Abstract discussion will be held on Wednesday 11/11 at 7pm in the MCC (Stokes 106).

Chess:
An Honor Council Academic Trial
Released Fall 2015

This abstract was not released in accordance to the timeline specified by the Students' Association Constitution. The confronting party consented to the release of the abstract. The confronted party consented to the release of the abstract.

Key:
Confronted Party: Bishop
Confronting Party: Professor Queen
Class: Checkmating 100

Summary/Pre-Trial:
This case involves [Bishop], a Bryn Mawr student who was taking [Checkmating 100] at Haverford with Professor [Queen]. During a midterm exam, Bishop realized she had not done one of the readings that was covered. After finishing the rest of the questions on the exam, she opened her textbook to the pages she had not read, just as Professor Queen walked into the room. Professor Queen had told the class immediately prior to the exam that they were not to use their textbooks when taking the exam. Bishop apologized profusely and then handed in the test with the question she had not done the reading for blank.

Upon reading statements from both parties, Honor Council consented to send the case to an academic trial. The trial was somewhat complicated by the fact that Professor Queen was unable to attend any trial meetings due to her busy schedule and her sentiment that she did not need to be present. Bishop maintained that she had not intended to cheat when she looked at her textbook, and the jury ultimately consented to a statement of non-violation after deciding that there was not enough evidence to indicate a violation of the Code.

Fact Finding:
Because Professor Queen was not present at this meeting, the trial chair emailed her prior to the meeting to ask if she had any information that was not included in her statement her that
she would like the jury to hear from during Fact Finding. Professor Queen responded that Bishop had been working very hard in her course and that she knew from meeting with her that Bishop felt quite upset and ashamed.

After reading Professor Queen’s statement to the jury, the trial chair asked Bishop to tell the jury what happened. Bishop explained that she opened the book at the end of taking the exam, but that the exam that she handed in reflected the work that she had done without the book. She said that when she opened the book, Professor Queen came into the room. She concluded by saying that she felt really bad about this.

The jury began to ask Bishop questions. One juror asked Bishop whether it was her intention to add to and/or change her answers on the exam after consulting the book. Bishop said that she was not planning to continue working on the exam, and just wanted to look up the information that she had not yet learned. Another juror asked Bishop why she didn’t turn in the exam before consulting the textbook, to which Bishop responded that she didn’t really know. She said the book was just right next to her and that she didn’t plan it; it just happened unconsciously. A juror asked Bishop whether she told Professor Queen that she was not planning on adding to her exam answers after consulting the book. Bishop said that since Professor Queen was disappointed, she just apologized without providing any explanation. Another juror asked Bishop if she felt like the trust between her and Professor Queen needed to be restored. Bishop said that at first she didn’t feel like their relationship was back to normal, but that she was being very honest and she thought Professor Queen understood. A juror asked Bishop if Professor Queen changed her grade on the exam. Bishop said that she received a zero, even though she otherwise would have earned a high grade. This juror then pointed out that it seemed to her that Professor Queen changed Bishop’s grade under the assumption that Bishop was attempting to cheat, which didn’t seem to be Bishop’s actual intention. This juror asked Bishop why she didn’t try to clear up this seeming misunderstanding in order to potentially restore her grade. Bishop said that she thought that because she consulted the book, she needed to receive a zero because she had violated the Honor Code. Another juror asked Bishop whether she realized that she had violated the Code when Professor Queen entered the room or when Professor Queen told her it was a violation. She responded that she realized she had done something wrong when Professor Queen walked into the room and expressed her disappointment, but that Professor Queen labeled this a violation in an email.

Another juror asked Bishop if the exam was open beside her when she opened the book. Bishop responded that the exam was right by her. Bishop was also asked how much of her grade this exam is worth. Bishop said that she believed it was worth 15% of her grade. Another juror asked Bishop if the exam contained any written instructions regarding disallowed materials. Bishop said that the exam had no written instructions.

Jury Deliberations:

There was a general feeling in the room that deciding whether a violation occurred was
going to be difficult. One juror started off the discussion by pointing out that on a take-home exam, even if you haven’t turned it in yet, you can look at the book, and as long as you don’t go back to the exam. She added though that she wasn’t sure why Bishop didn’t just turn in the exam and then open the book. Another juror pointed out that it might make sense to look at the book when you still have the exam so that you can refer directly to the problem in question.

Another juror stated that it didn’t seem like Bishop completely understood the Honor Code because she said she knew that she shouldn’t use the textbook but did not know that this was a violation until Professor Queen told her it was. The trial chair pointed out that professors don’t actually have the authority to deem something a violation of the Code.

Another juror stated that he was pretty convinced that this was a violation because the professor explicitly said not to consult the textbook and Bishop had not yet put the test away. Another juror said she felt that as long as someone doesn’t have the intention to change their answers after consulting the book, it doesn’t matter where the exam was.

At this point, the trial chair asked jurors to all state their current positions on whether this constituted a violation. Most jurors felt that it was not a violation; however, one juror still thought that it was a violation and expressed that he wanted to talk to Professor Queen to provide clarity.

The trial chair pointed out that Professor Queen did not attend Fact Finding partially because of the assumption, made by herself and Professor Queen, that Bishop and Professor Queen were on the same page. This now appeared to not be the case, and as a result, the jury did not yet have the opportunity to hear Professor Queen’s perspective on what Bishop had shared during Fact Finding. In light of this, the jury decided to postpone deciding on any statement of violation or non-violation until they had the opportunity to hear from Professor Queen.

**Interim:**

Immediately following this Fact Finding meeting, the trial chair emailed Professor Queen and summarized what Bishop had told the jury during Fact Finding. Professor Queen wrote back elaborating on her thoughts about the situation. She said that maybe Bishop was just curious about the answer and did not intend to look up the information in the textbook to finish the exam. She noted though that she had distinctly said not to use the book, and Bishop was opening the book when she came to the room, which seemed like a violation to her. Professor Queen continued that perhaps this was a miscommunication. The trial chair asked Professor Queen if it would be possible for her to speak to the jury in person about this. She responded that this would not be possible.

**Fact Finding/Jury Deliberations Continued:**

The trial chair began by reading to the jury the emails they had received from Professor Queen following the previous trial meeting. Two jurors felt that it would not have made sense for Bishop to cheat because Professor Queen was already aware that Bishop had not read the
material pertinent to this question, and because she already earned a high grade without cheating.

The jury then launched into a discussion regarding whether looking at the textbook before turning in the exam was in and of itself a violation, even if she never intended to return to the exam. The jury questioned whether the exam was over once Bishop was done or once it was turned in to the professor. Many jurors expressed that given the discrepancies between Bishop’s and Professor Queen’s statements that were now apparent, they wished that Professor Queen had been present at the trial.

At this point, most jurors felt that there was not much lingering ambiguity as to what happened and were leaning towards believing that Bishop did not violate the Honor Code. The jury consented on the following statement of non-violation.

[Bishop] did not violate the Honor Code. (10 jurors consent, Bi-Co Liaison supports)

**Jury Deliberations on Resolutions:**

Although the jury consented on a statement of non-violation, and were therefore unable to draft any binding resolutions, they felt there were still some issues that could be addressed through recommended resolutions. Since the jury did not believe that Bishop violated exam instructions, they felt that a restoration of Bishop’s original grade would be fair. The jury also wanted to address certain aspects of education for both Bishop and Professor Queen. They believed that the confrontation between Professor Queen and Bishop was not ideal in that Bishop did not explain her motives and Professor Queen told her that what she did was wrong. The jury also wanted Professor Queen to gain a better understanding of the importance of confronting parties participating in the trial process. Additionally, the jury wanted to address the fact that Professor Queen had told Bishop that she had violated the Honor Code and had changed Bishop’s grade on the exam before involving Honor Council. The jury consented on the following set of recommended resolutions.

**Resolutions:**

1. The jury recommends that Professor [Queen] restore [Bishop]’s original midterm grade (10 jurors consent, Bi-Co Liaison supports)
2. The jury recommends that Bishop and Professor [Queen] review the Honor Code with a focus on confrontation and trial procedures. After doing so, the jury recommends that both parties engage in a dialogue with a member of the jury present in order to reach a common understanding (10 jurors consent, Bi-Co Liaison supports)
3. The jury reiterates the exclusive right of Honor Council juries to decide whether or not a violation has occurred (10 jurors consent, Bi-Co Liaison supports)
4. The jury urges confronting parties to refrain from taking actions against confronted parties, such as grade changes, until the completion of the Honor Council process (10 jurors consent, Bi-Co Liaison supports)
Resolutions as a whole: 10 jurors consent, Bi-Co Liaison supports

Post-Trial:
The trial was not appealed.

Discussion Questions:
1. Does looking at a textbook during a closed-book exam constitute a violation of the Honor Code, even if the student taking the exam has no intention of continuing to work on the exam?
2. What impact might the lack of participation of a confronting party have on the trial process?