Abstract Discussion will be held Tuesday, October 5th and Wednesday, October 6th at 7pm in the Sunken Lounge of the DC

The Magic School Bus
An Honor Council Mediation
Released Fall 2010

This abstract was released in accordance with the timeline in the Constitution.

The confronting and confronted parties were given the opportunity to review this abstract prior to its release.
(The addition of this disclaimer began Fall 2010).

Introduction

Arnold, Wanda, and Carlos were students in Ms. Frizzle’s Exploring Outer Space class. One day, Ms. Frizzle gave an exam that stated in the instructions that students were not to discuss the exam questions until Tuesday at 3:00 pm. After the in-class exam, Arnold discussed one of the questions on the in-class exam with Wanda, who later talked about the question with Carlos. The students then opened the second part of the exam, a take-home portion, to find that the questions were identical to those in the in-class portion. Wanda contacted Ms. Frizzle a few days after the exam to say that she had discussed one of the questions with several classmates before it was appropriate, and Ms. Frizzle in turn sent an e-mail to the class asking for anyone who had done this to let her know. Arnold and Carlos e-mailed Ms. Frizzle responding that they had talked about exam questions. Arnold, Wanda, and Carlos subsequently brought themselves to Honor Council. Council consented to a suspicion of violation. Given the ambiguity of the situation and the fact that there seemed to be misunderstandings among all the parties, and the fact that the students all expressed that they had not intended to violate the Honor Code, Honor Council consented to send this case to a mediation, contingent upon the possibility of sending it to an academic trial if the situation was not successfully resolved in mediation.

Arnold’s Statement

After the exam, Arnold was particularly frustrated by one of the questions and e-mailed Ms. Frizzle to ask about the correct solution. He was not aware of any take-home portion of the exam at this point. He had read the instructions not to talk about the exam until 3:00 pm on Tuesday, but assumed this was in case someone was sick and needed to take the exam later.

That afternoon, Arnold started complaining to Wanda about one of the questions on the exam, and how Ms. Frizzle hadn’t been there for him to ask her about it afterward, at which point they discussed the exact question and compared answers. They also talked about the degree of difficulty of several of the other questions. Ms. Frizzle e-mailed Arnold back to say that she couldn’t discuss the question as it was on the take-home portion of the exam. Arnold talked to

* This time was changed to protect confidentiality.
Wanda and Carlos about the e-mail. Neither of them had been aware of the take-home, and they felt frustrated by the situation.

Arnold didn’t feel right about having talked about the exam, but had a lot of other work that week, and wanted to confront Wanda and Carlos before going to Ms. Frizzle. He woke up to Ms. Frizzle’s e-mail explaining that some students had come forward about failing to follow the directions on the exam. Arnold e-mailed her back with a description of what he had done. Ms. Frizzle had asked for students to let her know in this e-mail how any discussion about the exam might have affected their grade, and Arnold conveyed that he thought that, if anything, it had hurt his grade by affirming that his answer could not be correct.

Arnold believed that a violation had occurred but that it had been accidental, and he expressed a willingness to go through whatever process Honor Council decided.

**Wanda’s Statement**

Wanda also felt that a violation of the Honor Code had occurred since she did not follow the instructions on the exam and talked about one of the questions prematurely. She explained that she had not read the instructions on the exam, and therefore did not know that students were not allowed to discuss the questions until Tuesday at 3:00 pm. She explained that after taking the in-class portion, she later had a conversation with Arnold and Carlos about the exam. A few days later, she found out from Arnold that there was a take-home portion, and upon opening the exam, realized that the questions were identical. She talked with Ms. Frizzle about what had happened, who requested a description of Wanda’s conversation with Arnold and Carlos.

**Carlos’s Statement**

When he went into the exam, Carlos had not known that there would be a take-home portion. He started the exam without reading the instructions, explaining that they were normally the same on each exam. After the exam, he discussed the questions with other students, unaware that students were not allowed to discuss the questions until Tuesday at 3:00 pm. He recognized that he had failed to follow instructions, but said that he did not believe the discussions had affected the grades of anyone involved. He believed that a violation of the Honor Code had occurred.

**Ms. Frizzle’s Statement**

After learning from Wanda that she discussed the exam questions with other students before finding out that the questions were on the take-home exam, Ms. Frizzle sent an e-mail to the class asking anyone who had discussed the questions before 3 p.m. on Tuesday to come forward. Ms. Frizzle contacted Honor Council to see how she should handle the situation. Ms. Frizzle said that she was not there to administer the exam. She explained that the syllabus talked about a take-home exam to follow each of the in-class exams, and said that the sentence "You may not discuss the form, content or degree of difficulty of this exam with anyone except the instructor before 3:00 pm on Tuesday" appeared in bold in the exam instructions. She had, however, failed to have the person administering the exam remind the students that the take-home exam would have the same questions as the in-class exam. She expressed concern with giving a self-
scheduled final because of this incident. Ms. Frizzle was advised that the students involved should bring themselves to Honor Council.

The Mediation

The mediation began with each person recapping their experience. The conversation became a general dialogue about the circumstances and the different extenuating factors that had combined to create misunderstandings in this case, most notably that Ms. Frizzle was not there to administer the exam. Ms. Frizzle said repeatedly that this wouldn't have happened if she had been in class. She also explained that she meant for the class to know that they would have a take-home portion, and to warn them that the questions might be the same. Wanda and Carlos failed to read the instructions and were consequently unaware that they were not supposed to talk about the exam. These two students also did not know that there would be a take-home portion. Arnold had read the instructions, but said that he did not know about the take-home portion either. He did not think he would have discussed the questions at all if he had known about the take-home, even if he had not known that the questions might be the same. He thought the instructions seemed arbitrary. He expressed regret for his decision. Wanda also expressed regret that Arnold had not told her that the instructions said not to talk about the exam until Tuesday at 3:00 pm, as this could have prevented the whole situation.

The mediation included a discussion about the collaboration policy. Ms. Frizzle commented that she wished she felt comfortable basing grades entirely on homework rather than having to give exams, but that she simply did not think that the collaboration policy is followed closely enough, and that the amount of help that different students get creates an inequality for other students in the class. A discussion followed with Arnold, Wanda, and Carlos about their experiences with the collaboration policy. Ms. Frizzle commented in an initial statement that she did not feel comfortable giving a self-scheduled final in this class based on this incident. She responded that she felt much better after hearing from Wanda and Carlos that they had not even read the instructions, and were not consciously going against the instructions on the exam. She explained that when she wrote the statement, she had not yet graded the exams. Thus, she had not known how many people in the class failed to follow instructions and whether they had gained any advantage. She felt better after grading the exam and having found that talking about the questions before instructed did not seem to be widespread. All parties involved also said that talking about the exam questions had not helped their grades, and were satisfied with the way Ms. Frizzle had decided to compute their grades. When asked whether the parties were all comfortable with each other, Ms. Frizzle said that the mediation was already more than she had expected from Honor Council.

Wanda was concerned that the breach of trust with the other students in the class had not been addressed in the mediation. It was decided that the students would take a few minutes at the end of a class period to talk with the class about what had happened. It was suggested that they could restore the breach of trust with their class without breaking their confidentiality. The students did not seem concerned about this, and left the mediation planning to talk to their class.

Post Mediation

Honor Council discussed the case again after the mediation, to judge if it needed to go to an academic trial. All parties involved in the mediation said that they did not think that an academic trial was necessary. Based on statements from Ms. Frizzle, Arnold, Wanda, Carlos, and the mediator, Honor Council consented that the case did not need to go further. Council decided
to request statements from all parties involved to be published with the abstract, to educate the community on all perspectives of how the mediation had gone.

Arnold’s Mediation Statement

Dear Honor Council,

I think mediation made me feel a bit more regret because, unlike Carlos and Wanda, I knew about the instructions even if I didn't know about the take-home. During mediation it became very clear to me that had I simply followed what I thought at the time were odd and overly cautious instructions, I would have averted this trouble both for me, and possibly for Wanda and Carlos (though I'm not sure if they talked to each other before or after Wanda talked to me).

It still haunts me that I was placed in a position to stop a breach of the Honor Code from occurring and didn't because at the time I didn't think there was any justifiable cause for the instruction. I'm glad that ultimately my actions were benign, but I still feel the need to be more aware, and more cautious of such situations in the future. Had I been more aware of the rules of the class, the instructions would have been very clear to me, and I wouldn't have dreamed of discussing the exam with anyone.

Likewise, had I been more cautious, I would have followed the letter of the instructions rather than trying to ascertain the spirit of the rule. (i.e. Not talking about the exam in any area where someone who might have missed class and needed to make up the exam later could hear us versus just not talking about the exam at all.)

That said, during mediation Ms. Frizzle assured us that she understood, and knew she could trust us to adhere to the Code in the future, and I certainly felt that my side of the story was well understood and sympathized with.

I think I've certainly learned from the experience, and both Ms. Frizzle and the rest of the class have claimed to be willing to trust me in the future, so after mediation I feel an academic trial is unnecessary. Mediation was actually somewhat fun, and certainly built an atmosphere that was very restorative, at least for me. I think this case was a prime example of Honor Council acting as a restorative body, not a punitive one. I thank you for helping me continue a comfortable relationship with my professor and my classmates.

All the best,
Arnold

Wanda’s Mediation Statement

After realizing that I breached the Honor Code I talked with my fellow students and then with Ms. Frizzle to work out a grade. Therefore, I felt that I learned little from the mediation. I think the Honor Code should be about taking things into our own hands, and that is
what happened prior to mediation. I regret the mistake I made and will definitely be more careful with instructions in the future.

-Wanda

Carlos’s Mediation Statement

Dear Honor Council,

I thought the mediation went very well. I realize that I didn't communicate what had really happened with my teacher, so she thought it was much worse than it really was. The mediation helped me fix that breach of trust. I don't feel like there will be any further problems.

Sincerely,

Carlos

Ms. Frizzle’s Mediation Statement

Before coming to the mediation, I had already discovered (by grading the take-home) that the students' discussion of the exam question (after the in-class exam but before the students saw that the same questions were on the take-home) did not earn any of them a higher grade on the take-home. So I regarded this accidental violation of the Honor Code as both "unknowing" and "benign". Before the next exam, I reminded all my students that the upcoming exam would also have a take-home and that the questions on the take-home were likely to be identical to the questions on the in-class. Again I was not on campus to administer the exam, but I trusted everyone to follow instructions that I printed on the cover page of the exam: "You may not discuss the form, content, or degree of difficulty of this exam with anyone except the instructor before 3:00 pm on Tuesday" (when the take-home is due).

I learned one new piece of information during the mediation: neither Wanda nor Carlos read the instructions on the in-class exam. So they had no idea they were doing something wrong when they discussed it with each other afterwards. Instead, the discussion is evidence of their enthusiasm for learning! Also, during the mediation, Arnold said he had read the instructions on the exam and felt uncomfortable when Wanda initiated a discussion with him. Wanda said repeatedly that she wished he had told her about his discomfort. This confirms my belief that it is important that students help each other to abide by the Honor Code by gently confronting each other. I also need to help students abide by the Honor Code by having instructions read out loud before an exam.

This still leaves me wondering about a self-scheduled final, where I have to trust students to read the instructions. (I was the professor of a class in which there was an accidental violation because a student did not read the instructions on the final!)
I don't think anything would be gained by having an academic trial. I know these students will be careful in the future to read and follow my instructions. I am looking forward to teaching Wanda and Carlos in Exploring the Human Body next year.

-Ms. Frizzle

**The Mediator’s Statement**

I felt like the mediation went really well. I left the mediation with the sense that any breach of trust has been restored among the parties involved. The parties were all pretty comfortable with each other from the start, and only became more so during the discussion. They talked openly about what had happened, and each seemed eager to clarify the circumstances and to take responsibility for his or her role in the incident. It was clarified that two of the students had not even read the instructions not to talk about the questions, and that none of the students had realized there was a take-home portion. The student who had read the instructions regretted very much having talked about the exam despite the instructions, and expressed that he would not have done so had he known about the take-home. I also felt that the discussion with the students and professor about the strengths and weaknesses of the collaboration policy was productive. The students were all very earnest and wanted to make the situation right with the professor. They also came up with a way to address a breach of trust with their classmates, by talking with the class about what had happened. The atmosphere of the mediation stayed positive and included a lot of laughing and joking. Overall, I feel that the mediation was successful, and that the parties will be comfortable working together in the future.

-The Mediator

**Discussion Questions:**

1. Should mediations be used in cases of academic violations?
2. How much should intent be considered in an academic proceeding?
3. To what extent does responsibility fall on the professor to clarify instructions?
4. What do you think of the students’ decision to talk to their class about their violation?