Introduction:
Professor 7 confronted Eleven, a Haverford student, about plagiarism. Eleven contacted the Honor Council Chair and admitted that he had, in fact, plagiarized one essay of his exam. Honor Council reached consensus that a trial was necessary.

Fact Finding:
As the trial convened, the twelfth member of the jury was delayed, but the parties involved felt that beginning with only eleven jurors was "just fine." Professor 7, Eleven, and his support person were all present during Fact Finding. The final juror arrived moments later.

Professor 7's statement
Professor 7 began the trial by reading from a written statement. He identified himself as the professor in one of Eleven's courses. He explained that the exam, consisting of four essays, was taken in a course which was required for graduation within Eleven's major. Professor 7 described the guidelines for the exam. Students were restricted to a specific amount of time to complete the exam, but breaks were allowed. Students could take an unlimited amount of time after reading the questions to review material and think through the questions before the "exam clock" began ticking. Once the exam began, however, the exam was to be completed in a closed notes and closed book fashion. Students had from Monday to Friday to hand in the take-home exam.

The exams were graded anonymously, by multiple professors. As Professor Slurpee was grading Eleven's test, she began suspecting that the student had plagiarized question D of his examination. Professor Slurpee was able to pinpoint the exact source of the plagiarism and discovered that the essay had been "neatly crafted and skillfully plagiarized," but, in her opinion, had been undoubtedly plagiarized. Professor Slurpee then proceeded to re-examine the other three essays on Eleven's exam. She could not come to a conclusion about the originality of the other essays, but she "guessed" that the other essays were not entirely written by Eleven. Professor Slurpee asked Professor Big Gulp if she felt the other essays had been plagiarized. After reading the essays, Professor Big Gulp felt that Question C was "far too polished" and seemed "like an amalgam of other major treatments of this subject." Although Professor Big Gulp was unable to locate the exact source of the suspected plagiarism, she felt "there to be a real question of plagiarism" on this second essay. Professor Slurpee informed Professor 7 about the two suspicions of plagiarism.

Professor 7 felt that there was a sufficient reason to believe that plagiarism had occurred and decided to confront Eleven. Eleven days after Eleven had turned in his paper, Professor 7 called Eleven, saying "there was a serious issue" that needed to be discussed. Eleven responded to the phone call by not appearing to know what the problem might involve. Professor 7 told Eleven to come to his office and discuss the situation.

While in Professor 7's office, the professor confronted Eleven with the allegation of plagiarism. Eleven apologized and immediately admitted that he had plagiarized on Question D. Eleven explained to Professor 7 that he had begun to panic due to time constraints and copied the essay from an article he had read. Professor 7 asked Eleven why he didn't take a break and think about the question, as was allowed with the test, and Eleven answered that, at the time the plagiarism occurred, the exam had to be completed in thirty minutes and his back was against the wall. Eleven maintained that the remaining three essays were his own. Following the advice of Professor 7, Eleven called the Honor Council Chair from Professor 7's office and told the Chair everything he had told Professor 7.

Professor 7 explained that he was concerned because of the following:
1) Eleven waited until he was confronted before turning himself in allowing eleven days to elapse
2) Eleven initially pretended to be ignorant about the issue when initially called by Professor 7
3) the time pressure described in Eleven's story does not correspond with the times he had recorded on the exam for writing the essays
4) Eleven consulted books in the middle of a closed book examination
5) Professor 7 remained unconvinced that the other essays were written exclusively by Eleven, as did Professor Slurpee and Professor Big Gulp

Eleven's statement
Eleven then proceeded to explain his side of the story. He said that he first looked at the
questions on Monday night when they were given out. He had to work, however, all of Tuesday and Wednesday, since Eleven maintained a 40 hour per week job on top of his regular school work. He said that on the third night he completed Question A completely on his own, conforming to the instructions on the exam. Admitting that his initial story to Professor 7 was not accurate, he went on to say that he woke up on Thursday in a great panic and temporarily “took leave of [his] senses.” He said that he had lost faith in his ability to complete the work. Surprising Professor 7, who was still in attendance, with his delayed confession, Eleven openly admitted to the jury that he had answered Question B “half with my work and half from another source.” He said that Question D had been lifted “whole cloth,” and he realized that at this point he was deep in a massive mistake. He said that he “basically took a section and started to copy.” He said that he treated Question C similarly to Question B, with fifty percent plagiarized from an essay that he had on hand. He considered his method of answering the questions, “not exactly legal.”

Eleven admitted to lying about the amount of time he had spent on the exam. Eleven said, without certainty, that he may have overstepped the time limits of the exam during his copying, but he felt that the time spent is irrelevant compared to copying answers.

Eleven said that he turned in his exam on Friday and then received a call from Professor 7 a week and a half later. Eleven said that he didn’t intend to feign ignorance over the phone, and that he was well aware of why the professor was calling. He explained his action by stating that when confronted with his “large error” he needed time to be sure of himself. Eleven said he didn’t want to talk about the plagiarism immediately and certainly not over the phone.

Eleven confessed to the jury that, in the panic of the moment, he had lied to Professor 7, when he was confronted by the professor in his office. Eleven said that when he initially called the Honor Council Chair he had used the same story that he had told Professor 7, and, thereby, had lied to the Chair and Professor 7 about both the extent of the plagiarism and the time spent on the exam.

Questioning of Eleven and Professor 7

At this point the jury began to question both parties. One juror asked Professor 7 about the ramifications of failing the course. Professor 7 said that, while Eleven had to pass the course in order to graduate, there was a retake option on the exam in the event of initial failure, which Eleven was made fully aware of prior to the exam. Professor 7 explained that the grade on the exam was equivalent to about half of the grade in the course.

Professor 7 expressed concern because the order of answering the questions had changed from the story Eleven had presented in his office and the story presented to the jury. Eleven clarified that the order was correctly Question A, B, D, C, not A, B, C, D as he had originally stated. He also admitted that he was not under the severe time constraints of getting the exam done in a half-hour. In reality, he had at least two hours from the time he began the last question to the time that the exam was due. Eleven reiterated that he “felt pathetic” about “swiping” the essays.

Jury Deliberates on Violations:

Jurors appeared confused by the sequence of answers, due to the varying stories being told by Eleven. They expressed surprise by the sequence of answers, due to the varying stories being told by Eleven. They expressed surprise that Eleven had withheld “the truth” until the trial. Some jurors felt that possibly Eleven was still not telling the truth, citing his occasional confusion and vagueness.

The jury was clear, however, on the main points of violation. Eleven freely admitted to plagiarizing at least half of two essays and nearly all of a third essay. Based on his testimony, the jury found that a violation had certainly occurred. Also based on his confession that he had lied to Professor 7 and the Chair, the jury felt that a clear violation of the Honor Code had occurred in this matter as well.

The jury discussed the issue of Eleven possibly spending more than the allotted time during the exam, but, in a case of admitted plagiarism, the issue was considered irrelevant by the jury. As one juror, Zeke, described the situation “copying within the given time frame of the exam does not make the plagiarism any more honorable.” The jury also briefly discussed the concern of opening a book during a closed book exam. The jury felt that this was not a separate violation, since the opening of books was inherently tied to the earlier violation of plagiarism.

One juror, Maude, continued to express concern that Eleven might still be lying. Based on his previous lying, she refused to believe anything he said to the jury. The feeling of the majority of jury members, however, was that Eleven had been “genuine and honest” in his statements to the jury. A jury member, Bob, pointed out that Eleven had volunteered the information that he had plagiarized on Questions B and C. Professor 7 had a “guess” hinting toward this additional plagiarism, but he could not
have proven plagiarism on either of these essays. Eleven had come forward with the information voluntarily. In addition, it appeared that Eleven had exposed everything and had nothing left to lie about. The jury then consensed on the following resolutions:

1) Eleven violated the Honor Code by consulting with outside source material on a closed book exam and plagiarizing three out of four essays on the said exam.

2) Eleven violated the Honor Code by lying in his first discussions with Professor 7 and the Honor Council Chair.

Circumstantial:

Eleven was then called back for the circumstantial segment of the trial. A juror had to leave, due to illness, and the jury was again reduced to eleven, but Eleven had no qualms about the situation. (The juror was able to return for the jury’s deliberations.) The statements of violation were read to Eleven, and he was asked to comment on the statements and determine what if any resolutions should be found for the violations.

Eleven’s circumstantial statement

Eleven began by stating that he would proceed with “an explanation not a justification” for his actions. He said that, while initially thinking that he could handle the combination of work and academics, the pressures of a full time job had been catching up to him.

He said that he had not begun with the intention to plagiarize, and had spent a lot of time honestly thinking out and writing the answer to Question A. He said that by Thursday morning, however, he was simply out of ideas and without thinking “just went ahead and did it.”

After turning in the exam, Eleven said that, although he felt badly about what he had done, he repressed the thought and tried to move right ahead “trying to barrel through with my life.” He said that while being aware of his actions, he was not “racked with guilt.” As soon as he got the call from Professor 7, however, he immediately realized the ramifications of his actions.

He reports that he felt everything was over. His college years, his chance to go to a good graduate school, and his career seemed ruined. Eleven said that he can’t remember exactly what story he told Professor 7 and the Honor Council Chair. By that point, he felt that his life was crumbling.

Eleven said that he decided before coming to the trial to admit everything openly. He felt that, rather than make matters worse, he “might as well own up to” what he did.

Eleven did not try to attempt to justify his actions through outside circumstances. He said that he was under no great family pressure or emotional trauma. Eleven knew that what he had done was wrong, and he also knew that “it was a big deal.”

Jury’s circumstantial questioning of Eleven

The jury took the opportunity to question Eleven about certain aspects of this situation. Eleven said that he honestly couldn’t speculate about what would have happened had he not been caught. He did say, referring to the Honor Council Abstract “Lenny,” that at some point he probably would have doubted the legitimacy of his grades and diploma and probably wouldn’t have maintained the lie forever.

Eleven said that once one makes his mind up to cheat, one follows a “goose-step mentality” and continues to plagiarize without thought. He said that he thought the exam was “fair,” but he said the questions did not allow him to display his knowledge in the subject. Eleven said that, left to his own work, he wasn’t sure that he would have passed the exam.

Eleven’s suggested resolutions

Eleven offered some resolutions for his violations. He said that after thoughtful consideration he considered it unacceptable to continue his studies in the immediate future, and he felt he should withdraw from all of his current classes. He said, “I can’t face the rest of the semester very easily.” In addition, he suggested separation from the community for the following semester, for a combined total of one and a half semesters of separation. He said that following his separation he would “obviously like to return to school” and retake the class.

He added that during his separation he would want to work in conjunction with a professor “to go over my problem” through the paper. He said by writing a paper, beyond the “traditional letter to the
community jobby,” he felt he could give back to the department something more than he had taken out with his actions.

Professor 7, not present for the circumstantial section, left a message saying he felt the violation merited a separation.

Jury’s Deliberation on Resolutions:

Billy, a juror, began the deliberations by reporting on his comparison examination of Eleven’s response to Question D and the source from which Eleven plagiarized. Billy confirmed what was clear to all, “He lifted everything. I couldn’t find any words that were his.” Many jurors also wanted to take this opportunity before the specific deliberations to state the “high respect” they held for Eleven’s openness and candor with the jury.

Jury’s discussion of separation

The first item discussed was the serious issue of separation. Many jurors felt that “separation makes sense for what he has done.” Bob mentioned the distinction between separation for a year and for a semester. He and the rest of the jury felt that a semester was sufficient, giving Eleven enough time to think about and come to grips with his actions. “Separation for a year would be punitive, not educational.”

Eleven had stated during his circumstantial statements that withdrawal from his current classes and a subsequent semester-long separation was appropriate, in his mind, even a resolution he was “looking forward to” following. He seemed aware of past precedent and the inevitability of separation, and he felt he needed the time away from the community. Eleven said, “I feel burned out.” One juror noted that it was important “not to only look at the resolutions Eleven suggests.” She said that we as the jury are “supposed to make resolutions on our own,” thinking about what Eleven’s actions deserve.

A juror, Hank, made a point during the Circumstantial segment of the trial to explain to Eleven his belief that understanding is more important than punishment in resolutions. Hank said that he wouldn’t want to be responsible for any punitive resolutions. He wondered if Eleven genuinely wanted to be separated or if it was “his rationalization of his fate.” Recalling that Eleven is just “a person like us who happened to screw up,” Hank proposed that Eleven’s withdrawal from his current classes might be a sufficient time away from the community, essentially a separation for half of a semester. One juror, Nancy, felt that withdrawal from only this semester was not sufficient. Nancy did not see any reason for leniency towards Eleven, arguing that Eleven must carry the burden of dealing with the ramifications of his actions. “He decided his future when he plagiarized,” she said. Another juror, Jane, said, “Plagiarism is a heinous and horrid thing,” and that although he has begun to repair the breach of trust by being open with the jury, separation for a semester is necessary. To most of the jury, withdrawal from classes for half of a semester did not constitute a “normal” definition of separation. Both past precedent and the Honor Code (III; A, part 1) are very specific in cases dealing with plagiarism, recommending separation for at least a semester. Nancy said, “We’re not trying to brow-beat this guy; we’re just upholding what the Code suggests.” The fellow juror said, “It’ll take him a while to understand the gravity of his situation; he needs time in the form of a separation.” Finally, with Hank aboard, the jury consensed that separation for a semester “has to happen.”

Jury’s discussion of failing the class

“I think we’re all in agreement on Eleven’s failing of the class,” said one juror. “I think it’s necessary.” With little dissent, the jury consensed that Eleven’s gross plagiarism on the exam merited a failure in the class. Of course, Eleven can retake the class upon his return to the community, and Eleven has stated that he fully intends to do so.

Jury’s discussion of a project for Eleven during his separation

Eleven had personally proposed the idea of an addition project on trust and honesty to work on during his time away, as a further method of reflecting on his actions. Remaining cautious, Hank opened the possibility that Eleven only mentioned the project “because he was looking for ‘good’ things to do” but didn’t “genuinely think it was a good idea.” Still, Hank supported the general concept of the project. Some members of the jury wanted Eleven’s project to be completed in conjunction with the department whose trust he violated. One juror stated that by returning after the separation and retaking the class, Eleven would already be working with the professors. Most jurors felt, however, that by working in
conjunction with the department during his separation, Eleven would have a smoother transition during his return to the community and the department. The jury felt that he could fulfill this goal, while maintaining his separation from campus, by continuing to correspond with his professors. One juror felt that it would be much more beneficial to have him work directly with his professor on campus, but the majority of the jury felt that Eleven needed time away from Haverford and maintaining correspondence was an adequate way to remain “actively engaged” with the department.

Zeke said that he wanted the project to be “as weighty as a thesis.” Other jurors pointed out that a lengthy project pushes Eleven to hide behind books, making the project less personal. “I’d rather it come from his heart than from the library,” Bob remarked. The jury felt that Eleven was more in need of “personal introspection” than a scholarly dissertation on honor. Zeke mentioned the possibility of the project being a “meditation, a free flow from his head summing up his thoughts.” Overall, the jury felt that Eleven and his professors would be best suited to devise a topic for the project on their own, without assistance from the jury.

The discussion turned to whether the project should be considered a mandatory resolution or a recommendation. Some jurors felt that the latter would be the better choice, allowing the project to be more genuine, more from Eleven’s heart, than a mandatory paper would be. Hank said, “Maybe this goes against precedent, but don’t make the resolutions coercive.” If we truly want Eleven to personally come to terms with his situation, Amy said, we should “keep the project voluntary, while being ‘strongly suggested.’”

Dissent persisted on the “mandatory vs. strongly suggested” discussion, and the conclusion of this debate was left unfinished.

Jury’s discussion of letters

One juror stated, “Letters are a tangible way to approach violations.” Billy felt that letters should be addressed to the authors “whose work was lifted” explaining and apologizing for what had occurred, assuming that the authors were still alive. Another juror felt that letters must be sent to the professors whose trust was violated by the plagiarism. Some jurors felt that letters to the department and the community should be sent immediately, with the addition of follow up letters after his separation. These second letters would be a method of easing Eleven back into the community and further repair the lost trust. Other jurors felt that Eleven was not yet ready to write the letters and that he should be given time during the separation to think over the situation, writing only once to the parties involved, thus “making the individual letters more meaningful.” The jury felt that the letters should be mandatory, forcing Eleven to take steps to repair his breach of trust. At this time, however, the discussion of letters remained unfinished.

Jury’s re-examination of the project

The jury reconvened a day later to continue discussion of the resolutions. Maude, a juror (not the juror who was sick previously), became ill during the duration and was not able to come to this segment of the deliberations. She was considered to be “standing outside of consensus” while the remaining eleven jurors reached their resolutions.

Jane seemed convinced that the project should be mandatory. She felt that this action would address the second violation of lying to the department. Bob believed that a genuine repair of trust cannot be forced, and said that Eleven should be given the opportunity to personally repair the breach of trust by voluntarily completing the project, as he vowed to do in his proposed resolutions. Hank agreed, “I can’t see how mandatory work will go toward repairing the breach of trust.”

Most of the jury seemed concerned, however, with the possibility of “allowing him not to do it.” “In light of the seriousness of the violations,” a juror remarked, “I see no reason not to make the project mandatory.” Zeke described the mandatory work by saying, “Nobody likes doing homework, and yet they have to do it. Eleven needs to prove his competence” through a mandatory assignment. Hank responded, “It’s not about competence. It’s about trust, and trust cannot be enforced.” Another juror said, “I’m convinced that he will do it on his own, and I’d like to say ‘strongly suggest.’” Despite this fact, the jury’s opinion had swayed towards a mandatory project. Sue said that the department had been violated and the jury needed to show the department a commitment to repairing the breach of trust by making the project mandatory. Jack said that something “good and necessary” will come out of the project and the interaction between Eleven and the department. For this reason, he said, the project should be mandated by the jury, with which the reset of the jury consensed.
Jury’s re-examination of letters

The jury continued to believe that Eleven should write letters to his professors and the authors of the original essays which were plagiarized. Bob felt that a letter to the community may not be beneficial, based on Eleven’s skeptical comments during the circumstantial portion about such a letter. Nancy reminded everyone that they should be concerned with what Eleven did rather than the resolutions he suggested. She felt that the community’s trust was broken, and they deserved a letter. Trying a new spin, Jack proposed that Eleven could incorporate ideas about the community into his other letters. As a whole, he said, “Letters to the community are considered weak.” Jane believed that the authors of the original essays would not care about the community and including information in the letters about the community would not be appropriate.

The timing of the letters was next discussed by the jury. “I don’t think he trusts himself right now,” Billy remarked, proposing that the letters should not be immediate. Bob said that if the letters were delayed the feelings would be more genuine. Zeke felt, however, that the letters must occur before the commencement of the project, assisting in a smoother relationship between the department and Eleven during their collaboration on the project. Nancy said that the letters are designed to help the people who were violated, not Eleven, and should be done as soon as possible. Hank stated, “I think immediate letters are necessary.” The letters might even help Eleven, Hank thought, “and should be done.” Zeke reintroduced the concept of a second, delayed letter, which would allow Eleven to collect his thoughts after his separation. Working from these ideas, Jane proposed that the letters to the authors and professors should be immediate, while the letter to the community would be delayed. The jury consensed that this was the best plan.

Resolutions

The jury consensed on the following resolutions. Maude was recorded as standing outside of consensus, due to her illness.

1) Eleven will withdraw from his current classes and then be separated for an academic semester.
2) The jury recommends that Eleven fail the class in which he plagiarized.
3) During his separation, Eleven will work together with the department on a project.*
4) Eleven will write letters immediately** to the authors and the department, and, upon his return, Eleven will write a letter to the community.

* The topic of the project will be determined by Eleven and his professors.
** The jury defines “immediately” as within one month.

Conclusion:

The jury reconvened after the twenty-four hour waiting period, and confirmed their support of the resolutions without debate. Eleven returned with his support person and was presented with the resolutions. The Chair offered Eleven the opportunity to comment on the resolutions. He had little to say outside of some clarifying questions. Amy explained the jury’s ideas about the project to Eleven, advising him to take time before beginning the project to “think things over.”

Eleven accepted the resolutions, and the trial was complete.

Discussions Questions:

1) Do you believe that trials should continue with under twelve jurors in attendance?
2) Do you consider withdrawal from classes, comprising half of a semester, equivalent to a separation?
3) Do you believe that the project should have been mandatory or strongly suggested?
4) How much weight should be placed in the confronted party’s suggested resolutions?
5) Do you agree with the juror’s comment that “letters to the community are considered weak?”

Please Note: If you have further comments or questions about this abstract, Honor Council offers the opportunity for you to discuss this abstract with an actual juror from the trial. Contact the Honor Council Chair for more information. And, of course, if you have general comments about this or any other abstract please contact your Honor Council Representative.