Surf’s Up:  
An Honor Council Academic Trial  
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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:
Course: Surfboard Building  
Confronted Party: Cody Maverick  
Confronting Party: Zeke Topanga  
Institutions of the Confronted Party’s Collaborators: Pen Gu Island Institution and Antarctica Surfboarding Institution

Summary/Pre-Trial: 
This trial involved a student, Cody Maverick, repeatedly using prohibited online resources to get solutions for answers to a Surfboard Building Midterm and a series of weekly surfboard assignments for his class. The case was complicated in several ways. Firstly, Cody had experienced extenuating circumstances in his personal life which led to the Code violation. Secondly, the jury felt that Professor Zeke Topanga, when looking for evidence to prove Cody had cheated, inappropriately accessed the student’s personal online data. Thirdly, this trial was particularly long, spanning across several school years. The semester after Honor Council convened a jury for the case, it was sent to a Dean’s Panel because Cody did not provide enough time availability for the Fact-Finding meeting to happen. However, the Dean’s Panel never met. Three semesters after the violation was initially brought to Honor Council, the case ended up being passed to Honor Council again, and the trial took place as summarized below. Cody expressed this back-and-forth made the trial a more punitive experience for him.

Fact-Finding:
Professor Zeke Topanga started by saying that he was Cody’s professor for a Surfboard Building course which had exams and weekly problems sets. Professor Zeke Topanga initially contacted Cody through email when Cody used sophisticated methodology that had not been discussed in class for a problem on a weekly surfboarding assignment. Cody responded that he
worked on the problem with a friend from another Surfing Institution.

Later on in the course, Professor Zeke Topanga said that he noticed that two students, neither of whom were Cody, had strangely similar responses for the second midterm of the class. He googled the text of the exam’s questions, which he found on surfinganswers.com. This is a website where people can pay to get answers for questions they post online. Professor Zeke Topanga did not find the responses from that pair of students on surfinganswers.com. However, he then decided to look up Cody’s midterm responses because he thought that their email correspondence about the previous homework assignment was strange. Professor Zeke Topanga found one of Cody’s midterm responses verbatim from the surfinganswers.com post, which he thought was the most clever way to solve that surfing problem. Furthermore, two other students in the class also had the same response as Cody that was posted on surfinganswers.com. However, Professor Zeke Topanga had chosen not to look further into the other students’ responses because they were both 4.0 students in his class, and he thought it was reasonable that they would construct the most clever solution without the use of outside sources.

Professor Zeke Topanga then looked up his questions from other weekly surfboarding assignments on surfinganswers.com, and discovered that someone had been posting his homework questions to the website throughout the semester. He also specifically found Cody’s answers on surfinganswers.com for the questions he had said he had collaborated on in their initial email exchange. By using IT logs to locate Cody’s IP address, Professor Zeke Topanga was able to determine that Cody had posted questions to surfinganswers.com for the most recent weekly surfboarding assignment in the class, and thus concluded that all of the other posts to surfinganswers.com had been posted by Cody.

Cody said he had nothing to add regarding the incident. Professor Zeke Topanga highlighted that he confronted Cody after accessing his IP address, but did not receive an apology or an acknowledgment of mistakes from Cody. First, he asked Cody to tell him more about the process of completing a certain problem; then, Professor Zeke Topanga asked if Cody would have changed his explanation if he knew that Professor Zeke Topanga had a paid subscription to surfinganswers.com. After, Professor Zeke Topanga revealed that he had Cody’s IP address tracked and knew Cody had used the website to get answers for problems. Professor Zeke Topanga expressed that after giving Cody various opportunities to accept responsibility, he was done with the conversation. He described all this as a frustrating experience.

At some point, Cody said that using surfinganswers.com had a minimal impact on his class performance. A juror asked Professor Zeke Topanga if he thought the same thing, and he said that he didn’t know because he didn’t grade Cody’s midterm or his remaining weekly surfboard assignments for the semester, as he said it was not worth his time. Professor Zeke Topanga also clarified he did not know if Cody used surfinganswers.com for every single weekly surfboarding assignment of the class, since he used IP address tracking for only one homework
assignment. Then, Cody said that he has not used surfinganswers.com since the violation occurred.

Cody mentioned he had two collaborators, one from Pen Gu Island Institution and one from Antarctica Surfing Institution, whom he knew from high school. One juror asked him if he collaborated with them for the weekly surfboarding problems. Cody responded that he did not remember. The juror then asked Professor Zeke Topanga about this collaboration, as he had written in his statement that the problems Cody indicated as collaboration were on surfinganswers.com. Professor Zeke Topanga responded that he thought Cody had not specified which problems he collaborated on. Shortly after checking one of the assignments Cody had submitted, Professor Zeke Topanga corrected himself and said Cody did not put the names of collaborators for the whole assignment, but for specific problems.

Later on, a juror asked both parties if they felt like they were on the same page in the present moment. Cody said he felt they were and that he has seen the process as a growth opportunity. In turn, Professor Zeke Topanga said he was happy to hear from him at that moment. Professor Zeke Topanga also apologized for getting frustrated during their past confrontation.

A juror talked about how, in his statement, Professor Zeke Topanga had written that it was unlikely Cody would have been able to adequately learn the material of the class given that he wasn’t doing most of the assignments himself. Cody said that he used surfinganswers.com not because he had not learned the surfboard material, but because he was anxious whether the answers he was submitting were correct. Furthermore, Professor Zeke Topanga clarified that he has had many students in the same situation that have been failing all of their classes and cheated because they were overwhelmed. He said that with Cody, it was different because he was doing well in his other classes, but was struggling more in this specific class.

**Jury Deliberations:**

A juror asked if it was up to the jury to decide Cody’s grade. It was discussed that the jury can make grading recommendations, but professors do not have to follow them. A juror also asked about the importance of the relationship between Cody and Professor Zeke Topanga being restored. That same juror said that they think their concern about restoring that relationship was resolved by the end of the Fact-Finding meeting. Another juror added that the repetitive nature of the Code violation was important to add to the statement of violation. Another juror said it was important to acknowledge how Cody initially did not take responsibility for what happened. Multiple jurors expressed concern over Professor Zeke Topanga’s choice to look into Cody’s midterm rather than the other two students whose work he had originally flagged for having similar solutions to each other.
Statement of Violation:
[Cody] violated the Honor Code through the repeated use and denial of prohibited online resources. (9 jurors consent, 1 stands outside in absentia)

Circumstantial Portion:
Cody was asked to give a brief statement of the circumstances under which the Code violation occurred. He talked about personal problems that heavily affected him throughout the time the Code violation took place. This included extenuating familial circumstances that were exacerbated by being far from home, as well as related mental health struggles. Cody then said that he has used various social and academic resources since the violation occurred. He also mentioned that the Surfboard Building course was especially stressful for him that semester.

A juror asked Cody if he had anything to share without Professor Zeke Topanga present. Cody answered that Professor Zeke Topanga gave off bad vibes during the confrontation they had. Furthermore, Cody mentioned that he and Professor Zeke Topanga didn’t interact much before the confrontation. He also expressed that he found it odd how Professor Zeke Topanga did not ask him about the circumstances he was going through during and after their confrontation. He elaborated that, before committing the Code violation, he tried to drop the class, but was unable to do so due to institutional constraints placed on international students.

When asked if he had resolutions for the jury to consider, Cody said that he would like to have the questions he used surfinganswers.com for removed and get credit for the questions he answered by himself. He then said it would be unfair for Professor Zeke Topanga to go back and regrade his work, so the best solution would be for him to be able to drop the Surfboard Building course from his transcript.

Jury Deliberations II
The jury talked about the fact that there were several inconsistencies in Cody’s behavior and his accounts of what happened. A juror mentioned how Cody violated the Code but was also failed by Haverford and Honor Council. Another juror said that, since Professor Zeke Topanga gave Cody several chances to say the truth during the confrontation, it wasn’t necessary for him to apologize to Cody. In response, another juror highlighted that Cody noticed hostile energy coming from Professor Zeke Topanga during the confrontation and that there are a lot of factors to consider, such as the confrontation being intimidating to Cody and the power dynamic between a professor and a student. There was a general sense of recognition that it was logical for Cody to have been defensive during the confrontation. The jury also discussed the resolution options of recommending Cody to be able to drop the course or being allowed to take the course Pass/Fail so he is able to pass it. Overall, the jury expressed discomfort in having a say over a
student’s overall grade in a class, as well as individual assignments.

The jury felt pretty satisfied overall with how Cody had used resources on campus since violating the Code, such as the OAR and CAPS as he indicated during the Circumstantial Portion. On that end, the jury considered encouraging Cody to keep using those resources if needed. A juror said that there could be a resolution about both Cody and Professor Zeke Topanga writing a letter of restoration to each other so that they can have closure for what happened. That juror added that this could be more viable than asking them to meet in person. On the other hand, the grading aspect of the tentative resolutions was trickier. Since Professor Zeke Topanga chose to not grade the rest of Cody’s assignments after finding out about the Code violation, there was no way to know what grade Cody would’ve had overall if he was given a zero just for the assignments which he used online resources for. However, both Professor Zeke Topanga and Cody had mentioned in the Fact-Finding meeting that the portion of the homeworks he used surfinganswers.com for represented a relatively small share of the class’ grade; the midterm was the only assignment that had more weight to it. Finally, the jury talked about letting Cody take the class Pass/Fail, according to the Pass/Fail policies established during the semester the Code violation happened. The jury consented to the following:

Tentative Resolutions

1. The jury recommends that this course [Surfboard Building] is graded as Pass/Fail in accordance with the [redacted semester/year] grading policy of being able to pass/fail courses up to the end of the semester. This also follows the previous requirement for F-1 international students to take four credits as a fully enrolled student. Should [Cody] decide to uncover the numerical grade, it will be revealed as a 2.0. (9 consent, 1 stand outside in absentia)

2. The jury recommends that faculty members respect the online privacy of students. When a suspected academic violation has occurred, the jury recommends that the confronting party does not involve a third party/parties to access information regarding the online activity of students. (8 consent, 2 stand outside in absentia)

3. By [redacted date], both [Cody] and [Professor Zeke Topanga] will write a letter to each other, and the jury recommends that this letter discusses emotions and reflections that came up for each of them before, during and after the trial. This letter can also be considered an opportunity for the confronted party to elaborate on the personal circumstances surrounding this case. This resolution was included with the goal of reconciliation between the two parties. (9 consent, 1 stand outside in absentia)

4. The jury recommends [Cody] continues building relationships with his professors and Dean, and that he continues to utilize available resources such as the OAR, Writing Center, peer tutors, and CAPS. The jury recommends that [Cody] meet with his Dean at
least once before the end of [redacted semester/year] to reflect on the case and trial, specifically regarding what he has learned. (9 consent, 1 stand outside in absentia)

Consensus to the resolutions as a whole:
9 consent, 1 stand outside in absentia

Finalizing Resolutions:
Cody asked about how the grading resolution in the tentative resolutions came about. A juror responded that the idea was for Cody to pass the class in accordance with the Pass/Fail policy. However, since Pass/Fail courses also need a grade, the jury decided to give him a 2.0, which is above the threshold of failing the class. Cody then expressed his satisfaction with the resolutions.

The jury discussed the issue with Professor Zeke Topanga accessing Cody’s personal online data in order to gather evidence of his cheating. Jurors were still concerned about this issue, especially given that Honor Council is not an evidence-driven body. A jury member said that professors must try to protect the confidentiality of a student as much as possible. Also, given Professor Zeke Topanga’s apology to Cody for his behavior during their confrontation, the jury expressed concern over how the confrontation between them went. The jury talked about how the whole trial process has been inevitably punitive and stressful for Cody despite the jury’s intentions of focusing on restorative goals. The jury wanted to be careful not to keep adding to that punishment through resolutions. Jurors expressed Cody’s personal circumstances that led to the Code violation were very important for the jury to consider. The jury consented to the following:

Final Resolutions:
1. The jury recommends that [Cody] receive a numerical grade of 2.0 in [Surfboard Building]. If [Cody] wishes for this course to be completed Pass/Fail, the grade can then be covered by a P in accordance with the [redacted] grading policy that allows students to Pass/Fail courses up to the end of the semester. This also follows the previous requirement for F-1 international students to take four credits as a fully enrolled student (8 consent, 2 stand outside in absentia).
2. The jury recommends that faculty members aim to protect student confidentiality and privacy. When a suspected academic violation has occurred, the jury discourages involvement between the confronting party and a third party prior to confrontation, including regarding the online activity of students. This resolution was partially included with E. Honor Code of V. Academic Procedures from the Faculty Handbook in mind: “At one or more points in the process, either before or after speaking to the student involved, a faculty member suspecting a violation may need to consult with another member of the
faculty, the Dean or the Provost about the specifics of the possible violation or about general procedural questions. All reasonable steps must be taken to protect the confidentiality of the student involved,” (8 consent, 2 stand outside in absentia).

3. By [redacted semester/year], both the confronted and confronting party will write a letter to each other, and the jury recommends that this letter discusses emotions and reflections that came up for each of them before, during and after the trial. This letter can also be considered an opportunity for the confronted party to elaborate on the personal circumstances surrounding this case. This resolution was included with the goal of reconciliation between the two parties (9 consent, 1 stand outside in absentia).

4. The jury recommends [Cody] continues building relationships with his professors and Dean, and that he continues to utilize available resources such as the OAR, Writing Center, peer tutors, and CAPS. The jury recommends that [Cody] meet with his Dean at least once before the end of [redacted semester] to reflect on the case and trial, specifically regarding what he has learned (9 consent, 1 stand outside in absentia).

Consensus to the resolutions as a whole:
8 consent, 2 stand outside in absentia

Jury statement on this trial: The jury recognizes this case as an active effort on behalf of Honor Council to seek restorative rather than punitive resolutions. The jury also takes into account the unique position and conditions placed on F-1 international students on Haverford’s campus (9 consent, 1 stand outside in absentia).

Statement on reporting: The jury recommends that this case not be reported to institutions of higher education (9 consent, 1 stand outside in absentia).

Discussion Questions:
1. Should professors be able to access students' online information to investigate whether a violation of the Code has occurred?
2. To what extent should juries have a say in determining students’ grades?