Apples:
An Honor Council Academic Trial
Released Spring 2016

This abstract was 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:
Confronting Party: Professor Gala
Confronted Party: Fuji
Class: Apple Juice Making 300
Eyewitness of violation: McIntosh

Summary/Pre-Trial:
The trial involved [Fuji], a Bryn Mawr student. Another student in her [Apple Juice Making 300] class witnessed her accessing prohibited resources during an exam. When confronted by her professor, Professor [Gala], Fuji denied using any prohibited resources despite a screenshot [McIntosh] had taken of her last log-in time on Moodle being during the testing period. During the course of the trial, she maintained that she did not violate the Honor Code. Given the lack of clarity surrounding whether or not the violation occurred, the jury’s resolutions focused on restoring trust between Professor Gala and Fuji as well as between Fuji and the community.

Fact Finding:
Because Fuji maintained that she did not violate the Honor Code throughout the entire trial process, it was very difficult for the jury to understand exactly what happened. The jury had to weigh evidence provided by McIntosh, an eyewitness, and statements given to them by Fuji. The jury was able to speak to McIntosh about what exactly she saw during the exam. McIntosh said she saw Fuji logging on to Moodle during the course of the exam, taking the exam out of the room under her jacket, and sending text messages containing pictures of the exam to a third party. Later, when McIntosh used Moodle to help her identify Fuji, she noted that Fuji’s last log-in time was during the exam. McIntosh screenshots and shared this evidence with both Professor Gala and the jury. Upon hearing of a potential violation from McIntosh Professor Gala took a closer look at Fuji’s exam and found one question in which the answer had been taken verbatim from an online forum and was unrelated to the question asked.

The jury met with Fuji on multiple occasions to hear her account of what happened, but
the contradicting statements made it difficult for the jury to discern what actually occurred. Fuji first claimed that the log-in time on moodle could have been as a result from her leaving her computer open in her room with her roommate present. Later, she suggested that moodle may have popped up and logged-in automatically when she took her phone out to use the calculator (which was allowed). As for the question on the exam that was identical to an online source, she explained that she had used online sources before taking the exam and memorized the definitions of key words she did not understand fully.

**Jury Deliberations/Statement of Violation:**

Because Fuji maintained that she had not violated the Honor Code throughout the proceedings, the jury had a lot of difficulty figuring out what had actually occurred during the testing period. This made it difficult to agree upon a statement of violation that took into account both Fuji’s and McIntosh's account of the situation. The jury decided that due to a lack of evidence, they would only consider inappropriately accessing moodle. Therefore, their statement of violation focused mainly on the fact that Fuji accessed Moodle during the exam, but left room for the possibility of other violations. The jury consented to the following statement, with the agreement that it could be changed if anything else came up:

_Fuji violated the Honor Code by accessing at least one prohibited resource, i.e. Moodle, during the exam. (10 jurors consent, bi-co liaison approved)_

**Circumstantial Portion:**

Due to there being a lack in understanding of events that took place surrounding this violation, Fuji did not have any circumstances that she wanted the jury to know about. She did use this time to mention that she wanted to take responsibility for logging into Moodle, which she felt was a violation whether or not it was intentional. She confirmed that she had violated the Code in this way, but stated that she hadn’t cheated: she hadn’t accessed information related to the course, and she hadn’t used any other sources.

**Jury Deliberations and Tentative Resolutions:**

Fuji’s consistent denial of the fact that a violation occurred made it hard for the jury to formulate resolutions that fulfilled a trial’s three goals, education, restoration, and accountability, while taking the conflicting statements into account. They felt, however, that it was important to address and rectify the relationship between Professor Gala and Fuji since Professor Gala seemed annoyed by Fuji’s reticence throughout the proceedings. Despite the lack of evidence about what violations occurred and to what extent, the jury decided it was important that Fuji understand that any sort of unfair advantage on an exam is unacceptable. They also discussed a possible letter to McIntosh but decided that the letter might be more destructive than beneficial if Fuji’s letter simply reiterated her denial of the violation. The jury agreed that a letter to the
community would allow Fuji to either vent her frustrations or own up to her actions.

One juror stood outside on the resolutions as a whole because he felt uncomfortable moving forward without having more concrete knowledge of what had happened, but didn’t know how to resolve that issue. Another juror stood outside on the resolutions as a whole because he felt like there weren’t enough resolutions directed at restoration.

1. The jury recommends that [Fuji] receive a grade of 0.0 on the exam (10 jurors consent, bi-co liaison approves)
2. During [semester] [Fuji] will read three abstracts chosen by the Honor Council librarian (10 jurors consent, bi-co liaison approves)
3. By the end of [month] [Fuji] will attend three abstract discussions (10 jurors consent, bi-co liaison approves)
4. After completing resolutions 2 and 3, [Fuji] will write a reflection, no fewer than 500 [sic], about how the abstracts informed her understanding of and engagement with the Honor Code. This will be completed by the end of [month] (10 jurors consent, bi-co liaison approves)
5. Before the start of [semester], [Fuji] will take the Academic Integrity Tutorial (10 jurors consent, bi-co liaison approves)
6. By the end of [semester], [Fuji] will write a letter to the community to be included in the abstract (10 jurors consent, bi-co liaison approves)
7. In the first month of [semester] [Fuji] will meet with Professor [Gala], if he is willing (10 jurors consent, bi-co liaison approves)

Resolutions as a whole (8 jurors consent, 2 stand outside, bi-co liaison approves)

Statement on reporting:
Given the unclear information regarding the violation in this case, the jury feels that we aren’t able to make a determination as to whether it should be considered disciplinary for the purposes of reporting to other institutions of higher learning (10 jurors consent, bi-co liaison approves)

Finalizing Resolutions:

The jury met with Fuji to see what her reactions to the tentative resolutions were. Two jurors were not able to attend the meeting at the last minute, so they stood outside in absentia. Fuji felt that it was unfair to get a 0 on the exam, but agreed with the other resolutions. A juror explained that they felt that a 0 was the standard way to hold someone accountable for a breach of trust without extenuating circumstances, which they didn’t see in this case. They asked Fuji whether she had any ideas for resolutions addressing restoration, which several jurors felt was lacking in their resolutions, but she couldn’t think of any.

While they didn’t feel that the finalizing meeting had added much to their understanding,
the jury generally felt like Fuji was meeting them halfway. Generally, the jury felt like the kind of restoration they wanted to see - a sense that they could take a class with Fuji and trust her - was not something they could create with resolutions. The jury decided that a meeting between Fuji and a juror might do something toward achieving this goal, and hoped she would see it as a measure of concern and not the jury trying to punish or check up on her.

**Final Resolutions:**

1. The jury recommends that [Fuji] receive a grade of 0.0 on the exam (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)
2. During [semester] [Fuji] will read three abstracts chosen by the Honor Council librarian (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)
3. By the end of [month] [Fuji] will attend three abstract discussions (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)
4. After completing resolutions 2 and 3, [Fuji] will write a reflection, no fewer than 500 words, about how the abstracts informed her understanding of and engagement with the Honor Code. This will be completed by the end of [month] (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)
5. Before the start of [semester], [Fuji] will take the Academic Integrity Tutorial (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)
6. By the end of [semester], [Fuji] will write a letter to the community to be included in the abstract (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)
7. In the first month of [semester] [Fuji] will meet with Professor [Gala], if he is willing (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)
8. [Fuji] will meet with a member of the jury in the first month of [semester] (8 jurors, 2 stand outside in absentia, bi-co liaison approves)

Resolutions as a whole: 8 jurors consent, 2 stand outside in absentia, bi-co liaison approves

**Statement on reporting:**

Given the unclear information regarding the violation in this case, the jury feels that we aren’t able to make a determination as to whether it should be considered disciplinary for the purposes of reporting to other institutions of higher learning (8 jurors consent, 2 stand outside in absentia, bi-co liaison approves)

**Post-Trial:**

The resolutions were not appealed. Honor Council has not yet received Fuji’s letter. When it does, this abstract will be re-released.

**Discussion Questions:**
1. How should a jury balance conflicting accounts from confronted and confronting parties?
2. To what level can we hold a confronted party accountable for their actions if they do not admit to having violated the Code?
3. Does accessing prohibited material but not using it on an exam or assignment still constitute an academic violation?
4. If you were in McIntosh's situation, what would you do?