

Abstract of the Honor Council
Case 1, Summer 2010
July 24, 2010

Members Present:

Lindsay Kirton (presiding), Kaleb Underwood (clerk), Trey Burns, Sean Sessel, Andrew Briggs, Barbara Redeker, Gabriela Lopez

Ombuds: Eric Harrison

Letter of Accusation:

The Honor Council received a letter accusing Student A and Student B of collaborating on a take-home final exam in a lower level natural sciences course.

Evidence Submitted:

- Letter of Accusation
- Student A's written statement
- Student B's written statement
- Course syllabus
- Professor deposition
- Student A's final exam
- Student B's final exam
- Solutions to the final exam
- Text message records (Submitted by Student B)
- Student B's course notes (Submitted by Student B)
- Student A's first exam in the course (Submitted by Student A)

Plea:

Student A pled "In Violation."

Student B pled "In Violation."

Testimony:

Student B testified that Student A had texted him repeatedly the night before the exam was due asking him questions about the exam. The initial texts asked general questions about the difficulty of the exam but progressed to more specific questions and finally Student A asked Student B to give him his copy of the exam. After trying not to give straightforward answers to Student A, Student B ultimately gave his exam to Student A. Student B said he did the exam on his own, following the guidelines of the professor, and he did not think Student A would copy directly from the exam.

Student A said he texted Student B asking for help when he could only do approximately three free response questions on the exam. He used Student B's exam to check his answers to these questions and to aid him in completing the exam and admitted to copying directly from the exam. He also admitted to using the exam to help him with more problems than just those suspected by the professor.

Student B testified that he had most of the exam scratch work complete in his notebook and that when Student A returned the exam he did not receive any aid from Student A in completing the exam.

Student A had not completed the multiple choice or bonus sections of the exam, and Student B testified he only used the exam to aid him in the free response sections.

Verdict Deliberations:

The Council believed that there was clear and convincing evidence that a violation occurred because the students discussed the exam via text messages before it was turned in and Student B gave Student A his copy of the exam which Student A used to complete his exam.

Straw Poll #1: Is there clear and convincing evidence that a violation occurred?

Yes: 7
No: 0
Abstentions: 0

Based on the students' testimony and evidence, the Council believed that Student A and Student B were In Violation.

Straw Poll #2: Is there clear and convincing evidence that Student A is "In Violation?"

Yes: 7
No: 0
Abstentions: 0

Straw Poll #3: Is there clear and convincing evidence that Student B is "In Violation?"

Yes: 7
No: 0
Abstentions: 0

Straw Polls #1, #2, and #3 made binding.

Penalty Deliberations:

The Council began by discussing mitigating circumstances. Council members believed that they would mitigate based on cooperation since both students brought in relevant evidence and were very detailed in their description of the violation. Members pointed out that both students admitted their guilt even though the accuser did not exclude coincidence as an explanation.

The Council then discussed aggravating circumstances. Some students believed that Student A showed such persistence in his attempt to violate the Honor Code that it was worthy of aggravation for premeditation because he had an objective to cheat on the exam and went through with it. There were sixteen texts sent from Student A to Student

B through 4AM on the day the test was due. One member wasn't sure about premeditation since Student B didn't say "no" outright but gave vague answers that caused Student A to keep asking for more information. Most members said they were uncomfortable aggravating based on premeditation because the content of the texts was not available.

One member pointed out that the discussion of the exam was prohibited and part of the violation too. While some members did not view this as evidence of premeditation per se, it led them to view the violation as more severe since it took place over a much longer period and since the amount of aid requested by Student A grew progressively greater.

Straw Poll #4: What is the appropriate penalty for Student B?

F in the course and 2 semesters of suspension:	1
F in the course and 1 semester of suspension:	5
F in the course:	1
3 letter grade reduction:	0
2 letter grade reduction:	0
Abstentions:	0

All members mitigated based on cooperation. The member voting for an F in the course and a two semester suspension did not mitigate, but believed they had voted too harshly after hearing further discussion of the level of cooperation shown by Student B. One member mitigated two steps for Student B's cooperation as they felt it was above and beyond the level of cooperation normally shown to the Council.

Straw Poll #5: What is the appropriate penalty for Student B?

F in the course and 2 semesters of suspension:	0
F in the course and 1 semester of suspension:	6
F in the course:	1
3 letter grade reduction:	0
Abstentions:	0

The Council then considered appropriate penalties for Student A.

Straw Poll #6: What is the appropriate penalty for Student A?

F in the course and 3 semesters of suspension:	1
F in the course and 2 semesters of suspension:	2
F in the course and 1 semester of suspension:	3
F in the course:	0
3 letter grade reduction:	0
2 letter grade reduction:	0
Abstentions:	1

The abstaining member mitigated for cooperation but was still unsure how to view premeditation. They believed the actions were premeditated, but were concerned about not knowing the content of the texts.

Members voting F + 2 and F + 3 saw clear evidence of premeditation because testimony from the students proved that at least one of Student A's texts had the intent of getting the exam from Student B. The member voting F + 3 also aggravated for involving another student in a violation of the Honor Code.

The members voting F + 1 mitigated on cooperation, but were uncomfortable aggravating based on premeditation.

Straw Poll #7: What is the appropriate penalty for Student A?

F in the course and 3 semesters of suspension:	1
F in the course and 2 semesters of suspension:	2
F in the course and 1 semester of suspension:	4
F in the course:	0
Abstentions:	0

The previously abstaining member voted for a penalty of F in the course and one semester of suspension. To reach a two-thirds majority, one member who had moved up to an F in the course and two semesters of suspension agreed to return to their original vote of F in the course and one semester of suspension.

Straw Poll #8: What is the appropriate penalty for Student A?

F in the course and 3 semesters of suspension:	0
F in the course and 2 semesters of suspension:	2
F in the course and 1 semester of suspension:	5
F in the course:	0
Abstentions:	0

One member who moved down to F + 2 to help reach consensus wanted it known that they thought the penalty should be an F in the course and a 3 semester suspension, so another vote was taken to reflect this.

Straw Poll #9: What is the appropriate penalty for Student A?

F in the course and 3 semesters of suspension:	1
F in the course and 2 semesters of suspension:	1
F in the course and 1 semester of suspension:	5
F in the course:	0
Abstentions:	0

Straw Polls #5 and #9 made binding.

The Honor Council thus finds Students A and B "In Violation" of the Honor Code and recommends that they both receive a penalty of F in the course with 1 semester of suspension. Prior Violation Flags are also attached to their records.

Time of testimony and deliberations: 1 hour 40 minutes

Respectfully submitted,
Kaleb Underwood
Clerk