SUMMARY

Professor Delancey confronted Leon after discovering plagiarism in Leon's final paper for Modern Poetry. Leon, a second semester senior, contacted an Honor Council member who, in turn, spoke with the chairperson. The chairperson spoke with Leon and Professor Delancey before presenting the problem to the full Honor Council. Because the case involved suspected academic dishonesty, Honor Council members reached consensus that a trial was necessary.

FACT FINDING

On the first day of the trial, Professor Delancey did not show up as scheduled. The jury felt that her presence was important both because she was the confronting party and especially because only she had copies of the paper in question. Since Professor Delancey could not be reached, Leon and the jurors agreed to postpone the trial for one and a half hours, hoping that Professor Delancey could be located in that time.

After that time, however, Professor Delancey still could not be reached. The chairperson then decided to start the trial without Professor Delancey. The jury was already under a time constraint because senior grades were due in three days, and the trial, should resolutions include a grade change, would have to be completed by then.

Leon began with his account of what happened. He said he had written the paper the night before it was due. He added that, when he turned in the paper, he knew that it was "messy," but did not think that he had consciously plagiarized.

Leon said that the assignment was to pick three contemporary poems and discuss what you liked/disliked about them. He said that students were permitted to use secondary sources if they wished. Leon consulted five secondary sources and included them in his bibliography. He had done all of his research in the library and then just worked from his notes when writing the paper. In response to a juror's question, Leon said that he had not distinguished in his note cards between direct quotations and paraphrases. He said that he did cite some of the material in his paper, but did not cite all of it. He said, "I admit that this is plagiarism." He said that the paper was 5-6 pages, and that a lot of it was not his own work, but he had no idea just how much because he had not looked at the paper since he handed it in. [Remember, neither the Jury nor Leon had a copy of the paper at this point.]

Questions then started coming quickly. In response, Leon said that he had known about the assignment since the beginning of the semester. He wrote the paper the night before it was due and printed it out before class. He said he first realized that the paper was plagiarized when Professor Delancey confronted him.

When questioned further, Leon added that he had re-read and spell-checked the paper before printing it out. Someone also asked whether he formulated his
actual thesis from what he had read of the outside sources, and Leon responded that he was sure that they had influenced his ideas.

In response to a juror's question about class requirements, Leon said that there had been this paper (worth 15% of the final grade), another short paper, and a final exam. He said he was doing fine in the class. When asked if he had done research papers before, he said yes, and that he knew how to footnote.

Jurors indicated that they had enough information to determine whether or not a violation had occurred. Leon was asked to leave the room while the jury deliberated.

JURY DELIBERATION

A few jury members felt uncomfortable formally stating that a violation had occurred without seeing the paper or speaking with the professor. The chairperson tried one more time to contact Professor Delancey, and this time she was home. Professor Delancey agreed to come over immediately, and the jury proceeded with more fact finding.

MORE FACT FINDING

Professor Delancey gave her account of what happened. She said that when reading through Leon's paper, his words sounded like a critic's. She consulted a book of criticism and found that phrases and sentences had been directly lifted without citation. She described the plagiarism as coming from this one book, and jurors asked whether she felt other sources could have been plagiarized as well. She said that she did not think so. Previously, she had told the chairperson that she had wanted to trust Leon and consequently had not checked other sources. Professor Delancey then asked Leon if any other sources were plagiarized and Leon replied that he was not sure.

Professor Delancey estimated that the plagiarism, based on the one source that she checked, accounted for about 25% of the paper.

The jury then asked Professor Delancey about the confrontation. After discovering the plagiarism, Professor Delancey called Leon and left a message on his answering machine, saying that she needed to talk with him. Before Leon called her back, he happened to see her in the Dining Center and they agreed to talk then. Professor Delancey recalled Leon as saying that he knew what their talk would be about. Leon had added that he had recently been under a lot of pressure. Professor Delancey said that Leon called her later that night to further discuss his thoughts and feelings about what had happened. Professor Delancey said that she was touched because Leon had said that he felt bad for his professor because of what he had done. Professor Delancey stated that she thought it was nice that Leon "was seeing things from my point of view."

The jury asked whether there were any footnoting guidelines given with the assignment. Professor Delancey said that she had told the class to include footnotes and a bibliography if outside works were consulted. Someone asked whether, in the professor's eyes, the plagiarism could have been inadvertent. She replied, "it was
not something unconscious...it sounded like a critic." Another juror asked whether the point of Leon's paper was separate from the plagiarized material and she said "not really."

Jury members felt that they needed to know the full extent of the plagiarism before they could proceed further. Professor Delancey and Leon agreed to go to the library and check out all of the books in Leon's bibliography. When they returned, the two of them worked together, checking the sources and distinguishing the plagiarized material from Leon's own work.

After they had finished, a jury member asked Professor Delancey how much of the paper she now thought had been plagiarized. She replied about 60-80%.

Jurors had no further questions. Leon and Professor Delancey then left so that the jury could discuss and word the statement of violation.

JURY DELIBERATION

The jury quickly reached consensus that a violation had occurred.

Statement of Violation: By copying the work of other authors and failing to cite their ideas, Leon committed the act of plagiarism. This act violates the standards set forth in the Honor Code.

CIRCUMSTANTIAL

Professor Delancey said that she wanted to stay for this part of the trial. After the chairperson had read the statement of violation, Leon began by saying that he had taken his LSATS the weekend before the paper was due. That same weekend, he also had learned that a family friend had passed away. He said his mind was "hazy" because of this. Regarding his frame of mind, he also said that all of his other senior work was done, except for two finals, one of which was for this class.

A juror again asked Leon when he realized that the paper was plagiarized. He replied that, when he turned it in, he knew it was "sloppy," and guessed that he knew it contained plagiarism but was in a state of "non-caring."

When asked again if the plagiarism could have been unconscious, Professor Delancey said, "It would have been impossible not to have realized it, in my opinion." She added that this was so because she knew that Leon was a good student who was very attentive to his work.

A juror asked Leon to re-explain his note-taking process. He said that when he took notes he was "slopping things together." He added that he had put in page numbers (from the critical books) on his note cards, but just decided not to include them while actually writing the paper. Someone asked whether he had consciously put down another's words and passed them off as his own. He replied that his citing had been half hearted, but that he "just wanted to get the paper done with." He said that maybe his mind-frame had been one of denial. Now he said he was starting to address what he had done.
A juror then asked why Leon had cited some of the critical material and not all of it. Professor Delancey jumped in with "...to give the impression that you had written something and then supported it with a quote." Leon replied, "It's hard for me to say what my intentions were." He added that he didn't consult the books intending to plagiarize, but that he guessed that that was what happened.

One juror asked Professor Delancey how she felt about the entire situation. She said that, because this was the first academic class that she had taught, she had been worried that Leon had tried to take advantage of her, thinking that she was not a serious professor. Leon said "That was not the intent", and Professor Delancey indicated that she was glad to hear that. She added that it would have been easy for Leon to have asked for an extension.

Jurors then indicated that they had no more questions. Leon had a few minutes to collect his thoughts and present his suggested resolutions. At his request, Professor Delancey helped Leon formulate those resolutions.

The chairperson reminded Leon that the primary purpose of the resolutions was to bridge the breach of trust between him and his professor and him and the community, and to educate him with respect to the Honor Code. Finally, she reminded Leon that the resolutions should also reflect his taking responsibility for his actions (accountability).

Leon presented the following as a possible set of resolutions:
1. failing the paper
2. re-writing the same assignment
3. writing a letter to the community to express how it feels to go through a trial and how it has been helpful to talk out the incident with the jury; he described the experience as "pleasant"

He added that he felt that he and Professor Delancey had already started to bridge the breach of trust in their relationship by working together during the trial.

Leon and Professor Delancey then left.

JURY DELIBERATION

Many jurors were extremely pleased that Professor Delancey and Leon had begun to rebuild the trust between them. On juror pointed to their working as a team to locate the plagiarism in the paper and to formulate the suggested resolutions.

Another juror pointed out that, while he liked the fact that the relationship between them was improving, he was very disturbed by the amount of plagiarism there was in the paper. Another juror added, "I got more and more of a feeling that it wasn't an innocent act. I don't see how it could have been inadvertent."

One juror reminded the others that as the trial progressed, Leon did admit that his act was conscious. Another noted that Leon's focus on denial was very interesting, and she said that she could identify with him very much. One juror said that Leon had acted "admirably " during the trial and genuinely seemed to mature through the trial process.
Another juror differed, pointing out that, because the assignment was supposed to be "a paper of feeling", and was plagiarized from someone else's feelings, "even the thesis is a lie."

The jury then discussed failing Leon for the class, and whether this would be purely punitive. Someone else suggested that the breaching of the community's trust (more directly, that of the other students in his class) was very serious. Others added that the professor, had she not noticed the plagiarism, might have expected more of other students' work. Also, the professor might lose some of the trust she formerly had for students because of this act of plagiarism.

The jury then decided to break and meet the next day. Each had to consider the following resolutions: a letter to the community, a re-write of the paper, and some form of grade change.

The next day, the jury reached tentative consensus on the following tentative resolutions:

• Leon will write a personal statement to the community reflecting on the act of plagiarism and his trial experience. This statement will be attached to the abstract.
• At his own suggestion, Leon will write another paper over the summer on the same assignment, choosing subject matter about which he feels strongly. Although this paper will not be graded, the jury hopes it will both educate Leon and help restore the bond broken between him and Professor Delancey.

The jury then returned to their discussion of a grade change. The jury spent a long time discussing whether Leon should fail the class, or, as one jury member suggested, should receive a 1.0. One juror reacted to the idea that Leon should receive a 1.0, the lowest possible passing grade, by saying that in "passing him, we would be legitimizing all the work he's done for the class." She felt that the jury couldn't legitimize the dishonest work, and if Leon were allowed to pass, that would imply that he had fulfilled all of the requirements honestly. She did not feel that he deserved this. Another juror felt that because Leon had done honest work for the rest of the class he "deserves some credit."

Most jurors, however, felt that the extent of the plagiarism (80% of the paper) necessitated failing the class. After further discussion, the jury reached consensus on a third tentative resolution that Leon should fail the class. One juror stood outside consensus because he thought the resolution was too harsh.

Throughout the deliberation, many jury members worried that failing Leon for the class might affect graduation. The jury decided to work under the assumption that failing Leon for the class would not affect graduation (the class was not in Leon's major), and that if this assumption proved to be incorrect, they might then reconsider the question of failure. The jury reasoned that the same resolution—failing a class, for example—can mean such different things to a second semester senior than to a student in a lower class that it actually becomes a different resolution when presented to each. In other words, if the resolution were to prevent Leon from graduating, that resolution would constitute a very different statement from the jury.
PRESENTATION OF THE RESOLUTIONS

Before Leon and Professor Delancey arrived, the jury re-affirmed its consensus on the three resolutions, listed below. The same jury member stood outside of consensus with regard to the third resolution.

After presenting the resolutions to Leon and Professor Delancey, jury members explained the reasons for their decisions. Most of the time was spent discussing how the jury had reached the decision to fail Leon for the class.

Leon then gave his reactions to the resolutions. He said that he was angry the jury wanted him to fail the class, but that he understood their reasoning. Leon was uncomfortable with the fact that, had he not been able to graduate, the third resolution might have been very different. (Leon had affirmed that his graduation would not be affected by failure of the class). Jurors explained that they felt failing the class was appropriate regardless, but that the resolution would mean much more than a class failure if it would prevent his graduation. He said he understood.

Professor Delancey gave her reactions. She said, "I frankly was shocked by the third [resolution]." After hearing the jury's reasons for that resolution, she said, "I still have tremendous difficulty failing him in light of the other work he has done." She added that, aside from this paper, Leon was a 3.7/4.0 student in this class. The chairperson reasserted that this decision was ultimately the professor's, as only a professor can actually give a grade change. Professor Delancey said that she would give the jury's resolutions "a lot of weight." Jurors said goodbye to Leon and indicated that they thought he had acted admirably throughout the trial. Leon and Professor Delancey then left together. The jury re-confirmed its consensus on the tentative resolutions, thus making them final.

Statement of Violation

By representing both the exact words and ideas of other authors as his own, Leon committed the act of plagiarism. This act violates the standards set forth in the Honor Code.

Final Statement of Resolutions

1. Leon will write a personal statement to the community reflecting on the act of plagiarism and his trial experience. This statement will be attached to the abstract.

2. At his own suggestion, Leon will write another paper, on the same assignment, to be sent to Professor Delancey over the summer. For the paper, Leon will choose subject matter about which he feels strongly. Although this paper will not be graded, the jury hopes it will both educate Leon and help to restore the bond between him and Professor Delancey.

3. The jury recommends that Leon receive a failing grade in the class. One juror stood outside of consensus regarding this part of the resolution.
LEON'S LETTER TO THE COMMUNITY:

Dear Community:

I must simply begin by stating that I committed the act of plagiarism. There is no excuse for my action. I am aware of my error and the breach of trust I have made to all of you.

My first reaction to the thought of a "trial" was to run away. I was scared. On more reflection, however, I realized I could not run away from my actions. I must be held accountable for my doings. I also understood that though I might try and run away from my actions, my own horror and guiltiness would follow me. In addition, I was quite concerned that my professor would take my act of plagiarism as a personal insult to her. So the trial began....

I remember walking into the room and feeling as though my fellow students must hate me so. This feeling lasted only a very short while. My trial experience, in fact, was quite positive. It was an opportunity for me to begin to come to terms with my own actions. The whole event was very emotional for me but I felt as though the jury was very supportive.

Thinking back on my trial experience, I believe it was the first step in my accepting the act I committed. The whole event still remains fresh in my mind. I carry with me my guiltiness and disappointment in myself.

Leon

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There will be a lunch discussion on this abstract and "Kelly" (soon to be released) on Friday, November 2nd. Look for signs!

(Please tear off and put in the Honor Council Box by the mail room) (Faculty response is highly encouraged)

Please use the back of this sheet for longer responses!

1. Do you think these resolutions were fair?

2. How do you feel about the fact that the trial started without the professor or the papers (due to the Professor being late)?

3. What do you think about the jury's consideration of Leon's possible non-graduation before they recommended that he fail the class?