TIMOTHY

Jon confronted Timothy for a possible violation of the academic Honor Code. An inquiry was convened to address the situation.

After the chairperson read the relevant sections of the Honor Code, Jon explained what he believed the problem was. He said that he and Timothy were in the same advanced calculus class, and on their last exam of the semester, which was closed book, he had noticed Timothy had a sheet of formulas, given to the class as a study guide, on the chair beside him. Jon also said that towards the end of the exam Timothy had picked up another sheet of formulas from underneath his desk. Finally, Jon said that throughout the exam Timothy had been hunched over his desk and had, on several occasions, turned and looked at Jon who was sitting behind him. Thus he suspected that Timothy had cheated.

Timothy then proceeded to explain his view. He said that the reason he had been hunched over the desk was due to the cramped seating arrangement in the class, and that he had looked back at Jon during the exam because his (Timothy’s) seat was creaking and he was afraid that it was upsetting Jon. Timothy also explained that the reason that his study guide was out of his notebook was due to the fact that he had been studying the sheet right before he had walked into the classroom, and when the professor had given permission to start he had merely tossed his notes onto the seat next to him. Timothy admitted that he realized about halfway through the exam that the study sheet was in plain view and had he wanted to look at it he would have had opportunity to do so. Timothy stressed, however, that he had not done so. Finally, Timothy said that he had picked up the other sheet from underneath his desk when he had accidentally kicked it, and realized it was there. One of the jurors then asked Timothy whether he had cheated, to which he replied he had not. The jury member then asked Jon whether he believed that Timothy had cheated. Jon replied that while it seemed that Timothy was indeed cheating, he (Jon) could not be certain. Finally, the jury asked to see Timothy’s study sheet and exam to see whether it could be determined that Timothy had cheated. After carefully studying the exam, the jury found no conclusive evidence in either direction. According to a juror who knew calculus, the information on the study sheets, when juxtaposed with the exam, proved inconclusive.

At this point the jury asked both Timothy and Jon to leave the room, and the jury discussed whether or not a violation had occurred. The jury found that every reason pointing to Timothy’s commission of a violation could be successfully argued the opposite way. Timothy had had the opportunity to commit a violation because the paper had been in close range, but at the same time Timothy said without hesitation that he had not cheated. Timothy had looked back several times during the exam, but he had said that his seat was broken and he was afraid of disturbing Jon. While Jon felt that Timothy could have cheated, he was not sure that he had. And since Jon was not sure, the jury could not be sure. Tim’s posture during the test has been hunched over, but this could easily have been due to the fact that the area in which he was taking the test was cramped. Lastly, if Timothy were to cheat why would he leave his papers in plain sight?

Thus, after seven hours of deliberation, the jury came to consensus that no violation could be determined. The jury, however, advised Timothy that he should be more careful about where he put his notes before beginning future exams. Two jurors stood outside of consensus because they felt that the facts pointed to a violation.

QUESTIONS FOR DISCUSSION:

What amount of evidence is sufficient for determining that a violation has occurred? Was it proper for the jury to analyze the exam and the study sheets?