addressing how the breach of trust with the individual members of the community resulted in a breach of trust with the community as a whole.

Two members of the jury stood outside of consensus on the third resolution because they felt that it might be punitive and wanted to hear more from Professor Fox and the student.

Presentation of Resolutions:
Both parties attended the presentation of resolutions. Professor Fox asked a number of clarifying questions about how the jury came to its resolutions. Elizabeth felt that the resolutions were unfair and was especially concerned with separation and failing the class.

Jury Deliberation III:
The jury came to consensus on the resolutions as listed above with no changes. All jurors consented on the resolutions as a whole. However, one juror stood outside consensus on resolution 2 because he felt that it was redundant.

Abstract Questions
How does the jury balance its desire to trust the confronted party with its obligation to find the truth?

To what extent is the jury responsible for collecting evidence and testimony? How does an Honor Code jury differ from a legal jury?

What justifies two semesters of separation as opposed to one?