Honor Council Abstract
Paul

Introduction

Art saw Paul in the library studying for their test in a course they had together. Paul was doing the homework that had been due a few days earlier. Art noticed that Paul was changing the answers on his homework sheet according to the answers that had been on reserve. Art confronted Paul. Paul told Art that Professor Zimmer had told him to "check his answers." Art was confused but decided to let it go. Later, Art told an Honor Council member about the incident. Art decided to confront Paul again. Eventually the incident was brought to the whole Honor Council, which decided the matter should be settled in a trial as there was no less formal way to deal with any question of academic dishonesty, even if it seemed like a simple misunderstanding.

Fact Finding

Art, Paul, and Paul's support person met with the jury and began the trial with a moment of silence.

Art began with his account. He told the jury that Paul and Art had been studying for a test in the library. The professor had given an exception to her usual rule concerning late homework (which was not to accept late assignments) so many people were doing the homework as a means of studying for the test. Because the homework was late the answers were already on reserve in the library. "It seemed like he was changing his answers," Art said, "so I said, 'so, what are you doing?' and he said, 'I'm doing my homework.'" Art said that Paul clearly wasn't finished, but Paul said Professor Zimmer had told him to "check the answers." Art suggested that maybe the professor had meant that Paul could check to see if he had gotten them right but not to change them on the answer sheet.

At that point, Art did not pursue the matter with Paul. But as Art thought about it, the incident began to nag at him, so he went to an Honor Council member to discuss it. The HC member suggested that Art talk to the professor. Art spoke with Prof. Zimmer and learned that she had told a lot of people to "check the answers" to study for the test, but that the professor had only emphasized to some that they should not change answers on their homework. Prof. Zimmer left the matter in Art's hands. Art went and confronted Paul again and the matter came before Honor Council.

Paul then gave his account. He had been confused about the problems on the homework assignment and had spoken to Prof. Zimmer in order to get permission to turn it in late. Paul also "cleared up the confusion," about the method on some of the problems with Prof. Zimmer. "I felt pretty confident. Zimmer said, 'check the answers.'" Paul had
thought Prof. Zimmer had meant that he could use the answers to make sure he got the problems right. "I felt a little strange about it," said Paul. "I know completely now that she meant you can't change the answers."

Paul told the jury that he was changing the answers when Art confronted him. "I was trying to put together everything," meaning the problem, the theory, the method, and the right answer. He reworked the problems in his mind as he changed the answers. Paul had only changed three to five of the eleven answers in the problem set. These were the same problems on which he'd asked Prof. Zimmer for help. "I thought I'd [arrived at the answer] at the time. I remember feeling it was okay to check solutions and method. It didn't factor into my mind that answers usually aren't on reserve ahead of time." The answers were only on reserve this time because the homework was late.

Professor Zimmer then arrived to give the jury her account. She told the jury that the homework set in question was worth very little in comparison to the whole grade. She had given several students permission to turn the homework assignment in late because of the test. She had told the students to check the answers themselves because there would not be time for her to correct the homework before the test. She told some of those students not to change their answers, while to others she had said nothing on the subject. (Paul said that he did not remember hearing anything about changing answers.) Prof. Zimmer told the jury she understood how Paul could have thought that it was alright to change the answers because of the ambiguous situation. She left it to the jury to settle the matter though because she had created such an ambiguous situation. She said, "I can't adjudicate this."

When asked if she thought a violation of the Honor Code had occurred, Prof. Zimmer said, no, "because I didn't state it explicitly." She said that if she had been asked, her policy would have been, "Look at the answers but don't change them."

Paul told the jury, "At the time I thought I was doing the right thing. Now, it's clear that the thing to do was to do the homework, and then put it aside and then check the answers...I think in changing the answers...that was a violation." Art was still unsure of whether it was violation or not.

The jury had no other questions for the parties so Art, Paul, Paul's support person and Professor Zimmer left.

Jury Deliberations

The jury discussed whether Paul's action of changing answers had been a violation. The jury agreed that there had been an ambiguous situation. One juror was concerned that "Paul thinks it was a violation, but I'm really unclear."
The question of Paul's intent came up. "At the time, he thought he had the answer right." "He was on the first floor of the library, with many people around." "The test was the next day, he didn't have time to check with the professor." One juror thought it was a violation, albeit a small one. Another thought the question of intent was circumstantial and should wait until that portion of the trial. A juror responded that Paul's understanding of the instructions changed the nature of the violation. One juror said he thought the letter of the Honor Code had been violated but not the spirit. "If he didn't understand that what he was doing was wrong, he didn't violate the code." Another juror disagreed, "He wouldn't have violated the spirit [of the Code] if he had known he could change the answers. He took advantage of the ambiguity and handed in the answers [that weren't his own]."

The jury questioned whether Paul had had a responsibility to clarify the instructions. After some discussion it was agreed that Paul had thought he knew what the professor had meant. He even thought his understanding was correct when Art confronted him, which had brought the question up in his mind. The jury concluded that if one thinks one understands, one is not under obligation to clarify.

One juror said that there was still the issue that "what Paul understood was wrong," and therefore he should not receive credit for the problem set which was not his own work. A juror countered that, "There is no Platonic form of what Zimmer said," meaning that Paul's interpretation could have been valid. Another juror disagreed saying that Paul's actions violated the professor's academic standard regardless of what the professor had said or had failed to say. The jury discussed the idea that Paul might have thought he was an exception to normal rules or was receiving 'extra help', which professors give all the time. Many felt that there had been a violation, albeit unintentional.

As it became clear that the jury agreed that there was a violation, one juror brought up a concern. This juror wanted to make clear that checking and then changing answers is not always a violation. In many classes a student is given an answer to work toward. That was not the case here, though. Another juror worried that the community would now be afraid of unintentionally violating the Honor Code. Yet another juror said that, on the other hand, a violation is a violation and must be dealt with.

The jury came to tentative consensus on a statement of violation:

Paul's action of handing in his homework on which he had changed some answers after consulting the answer sheet constitutes a violation of the academic portion of the Honor Code because it went against the professor's policy in the course. The jury recognizes that this act was performed without express intent to
transgress this policy as Paul was acting in accordance with his understanding of Professor Zimmer's instructions.

Circumstantial

After a moment of silence, the chair read the statement of violation to Art, Paul, and Paul's support person. Then the jury heard circumstantial evidence.

Art said that Paul had been really supportive when he had confronted Paul the second time. They had even gone together to find Prof. Zimmer, but she hadn't been in her office. Art told the jury, "He said, 'I want to take responsibility for my actions.'"

Paul offered as a suggested resolution that he receive no credit for the problem set, not just the four problems, although, he wasn't too sure of his own reasons for this resolution. (Paul guessed he had changed four of the answers on the homework assignment.)

As most of the circumstantial information seemed to have come out in the fact-finding portion of the trial, there was no need for further questions, and the parties took their leave.

Deliberations

Three resolutions were suggested: receive no credit for the homework, write a statement to the community, and ask Prof. Zimmer to write to the faculty. The jury decided that a letter to the community was unnecessary because he hadn't significantly wronged the community, and "he doesn't need to apologize." A suggestion was made that Prof. Zimmer and Paul write a letter together. This was eliminated because the relationship between the two seemed to be fine and in no need of repair. Some jurors still felt strongly that Prof. Zimmer had done something wrong in creating such an ambiguous situation, but realized that this could not be addressed. The jury agreed that they could not ask Prof. Zimmer to write a letter if they were not asking Paul to write one. The jury did agree after some discussion of specifics that Paul should "have a zero averaged in[to his grade."

There was some concern with the precedent the jury was setting. One juror questioned why the jury were having Paul fail. The jury discussed many reasonings, including that the jury was rectifying the error made by Paul, rather than punishing him. Failing also addressed the needs of the rest of the class. The jury decided that their reasonings didn't have to be the same as long as all the jurors came to the same conclusion. The jury did agree that there were three main reasons for failing the whole assignment rather than just the four changed problems:

1) The jury did not really know how many answers had been changed. (Even Paul was not sure.)
2) If Paul had not looked at the answers he would have gotten those particular problems wrong anyway, so punishing only those problems did not address the dishonesty.  
3) He had checked the whole problem set and if he'd gotten more wrong answers, he most likely would have changed those as well.

Presentation of the Resolution

The jury reached consensus on the resolution and presented it to the parties after a day of rest and reflection.

The jury strongly recommends that Professor Zimmer give Paul a zero for the problem set on which he changed answers.

After the parties left, the jury reached final consensus on the statement of violation and the resolution. With that, the trial came to an end.

Please answer the following questions or write to Honor Council anything else concerning this abstract. There will be a box in the Mail Room for your statements. All students and faculty are encouraged to reply.

1. Is the resolution fair?

2. Can you unintentionally violate the Honor Code?

3. If so, how should juries deal with an unintentional violation?