In the beginning:
Professor Claire received more than thirty projects in her electronic (computer) drop-box. The assignments were computer exercises relating to the course work, and students had been given two weeks to complete them. On examination, two appeared remarkably similar. She suspected that collaboration had occurred. After confronting both students (Rudy and Theo who do not know one another) she suspected Theo of being in violation, and informed him that the next step was to contact the Honor Council Chair. Council reached consensus that there was a suspicion of violation, and sent the matter to an Honor Code Jury.

Fact Finding:
The jury met and after introductions and a review of procedure and objectives, we began by receiving Claire, Theo, and his support person Vanessa. Claire began by articulating her concerns.

Claire explained that she had assigned a two week project due on January 7 and that in her instructions she had been quite clear that there was to be no collaboration. When she started grading the programs, she came across two that were extremely similar. The confronted student, Theo, had turned in his program on Friday, January 7. Rudy had turned hers in on Friday, December 30. Aside from similar or identical naming within the programs, they were similar in that neither one worked. This is not suspicious in itself, but the key error was an identical missing command in each program. After some communication with both students, Claire met with both of them separately. On examining the evidence, Theo agreed with Claire that collaboration had occurred, but denied responsibility.

In Claire’s meeting with Theo, he displayed a marked lack of ability to explain the specific workings of parts of the program turned in under his name. Rudy, on the other hand, had been able to discuss the ideas behind the work turned in under her name, and was able to produce eight pages of handwritten notes that she claimed to have used to write her program. These notes included the missing (xyz) command that would have allowed the program to function. Both programs contained original patterns by which they would color the bars on bar graphs. Rudy’s was labeled “X-pattern” and the numbers that she included made “X” shaped patterns in the bars. Theo’s pattern was labeled identically, but the numbers he included made patterns that did not resemble X’s.

After meeting with both students, Claire suspected that Theo had cheated. She based this conclusion on the timing of their submissions, Rudy’s obvious familiarity with the material, the identical naming pattern that both students used for 90% of their procedures that Claire believed was beyond coincidence, and identical missing command on both programs that would have made the program work.

Theo now had the floor. He agreed summarily with what Claire had to say. There was no question in his mind that someone copied from someone else, but he maintained his innocence. He is not sure how anyone could have copied from him. He reiterated that the project was due Friday the 7th and said that he had done most of his work on the project earlier that week, and realizing that the graphing program didn’t work, he had continued to work on it until Friday, but could not get it to function. He said that Vanessa, his support person had seen him in his room working on the project. Theo explained that he had told Claire that he didn’t want to go through the Honor Council process partly because exam period was approaching and also because he doesn’t feel strongly about the police clause. This is relevant because having given agreement that cheating occurred, by denying responsibility Theo implicates Rudy and therefore has a responsibility to confront her.

We discussed the possibility that Rudy could have cheated, but were instructed that Theo was on trial, not Rudy. Should we find that Theo was not in violation then the possibility of confronting Rudy would arise and be dealt with.

Questions:
Juror One asked Theo if he had any idea how Rudy might have had access to his program. Theo replied by explaining that it is possible for another person to access any files of his if they were to use the same computer in Roberts within a 45 minute window after he has left the computer but failed to close his connection with his hard drive in his dorm room.

Juror Two asked Claire about the nature of the assignment. She was curious if the students were given an outline, or an initial structure from which to build the program. She also asked Claire to point to any areas that required originality.
Claire answered that there was very little structure, and that students might work from examples in the text, but ultimately the program and its structure would be theirs. (For a point of originality) She pointed to the patterns used to fill the bars. These are entirely arbitrary as they require activating pixels on the screen by giving specific coordinates.

Juror Two asked Theo how long he estimated he worked on the project, Theo said approximately 8-9 hours.

In response to questions about access to programs in general, Claire and Theo said that some students store their work in progress on the Temp Storage on Roberts Server. Claire also said that she had found other programs written for her class by Rudy on the temp storage (but not this one), indicating that she habitually uses Temp Storage to that end.

One juror asked Theo if he had any evidence of work notes or anything comparable to Rudy's work notes. He answered that he did not, his work process is primarily that of trial and error.

Juror Three asked Theo to clarify when he worked on the assignment. He asked if earlier in the week meant Monday, Tuesday, or Wednesday for example? These would have been the 3rd, 4th, and 5th respectively. He said yes, that was about right. At this point Juror Three pointed out that if he had done most of his work on the project early in the week of the 7th then it was impossible for Rudy to have copied his work and handed it in on the 30th of December. Theo said that he meant that he had finished 90% of the work by early that week, but had started a day or two after they received the assignment.

Concerns:

At this point everyone but the jury left and we discussed concerns. Though there seemed to be no doubt that a violation occurred we decided to extend fact-finding an extra day to clarify some points. Among these points:

- Check Roberts computer log-in book for possible windows in which Rudy could have accessed Theo's work. We realize that not everyone signs into the computer centers, and that it is unfair to let a person's fate pivot on their level of responsibility with regards to sign-in books. But more information is valuable, and had Theo signed in if or when he was in Roberts, it might have validated his story.
- Ask Rudy why he handed in a program that didn't work a week early.
- Access an outside authority to ascertain how similar the two programs actually are...

Fact Finding #2

Present initially, Professor Cliff Huxtable, a specialist from Swat, Claire, and Rudy. Juror Four had the Roberts log for the week of December 22-Dec. 30 which revealed that Rudy had logged in twice that week the second time for approximately three hours on Friday the 30th. There was no record of Theo that week.

We asked Cliff if the electronic dating on Claire's drop box could be changed by someone other than Claire? He said that if someone were clever enough they could do it, but if they were that clever they wouldn't have any trouble with this program. He also said that the drop box and it's inner workings were probably password protected. Claire confirmed that it was protected.

In response to the question of why she had turned her assignment in early, Rudy said that she often does that. She explained that Claire allows you to turn an assignment in early and then turn it in again. When you do so, the new one will save over the old.

At this point Prof. Huxtable left, and Theo joined us. We learned that Rudy had attempted to submit a second version of the program late in the week of January 7 (January 5 it turns out). It was never saved on Claire's drop box. She said that students often click the wrong response when the computer asks them if they want to save over the original file. She suspects that this is what happened to Rudy.

Theo also turned in a second file, this one on the 9th of January, after the due date. This version was the same as his first, but he had removed the patterns, (named "X" but not resembling X's) mentioned previously. Oddly, these patterns did work, but there was no obvious correlation to the titles (as in Rudy's), so why remove them?

When asked about what changes she made on the document before attempting to hand it in a second time, Rudy said she added a Run Rabbit Run command in an attempt to make it work. During Rudy's meeting with Claire in which they went through the program and Rudy explained how each part was supposed to work, Rudy immediately noticed the Run Rabbit Run was missing. She pointed this out to Claire. It was here that Rudy realized that her second version of the program had never made it to Claire. Claire says that there was no time before this that she had shown Rudy Theo's program which includes the Run Rabbit Run command.
When asked when she worked on the assignment in Roberts, Rudy said that she had been there for about 3 hours on that Friday (30th), this matched with what Juror Four had found in the log.

Rudy’s work notes that Claire had with her included the XYZ command that was missing in both programs.

Juror Five asked Theo if there was any part of the program that he could identify as characteristic or original that would convince us that the work was in fact his. Theo said he could not point to anything.

Timetable:
December 30 Rudy hands in draft

January 5 Rudy attempts to hand in second draft. Fails, but may have left a copy saved on Temp Storage, containing the Run Rabbit Run command

January 7 Theo hands in first draft which resembles Rudy’s second (of which there is no record), including the Run Rabbit Run command, but varied patterns under the “X” title.

January 9 Theo hands in second document, same as his first, but minus the patterns.

Statement of Violation:
1. Theo violated the Haverford Honor Code by committing a gross act of plagiarism.
2. Theo violated the trust of the confronting party, Rudy, and the community by lying throughout the trial process.

Deliberation:
The jury discussed the evidence and reached unanimous consensus on the above statements of violation based on several key points. The plagiarism violation was straightforward, but the second requires some explanation: While plagiarism violates the academic trust of the community, Theo’s continued denial of guilt and, inherent in that denial, his implication of another community member indicates a second, different unwillingness to participate in the community. The perjury resolution has to do with Theo’s unwillingness to be accountable, and the extent to which his self-involvement will allow him to sit across the table from someone he knows didn’t cheat, and remain firm in his implication of Rudy’s guilt.

Other aspects that factored into the jury’s decision were:
It would have been easy for Theo to access Rudy’s file on Temp Storage, while access to Theo’s would have been almost impossible.

The Roberts log supports Rudy’s statements about his work patterns and offers no recorded window of opportunity to support Theo’s scenario of Rudy’s window of access. Nor are there any other feasible hypothesis to explain the reverse access possibility.

Rudy was able to explain the concepts of the program to Claire and immediately recognized the absence of her Run Rabbit Run command.
Rudy produced written notes that she used in preparation for the assignment, these notes include the missing XYZ command. It seems impossible for Rudy to have prepared for her meeting with Claire by copying from the computer copy onto his notes and including the absent XYZ command.

When asked to identify any part of the program that was uniquely his, Theo could not. He could point to nothing characteristic, or any part that he could specifically describe.

Circumstantial:
One member of the jury explained the reasoning behind the resolutions and filled Theo in on comments made in his absence during fact-finding.
Theo maintained his innocence.
Juror Three asked Theo why, if he didn’t do it, didn’t he take a more active role in defending himself? (i.e. explore other possibilities for access to his work, confront Rudy, etc....) Please realize that the burden of proof does not fall on the confronted party, but Theo’s apathetic approach to the proceedings seemed uncommon.
Theo replied that he had faith in the system. He also said that he just wanted to put the whole thing behind him. When asked if there were extenuating circumstances surrounding this situation, Theo explained that he had been sick for about three weeks and had gotten extensions in several classes. He had been unable to attend a number of classes and was playing catch-up during this period of time.

We asked if he knew that a gross act of plagiarism usually results in separation from the community. He said that yes he realized that.

Claire asked what Theo expected to discuss when he was called to her office? Theo answered that he had been relieved (they had exchanged e-mail concerning this matter) and expected that he would be able to walk through the program and convince her of his knowledge of the material. At this point Theo displayed some knowledge of the material by responding correctly to a question that Claire had asked him in the original confrontation. (Please note that the trial began more than a month and a half from the time of violation).

We asked Theo what he would like to see come out of the situation and what we could do to make him feel accountable. He said that the part he was worried about was over (the jury finding him in violation) and that having been part of a similar community since 9th grade, he felt he understood community. He felt the system had failed him, and hoped that nothing drastic would come of it.

Deliberation 2

The jury spent a great deal of time discussing the resolutions, but the bulk of this discussion centered around how to fulfill the objective ERA (Education, Repairing the Breach of Trust, and Accountability). When a Jury is considering potential resolutions we are supposed to be guided by three priorities regarding the confronted party and how he or she relates to the community. These are to educate them about the code, the community and the reasons that they were found in violation; to repair the breach of trust between the confronted party, the other parties involved, and the community; and to work towards a situation where the confronted party feels a greater sense of accountability to their previous actions and translates that accountability into more careful, respectful interaction with the community in the future.

Several resolutions were reached quickly. Separation for a year was agreed upon (rather than the customary semester for a gross act of plagiarism) because of his unwillingness to take accountability for his actions coupled with his disturbing expression that he “just want[s] to put it all behind him.” This indicates an expectation of punishment, but not a commitment to healing, and a nonchalant attitude regarding the seriousness of his violation.

The jury quickly agreed that Theo should fail the class.

The remaining four resolutions attempt to further address ERA. We considered having Theo re-apply to the College to foreground the significance of his break with the community. We also considered a resolution requiring Theo to admit to his violation prior to being allowed to return. We eventually discarded the latter resolution in favor of numbers two and three. Our reasoning was that whether or not Theo wanted to come to terms with his violation to the Honor Council chair or privately was up to him, and that forcing him to submission was not a positive resolution.

Resolutions two and three are divided because we think that there are at least two levels of participation in the Honor Code and the Community. The first level is a passive living under the code. This includes attending school and complying with the ideals of the code but without active participation (the second level) which implies deeper engagement in the ideals of the code. This second level includes attending plenary, ratifying (or not) the code every year, sitting on a jury, etc. Our intention is that Theo consider the degree to which he participates in the community at every step of the way in order to direct his thinking toward his past and present actions in relation to the community.

Resolutions five and six are intended to keep Theo’s mind on the community both in fact and conceptually while he is away. They are also intended to insure some active learning with regard to repairing the breach of trust on his return. Abstracts "Beau and Priscilla", and "Wesley" relate to his situation. The essays will encourage him to mentally engage our community and his behavior even while absent. Some of us felt that community service while away would increase the chances of his returning with greater understanding of the concept of community, and an increased willingness to participate.

Juror Five was absent for the discussion and initial consensus on some of the resolutions. He was present initially when we reached consensus on number one, but on return had changed his mind, feeling that one year was too harsh. He chose to stand outside final consensus rather than block it because we had
previously discussed (in his absence) many of the concerns that he expressed. He felt it would be unreasonable to block our decision.

The Jury reached consensus on the following resolutions:

1) You will be separated from the community for a year.
2) You will re-sign the Honor Code Pledge Card upon your return to Haverford. Signing this Card acknowledges that you have taken accountability for your past actions and understand that signing your name indicates an acceptance of, and responsibility to uphold, the academic and social standards of our college.
3) You should also reconsider your commitment to the Code and the community before you choose to participate in Honor Code activities, i.e. Plenary, jury duty etc.
4) The jury recommends that you fail the class.
5) You will write three essays that will be submitted in a staggered fashion to the Honor Council Chair during the second semester of the separation:
   a) An analysis of the "Beau and Priscilla" and "Wesley" abstracts.
   b) Why you want to return to Haverford given this experience.
   c) How do you feel you have affected the community.
6) You will perform community service during the second semester of your time away from Haverford. Upon your return, you will also perform community service at Haverford by coordinating and executing a project with the Academic Computing Center.

Here ends Theo's trial.

Note: If you have further comments or questions about this abstract, Honor Council offers the opportunity for you to discuss this abstract with an actual juror from the trial. Please contact the Honor Council Chair for more information. If you have general comments about this or any other abstract, please contact your Honor Council Representative.