Background

After correcting Neil's take home midterm exam, Professor Teton suspected that Neil, a first semester senior, used the solution set that he had prepared for other students who had taken the exam in order to complete his exam. Confessing that he had cheated, Neil contacted the Chair of Honor Council. Honor Council came to consensus that a trial was necessary.

Fact Finding

The jury was called together and the chair explained to the jury the background surrounding the trial. Neil and Professor Teton arrived soon after and they were asked to recount what occurred for the jury. Professor Teton began.

Professor Teton explained that Neil had come to his office on Friday at approximately 11:30 to talk to Professor Teton about a paper that was due that day in class. Professor Teton gave Neil an extension on the paper until Saturday at noon whereby he could slide the completed paper under Professor Teton's door. That afternoon in class, Professor Teton gave the take home midterm exam which was then due the following Monday at the start of class.

Over the weekend Neil failed to hand in his paper by noon on Saturday, but instead had it completed by class on Monday. Because he had spent most of his time working on the paper, he explained to Professor Teton that he had not been able to complete the exam. Professor Teton and Neil agreed that Neil would work on the exam during the time that class was scheduled and at 4:00, the end of class, Neil would hand in both the paper and the exam. At 4:00 the paper was ready but the exam had not yet been taken, so Neil and Professor Teton agreed that Neil would slide the completed exam under Professor Teton's door the next morning (Tuesday) and would receive 10% off of the grade of the exam.

That evening Professor Teton sent a Vax message to all the students in the class stating that he would post solutions sets to the exam on his door the following Tuesday morning and that students could pick them up at their leisure. Tuesday morning, Professor Teton did not find Neil's exam under his door as the two of them had agreed. Wednesday morning at 8:30, Professor Teton found Neil's exam. Since most of the other students in the class had done poorly on the exam he immediately picked up Neil's exam to see if he had done poorly on the exam as well. When looking over the exam, he found striking resemblances between Question number 1 on both Neil's exam and the solution set. He consulted with a colleague in his department who felt that there were definite reasons for suspicion. Professor Teton waited before confronting Neil because he wanted to review the exam again and also give Neil a chance to come forward if he had in fact used the solution set to complete the exam. At 10:30 that evening Professor Teton called Neil and told him that "he had questions about his exam" and asked to meet him the following Thursday morning at 9:30.

The next morning Neil and Professor Teton met and Professor Teton expressed his concerns. He explained that he found there to be three to four striking similarities between Neil's answer and the answer on the solution set and that there were several inconsistencies between his answers. Neil claimed that much of the similarities in the order of his answer came from his work he had done in lab and other work for the course. Neil was able to explain a couple of these inconsistencies. Neil was very upset that Professor Teton suspected him of using the solution set and was hurt that his integrity was being questioned. He felt that the trial process would take too much time and that he would be found not in violation of the Honor Code. After discussing the matter for forty-five minutes Professor Teton was still not convinced that Neil had not used to solution set, so he asked him to contact the Chair of Honor Council. Professor Teton asked Neil to see him before their next class so that gave both of them a chance to think about it some more. Professor Teton then consulted with another colleague, who, after careful investigation, felt that there was a significant cause for suspicion. Neil talked to the Chair of Honor Council and said that he had not used the solution set to complete his midterm exam. Upon hearing that the matter would still have to be brought before an Honor Code Jury and they would then decide whether or not a violation occurred, Neil went back to Professor Teton and admitted that he had lied before and that he had, in fact, used the solution set to complete his midterm exam. At 3:00, Professor Teton informed Neil's dean of the
problem and at 4:00, Neil contacted the Honor Council Chair and explained that he had in fact used the solution set to complete his midterm exam.

Neil then spoke and agreed with the sequence of events as Professor Teton described them. He said that he had nothing further to add. The jury asked several clarifying questions in order to fully understand the sequence of events. A juror asked if he had used the solution set for all of the exam of for simply Question one since that was where Professor Teton found most of the similarity. He said he only used the solution set for Question one. Another juror asked why he was concerned with only the first question and not the others. Neil said because it was the most difficult and felt that he could not answer it. There were five questions on the exam but question number one was by far the longest and most complex. Question one was worth 40% of the exam grade and the exam itself was only 15% of the final grade in the class. Neil admitted that he had taken the solution set from the door of Professor Teton’s office and used it to complete the first question of his midterm exam.

**Deliberation I**

To aid the jury in making its decision, Professor Teton left behind Neil’s exam as well as the solution set. After reviewing the exam, and taking into account that Neil had admitted his guilt, the jury quickly consensed that Neil had violated the Honor Code by using the solution set to complete his exam. In addition, the jury felt that Neil had violated the Honor Code by lying to Professor Teton. The jury felt that Neil had made Professor Teton go through a lot of unnecessary effort in order to accommodate Neil and that Neil did not come forth directly when confronted. Also, the jury felt that Neil had violated the Honor Code by lying to the Honor Council Chair. In an attempt to avoid the consequences of his actions he had lied repeatedly to Professor Teton and the Chair of Honor Council.

The jury consensed on two statements of violation:

1. Neil violated the Honor Code by using the solution set to complete the midterm examination.
2. Neil violated the Honor Code by lying in an attempt to avoid the consequences of his actions.

**Circumstantial**

The jurors gave Neil the reasons for finding the violations they did. Neil responded saying that he realized what he had done was wrong and that although there were other circumstances surrounding the trial which Neil choose to keep between himself and Professor Teton, Neil asserted that those circumstances did not qualify his actions. He said that one has to confront one’s actions regardless of the circumstances. Neil felt that before one takes a course of action, one has to understand what drives those actions. He said that misguided principles drove his actions and that the process had allowed him to realize why it was wrong. Professor Teton said that his trust in Neil had been “badly shaken” by the incident and that he considered it a “very serious violation”. He felt that Neil’s coming forward on his own was mitigating yet, at the same time Neil’s violation extended over a full 24 hours. Neil had put a lot of thought into lying and carried it out for an extended period. Professor Teton then told the jury that he was acting as a support person for Neil as well as the confronting party and that he was put in an awkward position. He felt that their relationship had changed but that slowly his trust in Neil was being rebuilt. When the Chair asked if Professor Teton had any possible resolutions to suggest, he said that he did not wish to suggest any possible resolutions, however, he did feel it to be very important that the jury send a message to the community concerning how unacceptable such a violation is. When the Chair asked Neil to suggest any possible resolutions, he suggested a grade reduction and a letter to the community where he would be able to express his experience and feelings to the community and explain that his circumstances do not justify his actions. He felt that a failure in the class would be counter-productive because there was so much work left to do in the class.

**Deliberations II**

The jury felt that Neil should fail the exam and lose credit in the class. Simply failing the exam seemed unfair to the students in the class who had done poorly or failed the exam through honest work. There were two methods for dropping the grade that were discussed. The first suggested that Neil’s grade in the course be lowered by a full point and that he would then lose credit for the exam. The other method was to scale Neil’s grade on a 3.0 scale rather than a 4.0 scale. The reasoning for this was that it would significantly decrease his grade in the course, yet make it difficult to fail the class. After much debating and calculations, the jury consensed on the first method. However, one juror stated that there is often minimum grade that a student must receive in a course for his major in order for credit to be awarded towards his major. Since this was a course that was in Neil’s major, the jury felt that an addendum to this resolution needed to be attached because they felt that Neil should not fail the class as a
direct result of this resolution. The addendum left the decision of whether Neil should or should not lose credit for the class up to Professor Teton's discretion.

In order to repair the breach of trust with the community, the jury consensed that a letter needed to be written to the community. The jury felt that the letter should be attached to the abstract as well as printed in the Bi-College newspaper so that the entire Bi-college community could learn from it. It also served to address Professor Teton's concern that the community understand the gravity of the violation. In order to repair the breach of trust between Professor Teton and Neil and to have Neil realize the uncomfortable position that he had put Professor Teton in, the jury consensed that Neil needed to write a letter to Professor Teton taking into account his position as both the support person and the confronting party.

Many jurors had a concern with Neil’s understanding of the Code. The jury felt that Neil should reflect on his relationship with Honor Code and that he should take an active role in helping the community to understand the Code better and thereby reaffirm and strengthen the relationship between the community and the Code. The jury found it difficult to formulate a concrete resolution that would ensure that Neil would do serious thinking about the Code. Thus, the jury felt that Neil could help the community to better understand the Code and deal with the concrete principles that are to be followed. How one chooses to reflect on the spirit of the Code could be dealt with more on an individual level. The jury consensed that Neil should resign his Honor Code pledge in order to promote a better personal understanding of the Code. In addition, the jury felt that Neil should write an information sheet dealing with form, content and degree of difficulty. This information sheet would be mailed to first year students. The jury felt that the issues of education, repairing the breach of trust, and accountability had been properly addressed in these resolutions and consensed on the five resolutions as a whole. Those resolutions are:

1. Neil will fail the mid-term exam. In addition, his final grade will be lowered by 1.0.
2. Addendum: This Honor Code jury consensed that this resolution is appropriate in addressing the serious nature of Neil’s violation. However, we do not feel that Neil should fail the class or lose credit for his major as a direct result of this resolution. Professor Teton should use his own discretion in deciding whether Neil should necessarily lose credit for this class.
3. Neil will write a letter to the community taking into account his breach of trust with the community. This letter will be attached to this abstract and be included in the Bi-College newspaper.
4. Neil will write a letter to Professor Teton considering the effects of the violation had on Professor Teton.
5. Neil will re-sign his Honor Code pledge.
6. Neil will write an information sheet for first year students dealing with form, content, and degree of difficulty. This will be mailed to first year students.

Presentation of Resolutions:

Neil stated that he thought that the resolutions were fair, however he was confused about the reasoning behind the fourth and fifth resolutions. He felt that they were trying to address an ideal and that other students at Haverford would have difficulty understanding his point of view unless they went through the same trial process. The jury explained to Neil that they were not asking him to force his own views of the Code on other students. Instead, the jury hoped that these two resolutions would allow for deeper reflection on the Code, not only by Neil, but also by the community in order to understand and embrace the Code better. The jury explained that that was why they had asked him to address the principles of the Code rather than the spirit since addressing the spirit is much more of an individual process. Neil seemed satisfied with the responses from the jury and had nothing else to add. He reiterated that he thought the resolutions were fair. Professor Teton agreed to the resolutions as well and had nothing further to add. After the two parties left, the jury reached final consensus and the trial officially ended.
Questions

Please put your responses in the abstract response box in the mailroom.

Do you think Neil should have failed the class even though it was in his major? Do you think he should have been separated from the community for a semester? Why or why not?

Do you think resolutions addressed both the academic breach of trust and the social breach of trust with the community and Professor Teton? Why or why not?