Introduction:
Professor Peter noticed that his students Paul and Mary had answered several test questions in a very similar manner. Since the test instructions stated that the students should not consult other people, Professor Peter was concerned about a possible Honor Code violation, and confronted both Paul and Mary separately. Both students maintained that they had not cheated; however, they agreed to submit statements to Honor Council. Council came to a suspicion of violation after hearing these statements.

Fact Finding:
Professor Peter’s statement:
Professor Peter gave an open-book, open-notes, “computers-allowed” test. While grading it, he noticed that 5 questions were answered very similarly on Paul’s and Mary’s tests. He judged that three of the questions were so straightforward that their similarities could have been coincidence. However, the remaining two questions (question “A” and question “B”) were more complicated, and Professor Peter believed their similarities beyond the realm of chance. The students’ answers to question “A” had the same layout, as well as the same missing information and extra information, while their answers to question “B” were similar in form and contained the same unnecessary information. To check his judgment, Prof. Peter showed the tests to another professor in the department without revealing Paul’s or Mary’s name. The other professor agreed with Prof. Peter’s assessment of the situation.

When confronted, Paul mentioned that he had gotten his answer to question “B” from a web site. When Mary was confronted, she mentioned the same web site as a reference for question “B.” She also showed Professor Peter a homework paper, on which a question similar to question “A” had the same layout as seen on her test.

Professor Peter told the jury that he encouraged collaboration on homework and notes. He granted that the answers could have arisen without cheating, even though Paul’s and Mary’s papers were the only ones that looked the same in a class of over 20.

Paul’s statement:
Paul mentioned that he, Mary, and one other student had been working together in a study group for the entire semester. Paul and Mary had worked on drafts of homework together, although they wrote up their homework separately.

To explain his answer to question “B,” Paul said he had typed some words from the test question into a search engine, and used the first web site on the list. He and Mary had done this before when doing homework. The test instructions included the words, “computers are permitted,” so he figured his action was acceptable. He had no idea why
his answer to question “A” was similar to Mary’s, except that they had both studied the particular method of answering together.

Mary’s statement:
Mary reiterated what Paul had said, noting that the two of them had reviewed old homework before the test in question. She had based her answers on this previous homework. For question “B,” Mary said she had also gone to a prominent search engine during the test, typed in words from the question, and used information on the first listed web site. Mary believed that her answer for question “A” was missing information because her homework was difficult to read.

Jury Questions:
The jury looked at photocopies of both tests. Mary showed the jury a copy of her homework, which had a question very similar to question “A” (Professor Peter confirmed that the question was similar). On the homework, a staple obscured the particular piece of her answer that had been missing on the test. Paul presented his scrap paper from the test, on which was written the answer to question “A,” already missing the omitted piece of information. He suggested it was a oversight on his part, and told the jury that his homework was correct, i.e., he did not omit that piece in his homework.

Both students mentioned that they had added the extra information to another part of question “A” to ensure that they were answering the question correctly. Paul and Mary stated they were doing well in the class, so they had no motive to collaborate on the test.

The jury was also concerned about the use of internet sources without citation, so they asked Professor Peter his opinion on this matter. The professor admitted that he encouraged the use of internet sources and, although he would have liked to see citation, this issue was not his real concern in the case. A third, unrelated student used the same web source, but this student’s test was not otherwise similar to Paul’s or Mary’s. Professor Peter said he did not feel that it was necessary to take this third student to Honor Council.

Jury Deliberations:
Due to Professor Peter’s acceptance of the use of web sites, the jury dropped the matter of question “B” after some discussion. The similarity of question “B” on both papers was easily explained by their use of the same source.

The matter of question “A” was more troubling to some jurors. However, the lack of motive, as well as an absence of other evidence to suggest that Paul and Mary shared answers, left most jury members thinking they could not support a statement of violation.

In a trial, the jury is told to take the statements of the confronted and confronting parties at face value, and there was little conflict between their accounts. It was agreed that studying with the same people for long periods of time could cause people to “think alike” and learn similar ways to answer a question. Eventually, three jurors stood outside, but one who initially felt that he could not make a decision based on the facts respected that the weight of the group was behind the final decision.
Therefore, with two members standing outside, the jury came to consensus that neither Paul nor Mary had violated the Honor Code.

The jury recommended that Paul and Mary meet with Professor Peter to try to repair the breach of trust between them.

Discussion Questions:
1. The statements of the confronted parties are supposed to be taken at face value. Is it the jury’s job to be “detectives,” or speculate on the truth of some of these statements?
2. How accurate are anyone’s judgments about coincidence?