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REPORT ON AN INVESTIGATIONAL PROCEDURE FOR HONOR VIOLATIONS

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INTRODUCTION

While operating as a standard to live by, an honor system should not be used as a sword, but rather a shield; students should not be afraid of their school's Honor System but comforted by its existence. Adherence by the community to the honor system not only promotes ethical living that will be beneficial to the legal profession but provides a student with a comfort in and a commitment to the community.

THE HONOR SYSTEM

Dating back to the 1840s, the Honor System has become the staple of Washington and Lee University.¹ Presided over by the Student Body President ("President"), the Honor System is maintained by the Executive Committee, a committee entirely run by students.² Three Executive Committee officers, President, Vice President and Secretary, are elected by both the undergraduate and law school.³ The other ten members are elected from their respective class, two from each undergrad class (except the freshman class who only has one representative) and one from each law school class.⁴ These thirteen students are entrusted with investigating and, if necessary, ruling on any honor violation that arises within the university.

The framework of the Washington and Lee Honor System can be found in the Whitebook.⁵ This document, which is updated every three years, lays out the procedures for a closed and open honor hearing, as well as how the student body will be informed of honor hearings and how the whitebook can be amended.⁶ Specific honor violations have not been codified in the Whitebook. Instead, it states that "any breach of the community's trust is considered an Honor Violation" which is "punishable by a single sanction: immediate dismissal from the University."⁷

The honor system lies at the core of everything we do at W&L. It forms the foundation for our academics, our extra-curricular activities, our interactions with peers and professors. That we all operate on a basis of mutual trust allows for an environment that is collaborative and congenial, and opens up opportunity for civil debate and disagreement in a time when that is hard to find!

— MASON GRIST, EXECUTIVE COMMITTEE PRESIDENT

2015-16 & 2017-18

¹ The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

² The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

³ The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

⁴ The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

⁵ The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

⁶ The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

⁷ The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

While the Honor System provides Washington and Lee students with a sense of security, the duty of upholding the standards of the Honor System falls upon each Washington and Lee student.⁸ Unfortunately, students are not always able to live up to this task and he/she commits an honor violation. When a student witnesses an honor violation, they are encouraged to address the issue with the student at hand.⁹ If the student is unable to do so or is confirmed in his/her suspicion after talking to the student, the student is encouraged to report to the Executive Committee.¹⁰ Unlike other universities, reporting honor violations to the Executive Committee is not mandatory at Washington and Lee, and a student will not be punished for failing to do so. Students or faculty members are free to contact any member of the Executive Committee with information about a potential honor violation. However, most honor violations are reported directly to the President either by e-mail or in person. Upon receiving the information about a potential honor violation, the President will assign the potential violation an investigation team.

The investigation team, consisting of one Executive Committee Member, one Hearing Advisor, and one Student-At-Large, interviews witnesses and collects evidence.¹¹ It is advised that the investigation team complete witness interviews and the collection of evidence within a week, as it is less likely witness interviews will give a clear picture of the potential honor violation as time passes. Upon finishing their investigation, the investigation team compiles the obtained evidence into a case report and presents their findings to the Executive Committee. If, upon hearing the case report, the Executive Committee decides that there is “substantial evidence that the accused student may have committed an Honor Violation”, the accused student will be charged, and an Executive Committee hearing will occur.¹²

THE INVESTIGATION TEAM

INVESTIGATION TEAM MEMBERS

The President should appoint a new team for each honor violation that arises as an investigation can take a significant amount of time away from studying, ranging from five to twelve hours from start to finish. While this is a substantial time commitment, it is necessary to maintain the integrity of the Honor System. Many students who are called to assist on an investigation team see it as a privilege rather than a burden.

The investigation team should be composed of three individuals: a member from the Executive Committee, a hearing advisor, and a student body at large. Each

⁸The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

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¹⁰The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

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¹²The White Book 2017-18, WASHINGTON AND LEE UNIVERSITY, <https://www.wlu.edu/executive-committee/the-honor-system/the-white-book>.

member plays a significant role in the establishment of a well-rounded investigation report:

— Executive Committee Member

- Has a deep understanding of the honor system and how an honor case operates. The member will know what information the Executive Committee will want for the case report.
- Has the duty of acquiring the evidence as he/she has the official title that will be necessary for obtaining certain documents such as class rosters or assignments.
- Has the duty of contacting and setting up times for the witness interviews.
- Should keep the President up-to-date on the development of the investigation as it goes along. If a problem comes up, the Committee member should reach out to the President for help. For this reason, the President cannot serve as a member of the investigation team.

— Hearing Advisor Member

- Understands what it is like to be on the defense side of an honor violation and can provide that perspective when conducting the investigation.
- Understands the honor system.
- Takes notes or interviews witnesses.
- Assist in creating the case report.

Note: Hearing Advisor's represent the accused student if a Honor Hearing is held

— Student Body at Large

- While this student might not have a deep understanding of the honor system or how honor cases work, the Student Body-at-Large can provide a community perspective during the investigation: one that is disconnected from the seriousness of the Executive Committee or Hearing Advisor position.
- Takes notes or interviews witnesses.
- Assist in creating the case report.

PICKING THE INVESTIGATION TEAM

The job of picking the investigation team lies primarily with the President. When the President is notified of a potential honor violation, he/she contacts the Head Hearing Advisor and asks for a Hearing Advisor to be put on the case. After a Hearing Advisor is selected, the President will select a Executive Committee Member that is a different sex and graduating class than the Hearing Advisor. Additionally, the President will reach out to a Student-at-Large, usually a student in a different graduating class than both the Hearing Advisor and Executive Committee member. This range in age and experience with the honor code will provide the Investigation Team with varying perspectives, helping to ensure a well-rounded case report.

Tip: If a honor violation is reported to an Executive Committee member rather than the President, this member is usually put on the Investigation team, unless there is a conflict of interest.

INVESTIGATION PROCEDURE

The Investigation Procedure is broken into four different sections:

- Pre-Investigation: The first time the investigation team gets together. The team should plan out what the investigation and interviews will look like based on the originally obtained evidence. This should take no longer than an hour.
- Witness interviews: The team will interview the witnesses required for the investigation report. The accused witness will take up to an hour while other witness will take about thirty minutes
- Post-Interview: The investigation team will discuss any impressions they had of the interview and discuss any bias showed. Should take no longer than fifteen minutes
- Witness Report: The investigation team will write a general summary of the potential honor violation, summarize each witness interview, and collect all material evidence. All three items will be put in a report and presented to the Executive Committee. This will take a couple hours, longer depending on how many witnesses were interviewed.

A graphical timeline of the investigation process can be found in Appendix A.

PRE-INVESTIGATION

Before beginning the investigation, the Executive Committee member should hold a meeting with all members of the investigation team. The investigation team should begin by establishing a rapport with each other, as well as exchanging phone numbers and e-mails.

Next, the Executive Committee member should present all evidence provided by the accusing student to the investigation team and answer any questions that they may have. Once a basic understanding of a) who the accused student is, b) who the accusing student/faculty is, c) what the accusation is, and d) what evidence has already been acquired, the investigation team should:

- Establish the scope of the investigation and what issues need to be addressed.
- Produce a preliminary list of witnesses that will be contacted and what order they will be interviewed. Decide if this order is fixed or malleable.
- Produce a list of evidence that will be needed for the investigation. If the evidence is not readily available, discuss how it will be acquired. This can include but is not limited to:
 - Class syllabus and/or attendance sheet
 - Relevant class assignments and the written instructions for the assignment
 - E-mail correspondence

Tip: The investigation team should try, when possible, to begin the investigation with the accusing student. However, if the accusing student cannot be the first witness, the investigation team should make a concerted effort to see him/her as quickly as possible

- A list of preliminary questions to ask witnesses during the interviews. See **Investigation Scenarios** for question examples
- A list of hypothetical questions focusing on different aspects of the case. These hypotheticals will provide the investigation team and the Executive Committee a better understanding about the witnesses thought process and what actions the witness would consider to be honor violations. These questions will present the violation at hand in multiple ways, helping the witness to reveal what makes the incident a honor violation in their mind. These questions should be the same for all witnesses. See **Investigation Scenarios** for hypothetical examples

The Executive Committee member should inform the team members that by participating in an investigation, they are promising to keep all information discovered during the investigation confidential. If a team member is found to have broken this duty of confidentiality, it could lead to an honor violation.

WITNESS INTERVIEWS

The duty of contacting witnesses should rely primarily on the Executive Committee member, as they possess the official duty associated with honor matters. Contact should be done primarily through e-mail, cc'ing the other investigation members, to provide documentation and to avoid the risk of third parties overhearing any information about the investigation.

Interviews should be held in the Executive Committee's assigned room to ensure confidentiality. Each investigation member should arrive fifteen minutes before the designated interview time to ensure that everything is in order before the witness arrives.

Tip: The Executive Committee should have a designated room from which they operate. This will provide a level of comfort for honor matters as well as prevent the breach of confidentiality.

Before the interview, one person should be designated to ask questions, usually the Executive Committee member, while the other two members listen and take notes (usually on the computer). Two sets of notes are imperative as it can be used to verify statements by witnesses and prevents significant information from being missed. This does not mean that the two members taking notes cannot ask questions; they should feel free to ask questions as they arise.

Tip: Taking notes rather than recording the interviews will ensure that the investigation team is staying engaged with the conversation.

It is important to establish a working, cordial relationship with the witnesses if possible. This encourages students to cooperate with the Executive Committee, to be more forthcoming in their interviews and testimony. When the witness arrives, be as positive as possible, starting off with some small chat about their day to help them feel comfortable with the proceedings. While this is not an investigation against them, they are likely to be nervous and casual conversation will help settle their nerves.

Tip: Dress attire should be casual (shorts and t-shirts are acceptable) to promote a relaxed environment for the witness.

When beginning the interview, inform the witness that the investigation team is just on a fact-finding mission to determine if

charges are appropriate. Start with basic questions, such as the witness's name and grade, easing them into the investigation process. Follow these questions up with basic factual questions, such as ensuring that they are in the class or present at the location where the alleged violation occurred.

Once it feels as if the witness is comfortable, begin asking questions that pertain to the case. It is important to make sure these questions are open-ended and non-leading to push the witness to give a full answer rather than just yes or no. During the questioning, the investigation team should take note of any bias that the witness shows as this will be important to the validity of their testimony.

Tip: If the witness is the accusing student make sure to ask if there is anyone else the team should contact in relation to the honor violation.

If the witness does not know the issue at hand, the questions should be vague and the accused student's name should **not** be used to ensure the confidentiality of the proceedings. For example, it may be beneficial to interview students within the class who are unconnected to the alleged violation in order to determine the class's expectations regarding plagiarism or the taking of an exam.

During the questioning, the investigation team should take note of any potential bias that the witness shows as this will be important to the validity of their testimony.

When the investigation team's questions are exhausted, the witnesses should be asked the hypothetical questions. The witnesses can answer these questions with a yes or no but inform them that they should elaborate as they are able.

After the hypotheticals, the investigation team should have the witnesses sign a pre-produced document (see example of this in Appendix B) stating that they will keep all matters discussed confidential. Once the document is signed, the investigation team should ask if the witness would be willing to appear if this goes to an Executive Committee hearing.

POST-INTERVIEW

Once the witness has left the room, the investigation team should take a few minutes to collect and write down their thoughts. Once everyone is finished, the following topics should be discussed and recorded:

- General impressions of the interview
- Any new information obtained and how it affects the case
- Update the witness, evidence, and/or witness list if necessary
- Discuss any bias observed during the interview

CASE REPORT

When an investigation team has concluded their investigation, a case report should be established to present to the Executive Committee. This report should include

- **General Overview** – a description of the event, using all relevant information obtained during the investigation. Evidence should be referenced in this general overview by the number assigned to it. The general overview should not be much longer than one double-spaced page.
- **Witness Statements** – a statement for each witness’s testimony should be produced. This offers the Executive Committee the ability to see which facts are corroborated between the witnesses, establishing a basic structure for the case. At the bottom of each witness statement there should be:
 - The witness’s answers to the hypotheticals
 - Whether the witness will participate in a Executive Committee hearing
 - Discussion of bias shown. If no bias, then write “no bias”
- **Documentary Evidence** – all relevant documentary evidence should be provided in the back of the packet. Each documentary evidence should be provided a number so members can easily refer to them. Use decimal points if it is a multiple-page document (ex. 1.1, 1.2, 1.3, 1.4).

Before presenting the case report to the Executive Committee, it is essential that **all** names and relevant information (class name, building name, party location, etc.) be **redacted** and replaced with pseudonyms. This can be done with a simple find and replace on word (hot key combination – Ctrl+G) for typed documents. Documentary evidence can be more difficult. It is advised to print off a copy of the evidence and hand redact all information. All members should double check that all confidential information had been redacted before the investigation hearing. If the president is available, have him/her read over the redacted version as well to make sure all confidential information has been changed.

Tip: When coming up with pseudonyms, use popular movies or shows to generate your list of names

RECOMMENDATIONS

GENERAL INVESTIGATION RECOMMENDATIONS

- Schedule interviews around the witness’s availability to ensure that they are not being rushed in their answered or stressed that they have somewhere else to be.
- When interviewing a professor or faculty member, perform the interview in their office to make sure that they are comfortable.
- The person who is asking the questions should not be worried about taking any notes during the interview. Eye contact and attention should be given to the witness to show them that they are being listened to.
- Only extenuating circumstances should prevent a member from the investigation team from attending a witness interview.
- When the honor violation is relevant to a specific class (plagiarized a paper, cheated on a test, etc.) it is important to interview two students from the class. Use the interviews to establish a framework of the class, the guidelines for the assignment, and how specific the Professor was in conveying these guidelines to the class.

- Err on the side of caution and overinvestigate where it is possible. Acquiring too much information can only be beneficial in the long run.
- When interviewing witness, the team member asking the question can switch each interview if the team decides to do so. The team should make sure that a person is designated as the interviewer before the witness arrives
- **BE ORGANIZED!** With all the documents and notes flying around it is easy to lose or misplace papers. Buy yourself a folder or a binder to keep things in order if necessary.
- Using Google Docs for witness notes helps keep things in one location as both note-takers can work from the same document. Just be sure to delete all Google Docs made when they are no longer necessary so confidentiality is not breached.

CASE-SPECIFIC RECOMMENDATIONS

Plagiarism

- Try to establish if the plagiarism was malicious or merely a mistake.
- Find out how specific a professor was in their expectations for an assignment.
- Did the student turn the assignment in well in advance, close to the deadline or late?

Cheating and Giving and/or receiving unauthorized aid

- Find out the guidelines that were given by the professor as it pertains to the alleged cheating or permissible aid
 - Were they clear in their guidelines?
 - Did they state them in multiple classes?
 - Could they be found on the syllabus?
- Establish whether the cheating was malicious in nature
 - Did the accused student know?
 - Did multiple people think it was acceptable?
- Was this aid allowed on previous assignments/tests?

INVESTIGATION EXAMPLES

Before going into an interview, it is essential to establish a framework on how the investigation will be conducted. This will provide the investigation team with a blueprint as they begin looking into the potential honor violations. As necessary, the investigation team can come up with witness specific questions and edit the witness, evidence, and question lists.

CASES ONE-FIVE: PLAGIARISM

Case One:

Professor Johnson has contacted the Executive Committee with a potential plagiarism violation. Allegedly, Albert copied from an unacknowledged source in a

paper that he turned in for his Contracts 104 class. A copy of the paper has been provided with the plagiarized section highlighted.

Witness List:

- Professor Johnson
- Two students from the Contracts 104 class

Evidence List:

- Albert's paper
- Source where the plagiarized material came from
- Class Syllabus
- Any written instructions for the paper

Witness Questions:

- Professor Johnson
 - Do you teach Contracts 104?
 - What days and time does this class meet?
 - Please describe the structure of the class.
 - Please describe the writing assignment.
 - How has the accused been in your class this semester?
 - When did the accused turn in his assignment?
 - How did you find the plagiarized material?
 - What did you do after you found the plagiarized material?
- Two students from the Contracts 104 class:
 - Are you a student in Contracts 104?
 - What days and time does this class meet?
 - Please describe the structure of the class.
 - Please describe the writing assignment.
 - Did the professor ever discuss plagiarism? If so, what was said?
 - How clear was the professor in the instructions and expectations for the assignment?
 - How difficult did you find the assignment?

Hypothetical Questions:

- If a student intentionally plagiarized material in his/her writing assignment, would this violate your trust?
- If a student mistakenly plagiarized material in his/her writing assignment, would this violate your trust?

Case Two:

Professor Stevenson brought a potential honor violation to the committee's attention. Allegedly, Helen used material from Molly's Criminal Law memo that Molly turned in the previous year.

Witness List:

- Professor Stevenson
- Two students from the Criminal Law class

Evidence List:

- Class Syllabus

- Any written instructions for the assignment
- Helen's memo
- Molly's memo

Witness Questions:

- Professor Stevenson
 - Are you the Professor for Criminal Law 113?
 - What days and time does this class meet?
 - Please discuss the framework of the class
 - Please discuss the assignment
 - How did Molly do on the memo the previous year?
 - Do you know if the accused and Molly have a relationship?
 - How was Helen in your class?
 - What material were the students allowed to use on the memo?
 - How was this conveyed to them?
 - How did you find the plagiarized material?
 - What did you do after you found the plagiarized material?
 - Did Helen turn in her assignment late? If not, when did she turn it in relative to the due date? If so, how late?
- Two students from the Criminal Law class
 - Are you in Criminal Law 113 with Professor Stevenson?
 - What days and time does this class meet?
 - Please discuss the framework of the class
 - Please discuss the assignment
 - Do you believe Professor Stevenson was clear in his instructions?
 - What material were you allowed to use on the assignment?
 - How much time were you given to work on the memo? Was it enough?
 - Was Professor Stevenson available for questions?

Hypothetical Questions:

- Would a student plagiarizing material from a memo turned in the year prior violate your trust?
- Would a student looking at someone else's old assignment to bolster their own argument violate your trust?
- If student A provided student B with their old memo to use to help student B on his/her paper, would this violate your trust?
- Would a student providing another student with their old memo just to give another student an idea of how to structure an argument violate your trust?

Case Three:

Professor Richter has brought an honor violation to the Executive Committee's attention. Allegedly, Morgan plagiarized several sentences from a document in his work. However, Morgan did cite to the document several times before the alleged plagiarism.

Witness List:

- Professor Richter

- Two students from Legal Writing 285

Evidence List:

- Class Syllabus
- Morgan’s writing assignment
- Any written instructions for the assignment
- The document Morgan allegedly plagiarized from

Witness questions:

- Professor Richter
 - Are you the professor for Legal Writing 285?
 - What days and time does this class meet?
 - What is the structure of the class?
 - Please discuss the assignment
 - Did you speak about plagiarism in your class?
 - What led you to find the plagiarism?
 - What did you do after finding the plagiarism?
 - Relative to the deadline, when did Morgan turn in his assignment?
- Two Students from Legal Writing 285
 - Are you in Professor Richter’s Legal Writing 285?
 - What days and time does this class meet
 - What is the structure of the class?
 - Please discuss the writing assignment
 - Did Professor Richter address plagiarism at all? If so, what did he say?

Hypothetical Questions:

- Would a student taking work and presenting it as his own ideas violate your trust?
- If a student forgot to cite ideas within his paper and turned it in, would this violate your trust?

Case Four:

Professor Sheller brought an honor violation to committee’s attention. While grading the memos for her Administrative class, she took notice of a very novel argument written by Caroline. Later in the argument, Professor Sheller found that Ryan had the same argument as Caroline.

Witness List:

- Professor Sheller
- Two students from the class

Evidence List:

- Class syllabus
- Caroline’s paper
- Ryan’s paper

Witness Questions:

- Professor Sheller
 - Are you the Professor for Admin 267
 - What days and time does this class meet?
 - Please describe the framework of the class

- Please describe the assignment
- Why do you think that these two students plagiarized each other?
- Do you believe that multiple students could come to this argument?
- Were students allowed to work together?
- How did you let this policy be known?
- Two students from Admin 267
 - Are you in Professor Sheller’s Admin 267 class?
 - What days and time does this class meet?
 - Please describe the framework of the class
 - Please describe the assignment
 - Were you given a list of cases to use or was it an open-assignment?
 - Did you find the assignment difficult?
 - Were students allowed to work together?
 - How did the professor inform the class of the guidelines?

Hypothetical Questions:

- If a student looked at another student’s paper to bolster his own argument, would this violate your trust?
- If two students discussed a paper, knowing that it was not allowed, would this violate your trust?
- If two students discussed a paper, not knowing that it was not allowed, would this violate your trust?
- If a student provided another student with their paper in order to assist the second student with his/her argument, would this violate your trust? If so, against who?

Case five:

Professor McLain has brought an honor violation to the Executive Committee. Allegedly, Hans turned in an assignment to Professor McLain’s Real Estate 643 class that he had used for a previous class, Property 110.

Witness List:

- Professor McLain
- Professor Holt
- Two students from Real Estate 643

Evidence List:

- Class syllabus
- Any written instructions on the assignment
- Hans’s paper from Professor McLain
- Han’s paper from Professor Holt (if available)

Witness Questions:

- Professor McLain
 - Are you the professor for Real Estate 643
 - What days and time does this class meet?
 - Please describe the class
 - Please describe the assignment
 - How is Hans in class?

- What led you to believe that Hans plagiarized from a previous assignment?
- What did you do after finding the plagiarism?
- When did Hans turn in his paper? (Early, on time, late)
- Professor Holt
 - Were you the professor for Property I 110?
 - Please describe this class
 - How was Hans in your class
 - Please describe the assignment (Hans original paper)
 - Is this the paper that Hans turned in (if she remembers)
- Two students from Real Estate 643
 - Are you in Professor McLain’s Real Estate 643 class?
 - What days and time does this class meet?
 - Please describe the class
 - Please describe the assignment
 - Did you find the assignment difficult?

Hypothetical Questions:

- If a student used a turned-in a previously graded paper, would this violate your trust?
- Would a student mistakenly submitting the wrong paper violate your trust?

CASES SIX-EIGHT: UNACKNOWLEDGED AID

Case Six:

Jessica has contacted the Executive Committee with a potential Honor Violation. Allegedly, Jessica saw two students, Phillip and Valerie, discussing and working on a paper for their Criminal Law 231 class that was meant to be worked on individually.

Witness List:

- Jessica
- Professor Hu
- Two students from the class

Evidence List:

- Class syllabus
- Any written instructions for the assignment
- Phillip’s paper (if turned-in)
- Valerie’s paper (if turned-in)

Investigation Questions:

- Jessica
 - Are you a student in Criminal Law 231?
 - What days and time does this class meet?
 - Please discuss the structure of the class
 - Please discuss the writing assignment
 - Was the professor clear in her instructions?

- Please discuss the events in the library. If necessary, ask what she specifically saw and heard.
- What did you do after witnessing the event?
- Is there anyone else that the investigation team should contact?
- Professor Hu
 - Are you the Professor for Criminal Law 231?
 - What days and time does this class meet?
 - Please discuss the structure of the class
 - Please discuss the writing assignment
 - What instructions did you give to the students?
 - How clear were these instructions?
- Two students in Criminal Law 231
 - Are you a student in Criminal Law 231?
 - What days and time does this class meet?
 - Please discuss the structure of the class
 - Please discuss the writing assignment
 - What guidelines did the professor give for the assignment?
 - How clear was the Professor in these instructions?

Hypothetical Questions:

- Would two students working together on this assignment violate your trust?
- Would two students, who did not know that collaboration is allowed, working together on this assignment violate your trust?
- Would a student asking for help on the assignment be an honor violation?
- Would a student asking to bounce an idea off another student for the assignment violate your trust?
- Would a student talking about the assignment while in the presence of another student in the class violate your trust?

Case Seven:

Zach has brought a potential honor violation to the Executive Committee's attention. Allegedly, Roy was using his phone to communicate answers with Sean during the Tort 127 final.

Witness List:

- Zach
- Professor Jones
- Two students from the class

Evidence List:

- Class syllabus
- Roy's final
- Sean's final

Investigate questions:

- Zach
 - Are you a student in Tort 127?
 - What days and time does this class meet?
 - Please discuss the structure of the class

- Please discuss the structure of the final
- Walk us through what you saw during the final
- Were phones allowed at all during the final?
- What did you do after witnessing the alleged violation?
- Professor Jones
 - Do you teach Tort 127?
 - What days and time does this class meet?
 - Please discuss the structure of the class
 - Please discuss the structure of the final
 - Were students allowed to use their phones for any reason during the final?
 - How did you let students know your phone policy?
- Two students
 - Are you a student in Tort 127?
 - What days and times does this class meet?
 - Please discuss the structure of the class
 - Please discuss the structure of the final
 - Were you allowed to use your phone during the final? If so, for what reason/s?
 - How did the professor let the students know her phone policy?

Hypothetical Questions:

- Would two students corroborating answers on a final violate your trust?
- Would two students texting each other during a final, not discussing the final, violate your trust?
- Would two students texting a group that they were both a part of during a final violate your trust?
- If one student refuses to give another student answers after being asked over text, would this violate your trust?

Case eight:

Amy has brought an honor violation to the Executive Committee’s attention. Allegedly, Amy saw Kenneth using his textbook and notes on his exam.

Witness List:

- Amy
- Professor Corcoran
- Two students from the Evidence 186 class

Evidence List:

- Class Syllabus
- Any written instructions for the exam

Witness Questions:

- Amy
 - Are you in Professor Corcoran’s Evidence 186 class?
 - What days and time does this class meet?
 - Please describe the class
 - Please describe the final

- What material were you allowed to use on the final?
- How did the professor convey this to you?
- Walk us through the events that happened that day?
- What did you do after you saw Kenneth?
- Professor Corcoran
 - Are you the professor for Evidence 186?
 - What days and times does this class meet?
 - Please describe the framework of the class
 - Please describe the final
 - Were students allowed to use any material on the final?
 - How did you let the students know this?
- Two students from Evidence 186:
 - Are you in Professor Corcoran’s Evidence 186 class?
 - What days and time does this class meet?
 - Please describe the class
 - Please describe the final
 - What material were you allowed to use on the final?
 - How did the professor convey this to you?

Hypothetical questions:

- If a student used his textbook or notes on the final, would this violate your trust?
- If a student had his textbook and notes on his desk during his final, would this violate your trust?

CASE NINE: MANIPULATION OF CLASS DOCUMENTS

Professor Moran brought an honor violation to the Executive Committees attention. Allegedly, Austin has been marking on the attendance sheet that he was present when he was absent.

Witness List:

- Professor Moran
- Two students (preferably students sitting in the area of where Austin sits)

Evidence List:

- Class Syllabus
- Attendance Sheet
- Class recordings if they are available

Witness Questions:

- Professor Moran
 - Are you the Professor for Constitutional Law 278?
 - What days and time does this class meet?
 - What is the structure for this class?
 - What is the attendance policy for your class?
 - How did you let the students know this?
 - When did you first notice the discrepancy?
 - How many times has this happened?
 - (If multiple times) Why did you not report it after the first time?

- Did Austin show up at all for these classes or was he absent the whole class?
- What let you to report this to the Executive Committee?
- Two Students from Constitutional Law 278:
 - Are you in Constitutional Law 278?
 - What days and time does this class meet?
 - What is the structure of the class?
 - What is the attendance policy for the class?
 - How did the professor let the students know the policy?

Hypothetical Questions:

- If a student who was absent for a class signs an attendance sheet as if he was there, would this violate your trust?
- If a student who was absent for a class signs an attendance sheet as if he was there believing that he could do so, would this violate your trust?
- If a student came in at the end of class and signed in on the attendance sheet, would this violate your trust?

CASE TEN: LYING TO A PROFESSOR

Professor Miller brought an honor violation to the Executive Committees attention. Allegedly, Frederick asked for an extension on his Transnational paper, stating that he had a paper assigned to him in his Civil Procedure class that took up more time than he had expected. Miller granted the extension, but later found out that Frederick’s Civil Procedure Professor, Professor Peppers, had not assigned a paper.

Witness List:

- Professor Miller
- Professor Peppers
- Two students from the Transnational class
- If necessary, a student from the Civil Procedure class

Evidence List:

- Transnational class syllabus
- Civil Procedure class syllabus
- Correspondence requesting the extension.

Witness Questions:

- Professor Miller
 - Are you the professor of Transnational 164?
 - What days and time does this class meet?
 - Please explain the framework of the class
 - How was Frederick in your class?
 - Please describe the assignment
 - How much time was given for the assignment?
 - How many other students asked for an extension?
 - How did you find out that Frederick had lied?
 - What did you do after finding out?
- Professor Peppers

- Are you the professor of Civil Procedure 103?
 - What days and time does this class meet?
 - Please explain the framework of the class?
 - What papers were assigned this semester?
 - When were these papers assigned and when were they due?
- Two Students:
- Are you in Professor Miller’s Transnational 164?
 - What days and time does this class meet?
 - Please explain the framework of the class
 - Please describe the assignment
 - How much time were you given to finish this assignment?
 - Do you feel like this was enough time to complete the assignment?

Hypothetical Questions:

- If a student lied about a situation to get an extension on a paper, would this violate your trust?
- If a student lied about the reason he needed an extension because he did not want the professor to know the real reason, would this violate your trust?

CASE ELEVEN: INTERFERING WITH LIBRARY MATERIAL

Clarissa has brought an honor violation to the Executive Committee. Allegedly, Clarissa saw Kim walk into a secluded area of the library. Curious on why she was back there, Clarissa followed her. In the back of the library, Clarissa saw Kim sitting and reading from a stack of resource books for Tax law. Clarissa took a picture of Kim and returned to her desk. After Kim left, Clarissa went back to where she had saw Kim and found several Tax law prep books that had been stashed on a far shelf.

Witness List:

- Clarissa
- Librarian Coughie

Evidence List:

- Picture of Kim using the material
- Library check-out list for the resource books

Witness Questions:

- Clarissa
 - Are you in a Tax law class this semester?
 - Please describe the events
 - What made you follow Kim to the back part of the library
 - How many books did you find in the back?
- Librarian Coughie
 - Are you a librarian at the law school
 - Please describe the value of having these Tax books to study
 - Did you know any of these books were missing?
 - Did any student/s request these books?

Hypothetical Questions

- If a student hid books to prevent other students from being able to use them, would this violate your trust?

- If a student found hidden books and decided to use them rather than return them, would this violate your trust?

CASE TWELVE: LYING TO A POTENTIAL EMPLOYER

Dean Helwig has brought a potential honor violation to the Executive Committee. Allegedly, Jake lied to a potential employer about his class year. Jake stated that he was a rising 3L when he is only a rising 2L.

Witness List:

- The Employer
- Dean Helwig

Evidence List:

- Coorespondence between Jake and the Employer
- Any written documents discussing the requirements for the job

Witness Questions:

- The Employer
 - Did you list possible internship positions at the law school?
 - How did you let potential employees know the requirements for the job
 - How did you get in contact with Jake?
 - How many conversations or interactions did Jake have with your firm?
 - Was the requirements for the job made clear to Jake?
- Dean Helwig
 - Are you the dean of the law school
 - How did this matter come to your attention?
 - What were your initial thoughts on the matter? Have they changed?

Hypothetical Questions:

- Would a student lying to a potential employer about his academic standing violate your trust?
- Would a student applying for a job, thinking that he met all the requirements, violate your trust?

HONOR HEARING OUTCOMES

CASES ONE-FIVE: PLAGIARISM

Case One:

- Several factors should play into the Executive Committees decision. How much of the material was plagiarized, did he previously cite the article and when the student turned in the paper. If a small amount of it was plagiarized, it is likely that it was just a citation error, thus not an honor violation. The same would go if the student had previously cited the article. The timing in which a student turned in his assignment is important in a plagiarism case as

plagiarism can result from a student feeling pressed for time. In the case above, a large swath of material was taken from the plagiarized article, the student had not cited to the article previously, and he had turned in the assignment relatively close to the due date. Due to these factors, Albert was found guilty.

Case Two:

- Going into the closed hearing there seemed to be a fairly strong case against Helen, while a weak one against Molly. During the hearing, it was revealed that Helen had requested to see Molly's memo so that she could use it to bolster her argument. Molly, knowing that Helen was working on the same assignment that she had, gave Helen her old assignment to use. Both Molly and Helen were found guilty of an honor violation.

Case Three:

- During the closed hearing, Morgan testified that he had no intention on plagiarizing the document; he had merely done bad citation work. Morgan was found not guilty of an honor violation.

Case Four:

- During the honor hearing, Ryan stated that he usually worked from the community library computers and often left his paper pulled up when he left to get some food. When discussing the paper, Ryan was very articulate in his description of the argument while Caroline was not. Professor Sheller said it was very unlikely that both students would come to the same novel argument even using the same cases. The Executive Committee found Ryan not guilty, but did find Caroline guilty.

Case Five:

- Hans was given the same topic for his paper in both real estate and property. Due to this, Hans believed that he was able to resubmit the paper that he had written in his property paper to his real estate class. However, this is plagiarism, and Hans was found guilty.

CASES SIX-EIGHT: UNACKNOWLEDGED AID

Case Six:

- As with plagiarism cases, several factors can play into ruling of an unacknowledged aid cases: how the guidelines were presented, whether they were repeated multiple times, and whether they varied from assignment to assignment. Professors occasionally fail to articulate exactly what they expect from an assignment leaving the students in a dangerous position. In case two, while the syllabus had stated that students were not allowed to work together, the professor had not mentioned it at all in class. This was corroborated by the two students interviewed from the class. While Phillip

and Valerie were not allowed to work together, they had not done so maliciously and were not found guilty of an honor violation.

Case Seven:

- Most of the relevant evidence for this case was not collected until the case went to an Executive Committee hearing. Sean provided documents showing that Roy had attempted to communicate with him several times throughout the test to obtain answers. Sean never texted him back and decided to put his phone on silent as to not disturb the test-takers near him. The Executive Committee found Roy guilty and Sean not guilty.

Case Eight:

- Amy testified that she passed by Kenneth during the test and saw the class textbook out on his desk with his notes opened beside him. When Kenneth took the stand, he stated that he had notes out beside him, but the notes were for a different class as he was studying for a different final before he started taking the Evidence final. The Executive Committee found Kenneth not guilty as they could not prove beyond a reasonable doubt that Kenneth had used unacknowledged aid.

CASE NINE: MANIPULATION OF CLASS DOCUMENTS

- Upon observing the recordings of the class, it was revealed that Austin had not been present during the classes where he marked himself present. There was a penalty in the class for students who missed too many classes. Not wanting his absences to affect his grade, Austin had lied about when he was present in the class. Austin was found guilty of an honor violation

CASE TEN: LYING TO A PROFESSOR

- In the e-mail correspondence, Frederick had clearly stated that he needed more time because of a paper for his civil procedure class. Professor Peppers testified that he had never assigned the class a paper and that he had no idea what assignment Frederick was referring to. It was revealed that Frederick had forgotten about the assignment until the deadline was upon him and had lied to get an extension. Frederick was found guilty of an honor violation

CASE ELEVEN: INTERFERING WITH LIBRARY MATERIAL

- It was revealed that Kim had previously checked-out and returned the hidden material. However, the books never seemed to have made it back to their shelf as multiple students from the Tax law class had come to Librarian Coughie asking where they were. Kim had taken and hidden the books after checking them back in so she could continue to study from them before the finals and her classmates could not. Kim was found guilty of an honor violation.

CASE TWELVE: LYING TO A POTENTIAL EMPLOYER

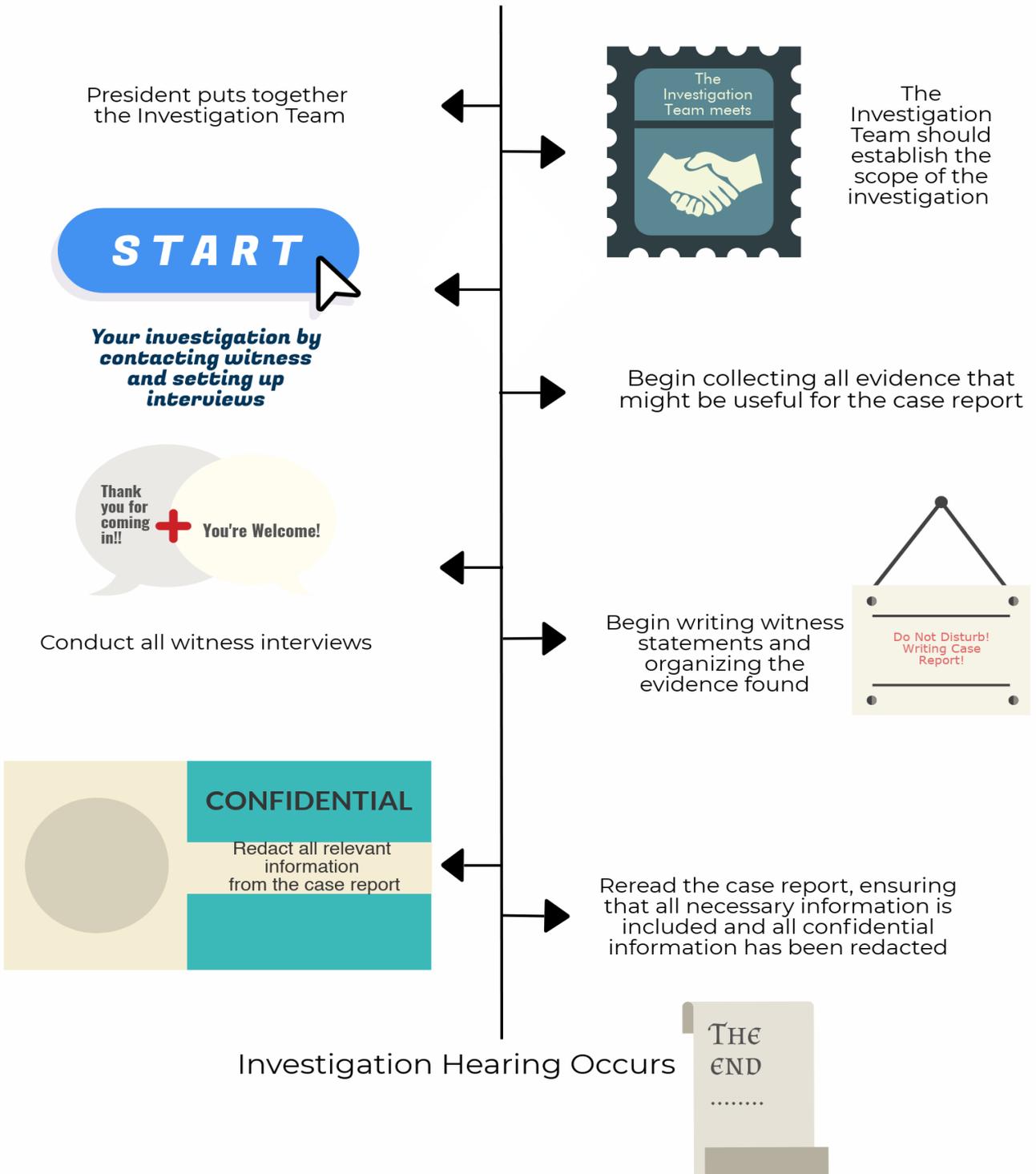
- It was revealed the the employer had made it very appearant that they were looking for a 3L to fill the internship position. Jake had consistently avoided

giving the employer his transcript, and on several occasions had lied about his class year. It was only after flying Jake out to see the firm that the employer found out about Jake's class standing. Jake was found guilty of an honor violation.

ANNEX A. INVESTIGATION TIMELINE

Investigation Report Timeline

Honor Violation is Reported



ANNEX B. WITNESS CONFIDENTIALITY AGREEMENT

President's Name
President of the Executive Committee

Vice President's Name
Vice President

Secretary's Name
Secretary

I, as a witness, have been informed by the investigation team of the high degree of confidentiality involved in this potential honor violation. I am aware that all information discussed in this interview should remain private, and by signing this document I promise to not unnecessarily disclose any information pertaining to the issue at hand. I am aware that talking about this case to anyone outside of the investigation team will be considered a breach of confidentiality and could lead to an honor violation against myself. I also understand that, if necessary, I will be called to an honor committee hearing to offer my testimony.

Name (Please Print)

Signature

Date