BACKGROUND:
After determining that Arnold had illegally obtained a copy of the final exam for his Probability and Statistics course, Professor Kimberly informed Arnold that he must contact the Honor Council Chair. Due to the timing of the case and the policies governing summer trials, five Honor Council members met and reached consensus that a summer trial was necessary. (Summer trial juries consist of the five aforementioned Honor Council members and two randomly selected community members).

FACT FINDING:
Professor Kimberly began the fact-finding portion of the trial by explaining the events as she perceived them. Because there were only a few days left in the exam period, only a handful of students—including Arnold and Willis—hadn’t taken the exam. The professor noted that the final exam was a three hour, closed-book exam to be taken in Stokes. In addition, no exam book was necessary; the answers were to be written on the exam sheet. Minutes before an exam block was scheduled to begin, Phillip—a friend of Arnold and not a member of the Haverford community—walked into Stokes and illegally signed out a copy of the exam under Willis’ name. Three hours after Willis’ exam was signed out, the student workers in Stokes noticed that the exam had not been returned. They immediately contacted the registrar’s office. By 8:00 PM, Professor Kimberly and the dean’s office had both been contacted, and a meeting was arranged for the following morning with Willis, Professor Kimberly, and a dean. During this meeting, Willis claimed that he had not signed out the exam and was planning on taking it the following day. Professor Kimberly gave Willis the benefit of the doubt and placed another exam in Stokes for him to take.

Professor Kimberly then devised a scheme to figure out who stole the exam. After the meeting, Professor Kimberly went to Stokes and removed all remaining Probability and Statistics exams from the box in the exam room. She proceeded to open the envelopes and cut one-eighth of an inch off the bottom of each of the exams. She then placed these doctored exams back in the envelopes and returned them to Stokes. According to the professor, any student who turned in a full-length exam from that point forward could not have obtained the exam legally. Professor Kimberly noted that she took special care to make sure that Arnold’s exam was properly trimmed. She said that due to Arnold’s poor performance in the course thus far and the fact that he had not yet handed in an exam, Arnold had become a suspect in her mind. When Arnold’s exam was handed in, it became apparent that Arnold had a copy of the un-trimmed exam. Professor Kimberly established that the exam must have been obtained illegally. After reviewing the exam, Professor Kimberly noticed that the answers were of a much higher quality than those that Arnold usually submitted. Many of the answers used formulas that were
complicated and not required in the course. Finally, the answers did not demonstrate an understanding of the material. Instead, the answers were given in such a way that it was clear to the professor that they could have easily been taken directly from a textbook. She concluded that Arnold had not only stolen the exam, but he had also used outside sources while taking the exam. The Professor (via e-mail, campus-mail, and telephone) demanded that Arnold contact the Honor Council chair. During the initial contact between Arnold and the Chair, Arnold claimed no responsibility. Later, he informed the Chair that he had illegally obtained a copy of the exam.

When Professor Kimberly finished his statement, Arnold stated that everything Professor Kimberly claimed was true. He also made it clear that Phillip, the person who signed out Willis' exam, was not a member of the Haverford community; Arnold had given Willis' name to Phillip. He mentioned that he had not showed the exam to any other members of the class. In addition, he told the jury that he had apologized to Willis.

DELIBERATION I:

Every member of the jury felt that Arnold had violated the Honor Code. Professor Kimberly had shown the jury examples of the trimmed and un-trimmed exams, including Arnold’s. The jury agreed with the professor that it would have been impossible to turn in a full-sized exam after the exams had been trimmed. Some discussion ensued about whether or not his initial denial of cheating to the Honor Council chair could be considered a violation of the Code. However, the jury determined that he was scared, and since he later approached the Chair he should not be cited for violation of the code on these grounds. The jury then reached consensus on the following statement of violation:

Arnold violated the Honor Code by:

a. cheating on the exam
b. using a non-community member to illegally sign-out a copy of the final exam.

c. using another classmate’s name to obtain the exam, thereby placing the integrity of the other student in question, and breaching the trust between the students.
d. violating exam regulations as per the professor’s instructions regarding appropriate time-limits, location, and use of outside sources.

The jury then took a short break before presenting the resolutions and beginning the circumstantial portion of the trial.

CIRCUMSTANTIAL:

When Arnold returned, he was deeply apologetic for his actions. He acknowledged their severity. Although he did not give any specific examples, he said that everyone—including himself—goes through difficult times in life, and this was simply one of those times. He also wanted the jury to understand that his actions weren’t planned out in advance. At this point in the trial, Arnold began to
explain his side of the story in more depth than he did during fact-finding. He acknowledged Professor Kimberly’s statement that he was having difficulty in the class, and he also said that he was having difficulty in some other classes. He said that if he failed another class, his parents would most likely refuse to send him back to Haverford. This added a great deal of pressure to his final-exam period. After spending over two days studying for the exam, he began to realize that he didn’t understand the material. When his friend Phillip came over to say good-bye (according to Arnold, Phillip attends another school in the Philadelphia area), they began discussing the Honor Code and how easy it would be to cheat at Haverford. Arnold said that he has had these types of conversations before, but nothing ever materialized. He told his friend that if the Prob and Stat exam were a take-home, he would probably cheat on it. However, since it was to be taken in Stokes, he would have to take it honestly. Phillip asked if Arnold knew of any other students in the class that hadn’t yet taken the exam. Arnold told him that his friend Willis wasn’t planning on taking it for a few days. At this point, Phillip offered to sign out Willis’ exam for Arnold. Although Arnold claimed to be uncomfortable with the idea, he did not stop Phillip. Phillip went to Stokes, pretended to be Willis, signed out the exam, and brought the exam back to Arnold. Arnold said that what he did was wrong. In fact, he sat with the sealed exam for two hours debating whether or not to turn himself in and return the exam. He also felt that a breach of trust had occurred between he and Willis that needed to be repaired. When asked to present possible resolutions, Arnold, realizing that separation was likely, asked for the shortest possible term (1 semester). Arnold then left, and the jury began deliberating on resolutions.

DELIBERATIONS II:

At this point, the Chair reminded the jury of the goals of resolutions: ERA (Education, Repairing the breach of trust, and Accountability). The jury began by listing possible consequences for Arnold’s actions. Failing the class, separation for some period of time, requirements for return to the college, and ways to repair the breach of trust with the professor, Willis, and the community were all discussed at this point.

The jury first considered the repercussions of having Arnold fail the class. Arnold had mentioned during the circumstantial portion of the trial that his parents might not let him return if he failed another class. This was part of his motivation for stealing the exam. The jury felt, however, that because the exam was potentially worth 65% of his final grade, failure was necessary.

Next, the jury discussed the possibilities of separation from the Haverford community. Some jurors were uncomfortable with Arnold’s statement during the circumstantial portion that he was acting irrationally and without thought. These jurors felt that Arnold contradicted himself when he said that he sat with the exam for two hours before deciding to use it; thus there were plenty of opportunities for Arnold to turn himself in before cheating. The jury was also uncomfortable with Arnold’s statement that he would have most likely cheated on the exam if it had been a take-home test. At this point, all of the jurors felt comfortable with separation for some period of time. Because of the severity of his actions, some
jurors inquired about the possibilities of permanent separation. The jury concluded that permanent separation did not give Arnold a chance to grow from his mistake; it was too punitive a measure to take. The jury was also informed that there hasn’t been an academic trial in the past eight years (maybe more) in which a student was separated for more than 2 semesters. However, it was also noted that Arnold’s actions were more severe than any other case in the past decade. The jury felt that cheating on a final exam was substantially more severe than cheating on a homework assignment. While some jurors were in favor of two years (four semesters) of separation, others felt that this punishment was too harsh. The jury then tentatively agreed on separation for three semesters. Members of the jury wanted to ensure that Arnold reflected on his actions during the time away from the College. It was suggested that before Arnold be allowed to return, he write a letter to the Dean of the College stating why he feels he should be welcomed back into the community.

The jury was also concerned with the possibility of further disciplinary problems when Arnold returned to campus. Thus, the jury agreed that ifArnold is found in any further violations of the Academic Honor Code he should be separated permanently and the Dean of the College inform the new jury of this recommendation.

Finally, the jury addressed the issue of repairing the breach of trust. Because the relationship between Professor Kimberly and Arnold was very tense, the jury established that a conversation between the two parties was not a good idea. Instead, the jury decided that Arnold should write a letter to the professor. In addition, the jury wanted Arnold to write a letter to Willis. Both letters, in effect, are an attempt to repair the breaches of trust that occurred. The jury then reached consensus on the following resolutions.

The jury recommends that:

a. Arnold will fail the class.

b. Arnold will be separated from the Haverford community for three (3) semesters.

c. as a requirement of his return, Arnold must write a letter to the dean of the college explaining why he feels he should be able to return to the Haverford community. The Dean of the College must accept this letter in order must accept this letter in order for him to return.

d. if Arnold is found in violation of the academic Honor Code again, we ask that the jury consider this jury’s recommendations during their formation of resolutions. We ask that the Dean of the College be advised of this resolution and be responsible for informing the chair of the trial at the appropriate time (i.e. after the statement of violation).

e. in an attempt to repair the breach of trust involving both the other student and the professor, Arnold will write a letter to each party. Copies of these letters will be sent to the Honor Council Chair.

The jury then entered a 24-48 hour period before the presentation of resolutions.
PRESENTATION OF RESOLUTIONS:

After reading the resolutions, Arnold was clearly upset with the second resolution. He felt that there was no precedent for a three semester separation. He cited the Theo abstract and claimed that Theo had cheated and had also lied to the jury, yet had only been separated for two semesters. He also acknowledged that he had made a huge mistake and had learned a great deal from it. Finally, he wanted the jury to understand the severity of the resolutions. He said that this incident was something that he would think about every day for the rest of his life. In addition, he said that every time he applies for a job, he will have to explain to his employer why he took time away from Haverford. Arnold asked the jury to reconsider the resolutions before reaching final consensus. He also felt that the resolutions did not repair the breach of trust with the community; he felt that a letter to the community and some form of community service would be a good option. Arnold left the room, and the jury began deliberating again.

DELIBERATIONS III:

Initially, many jury members felt that Arnold was correct in saying that three semesters is unprecedented. After a period of discussion and reflection, members of the jury began to realize that Arnold’s actions placed the entire system of self-scheduled exams at risk in the sense that, had Professor Kimberly not come up with his plan to shorten the exams, Arnold would not have been caught. The jury felt that having self-scheduled exams is a unique privilege that Haverford students enjoy. The jury acknowledged the severity of the resolutions after taking into account the Theo abstract. However, the jury felt that there is a major difference between cheating on a homework assignment and cheating on a final exam. The jury then reached final consensus on the resolutions, with a slight change to letter “d” to reflect the original thinking of the jury that was not included in the original wording. All other resolutions were left unchanged.

The jury recommends that:

d. if Arnold is found in violation of the Academic Honor Code again, we ask that the jury consider this jury’s recommendation that he be permanently separated. We also ask that the Dean of the College be responsible for informing the chair of the trial (and subsequently the jury) at the appropriate time (i.e. after the statement of violation).

Regarding Arnold’s desire to write a letter to the community and perform community service, the jury decided that it will not mandate either. However, the jury decided that if Arnold wishes to write a letter to the community, Honor Council will be willing to distribute it. Arnold was informed of the change in letter “d” of the resolutions, and declined an opportunity to address the jury. After a moment of silence, the trial concluded.

Appeal
Arnold appealed the jury’s decision to the President of the College, who upheld the decision in its entirety.

QUESTIONS TO CONSIDER:

1. Do you agree with the jury’s decision? Why/Why not?

2. Should permanent separation be an option in academic cases? If so, what types of violations are serious enough to warrant this punishment? If not, how long should people be separated for serious violations of the academic code?

3. Should there be specific requirements to fulfill before a separated student can return to the Haverford community?

Honor Council offers you the opportunity to speak with a jury member from this trial. If you would like to do so, please contact the Honor Council chair. If you have general comments about this or any other Honor Council abstract, please contact your Honor Council representative.