Name: Coco
An Honor Council Academic Trial
Released SEMESTER

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Key:
Confronting Party: Professor Oscar
Confronted Party: Felipe
Course: Shoemaking 255

Summary/Pre-Trial:
This trial involves [Felipe], a student in Professor [Oscar]’s [Shoemaking 255 course]. After [Felipe] missed the midterm test, Professor [Oscar] allowed him to take the test at a different time, changing some of the numbers in the questions so it was not the same as the first test. Professor [Oscar] contacted [Felipe] after he noticed that [Felipe] had given the answers for the first test. [Felipe] then admitted to have taken a copy of the first test at the end of the testing period and kept it, looked at it, and used it as the make-up test.

Fact Finding:
The whole jury met with Professor [Oscar] and [Felipe]. Professor [Oscar] explained his side of the story, which [Felipe] agreed with completely.
During midterms week, Professor [Oscar] held an unproctored scheduled test during class time that was to be taken in [The Land of the Dead] or [Santa Cecilia]. Professor [Oscar] was not able to be there, so he assigned his two TAs to administer the test. After the test, [Felipe] contacted Professor [Oscar] and said that he had forgotten the test was then and thus failed to take it. Professor [Oscar] and [Felipe] agreed that [Felipe] would take a make-up test, that Professor [Oscar] would e-mail it to [Felipe] at an agreed upon time, and that [Felipe] would have a specific amount of time to complete it and e-mail it back to Professor [Oscar]. While Professor [Oscar] was grading the make-up test, he realized that the answers were to the questions of the first test, not the make-up test. He contacted [Felipe] about this incident, and [Felipe] told him that he had grabbed a test at the end of the testing period when he realized he had forgotten to take it, and kept it for the make-up test, and therefore did the first test instead of the make-up test.
[Felipe] added that he was in [Santa Cecilia] studying when he saw his classmates leaving [Santa Cecilia] to hand in the test, and then he remembered that there was a test and went to [The Land of the Dead], where the TAs were administering the test. He grabbed an extra copy of the test without the TAs’ knowledge. He let them know that he missed the test, and they marked him as such. [Felipe] claimed to have looked at the first test, but did not start it until he received the make-up test. When he received the make-up test by email, he used the first test as the make-up test, not knowing that the answers of the make-up test were different.

When asked about where he saw the violation occurring, Professor [Oscar] said that he believed that the first test was used in advance to prepare for the make-up test. [Felipe] said that he believed he violated the Honor Code when he looked at the first test before doing the make-up test, and then completed the first test instead of the make-up test without Professor [Oscar] knowing that he had the first test.

[Felipe] was also asked about how he did not know that there was a test happening during class time. He first said that he only usually went to the first part of the class, and would leave during the break. He then said that he was particularly busy during that week because of the other exams and assignments that he had the day before and the day of the exam, and thus forgot about the test or about class. Professor [Oscar] also added that [Felipe] had started the class late—he had missed the first two weeks of the class and the exam was given in week six.

When talking to the professor alone, Professor [Oscar] said that there were three possible violations: first, that [Felipe] completed the first exam before receiving the make-up exam, and then he copied the first exam answers and sent it as the make-up exam; second, that [Felipe] may have not necessarily completed the first exam, but that he completed the first exam as the make-up exam during the allotted period for the make-up exam; or third, that he went to [The Land of the Dead] at the beginning of the exam, saw it was too difficult, and came up with the story about forgetting that there was a test. There was nothing else to add from his side, so he left.

When talking to [Felipe] alone, there was also not a lot to say. [Felipe] confirmed that he only looked at the first test briefly before the make-up test, and that he then completed it as the make-up test during its allotted period.

**Jury Deliberations/Statement of Violation:**

The jury agreed that there was a lot of gray area as to what actually happened. A juror saw clearly that grabbing the first test from [The Land of the Dead] was a violation regardless, and others agreed. The jury talked about looking at the first test before the allotted make-up test, versus actually completing the first test before the make-up test. The jury agreed that they could conclude beyond a reasonable doubt that he looked at the test, but they could not conclude that he partially or completely filled out the first test before the make-up test. Lastly, there was discussion about [Felipe] violating the Honor Code by sending the first test as the make-up test,
since he did not follow the instructions, and did not tell Professor [Oscar] that he had the first test when he completed the make-up test.

After thorough deliberation, the jury was able to consent to the following statement of violation:

**Statement of Violation:**

[Felipe] violated the Honor Code by:

1. *Taking the first test from the testing room without the knowledge and consent of the professor;*
2. *Looking at the content of the first test before the allotted time for the make-up test, and;*
3. *Not following the instructions for the make-up test by completing the first test rather than the make-up test and submitting the answers without the professor knowing [Felipe] possessed the first test. (10 jurors consent)*

**Circumstantial Portion:**

Due to a scheduling conflict, the jury met first with Professor [Oscar]. Professor [Oscar] had a question about the statement of violation, and whether the jury thought [Felipe] did not look at the test after he grabbed it. The chair of the trial explained that, given that there was a lot of gray area when speaking about that, and that while the jury could not say beyond a reasonable doubt that he completed the test, they could say that he looked at the test to some extent. Another juror expanded that there were many scenarios that could have possibly happened but the things that the jury agreed on in the statement were the things that the jury was sure had happened. Further, the jury stated that the resolutions don’t exactly need to match the statement of violation—for instance if the jury learns new information, or if the jury comes to a second statement of violation. Professor [Oscar] also talked about [Felipe]’s current enrollment in the class. He knew that [Felipe] was taking or considering taking the class Pass/Fail, but he did not know if [Felipe] had agreed with his dean to withdraw from the class. He checked the enrollment of the class and [Felipe] appeared on the list, but he didn’t know what he was going to end up doing.

The jury asked Professor [Oscar] about his proposed resolutions. Professor [Oscar] was sure that he wanted [Felipe] to fail the class, regardless of whether he was taking it Pass/Fail or not, or if he had withdrawn from the class because he had attended only three classes and had not turned in a significant amount of coursework. When asked by the trial chair if he felt that it was necessary to meet with [Felipe] to restore their relationship, Professor [Oscar] said that he did not feel it was necessary for them to have a meeting because it had been a very large class, [Felipe] had only attended three classes and had never spoken in any of them, and so [Felipe] was a “nameless face” in a large class. Therefore Professor [Oscar] did not have a relationship with him in the first place to restore.
As Professor [Oscar] left, [Felipe] entered. The jury and [Felipe] talked about the circumstances surrounding the violation. He was taking a pretty heavy course load and he had a lack of sleep due to assignments he had that same week. Additionally, [Felipe] said that he was going through a type of depression and that after that week of assignments he had to go to the hospital. The jury also asked [Felipe] about whether he was taking a semester off, given that he had mentioned the possibility in his statement to Honor Council. He said that he wanted to finish the year and that maybe next year he would take a break. To that, the chair also stated that Professor [Oscar] thought he should not be separated from the community, which also relieved [Felipe]. [Felipe] also said that he had to satisfy a certain number of credits for the semester, and that next semester he was planning to take five credits, several of them 200 or 300-level. He also mentioned that he was taking the class Pass/Fail so that he could still get credit for the class, but that he and his dean had agreed on him failing the class.

After no further questions from the jury, [Felipe] left.

**Jury Deliberations and Tentative Resolutions:**

The jury deliberated on the meetings with Professor [Oscar] and [Felipe]. There was still a lot of gray area as to what had happened, and they also agreed that these were some very serious circumstances surrounding the violation. The jury started talking about what resolutions would fit [Felipe], such as going to the OAR, ADS, CAPS, or taking four classes instead of five. However, many of them could not be mandated, but encouraged, and they did not know whether the OAR would benefit him. They discussed whether he should meet with all professors during shopping period, as well as continue meeting with his dean. They also talked about [Felipe] writing a letter to the community or a reflection. As for accountability, the jury didn’t want him to get credit for the test, and considered him failing the course. While there were many options on the table, the chair of the trial decided to let the jury adjourn so that they could reflect more.

When the jury met again, they started drafting tentative resolutions. They focused on trying not to create a lot of busy work for [Felipe], given that they did not think that was going to be productive. Instead of mandating things, a juror was strongly in favor of writing a resolution that would highlight the different resources for him on campus, but that would not necessarily require him to meet or do extra work. They also talked about how meeting with professors would help both [Felipe] and the professors. On the one hand, the jury wanted [Felipe] to be more than a “nameless face” in the class, but on the other hand, some professors might find it annoying that a student would come to ask questions about the class that is already in the syllabus. Therefore, the jury decided that such meetings would be more introductory, in order to build a relationship with each professor. The jury also agreed that a meeting with [Felipe] and Professor [Oscar] would be unnecessary and unproductive for both parties, but that continued meetings with his dean would be helpful.

The jury then moved to talking about accountability. Given the circumstances, the jury wanted to make sure that whatever accountability resolution they would write, the class would
still count as a credit, given that [Felipe] needed to take at least four credits each semester. The jury was in favor of a 0 in the class, as long as it didn’t affect how many credits [Felipe] gets. One juror pointed out that the jury shouldn’t consent to [Felipe] failing the class because [Felipe] was already planning to, but because the jury felt it was the right thing to do. Given that the breach of trust was greater than just with the professor, and that he grabbed the test, looked at it, and used it as the make-up test without the professor’s knowledge that he had the first test, the jury considered and consented to [Felipe] failing the class. One juror expressed that they felt uncomfortable having [Felipe] fail the class, given that they did not know trials could decide the person’s academic life at such high stakes. The rest of the jury sympathized, but felt that it was the right thing to do.

After thorough consideration of all the resolutions, the jury was able to come to consensus on the following tentative resolutions and statement on reporting.

**Tentative Resolutions**

1. *The jury recommends that [Felipe] receive a 0.0 on the test.* (10 jurors consent)
2. *The jury recommends that [Felipe] fail the course.* (9 jurors consent, 1 juror stands outside)
3. *[Felipe] will write two reflections:*  
   a. *The first reflection will be personal and confidential. It will be a space for him to reflect about the circumstances that led to this violation, such as time management and mental health;*  
   b. *The second reflection will serve as a letter to the community. [Felipe] will discuss the steps he plans to take to avoid violations in the future.* (10 jurors consent)
4. *[Felipe] will meet with his Dean to discuss his course load for next semester and talk about time management strategies.* (10 jurors consent)
5. *The jury strongly encourages [Felipe] to introduce himself to his professors at the beginning of each semester. These conversations might include questions about the course or placement levels.* (10 jurors consent)
6. *The jury supports [Felipe] in continuing to use CAPS.* (10 jurors consent)
7. *The jury encourages [Felipe] to seek out academic resources such as: the OAR (including peer tutoring, the semester blueprint, and individual appointments with OAR counselors), the Writing Center, his academic advisor, and his UCA.* (10 jurors consent)

**Resolutions as a whole:** (10 jurors consent)

**Statement on reporting:**

*The jury recommends this trial to be reported to other institutions of higher learning only if [Felipe] violates the Academic Code again.* (10 jurors consent)

**Finalizing Resolutions:**
For this meeting, nine jurors were present, as well as [Felipe]. Professor [Oscar] sent his thoughts on the resolutions by email. Both parties were comfortable with all resolutions, and the jury made sure to explain to [Felipe] the reasoning behind the resolutions. With no questions from [Felipe], he left.

The jury went on to talk about the finalizing resolutions. They first wanted to put a date in things so as to give [Felipe] a more concrete timeline for his resolutions. The jury also talked about adding another resolution, which would concern UCAs. One juror felt strongly in favor of these resolutions because sometimes first years take on huge course loads such as [Felipe], and that may influence violating the Honor Code. Other jurors added that the resolution could involve UCA Co-Heads and a discussion between them and Honor Council.

The jury then felt that they wanted to emphasize that failing the course did not mean not getting credit for the course, and thus added a second sentence to the second resolution.

After no further questions or concerns, the jury consented to the following resolutions.

**Finalizing Resolutions:**

1. The jury recommends that [Felipe] receive a 0.0 on the test. (9 jurors consent, 1 stands outside in absentia)

2. The jury recommends that [Felipe] fail the course. The jury does not intend this grade change to affect [Felipe]'s status as a full-time student [redacted]. (9 jurors consent, 1 stands outside in absentia)

3. [Felipe] will write two reflections:
   a. The first reflection will be personal and confidential. It will be a space for him to reflect about the circumstances that led to this violation, such as time management and mental health;
   b. The second reflection will serve as a letter to the community. [Felipe] will discuss the steps he plans to take to avoid violations in the future. This letter will be due by [redacted date]. (9 jurors consent, 1 stands outside in absentia)

4. [Felipe] will meet with his Dean to discuss his course load for next semester and talk about time management strategies. This meeting will happen during the [following semester] class shopping period. (9 jurors consent, 1 stands outside in absentia)

5. The jury strongly encourages [Felipe] to introduce himself to his professors at the beginning of each semester. These conversations may include questions about the course or placement levels. (9 jurors consent, 1 stands outside in absentia)

6. The jury supports [Felipe] in continuing to use CAPS. (9 jurors consent, 1 stands outside in absentia)

7. The jury encourages [Felipe] to seek out academic resources such as: the OAR (including peer tutoring, the semester blueprint, and individual appointments with OAR counselors), the Writing Center, his academic advisor, and his UCA. (9 jurors consent, 1 stands outside in absentia)
8. Honor Council will initiate dialogue with the UCA Co-Heads in order to discuss the relationship heavy course loads may have with Honor Code violations.
   a. The jury emphasizes that UCAs should thoroughly explain what resources are available to students and help first years think carefully about their course load. (9 jurors consent, 1 stands outside in absentia)

Resolutions as a whole: (9 jurors consent, 1 stands outside in absentia)

Statement on reporting:
The jury recommends this trial not be reported to other institutions of higher learning, unless [Felipe] violates the Academic Code again. (9 jurors consent, 1 stands outside in absentia)

Post-Trial:
The resolutions were not appealed.

Discussion Questions:
1. To what extent is it the responsibility of the UCAs to make sure that their first years are not taking on too much of a workload?
2. Does either a student or professor have the responsibility to foster a relationship with the other?
3. What are the resources in general that could help a student prevent academic violations to the Honor Code?
4. If you were on this jury, and you saw all these different hypotheticals and gray area, what would you take into account when making your decision?