

**Abstract of the Honor Council**  
**Case #18, Fall 2012**  
**February 1, 2012**

**Members Present:**

Kaleb Underwood (presiding), David French, Melissa Fwu, Andres Rodela, Andrew Patterson, Clinton Willbanks, Michael Pryor, John King

**Ombuds:** Alec Lignitz

**Letter of Accusation:**

Student A was accused by her professor of cheating on the final exam of a lower level language class.

**Evidence Submitted:**

- Letter of accusation
- Student A's written statement
- Course syllabus
- Exam instructions
- Signed pledge
- Screenshots of Student A' exam
- Professor deposition
- Screenshot of previous exam's instructions

**Plea:**

Student A pled "in violation."

**Testimony:**

Student A said:

Opening statement: She came into the test 10-15 minutes late and did not hear some of the professor's initial pre-exam instructions. When the professor first warned her not to use notepad, the student was indeed partaking in an unauthorized use of notepad. The student says that all subsequent accusations of using notepad on the exam were within the rules. She said that afterwards she only looked at her notes on notepad between, but not during, audio recordings. She feels the professor didn't understand that notepad was not being used during the recordings, despite the fact that the notepad program was still open.

-When the professor first confronted her, she took it to mean that she couldn't look at notepad DURING recordings, although she admits that the program remained open on the screen.

-Student does not remember why she didn't minimize or exit notepad during the recordings, citing it as an accidental but not malicious mistake.

-Student attributes any perceived mistake as a simple misunderstanding of the rules.

-On previous tests that contained the same rules, the student used notepad to take notes and organize her thoughts.

-Before the professor confronted her to stop unauthorized use of notepad, the student admits reading directly off of the notepad notes to make the verbal recordings. After being confronted by the professor, the student used notepad only to make general bullet-point outlines for the recorded responses but didn't read off of them once the recording began.

Witness testimony:

-The professor approached the student on the very first verbal recording question.

-Once the recording started, there was not supposed to be any reference to other material, including notepad. The witness said this meant that notepad should not even be open.

-No other students had notepad open during the recordings.

-The witness recalls that Student A did come late to the exam and therefore missed most of the initial spoken instructions, but Student A was still given detailed written instructions for the test, which she signed.

-The professor saw the student continue to have notepad open during the post-confrontation verbal recordings, but the professor did not want to interfere since the student had already been warned once.

-The notepad program was not supposed to be open during the verbal recording section of the exam.

-Other students who used notepad did not have the program open during or between individual recordings. They minimized or exited notepad before starting the verbal recording section of the exam.

-Student A asked the professor if there was any way she was unclear in the rules regarding notepad. The professor denied that there was.

-The professor said that she saw Student A reading notepad between recordings and then proceeding the actual recordings.

-Student A said that she didn't understand at the time of the exam that she wasn't supposed to use notepad at all between individual recordings.

-The bullet-point notes that she took on notepad were in Spanish but did not comprise the word-for-word content of her verbal responses to the recordings.

-Student A took the professor's instruction not to read from notepad as a warning not to read the notes verbatim during the recordings.

Closing statement: Her initial mistake was the result of being rushed on the exam and being stressed to finish on time. The subsequent mistakes of keeping notepad on her screen were unintentional and stemmed from a misunderstanding of the professor's warning.

**Verdict Deliberations:**

Council members believed that a preponderance of the evidence supported that a violation occurred because Student A consulted unauthorized note materials during the verbal recording of the exam.

Most council members agreed that the rules were sufficiently clear and that the student was responsible for understanding and applying them.

Straw Poll #1: Does a preponderance of the evidence support that a violation occurred?

Yes: 9

No: 0

Abstentions: 0

The Council then discussed whether or not Student A committed the violation.

The council saw no reason to consider that anyone other than Student A had committed a violation.

Straw Poll #2: Does a preponderance of the evidence support 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.

Council members did not see any reason to mitigate for weight of the exam or amount of the exam that was in violation. Some council members mitigated to a small degree for Student A’s cooperation.

No one saw any reason to aggravate.

Most council members considered either an F or and F in the course and one semester of suspension. Some members considered the fact that the student’s unauthorized referenced material was in her own words independently written during the exam, and they therefore felt that suspension would be an unnecessarily harsh component of the penalty. Other council members did not consider this point, and they argued that the violation was never a question of plagiarizing outside material.

Straw Poll #3: 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: 0

F in the course and 1 semester of suspension:	0
F in the course:	8
3 letter grade reduction:	0
2 letter grade reduction:	1
1 letter grade reduction:	0
Letter of Reprimand	0
Abstentions:	0

One council member felt that since the professor's rules threatened a zero on the exam in the event of cheating, the council should respect that recommendation and give the student a two letter grade reduction (the exam was 20% of the course grade). Other council members agreed that under the Rice honor code the professor never had the authority to make that decision, and it should therefore not be considered. All council members also agreed that suspension was inappropriate given the nature of the violation.

Straw Poll #3 made binding.

The Honor Council thus finds Student A "In Violation" of the Honor Code and recommends that she receive an F in the course. A Prior Violation Flag is also attached to her record.

Time of testimony and deliberations: 1 hour 27 minutes

Respectfully submitted,  
David French  
Clerk