

**Abstract of the Honor Council**  
**Case 48, Spring 2012**  
**May 5, 2012**

**Members Present:**

Trey Burns (presiding), Isabelle Lelogeais (clerk), Adriana Bracho, David French, Jeff Worne, Shayak Sengupta, Kate Snyder, Gabriella Lopez, Kaleb Underwood

**Ombuds:** Aubrey Sirtautas

**Letter of Accusation:**

The Honor Council received a letter accusing Student A and Student B of unauthorized collaboration on an exam in a lower level social sciences course.

**Evidence Submitted:**

- Letter of Accusation
- Student A's written statement
- Student A's Second Written Statement
- Student B's Written Statement
- Correction to Student B's Written Statement
- Course Syllabus
- Student A's Exam 4
- Student B's Exam 4
- Accuser Deposition
- Witness Depositions

**Plea:**

Student A pled "Not in Violation."

Student B pled "Not in Violation."

**Testimony:**

Student A said that he did not cheat, and had no motivation to do so. He continued to mention that his consistent performance in the course gave him no reason to violate the honor code. Student A explained that because he is left-handed, the way he has to sit at a right-handed desk makes him tilt towards the left side, where Student B was sitting. Student A said that his test markings were consistent with the markings on his previous exam. In response to the accusation of him speaking with Student B during the test, Student A said that he did not remember them exchanging words, but said that he often asks Student B who sits next to him the date. He said that he did not use a left-handed desk because he wanted to take the exam in the seat that he sits at every class. He remarked that he was in the front row, and the TA might have noticed his actions as egregious due to her proximity and the fact that she was facing the back of his head.

Student B said that there was no Honor Code seating available in this room, so he and Student A had to sit together. He continued to mention that Student A only asked him for the date. He said that neither the T.A. or witness was adamant that Student B saw or did anything suspicious. He said that he did not notice anything out of the ordinary, and if

Student A did cheat, he was not aware of it. He confirmed that Student A does sit tilted toward the left while taking tests and sitting in class. He said that he did not know whether or not Student A cheated, but that Student A did mark a sheet of the test with question marks, and then continue to get all questions on that page correct. Student B confirmed that Student A ran up behind him in the academic quad. Student A proceeded to explain how the page of his test that was entirely question marked ultimately exhibited most of the right answers.

The witness said that he sat next to Student B who sat next to Student A, and that he noticed Student A turn his head towards Student B at many points during the test. He said he thought that Student A may have been looking intently at Student B's exam, but he could not be sure. The witness said that he did not have a direct view of Student A, and could not say for sure where his eyes were. He mentioned that he knew both students very well. He continues to mention that he saw Student A turn his head towards Student B more than 10 times. He said that he did not come forward to turn this in himself, because he was not completely sure.

The T.A. witness mentioned that she saw Student A repeatedly glancing at Student A's paper, and marking his own answer sheet. The witness recalled some details of the incident incorrectly, but she did maintain that she definitely saw Student A turn deliberately towards Student B's paper, and then back to his own.

### **Verdict Deliberations:**

Most council members believed that a preponderance of the evidence supported that a violation did not occur, due to the lack of definite conclusions from a student witness, lack of consistency in the class answer statistics, and lack of definitive statements from both students and witnesses. Three members thought that the adamant accusation from the T.A. eye-witness, combined with inconsistencies in the stories of Student A and Student B was strong enough to warrant a finding of in violation. Members ultimately decided that there was too much inconsistency in these stories, and that the T.A. witness should be called to elaborate upon her statement.

After the testimony by the T.A. witness, members of the council agreed that her ability to determine when Student A was looking at his paper, and when he was looking at Student B's paper led them to believe that a preponderance of the evidence suggests that a violation did occur. In addition, they considered the consistencies between Student A and Student B's examinations, and the fact that often when Student A testified he did not know an answer, he got the same answer as Student B. Furthermore, for a section where Student A did not read the requisite material, he also had all the same answers as Student B.

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 discussed that because of the improbability of the two students arriving at such similar answers, particularly in the sections where they were guessing, in conjunction with the adamant and specific nature of the T.A. witness testimony led them to believe that Student A did commit a violation.

Straw Poll #2: Does a preponderance of the evidence support that Student A is “In Violation?”

Yes: 9  
No: 0  
Abstentions: 0

The Council then discussed whether or not Student B committed a violation. Council members discussed that neither of the witness testimonies or student testimonies could say with any certainty that Student B was complicit in the violation.

Straw Poll #3: Does a preponderance of the evidence support that Student B is “In Violation?”

Yes: 0  
No: 9  
Abstentions: 0

**Penalty Deliberations:**

Council members opened by discussing mitigating circumstances. The Council discussed mitigating factors, and determined that there were no mitigating factors at play in this case.

Council members discussed aggravating factors, and determined that no aggravating factors apply here.

Council members discussed the appropriate penalties for this violation. Most members agreed that an F in the course was appropriate, and that suspension would not be beneficial or appropriate.

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: 9  
3 letter grade reduction: 0  
2 letter grade reduction: 0  
1 letter grade reduction: 0  
Letter of Reprimand: 0  
Abstentions: 0

**Decision:**

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

Time of testimony and deliberations:

Respectfully submitted,  
Isabelle Lelogeais  
Clerk