

Abstract of the Honor Council
Case 41, Spring 2010
May 11, 2010

Members Present:

Hilary Baker-Jennings (presiding), Kate Snyder (clerk), Trey Burns, Andrew Briggs, Mike Matson, Elizabeth Marks, Adnan Poonawala, Kaleb Underwood, Erin Waller

Ombuds: Daniel Stark

Letter of Accusation:

The Honor Council received a letter accusing Student A of doctoring emails to falsely account for his absences to get participation credit in an upper level science course.

Evidence Submitted:

- Letter of Accusation
- Student A's written statement
- Course syllabus
- Email from Student A
- School revisit schedule
- School webpage
- Student A deposition

Plea:

Student A pled "In Violation."

Testimony:

Student A said that he doctored one email from another institution, changing the dates in the email in a screen shot of the email to make it seem like he had been visiting the school during class periods. The professor had asked him why he had missed class, and he said he had been visiting other schools. He changed the dates in the email to support what he told the professor. He made the actions without knowing that it was an Honor Code violation. He understands that he made a mistake and is willing to face consequences.

Verdict Deliberations:

Council members believed that there was clear and convincing evidence that a violation occurred because of the evidence and the student's testimony indicating that he had lied to his professor and then created false documents to support his excuse for not being in class.

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

Yes: 9

No: 0

Abstentions: 0

The Council then discussed whether or not Student A committed the violation. No members saw any reason to believe it was not Student A that committed the violation.

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

Yes: 9

No: 0

Abstentions: 0

Straw Polls #1 and #2 made binding.

Penalty Deliberations:

Council members opened by discussing mitigating circumstances. Members discussed mitigation based on the nature of the violation because of the small impact on his overall grade. Members also discussed mitigation based on cooperation but were undecided on to what degree because he did not seem to go above and beyond the expected level of cooperation. Others countered that he was full and truthful in disclosure, and gave the Council all information that he could relevant to the case.

Members discussed aggravating circumstances. Some thought that premeditation and attempt to conceal were present in this case. Some thought premeditation was present because they thought Student A had time to think about what he was doing as he was changing the dates in the email, but others thought that that was part of the violation. Other members believed that the initial violation was lying to the professor, and then changing the email was an attempt to conceal the violation. Other members did not think premeditation was applicable because there is no evidence that he planned on lying about the dates he was absent before being questioned. Nature of the violation was considered an aggravating factor by many council members because the student directly violated the trust of the professor, though some thought that any violation in some way violated trust, so it wasn't applicable.

A member brought up discussion of considering this as a heinous violation because the student directly falsified the words of another institution and members thought that the student had put significant thought into the process of doctoring a document, which is more unacceptable than had he just lied about it. Others countered that these reasons were indicative of a need to aggravate, but not quite to the level of “heinous.” Also, some thought the attempt to conceal was still considered part of the original violation, so didn't qualify as “heinous”.

Straw Poll #3: Is this a heinous violation?

Yes 1

No 7

Abstentions 1

It was decided that this would not be considered a heinous violation.

There was discussion of what was actually considered in the violation, the lying to the professor alone or the doctoring of the email images. Many believed the lying to the professor was the main violation and the doctoring of the images were the part of the violation that shows the need to aggravate based on nature or attempt to conceal. Some also thought the fact that the accused lied upon being approached by the professor when the professor's actions was an attempt to give the student an opportunity to earn back credit was an example of violation of the professor's trust.

Straw Poll #4: 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:	3
F in the course and 1 semester of suspension:	3
F in the course:	2
3 letter grade reduction:	0
2 letter grade reduction:	0
Abstentions:	1

The abstaining member was between F+2 and F+3 because of the balance between mitigating circumstances and the extent of the aggravating circumstances. Members at F+2 said they thought that the mitigating and aggravating circumstances cancelled out. Members voting for F+1 mitigated based on cooperation and the small weight of the final grade, but aggravated based on the nature of the violation due to the fact that the violation showed a serious violation of trust on the part of the accused student. Other members gave more weight to mitigating than aggravating factors, and believed that this violation was less severe than plagiarism or other types of academic dishonesty.

Straw Poll #5: 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:	3
F in the course and 1 semester of suspension:	4
F in the course:	2
3 letter grade reduction:	0
2 letter grade reduction:	0
Abstentions:	0

A member voting for F in the course decided that they wanted to aggravate based on the student taking advantage of the professor's trust and outreach. A member voting for F+2 felt comfortable moving down to an F+1 to reach a 2/3 majority.

Straw Poll #6: 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:	6
F in the course:	1
3 letter grade reduction:	0
2 letter grade reduction:	0

Abstentions:

0

Straw Poll #6 made binding.

The Honor Council thus finds Student A “In Violation” of the Honor Code and recommends that he receive F in the course and 1 semester of suspension. A Prior Violation Flag is also attached to his record.

Time of testimony and deliberations: 1:06

Respectfully submitted,
Kate Snyder
Clerk