The honour code—jury trial abstracts
1979 - 1982
To the present and future students, faculty, administration and staff of Haverford College:

This booklet contains the collected abstracts of Honor Code trials from 1979 to the present (1982). Honor Council hopes that this booklet will not be just another item for the bookshelf, but rather a statement in and of itself and a freshly informative guide for you.

As a statement, the abstracts represent the collective opinion of Haverford students as exemplified by their decisions from Honor Code trials. Each jury comprises four elected Honor Council members and eight students chosen at random from the community at large. In this framework, the jury's final resolution is assumed to represent the opinions and sentiments of the student body. It is hoped that the jury represents also the opinions and sentiments of non-students who have a high regard and level of concern for Haverford as an institution.

As a personal guide, these abstracts should stare you in the face and ask, "how do you feel about this?" You can judge for yourself whether your opinions have been represented adequately on individual juries. If they are not, or if they are negated severely, then out with them.

For a long time the administration of the Honor Code has been the responsibility of a quiet few. Now, finally, the results of the last four years are open to the public for review.


Matthew J. Bernstein  
Chairperson

Lucy Barber  John Schloss  
Dan Dorsky  Beverly Schwartzberg  
Kevin Foley  Larry Stein  
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A professor contacted the Honor Council about a suspected violation and an Honor Code jury was convened. The professor observed that on Lucille's final exam in one of the professor's classes, her answers were either verbatim or virtually verbatim from phrases in the textbook. Lucille contended that since the final concerned only thirty pages of material, she had memorized many complete phrases from the text and therefore her test answers were very similar to the text's writing. The professor was unconvinced that Lucille had not opened the book to answer the questions on the exam and, even if she was telling the truth, the professor believed that such strict representation of material from the text without proper accreditation was plagiarism.

The jury first tried to determine whether Lucille had consulted the text during the examination. The inexactness of the "quoted" material and testimony from others that Lucille had studied very hard for this final exam seemed to suggest that Lucille had not consulted the text during the exam. Now the jury had to decide whether failure to cite the text when quoting from it so extensively constituted a case of plagiarism.

The jury decided that due to the time limit of exams, footnoting is sometimes necessarily lacking, and, most importantly, that most test answers originate exclusively from class discussions or textbooks. Therefore, any footnoting of a text on a test or exam seems both redundant and unnecessary.

The jury therefore decided that Lucille had not committed any form of plagiarism. The jury suggested that to ensure that similar cases are not brought up, faculty members be clear in explaining to students their own personal expectations of "proper" test-taking procedure, as well as work load expected in the course, etc.

A jury trial was convened to discuss two cases of academic cheating by the same student, Ted. Ted brought his actions to the attention of the Honor Council during the winter break of his freshman year. Ted relieved his conscience by admitting that he looked at a sheet of notes during a break in one first semester final exam and had consulted a textbook in the middle of another final exam. Ironically, he changed a correct answer to a wrong answer on one exam and had done no more to confirm a correct answer on the other exam.

Ted told the jury that he had put a lot of academic pressure on himself during his first semester and now believed that he had re-evaluated his priorities and was now able to handle his responsibility to the community. Both faculty members involved in the case urged the Honor Council jury to be lenient for both felt that Ted had grown from the experience and that leniency should be exercised. The jury agreed with the professors and felt that Ted had already made major strides to again become a member of the community. The jury therefore recommended by consensus that:

1) Ted's first grade not be changed and that Ted would consult with his professor about the problem he was unsure of.

2) Ted's other grade would be dropped from a 4.0 to a 3.7 to remind Ted of his wrong-doing in years to come.

Questions:

What kind of role did the faculty members play in this situation? Was Ted benefitted by confronting himself and approaching the Honor Council to admit his actions?
HONOR COUNCIL, 1979

An Honor Code trial was convened to resolve an academic violation. A student was accused by his professor of plagiarizing a paper, one in which the student quoted and paraphrased extensively from two texts without footnoting his sources or citing them in a bibliography.

The accused student readily admitted his guilt. In explaining his actions, the student emphasized that the plagiarism was not the result of malicious intent or premeditation. Rather, the student sought to explain that he had acted rashly due to extreme pressures he was under at that time, including familial problems, great academic pressures, and most importantly, the commitment of an outside job. In short, as the student himself expressed, everything happened at once. The trial jury was sympathetic to the student’s situation and was compelled to agree that these pressures were in fact what led to the plagiarism. However, the jury strongly expressed their belief that there is no justification for falsely representing someone else’s work as your own. It was decided that the paper should receive a failing grade, a decision which the student agreed with. The jury also suggested that he rewrite the paper, not for a grade, but for his own benefit and in good faith to his professor.

The greatest concern the jury as a whole had in this trial is one which raises an important question: what degree of commitment must a person make to being a Haverford student? Certainly when a student’s outside interests jeopardize the quality of his academics, such as in this case, his commitment to Haverford must be reexamined. But that is only half of the answer. Being a Haverford student demands more than just attending classes and writing papers. A Haverford education takes place, not only in the classroom, but wherever members of the community congregate: on the soccerfield, in the library, in the dormitory, not to mention off campus. The challenge facing students is to find the proper balance.

HONOR COUNCIL, 1980

A trial was held concerning a student who two other students believed to be displaying a pattern of behavior which was inconsistent with and in violation of the Haverford honor code. Over the course of approximately six months, the student was, or was suspected of being involved in four incidents which were not considered acceptable behavior at Haverford.

The first incident was plagiarism, in which the student bought a full page advertisement from The News to print a letter which was too long for the letter to the editor section. Not only did the student fail to attribute the essay to its proper author, he failed to pay The News the $168.75 he owed for the ad. He lied repeatedly about the payment, but finally admitted during the trial that he hadn’t paid. A letter of apology to the community for his plagiarism (which put the school in danger of being taken to court) was never written, although he claimed he was never told to do so.

The second incident was the taking of a Chemistry department scale — one of four such scales owned by the department. He lied about this incident for about fourteen hours during the trial, but eventually admitted that he took it to weigh gold and drugs, and had it in his room for about seven weeks. He ignored people who confronted him about it during the seven week period, and it was finally returned by another student.

The third incident, which was never resolved at the trial, was the stealing of a lunch from the dining center. Witnesses said that they
saw the student cut in line and take the lunch without paying, but the student insisted that he didn’t do it, and had friends who confirmed his statement. This incident remains unclear.

The fourth incident was realized as a result of a student’s complaint to a professor of a “bad trip” after taking LSD which was sold by the student on trial. At first the student claimed that he had only sold marijuana and hashish the previous year, and only marijuana the current year except for this one hit of LSD, in which he was only the middleman. He swore that he no longer sold any drugs. However, five people were willing to testify that the student sold quaaludes and three or four “shipments” (20-25 hits each) of LSD in addition to marijuana and hashish. The student finally admitted that he had lied about his drug dealing.

In contrast to these accounts of the student’s behavior, others cited examples of how he had been a contributing member of the community through his work in valuable Haverford clubs and activities, and had gone out of his way to help others many times. He was a certified EMT and had worked in that field also. They believed that the student had the potential to live in accordance with the code and make a valuable contribution to the community.

After a lengthy discussion of what would be best for the student and fair to the community, the jury recommended that the student take the first semester of the following year away, and be allowed to reapply for the second semester. Before returning, the student would have to prove to himself and to the Director of Admissions that he had changed so that he deserved to be at Haverford.

Questions:

Some say that the Honor Code is an ideal to be strived for, whereas others say it is a rule for conduct. Many admit that it is a combination of both. In this context, should Haverford be a place where people learn and make mistakes in the process, or should it be a place where people should follow a straight and narrow path of right conduct? If it is a place for both ways of living, on what basis should a jury suggest that someone leave Haverford, temporarily or permanently?

HONOR COUNCIL, 1980

An Honor Code jury was convened to resolve an academic violation committed by a second semester freshman named Harry. Harry was taking a science course and his professor suspected that Harry had altered his test and asked for more points on the first exam. The science professor xeroxed Harry’s second exam before handing it back, for the professor was suspicious. Harry came back for more points on the second test a week after the test was handed back and the professor quickly noted several blatant alterations on the exam.

Harry denied he had cheated at all until his professor showed him the xeroxed copy. Harry tried to identify why he had cheated: (1) the pressure of having to do well in his intended major; (2) the competition he felt with other students in the bi-college community. Harry also offered the idea that sub-consciously he wanted to get caught in order to get much-needed extra help in the course. The jury found the last reason illogical.

The science professor felt “99% sure” that Harry had also cheated on the first exam; along with Harry’s marginally plausible account of how the professor could have missed his answer on the first test, the jury was swaying towards disbelief. Finally, the jury decided that Harry’s account of the first test had to be believed.

The jury quickly consensed that Harry should take a leave of
absense, not as punishment, but as an educational sanction which would be beneficial to Harry in the long run. It was decided that this leave should start immediately (Harry did not finish the semester) to best facilitate this self-reflection. This leave was decided to be only a semester long. The jury decided that Harry would receive a “drop” in his science course and “W's” (withdrawals) in his other courses.

Harry appealed the decision to the President of the College because he believed that he had also been judged guilty on the first exam without substantial proof presented to legitimize the allegation. The president agreed that a procedural error had occurred and the jury was asked to reconvene. The jury consensed that their decision had nothing to do with the allegation that Harry had cheated on the first exam. The resolution therefore was not altered.

Question:
Was the professor justified in xeroxing the student's exam?

HONOR COUNCIL, 1980

A freshman writing seminar professor received a paper at the end of the first semester which he believed to have been plagiarized. He did not get a chance to contact the student before break, so he gave him an “incomplete” and contacted him immediately after vacation. The student admitted to unsubstantiating his paper, and contacted the Honor Council chairperson.

In the subsequent trial, the professor said he could not pinpoint the documents from which the work was taken, but was fairly certain that the paper was plagiarized. The student could not remember the sources either. He said that he had never been instructed in footnoting procedures, and had written research papers throughout high school by using books to say things better than he felt he could without being told it was wrong. The professor said that these procedures were gone over in class, but that the student had missed about half of the classes due to a personal problem. This problem was not discussed during the trial, but the student had previously talked about it with the professor, and the professor felt that it was a valid excuse, and even set up “emergency tutorials” for the student.

The professor felt it was questionable whether or not the student had gotten anything out of the course, and since it was already into the second semester, he was enrolled in another FWS and was doing much better in it this time. It was suggested that the student rewrite the paper with the help of the professor and get some instruction on footnoting procedure. The professor seemed amenable to helping the student. The jury decided that, although a violation had occurred, it was done in ignorance, and, due to other extenuating circumstances, it was not as serious as the “usual” plagiarism. The jury felt that the student should not be punished for the inadequacies of his high school, and could not be punished harshly for a problem which should have been corrected long before he came to Haverford. Furthermore, the professor said he probably would have passed the student if he had turned in “anything”. The jury recommended that the student: (1) get instruction on footnoting procedures, (2) rewrite his first FWS paper, (3) talk to his current FWS instructor, the chairman of the department, and his dean at the end of the semester to determine if a third FWS or another authorized writing course should be taken. The student ended up taking a summer writing course which was determined adequate to count as his third writing course.

Questions:
How much prior knowledge is to be presumed of incoming students? Is it beneficial or harmful to include faculty in the trial process?
entering Haverford?

What do you think about when you sign a Honor pledge after taking an exam?

How can public statements like these be supported, so that people can feel free to make them wholeheartedly?

In this case, a student felt that violating a particular section of the Honor Code was in the spirit of the Honor Code. Do you draw a distinction between the spirit and the letter of the Code?

HONOR COUNCIL, 1981

Kathy, a freshman, had waited until the last minute to register during registration week. On the last day, she was unable to find her advisor to sign the card, but she wanted to avoid paying the late fee. She forged the signature of her advisor on a blue registration card.

At that time, Kathy thought that the advisor’s signature was a mere technicality, but after discussing the matter with her dean and a member of Honor Council, she realized that her action was wrong and was a violation of basic trust in the community.

An Honor Code jury was convened. It agreed that Kathy had committed a serious offense; it also believed that she had learned from the experience of the trial and she was now more willing to put more thought into her actions. The jury recommended that Kathy give a personal apology to the professor for the disrespect and violation of trust inherent in the forging of the signature, and that Kathy pay the regular late-registration fee to the college. The jury also recommended that the chairman of Honor Council speak with the professor, to ensure that he inform his advisees of the importance of the advisor’s role.

Questions:

How do administrative rules and deadlines relate to the Honor Code?
HONOR COUNCIL, 1981

A jury was convened to discuss the case of Mark, a sophomore, who allegedly cheated on an exam (take-home, open-notes, timed). Mark's friend, who was also in the class, had finished the exam early and given it to Mark to hand in for him. When Mark started to take the exam, he realized he was unprepared and so copied his friend's exam almost verbatim. Mark's professor was suspicious upon receipt of the exams, but in a meeting among Mark, the professor and the Honor Council chairperson, Mark contended that he took his exam before his friend did. Mark asked to settle the matter with his professor without a trial, but the professor's suspicions were not erased, so a trial was to be convened. Later that day, Mark admitted to his Dean, the professor and the Chairperson that he had copied the exam.

These events were recounted to the jury, who consigned that a violation had occurred. Then the jury considered under what circumstances the violation had occurred. Mark said he had put off the exam until he was under pressure. He said he did very little thinking about the violation until he was caught. Since he had admitted to the violation, he had had several conversations with the professor and had come to a realization of the severity of his violation.

The jury turned to a resolution. The chairperson saw Mark's series of serious violations as warranting separation from the school for an unspecified period of time. Several members of the jury objected, feeling that that was too harsh. The jury turned to the question of whose interest should be given priority, Mark's or the community's. The chairperson felt that the community should be preferred because they had certain expectations of our collective academic honor. Another Honor Council member felt that the individual comes first and that each case should be examined separately on its own merits.

Arguments against separation were: 1) a student has to take time off voluntarily in order for it to be rewarding; 2) Mark seemed to have begun a process of self-examination which the violation warranted; 3) Mark had benefitted from the trial and the discussion with the professor; 4) asking Mark to leave would be more punitive for Mark than helpful; 5) Mark seemed like someone who should stay at Haverford.

Most jurors felt that asking Mark to leave would help neither Mark nor the community. The jury was assured that Mark would live by the Code in the future. The chairperson stated that he could not join a consensus based on such a philosophy, but he would not block consensus, because he felt that the jurors examined thoroughly the issues. The chairperson realized also that the jury was representative of the student body by definition.

In discussion of the other resolutions, the jury considered failing Mark in the class, or giving him no credit for the course and therefore no failing grade, no grade whatsoever. The latter resolution was thought to be in keeping with the non-punitive philosophy the jury constructed. Yet, it also showed Mark that the jury did not condone his actions, by disallowing Mark to receive any credit for the course. With the chairperson's abstention, the jury consigned to this resolution, and recommended it to the Dean of the College.

After several weeks of deliberation, the Dean refused to accept the recommendation. Instead, he asked the professor to enter a "drop" on the transcript, which meant that a 0.7 would be averaged into Mark's GPA. The professor agreed. The Dean informed the chairperson of his decision and agreed to meet with the jury to discuss the matter.

In the subsequent meeting, the Dean said he saw no reason why Mark should not receive some grade for the course. In addition, there was no provision for a "no credit" in the academic regulations. The closest thing to a "no credit" was a withdrawal, which is only given by a Dean under extraordinary circumstances and this, according to him, was not such a situation. The Dean said he would be open to a second recommendation from the jury should it choose to make one.
The jury met several times to decide whether they would make a second recommendation. Most jurors objected for a variety of reasons: 1) the Dean was arguing over a technicality; 2) no other jury is allowed to reconsider its decision; 3) the original resolution was preferable to any other.

Many jurors felt uncomfortable with having the Dean, in effect, tell them that only certain decisions within certain parameters could be made. The jurors recognized that the Dean had such authority, but they felt that it undermined the jury system to make a second recommendation. Therefore, the jury decided to adhere to its original resolution. The Dean rejected it as a recommendation, and Mark received a drop in the course.

Questions:

Where do you draw the line between a punitive sanction and a helpful one?

How does the confronted student’s presence throughout the trial affect its proceedings?

Which comes first in considering a resolution, the community or the individual? How can both be served at once?

Did the Dean of the College have the prerogative of refusing to accept the resolution?

HONOR COUNCIL, 1981

The case involved a student who arrived late to class for a scheduled test. It was established quite clearly in the proceedings that two other students in the class arrived late (owing to a problem with the Blue Bus from Bryn Mawr), and that they all arrived together. The behavior in question, however, was not their admittedly unavoidable late arrival, but one student’s decision to study after arriving at the class, but before picking up the exam.

The jury and the student whose behavior was in question discussed at length the act and its implications. All present came to realize that by studying during time appointed for the test the student neither followed the teacher’s instructions nor considered the advantage he might gain over fellow members of the class.

The jury decided that whether the student had acquired a real advantage was unimportant. Though the nature of the test suggested that fifteen minutes of extra studying before the test would be relatively unproductive, the potential for advantage rendered the action unethical.

The jury discussed whether the act was intrinsically wrong, or whether it could have been corrected by another action during the administration of the test. Specifically, the student questioned whether his taking the full time for the test added to the unethical nature of his studying, and whether or not his studying would have been unethical had he taken the test in fifteen minutes less, that is, if he had only allowed for his unavoidable lateness. The jury members refused to rule formally on the issue, but suggested that since the test was scheduled, the willful rejection of the schedule by a student had no measureable compensation. The jury also agreed that he had difficulty in translating the generalizations of the Code into practice.

After much discussion the jury recommended that the student’s test be graded and lowered by 1.7. Two members of the jury abstained from consensus to voice their commitment toward stronger measures.
During the trial, the student admitted to having changed one of the answers, but denied having changed the others. The exam was, he said, more difficult and more harshly graded than the first. After the professor left, the jury concluded that a violation had occurred, and began investigating the conditions under which it occurred. In this discussion, the student said that he cheated because he was worried about the grade on the exam, and because he had known the material but was unable to produce the answers on the test. He said that he felt that he deserved to do better on the test than he did. He said that he knew that he was violating the code when he did it, but that the grade was more important than thinking about the code at the time. He said that he had thought about and been bothered by his actions since the violation occurred. A friend who he brought to the trial said that the student had been noticeably depressed and nervous since it happened. One of the jury members from council, with whom the student had discussed the violation several times, also said that the student seemed very guilt-ridden over the violation. Many jury members had the impression that the student was a very sensitive person who had put a lot of thought into his consideration of the violation.

In deciding a resolution, the chairperson stated that this was a very serious violation, in that it was done in an obviously calculated attempt to better a grade because of the student’s belief that he deserved a better grade. The chairperson recommended that he fail the course, but other jury members felt this to be too harsh. They said that the student was a first semester freshman, had been greatly affected by the process, and, since the code was not a punitive device, recommended that he fail the exam instead of the course. They felt that this experience with the code would prevent him from committing any further violation. The chairperson felt these to be valid points, so a failure on the exam was recommended to and accepted by the professor.
Questions:

Should jury decisions be qualitatively different depending on the class standing of the confronted student?

Was the Honor Council justified in the unconstitutional act of trimming the size of the jury?

HONOR COUNCIL, 1981

Steve came to the Honor Council chairman and admitted that he had cheated on two takehome exams, one first semester and one second. Both were in pass-fail courses. Steve had not intended to cheat but felt under pressure to do well so as to ensure his passing the courses. In one class he needed to do well (he had a failing test average), and in the other, while not failing, still felt the need to do well. Since these were p-f courses, they had been a low priority on his “studying list” and he was not prepared to take the exams. Steve admitted that he had cheated because he felt he had broken a promise to himself. He said that he would have reported himself with or without a code, although he does believe in the principles and practices of the code.

The jury felt that he should fail both classes since he had received a “pass” on false grounds and that because it was a p-f course, no graduating of a grade could be done. The jury did not bar him from taking future p-f courses because they felt he could be trusted to use his best judgement (however, Steve stated that he wouldn’t take any because they were a bad influence on him). The jury also felt that he should be given the option to make up one or both of the courses during the summer, although this is ultimately up to him and the deans.

Questions:

How do students, in general, evaluate pass-fail courses?

Should the act of turning oneself in make any difference as regards the jury’s decision?

HONOR COUNCIL, 1982

An Honor Code jury was convened to discuss and resolve a case of alleged plagiarism concerning Jim, a second semester Senior, in his senior seminar.

The alleged plagiarism occurred in the writing of a paper which constituted 40% of Jim’s final grade in the course. The paper was an assignment in which the students were asked to examine an historical conflict and then resolve it in their papers. Jim had a lot of pressure on him while writing this paper, both academic and personal. He had not, up to this point, been very vocal in class, and saw this assignment as an opportunity for him to shine, so he had to do well. He was struggling to meet law school application deadlines, and was on an athletic team which was in the midst of a busy season. Jim had slightly more than a week to read the books and write the paper. Within a few days of the deadline, Jim had a thesis, a conclusion, but no middle for his paper. Another student in the course gave Jim a copy of a paper written by a student from another school and said, “here are some ideas you can use”. In comparing the original paper with Jim’s, the jury found paragraphs which were lifted verbatim without footnotes. Defining plagiarism as “representing someone else’s ideas as your own”, the jury came to the consensus that a violation had occurred. (Incidentally, the professor discovered that part of the paper had been plagiarized because the other student had plagiarized the same paragraphs from the paper.)

The jury was divided, however, on their feeling of how serious a violation it was. Initially, Jim did not see his action as plagiarism.
The paper’s author was a student outside of our community, and the paper was a Xeroxed copy, not a bound volume. He was also reluctant to cite someone else’s work on a eight page paper for he feared it would lessen the quality of his work in the eyes of the professor. Jim showed a fear of using secondary sources. Yet after he handed in the paper, he thought in the back of his mind that it was a mistake to use the passage. These points led some jurors to see the violation as serious. However, when asked, Jim said that the paragraphs he used were a combination of new ideas and a succinct articulation of his own ideas. This point, as well as the pressures on Jim, led others to view the violation as “mitigated plagiarism”.

The fact that Jim was a second semester senior writing his senior seminar paper was another point which divided the jury. While some were sympathetic to the pressures inherent in his situation, others felt strongly that this paper should indicate the depth and breadth of one’s education. When one sees the violation in that light, it becomes more serious.

The jury decided it would be best to discuss possible resolutions in order to apply individual views regarding the weight of the violation to specific sanctions.

The jury felt that Jim had been open with them and understood that what he did was not excusable. It was agreed that, for his benefit, Jim should repeat the writing exercise by writing another paper. However, plagiarism is inexcusable, so a 0.7 was recommended for the first paper. An average of the 0.7 and the grade for the second paper would constitute 40% of his grade. It was further recommended that Jim be ineligible for honors in the department. Some jurors also felt that it was not the jury’s place to determine Jim’s eligibility for honors. Jim said that he would not feel comfortable receiving honors, so offered to withdraw himself from consideration. Some jurors felt that a 0.7 was inappropriate because the instructor was better equipped to judge a paper’s worth, and that the original fault in Jim’s work did not deserve a failing grade. However, it was agreed that a plagiarized paper is by its nature void, and a failing grade does not condemn the original thought in the paper, but expresses that the work is incomplete and flawed.

After discussing the resolution and considering everyone’s views, the jury consensed to the following recommendations:

1) Jim should meet with his advisor and discuss the use of secondary sources to the satisfaction of both parties.

2) Jim’s original paper should receive a .7; he should write a second paper on a topic agreed upon by him and the professor, and the grades of both papers should be averaged and the resulting grade would constitute 40% of the course grade.

3) Jim’s voluntary withdrawal from honors consideration should be recognized.

Questions:

Does the inclusion of the confronted student in the entire trial process have a significant effect on the jury’s decision?

What kind of academic skills are to be expected of a senior?

HONOR COUNCIL, 1982

Andrew, a junior, was believed to have violated Section 3 of the Haverford Honor Code by committing plagiarism. An Honor Code jury was convened to discuss the matter. As the professor in the course explained at the trial, the paper in question was difficult, involving little creative thought but instead, the condensation of many technical articles. Before the trial, Andrew and the professor had already resolved
that he rewrite the paper. Any resolution by the jury would be in addition to this conclusion.

One page of the paper contained material nearly identical to one of the articles used. There was no footnote. The student had neither typed nor proofread the paper; someone else had typed it, and so Andrew surmised that he may have missed the footnote or that he forgot to cite it. The jury concluded that plagiarism had occurred.

The jury then discussed the conditions under which the violation had occurred. Andrew was in the midst of the heaviest course load for his major. He was faced with a serious time constraint; he indicated that he had three weeks to write a lengthy paper using forty or more articles. When it came time to write the paper, Andrew did not fully understand his topic. His materials were not well organized and the topic was extremely complex. At the same time, Andrew was also distracted by a serious personal situation involving a critically ill friend.

The jury determined that Andrew might have been able to avoid the pressure situation that he in part had created by talking to the professor or getting an extension. The jury also asked how he could have been aware of the violation. Andrew indicated that he had been up for three straight days and was tired and confused. He did not realize that he was quoting other people’s work verbatim. When, to write the paper, he looked at notes taken weeks earlier, all he saw was a great volume of information which seemed overwhelming.

Andrew said that he did not intend to violate the Code or to take unfair advantage over the other students in the class. The jury could not determine that Andrew knew the work was not his own when he handed in the paper, and in keeping with the spirit of the Honor Code, they took Andrew on his honor when he said that he was innocent of “bad intent” in plagiarizing.

The jury then discussed what resolution would be fair to both the community and the student, and considered three alternatives. The first was for the rewrite to receive a lowered grade. However, the jury decided that such a decision would pronounce guilt, and so rejected it. The second possibility was to give Andrew three weeks to write a paper on a completely new subject. Yet this resolution might well create the stressful situations that probably had caused Andrew’s academic irresponsibility in the first place. The third resolution considered was for Andrew to re-write the paper on the same subject, as he and the professor had planned. The jury thought that the professor should decide whether Andrew would receive an unfair advantage over his classmates, and left it to him to take into account Andrew’s academic irresponsibility when grading the written paper.

The jurors felt that they could neither assess nor justify a punitive sanction. They felt that Andrew had gained from the experience of the trial and that his rewritten paper would be a significant learning experience for him. Therefore, they recommended that Andrew rewrite his paper as per his agreement with the professor.

Questions:

How can students avoid, or deal with, the type of overly stressful situations that caused this violation?

What is the difference between "academic irresponsibility" and "bad intent"? How important is this difference?

Can we apply the distinction between irresponsibility and malice to social violations of the Honor Code?
A case of suspected cheating was reported to Honor Council involving two students, John and Karen. Two Honor Council members investigated the situation by conferring with the two parties involved as well as the professor who gave the take-home exam. Strong evidence indicated that the two tests were not independent works, yet neither John nor Karen admitted any wrong-doing. The two Honor Council members pressed John for more information for they felt that the evidence they had received strongly implied that John was not telling them everything they needed to know. John offered little information except for inferring that he was uncomfortable with the prospect of these two Honor Council members serving on the jury of the upcoming trial. The Honor Council members removed themselves from the case after writing a full report to the jury of what they had discovered during this investigation.

Then an Honor Code jury was convened. Both Karen and John exercised their option of bringing another individual with them, presumably for support. The professor of the course explained the structure of the test and pointed out how similar John’s and Karen’s tests were. The exam contained two sections; a multiple choice section, and an essay section. Both students had given the same answers on the twenty-three multiple choice questions and had answered the same essay questions using the same concepts. The professor of the course was excused from the trial at this point.

For approximately two hours both John and Karen offered very little new information until, after a short recess, John admitted that he had, in fact, violated the community’s trust by copying from Karen’s exam. When asked why he had not admitted this immediately John said that he wanted “to see how it (the trial) was going before I said anything”. Karen and her friend excused themselves from the trial. The jury noted that both of them had gone through a lot in the three weeks between the time that the incongruity of the exams was discovered and the time when John had finally admitted his infraction.

The jury then delved into John’s feelings about Haverford and the Honor Code. John felt that “nobody thinks about the Code much; nobody cares about it, though people habitually live by it (the Code)”. John felt that he really had not struggled with the Code; he admitted that he should do so, and agreed that he would now consider the Honor system more seriously.

The jury then had to find a solution which would educate the community (including John) as well as uphold the standards of the College. Several jurors recommended that John take some time away from the College: one thought that way, since John did not give academics a high priority; another felt that time away would give John time to set his priorities. John felt that he should be able to stay at Haverford to be able to “test himself” with more take-home exams, etc. One juror wondered whether the institution should let people stay to test themselves. John felt that staying at Haverford would help him come to grips with his actions. Most jurors disagreed, favoring separation from the College and contending that the upcoming summer vacation would not provide sufficient opportunity for reflection as a semester’s suspension from the College could.

John was unhappy with this resolution and felt that the community had failed him to an extent, in its lack of trust, lack of forgiveness and asking him to take time away. The jury pondered alternative “creative” solutions to ensure that no better solution could be found. No proposition, from mandatory counseling to a non-academic semester at H. P. A., seemed reasonable. After four meetings of the jury and eleven hours of discussion the jury came to consensus:
1) John is immediately to take one semester away from Haverford.

2) This leave is a conditional leave but John has not been expelled from the college.

3) The Honor Council chairman as well as members of the jury will correspond with John during the semester away as well as when he gets back.

4) John received a zero on the take-home exam.

John exercised his right of appeal of an academic trial on procedural grounds. The President of the College found no procedural errors and so rejected the appeal.

Questions:

When a jury makes a decision for the sake of the community and the confronted individual, how should that balance be struck?

Does the defendant’s presence in the trial affect that balance?

Institutionally, how should students best be educated about the Honor Code throughout their four years at Haverford?

HONOR COUNCIL, 1982

An Honor Council trial was convened to deal with allegations that a sophomore, Stan, had plagiarized an exam. Because of extenuating circumstances, the Honor Council chairman was not able to preside at the trial. Permission was received by the Dean of the College, the Honor Council, and the student and professor involved to allow an experienced Honor Council member to convene the trial.

Stan's professor, who had brought forth the allegations, gave the jury the facts of the case. The exam in question was an open book, take-home, two hour mid-term exam which the students had one week to complete. The first section of the exam was essay, with the students choosing one of two, and the second part was short identi-

ocation, with the student answering three of five.

The professor said he discovered while grading Stan's essay that "90%" had been taken word for word from the course texts and articles and knitted into an essay. He gave the exam an F and spoke to Stan. When confronted with the exam and the professor's contention that he had plagiarized, Stan admitted that he had copied directly from the texts, but felt that what he had done was not wrong. Stan said that he did not realize that the professor wanted quotation marks or citations on the exam. Stan believed papers differed from exams, for on papers one has more time to reflect on and develop an argument and to cite sources. The professor then approached the Honor Council to resolve the problem.

The professor said he had made it clear that he wanted the students to integrate the course material into analytical, thoughtful answers, and not simply regurgitate text information. He never directly mentioned footnoting procedures for he felt this was clear to the students. The professor then left the room for the remainder of the trial proceedings.

When questioned, Stan explained that his heavy schedule the week of the exam was a key reason for his actions. He stressed that he is a physical science major so that this type of exam was new to him. A jury member explained that the purpose of an open book exam was to ask the student for a supreme effort of originality and analysis with the factual information at hand. It was agreed Stan's essay lacked this original thought; therefore, the jury consensed, Stan had plagiarized. Stan's plagiarism was considered an unpredetermined act of desperation.

After prolonged discussion ten jury members agreed, Stan's intentions aside, the exam was not acceptable because of the plagiarism and therefore should receive a grade of 0.7, the lowest on Haverford's
grading scale. The remaining two members believed the work was acceptable but its lack of original thought warranted a 0.7 grade. These two members strongly supported their position but did not feel that their differing reasons for the 0.7 resolution were important enough to block consensus on the entire resolution.

Questions:

How do you define plagiarism?

When instructions on exams, papers, or any class work are unclear, with whom does the responsibility lie for pursuing clarification? Why?

Do you understand a given professor's reason or purpose behind an unusual exam or paper format? Is such an understanding necessary?

HONOR COUNCIL, 1982

An Honor Code jury was convened to resolve a case of alleged plagiarism involving a student, Dan, in Senior Seminar. Another student, Roy, was present at Dan's request.

The Senior Seminar professor was present at the start of the trial to present evidence. He had received a paper each from Dan and another student and found that both papers contained a long passage (approximately one page in length) of nearly identical wording which was not cited.

Dan explained that the passage came from a third paper which he had procured from a friend at another school. Dan lifted the entire passage practically verbatim, substituting a few words of his own and deleting one sentence, all without the use of brackets or ellipses, as per standard footnoting procedure. Dan claimed that he had planned to cite the passage, but he was in such a rush to hand in the paper that he did not have time to proofread it.

Upon examination of the paper, the jury had the following qualms with Dan's explanation, with Dan's replies in parentheses:

1) if the passage was nearly a page in length, why wasn't it indented and single-spaced? (I've never used that procedure before; I had planned to put a footnote at the end of the last sentence of the last paragraph); 2) isn't it misleading to place a footnote at the end of two double-spaced paragraphs? (no explanation); 3) why didn't you paraphrase the long passage? (it would have done an injustice to someone else's creative process); 4) but there are some words deleted and substituted (that was for clarity).

The jury consensual that a violation of plagiarism had occurred. Yet, many jurors did not accept Dan's explanation; many felt he was lying. The conflict facing the jury was: was this an innocent oversight under pressure (as Dan claimed) or was it calculated plagiarism with clear and conscious intent to violate the Honor Code? Was it something in between?

This sense of doubt was frustrating to Dan. He admitted that he had been asked to leave Haverford for a year in the Spring of 1980 for a series of violations, including lying to the jury itself. Yet, he felt he had changed since then and he wanted to be trusted.

The jury heard testimony from Roy, who was present at Dan's request. Roy had served on Dan's 1980 trial. What bothered Roy then (and now) was Dan's uncanny ability to lie to a jury for a considerable duration.

The chairperson, who had had previous exposure to the report, asked Dan about the issue of plagiarism from the previous trial. Dan summarized that instance, claiming it was not a case of bad intent. He had submitted an essay by a noted author to The News with his own name on it. He did this because he felt it spoke well to a controversial issue on campus and he wanted people to read it.
The jury reconvened the following evening and read the chairperson's report of the 1980 trial. The report put Dan's character in a bad light, so for perspective, the jury called two character witnesses to speak on Dan's behalf, one from his 1980 days and the other, a friend who Dan had just met this year. This would provide some kind of barometer of Dan's progress since 1980.

When the jury reconvened two days later, there was a distinct rift between those jurors who could not accept Dan's story and those that were unwilling to continue calling Dan a liar without strong evidence. The following argument arose: a) Dan is innocent until proven guilty b) if Dan is not lying, then he is certainly irresponsible, i.e. he should have proofread his paper if it was so important, c) how could Dan have written two full paragraphs of another's work, changed words and deleted an entire sentence and still have forgotten to cite the passage?

The jury considered the following resolutions: 1) permanent separation from the college, 2) failure in the course, 3) allow Dan to graduate by allowing him to rewrite the paper to be averaged with a 0.7 (or failing grade) on the plagiarized paper.

After discussion, the jury ruled out permanent separation as doing more harm to Dan than justice to the institution of Haverford. The jury felt, however, that Dan should not receive his diploma in 1982. They believed that failure in the course was appropriate, basically because of Dan's carelessness and his inability to distinguish the words of others from his own. He would not be able to rectify the latter problem in the three weeks before commencement and the former must be recognized to emphasize the value of a Haverford degree.

The final resolution also included a creative alternative to Dan's repeating Senior Seminar for credit. A juror proposed that he consult with a Haverford counselor, a professor in his own major and an English professor; he would only re-write the paper on a new topic and not repeat the entire Senior Seminar course. Ultimately, Dan would receive a Haverford degree.

There were two abstentions to the final resolution. One juror felt that, in general, the jury process was too judgemental. He was uncomfortable with the kind of power that is given to students to carry out a fundamentally flawed process. The second juror spoke to this specific trial, feeling that we judged Dan on the basis of suppositions and intuitions and not cold hard facts.

Dan wanted nothing more than to graduate in 1982. He appealed the jury's decision on many counts, but the President of the College rejected the appeals because he saw no procedural violations on the part of the jury.

Questions:

Should students be given the power to execute what one juror called a "fundamentally flawed process?"

How should jury members deal with their biases if they think a student is lying despite the student's appeal to the contrary?

Like a common court of law, is it possible in an Honor Code trial to find a student guilty on the basis of evidence, even if the student insists that he is innocent?
An Honor Code trial was held concerning a junior who had allegedly changed answers on an exam after it had been graded.

When the student received the graded test, he went to the professor and indicated that there had been a mathematical error in the grade. He also indicated that three questions, he felt, should have received full credit, thereby giving him a 100% on the exam. Each of the three questions had long answers which covered the backs of the pages totally. On two of the three questions, the last sentence on the front was continued on the back of the page with an “over” symbol on the front. The professor, after consulting another professor, was convinced that he could not have missed the backs of the pages and contended that they were added illegally. After an unsuccessful attempt to convince the professor of his innocence, the student contacted the Honor Council chairperson.

In the trial, the professor again stated that he did not think it possible for him to have missed the backs of the pages. He also said that an incorrect answer appeared on the front of one page, and the correct answer was on the back. He thought that was suspicious.

The student put the course into perspective, and showed that there was really no motivation for him to cheat. He also mentioned that, even if there had been pressure, he would fail before cheating (as he had done in the past). A letter from a character witness was read which was written by a friend who had tutored the student on the night before the exam. The friend said that the student knew the material very well, and had bragged after taking the exam that he had known so much that he had written on both sides of the sheet. The student pointed out that the wrong answer on the front and correct answer on the back that the professor had pointed out were actually not contradictions, but that the statements supported one another. He also pointed out that concepts which only appeared at the end (on the back) of one question appeared at the beginning of the answer to a later question and were referred to in that later question.

The professor was asked to comment on the student’s presentation. He reviewed the case: speaking against the student, the professor could not believe that he had missed the backs of the sheets, and speaking in support of the student, his arguments on the evidence were well supported by the evidence itself.

The professor said that instances like this had happened before in his classes, but never to this extent.

Various points were raised by the jurors including: 1) There was not enough evidence to find the student guilty of violating the code, 2) the professor had made similar mistakes in the past, and 3) the professor was reluctant (and therefore maybe uncertain) to confront the student until after consulting another professor. However, 1) the professor still had doubt in his mind about the test’s validity, and 2) the case was plausible from both sides. One juror felt it was possible for both the student and the professor to be right — the professor couldn’t believe that he missed that many answers, and the student did not cheat.

While there was still some doubt in some jurors’ minds as to the validity of the exam, there was not enough evidence to declare that the student had violated the Code. In fact, the evidence that the student presented in his defense was much stronger than the evidence that the professor cited.

The jury recommended that the professor treat the exam as an honest piece of work and grade it as such.