Introduction: Rachel and Monica both contacted Honor Council after Rachel confronted Monica regarding an incident during a quiz. Rachel was concerned that Monica had looked at her quiz while they were taking it.

Fact Finding: The jury first heard opening statements from both Rachel and Monica.

Rachel: Rachel began by describing the environment in which the quiz was taken – it was an oral quiz and the students were all sitting close to one another, with their notebooks on their laps. She noticed Monica look at her paper and was not very concerned. The second time that she saw Monica look, she became worried. She noticed Monica looking a third time at the end of the quiz. At that point, Rachel was upset enough that she decided to confront Monica. Rachel approached her in the hallway and told Monica she had seen her look at her quiz. Monica said that she was “just checking to see how she had lined things up.” She wasn’t sure how to proceed but felt she needed to bring the matter to Honor Council. She said that she didn’t like anyone looking at her paper for any substantive reason. She also felt obliged to report the incident because of the “policeman’s clause” of the Honor Code and her strong feelings about the Code. The issue is complicated by the fact that Monica and Rachel are friends.

Monica: Monica basically agreed with most of Rachel’s description of the incident. Monica described feeling very tired out and spacing out, especially towards the end of the quiz. During part of the professor’s dictation, she became confused and remembers looking at Rachel’s paper. There were discrepancies between the two of them regarding when the looks occurred. Monica felt uncomfortable during the confrontation as a lot of people were around, as well as confused because she was still a little “spaced out” and wasn’t sure what had occurred. She believes that her looking might have been a violation of the Honor Code but did not intend to cheat.

The jury then asked a number of clarifying questions about the quiz and their statements. In response, Monica explained what she meant when she told Rachel that she was “lining things up.” Because the quiz was divided into sections, she felt she would be able to tell from glancing at the spacing on Rachel’s paper where she should be. The two agreed that students were allowed to ask the professor questions regarding the dictation. It was during the questioning that the discrepancies about the looks became apparent, as the jury asked several questions regarding the exact timing of the looks. Monica and Rachel agreed that there were three separate looks although they were not in agreement about when the looks occurred. When asked her reasons for
not asking the professor to repeat any part of the quiz, Monica said she didn’t know what to ask and that she wasn’t overly concerned. Monica presented her quiz to the jury and the jury generally agreed that she did not appear to have changed her answers. It became clear that Rachel’s concerns were more around the fact that Monica had looked at her paper, rather than what she might have gained.

**Jury Deliberations:**

The jury focused mainly on these questions in the deliberations:

1) Is just looking a violation of the Honor Code? Does looking constitute cheating?
2) Is intent to cheat knowable and/or relevant to the question of violation?
3) Did Monica have other options?
4) And finally, another issue that the two parties did not bring up, did Monica’s actions make the academic atmosphere uncomfortable for Rachel?

Since Monica had admitted to looking and because the rest of the situation was somewhat unclear, in that the two parties were not in complete agreement about the order and nature of the “looks,” the only definitive aspect of the situation was Monica’s looking.

The jury discussed:
~ whether the violation lies in the looking itself or the decision and ability to use that information.
~ when looking becomes cheating and if looking is not cheating, what is?
~ whether panicking was an excuse, especially because Monica had looked three separate times. This appeared to some as more of a conscious act rather than just “spacing out.”
~ whether her actions give Monica an unfair advantage.
~ why Rachel felt strongly enough about the incident to bring it to Honor Council and also why Monica felt it was a violation as well. While their views raised interesting questions, they were not deciding factors in the jury’s decision. This raised the issue of academic climate and whether disrupting the academic climate for another person is a violation of the Honor Code.

The jury agreed that either Monica had not gained information from looking at Rachel’s quiz or that there was no way to tell if she had. The jury also distinguished between looking to find answers specifically, looking to find something, and just looking. Many jurors were uncomfortable with the fact that Monica had looked at Rachel’s paper with the intention of finding *something*, even if that something was not an answer. The jury did feel, though, that while she had intended to find something, she was not entirely conscious or aware of what she was doing at the time. The jury agreed that Monica did have other options, such as asking the
professor for clarification. After extensively discussing these ideas, the jury concluded that intent to cheat or gain information is a crucial issue in the question of an Honor Code violation; because the jury felt that Monica had neither intended to cheat nor gained information, she had not violated the Code simply through looking. While the jury felt that her “looking” was not cheating, her actions did in some ways disrupt the academic atmosphere for Rachel. However, this did not seem severe enough to warrant a statement of violation. In part, the jury felt that a statement of violation would be too harsh for the circumstances because Monica had already acknowledged her mistake and understood its effects on Rachel.

The jury did not feel that what Monica did was completely right, but also did not feel that what she had done was a violation of the Honor Code.

The jury came to consensus, with one juror standing outside, that Monica had not violated the Honor Code.

**EPILOGUE**

During the deliberations, the jury agreed that, whatever decision it made, the abstract should explicitly address some of the key issues that were raised. Generally, most of the jurors felt that Monica had not violated the Honor Code “but” what she had done was not entirely appropriate. The jury therefore made a list of “no, but…” statements, consisting of the jury’s suggestions to the community.

Students and professors should make sincere efforts to communicate often and clearly; students should always ask questions when they are in any way unsure, rather than panicking, and professors should make sure that students understand that they can and should ask questions.

Students should be conscious of and communicate about the expectations of other students regarding behavior in class and around school work. People may have varying opinions about what is appropriate; what one person hardly notices may make another extremely nervous and uncomfortable. Also, students should be aware of their surroundings and how their own actions may affect others nearby, in an effort to foster and maintain an atmosphere of trust.

Students should not put themselves into positions where they may even appear to be doing something wrong, if they can possibly avoid it.

**In conclusion,** the jury does not want to make students too nervous about their actions, but only to encourage them to be conscious of what they are doing. Simply glancing around a room during a quiz is not a violation of the Honor Code; glancing around a room with the intent to find
answers is. The Code gives students a great deal of freedom: we have the freedom to look around the room without others automatically suspecting that we are cheating, but we also have the responsibility not to cheat, and to be aware of the effect our actions have on others around us.

**Juror Statements:** (seven out of the twelve jurors submitted)

**Juror #1**

We have some very special privileges and freedoms at Haverford, which carry with them some serious responsibilities. I agreed that there had been no violation of the Honor Code in this case in the interest of those freedoms. I enjoy being able to take my eyes off of my paper and stare out the window while I concentrate. I enjoy being able to stretch without being accused of cheating. This is the type of environment the Honor Code seeks to foster, and I believe that we have defended it.

By the same token, however, we must always be conscious of our own actions. Allowing your eyes to wander can appear suspicious and incriminating. This is the responsibility we must accept: we must be aware of ourselves and what we are doing, lest we cause problems for ourselves and for others. This particular case of “looking” was apparently accidental and inadvertent. I believe that there was no violation, but want to attach strong warnings against thoughtless, panic-stricken “looking”. I felt that to find a violation and to let it off with a small penalty would only open the door to greater and greater violations being let go with slight penalties, with no way of determining what action was outright unacceptable. But there was certainly a case to be made that this might have been a violation of the Honor Code. Enjoy the freedoms granted us by the Honor Code, but do not take advantage of them.

**Juror #2**

Although I thought that Monica’s act of looking on Rachel's paper was a bad thing to do, I do not believe that it violated the Honor Code because no information was gained and the intent was not to cheat.

**Juror #3**

Sometimes actions go against the spirit of the code, but do not break the letter of the code. Also, this was a relatively trivial issue; Honor Council should spend its time with more note worthy issues.
Juror #4

I came to the consensus that Monica did not break the Code because there was no actual evidence of cheating (which would be a violation of the code). I don't believe that looking by itself, which can be very gray and nuanced, constitutes cheating. The "code" is not like traffic regulations or tax laws which have very specific details and pass black or white judgements on every action. The code is a spirit of behavior, and healthy discussion and constructive criticism with our peers is far more important to its functioning than Honor Council trials. An important privilege that the code gives us is that in and academic setting we will be trusted rather than scrutinized.

"Good habits have more force with them then good laws elsewhere" -Tacitus.
I think this summarizes my belief that legalism is not the appropriate response to this issue.

Juror #5

In the end, it was simply not a violation for me because of two things: (1) There was no evidence that cheating had occurred. And (2) because there was no evidence against the story of the confronted party, Council has a responsibility to take at face value what the confronted party says. It is an innocent-until-proven-guilty system, and there simply wasn't anything to say that the student had gained from looking.

Juror #6

I decided against violation for the simple fact that cheating did not occur. The confronted party did not represent someone else's material as her own. She did, however, put herself in a position wherein cheating might have occurred and this might have made her classmates uneasy. This type of behavior compromises an academic atmosphere of trust and should be frowned upon. But In this instance it did not constitute a violation of the honor code.

Juror #7

I decided to stand outside of consensus. This was a difficult decision because consensus was reached by the two parties that there was looking and it is impossible to determine intent. Although I feel that there was no evidence of gain, I cannot condone that looking was/ is acceptable. I had trouble deciding whether or not this truly constituted a violation of the Code because I felt that this action did hurt the atmosphere of trust, concern and respect, however I questioned if the object of gain was evident.

I decided not to block consensus and instead to stand outside because although I was not convinced that no violation occurred I feel that the three goals of resolutions could have been achieved without declaring it as a violation. 1) The confronted party was educated as to the consequences of their actions for themselves as well as to others and I feel that the community
can learn from this case without it necessarily being a violation. 2) I feel that the two parties would be able to repair the breach of trust between themselves as well as with the community even if no violation was consensed on and 3) I truly feel that the confronted party was held accountable for their actions.

**QUESTIONS** (please discuss with your friends and/or write answers and return them through campus mail to the Honor Council Chair):

1) Does intent to cheat make an action a violation of the Code?

2) What is your understanding of a good academic environment? How would you react if you felt someone took that away from you?

3) What other options did Rachel and Monica have, other than the actions they took?

4) What would you do if you saw a friend do something that seemed like it violated the Code?