

# **2008-09 Honor Code Review Committee Report**

**Prepared by the 2008-09 Honor Code Review Committee:**

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## I. Honor Code Review Committee Membership

The constitution of the Middlebury College Honor Code includes the following requirement in *Article IV. Amendment Procedures and Review Committee*:

b. At least every fourth year, a committee consisting of two faculty members, two students (one of whom will be the current co-chair of the Academic Judicial Board), and a member from the Dean of the College Office shall examine the honor system and its operation and make any appropriate recommendations for revision to the faculty and the Community Council. Faculty members will be selected by the Faculty Council, the second student member by the Student Government Association, and the dean by the Dean of the College or his/her designate.

The 2008-09 academic year marks the four-year interval since the last committee review in 2004-05. In the summer of 2008, the 2008-09 Honor Code Review Committee (HCRC) was assembled per the process above, as follows:

- Faculty Member: Associate Professor Jessica Holmes, Economics
- Faculty Member: Associate Professor Jacob Tropp, History
- Academic Judicial Board Co-chair: Alex Schloss '09.5
- Student Government Association designee: Jamal Davis '10
- Dean of the College designee: Associate Dean of the College Karen Guttentag

## II. Scope of Task

In some ways our agenda began to take shape last spring prior to the formation of the committee. At the end of the winter of 2008, the Economics Department submitted a proposal to the Faculty Council requesting an institutional policy change allowing faculty to be present during exams. Faculty Council explored this possibility, and led a vigorous discussion at the April 2008 faculty meeting. At the discussion's conclusion, the faculty passed the following motion: "Faculty wish the entire College community to engage in a thorough review of the Constitution of the Undergraduate Honor System, that will consider proctoring, to commence in 2008-09." Complete notes from this meeting are enclosed in Appendix C.

When the regularly scheduled HCRC review began in the fall of 2008, we acknowledged this motion and began defining our task. As noted above in Article IV, section B, the purpose of the review process is to "examine the honor system and its operation and make any appropriate recommendations for revision." The breadth of this language allows the community to identify for itself what Honor Code issues need attention at any given time. Although the topic of permitting faculty to be present during exams had already been identified, we wanted to invite the community to raise additional concerns. We therefore organized our work around the following questions:

1. Is the Honor Code working?
  - Are cheating and plagiarism happening at rates that are unacceptable?
  - Are students responding in the ways the Honor Code requires, e.g. proctoring each other and taking action when violations occur?
  - Are faculty members responding in the way the Honor Code requires, e.g. providing clear information to students about what behaviors constitute cheating in their classes, taking violations to the Academic Judicial Board, and not proctoring student exams?

2. Which parts of the Honor Code are particularly successful?
3. Which parts of the Honor Code are particularly problematic?
4. What solutions would address these problems?

As we began to compile feedback, however, we came to define our task not as simply examining the policies and process of the Honor Code, but as an exploration of the state of academic integrity at Middlebury. As a result, we have attempted in this report to share our thoughts not only on the Honor Code itself, but on how changes to the Honor Code and other campus policies and patterns can best cultivate a thriving culture of academic integrity.

### III. Review Process

After brief correspondence throughout the summer, the HCRC began meeting on a weekly basis on September 15 and have maintained a weekly meeting schedule throughout the 2008-09 year. Our calendar of activities included the following:

- *September*: Defined our goals and developed a plan of action. Authored a letter to *The Campus* informing the community of our task and inviting participation (see Appendix D)
- *October*: Began meeting with small groups of faculty members to invite their feedback
- *November*: Sent email to all students, staff and faculty inviting them to share their anonymous answers to the questions noted above, and to indicate their willingness to participate in focus groups. Ongoing small group meetings with faculty.
- *December*: Ongoing small group meetings with faculty; preliminary review of feedback from blog and focus groups. Invited 70+ students to participate in January focus groups.
- *January*: Ongoing small group meetings with faculty. Larger focus groups with students. Continued review of feedback from blog and from focus groups. Met with senior academic administrators to clarify procedures surrounding submission of report, voting process, etc.
- *February*: Posted all community feedback on the HCRC Web site. Developed recommendations and drafted report. Submitted report to Student Government Association, Community Council and Faculty Council.

### IV. What We Have Learned About Environments Successful at Maintaining Academic Integrity

#### A. *National patterns and lessons*

The most thorough studies of those college environments that best sustain high levels of academic integrity suggest that the presence of explicit honor codes or cheating policies themselves are usually *not* the most critical factors for success. Instead, integrity seems to be most robust when all involved parties—students, faculty, administrators, and staff—collectively envision and sustain it as a central dimension of an institution’s educational values and mission.<sup>1</sup> Evidence suggests that when students are incorporated into a college community in which they sense that their teachers, the administration, and their fellow students are all committed to academic integrity, they are much less likely to respond to academic pressure by resorting to dishonest strategies.

The building blocks of communities with strong cultures of academic integrity, which may or may not involve the presence of an Honor Code, appear to include a combination of elements:

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<sup>1</sup> Donald L. McCabe, “It Takes a Village: Academic Dishonesty and Educational Opportunity,” *Liberal Education* 91, no. 3 (2005): 26-31.

- Administrators and faculty clearly and regularly communicate their belief in high standards of academic integrity
- Faculty clearly explain to students their approaches to academic integrity
- Students play a significant part in the judicial process that hears cheating and plagiarism cases
- The community actively discusses ethical issues and community values and acts consistently in support of those values
- New student orientation activities underscore the tradition of honor
- College policies and sanctions consistently confirm that students who cheat will be held accountable.<sup>2</sup>

As he reflects upon more than fifteen years of research on cheating, Donald McCabe observes that “Our goal should not simply be to reduce cheating; rather, our goal should be to find innovative and creative ways to use academic integrity as a building block in our efforts to develop more responsible students and, ultimately, more responsible citizens.”<sup>3</sup> McCabe goes on to note that to accomplish this, “some balance of punishment and proactive strategies will be optimal on each campus.”<sup>4</sup>

The recommendations in this report are thus oriented towards this broader purpose: to help Middlebury cultivate a robust culture of academic integrity that is actively maintained by all of its members.

#### B. *Applications to Middlebury*

Most students, who responded to the survey, report deeply valuing the Honor Code and what it stands for. However, while student orientation activities include inspiring speeches on academic integrity, and the Honor Code signing ceremony, after this first week, discussion of the broader issues of academic integrity fall by the wayside. Students’ experience of the Honor Code is then essentially reduced to the academic practice of signing the pledge on assignments, which some students find very meaningful and others do not; and discerning for each class what activities are and are not permitted by the professor. Students do, however, report that they are truly appreciative when professors take the time to discuss the Honor Code at the beginning of the class. Students and faculty acknowledge that these discussions sometimes include a number of key elements: discussion of the importance of academic integrity; the kind of trust they hope to build with the students in the class during the semester; the impact cheating would have on the rest of the students in the class; their policies regarding authorized aid and practices for each assignment; policies around late assignments; and other topics that invite students to understand that they are part of a community contract with that professor and their classmates around a shared academic endeavor. Middlebury professors who routinely discuss these elements explicitly with their students report both positive feedback and positive results, and their students concur.

Regarding student role in the judicial process, Middlebury’s Academic Judicial Board (AJB) is made up of four students, two faculty members, and one dean, providing students with a potential majority vote in outcomes. Middlebury’s Honor Code orientation consists of several elements, including a printed Honor Code handbook for all new students; focused discussions on the Honor Code with first-

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<sup>2</sup> Donald L. McCabe, Linda Klebe Trevino, and Kenneth D. Butterfield, “Cheating in Academic Institutions: A Decade of Research,” *Ethics and Behavior* 11, no. 3 (2001): 219-232.

<sup>3</sup> McCabe, “It Takes a Village.”

<sup>4</sup> Ibid.

year seminar instructors; and a student-led overview and signing ceremony. The signatures of all students on the Honor Code roster are displayed in McCullough during their time at Middlebury.

Finally, Middlebury has in place judicial processes and sanctioning guidelines that, when followed, hold students consistently accountable for academic dishonesty. That is, when these processes are utilized, students who commit different levels of academic dishonesty can expect similar outcomes regardless of their professor or field of discipline. We note, however, that community feedback suggests that faculty do not always adhere to the guidelines of the judicial process for a variety of reasons explored below. We also note that our community is less successful at incorporating the exploration of academic and non-academic integrity throughout the student experience; this, too, is discussed below.

## V. What We Have Learned about Academic Dishonesty

### A. *Defining academic dishonesty*

National and Middlebury-based research and community feedback has identified a wide range of behaviors that clearly reflect academic dishonesty. These include but are not limited to copying from another student's exam, lab report or paper; bringing notes into an exam; leaving notes in the bathroom; signaling friends during an exam through non-verbal cues or text messages; consulting information on programmable calculators and PDAs (e.g., Palm Pilots); using cell phones to call friends while in the bathroom; receiving information about the exam from earlier test-takers; sharing information with later test-takers; collaborating on assignments meant to be completed alone; involving parents or friends inappropriately in the editing and proofreading process; copying facts and ideas without citing sources or direct quotations; padding bibliographies with unused sources; and falsifying research data.

### B. *National data on cheating and plagiarism*

Evidence suggests that cheating and plagiarism are prevalent on college campuses, and always have been. In a review of over 100 studies of academic dishonesty in higher education between 1970 and 1996, Whitley<sup>5</sup> finds a mean prevalence of academic dishonesty of 70%, of cheating on exams of 43%, and of plagiarism of 47%. Still more disheartening is the suggestion that cheating has increased over time, particularly among women and in exam settings.<sup>6</sup> The first large-scale study of academic dishonesty was conducted by Bill Bowers in 1964; in his survey of over 5000 students at 99 institutions, 39% admitted to serious test cheating, 65% admitted to serious plagiarism and 75% admitted to at least one form of serious academic dishonesty.<sup>7</sup> In a follow-up study of 6000 students at 31 institutions conducted thirty years later by McCabe and Trevino,<sup>8</sup> 64% of students admitted to serious test cheating, 66% admitted to serious plagiarism and 82% admitted to at least one form of serious dishonesty. This growth in prevalence may be due to changing cultural norms (e.g., cheating is more acceptable), although McCabe observes that this may also mean higher rates of disclosure on the survey rather than an actual rise in cheating behavior.<sup>9</sup> The authors also note that the growth in

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<sup>5</sup> Bernard E. Whitley, Jr., "Factors Associated with Cheating Among College Students: A Review," *Research in Higher Education* 39, no. 3 (1998): 235-274.

<sup>6</sup> McCabe et al., "Cheating in Academic Institutions."

<sup>7</sup> William J. Bowers, *Student Dishonesty and its Control in College* (New York: Bureau of Applied Social Research, Columbia University, 1964), as cited in McCabe et al., "Cheating in Academic Institutions."

<sup>8</sup> Donald L. McCabe and Linda Klebe Trevino, "Academic Dishonesty: Honor Codes and Other Contextual Influences," *Journal of Higher Education* 64 (1993): 522-538.

<sup>9</sup> McCabe, "It Takes a Village."

technology makes cheating both easier to do and harder to detect (e.g., cell phones, PDAs, programmable calculators, growth in web sites that sell papers, etc.). There have even been “how to” books published on cheating and getting away with it.<sup>10</sup>

### C. Middlebury data on cheating and plagiarism

Middlebury is not immune to cheating and plagiarism. In Gus Jordan’s 1998 survey of 176 Middlebury College students, 31% of students admitted to cheating on at least one paper or exam and an additional 24% reported cheating or plagiarizing on homework and/or lab assignments the semester prior to the survey. Thus more than half of the students (55%) reported committing some form of academic dishonesty in the target semester. Jordan notes, however, that in the Fall 1998 semester in which he gathered his data, “176 students completed over 7800 assignments in all courses, averaging over 45 assignments per student. Students upheld the honor code on approximately 93% of this work. Most students were acting with academic integrity most of the time.”<sup>11</sup>

In another survey of 484 Middlebury College students in 2008,<sup>12</sup> 36% admitted to giving unauthorized aid during their college career; this number jumped to 44% when the sample was limited to seniors. Among those who admitted to academic dishonesty, 33% reported that they engage in such behavior at least once a semester. More than half of all sophomores, juniors and seniors (54%) have witnessed academic dishonesty by others with about 63% observing it at least once per semester. Among those who witnessed cheating, 97% failed to report the incident.

Records from Middlebury’s AJB provide insight into the types of cases that have been reported, and how they have been resolved.

Academic Year	Plagiarism	Cheating	Total	Outcomes
2004-05	5	6	11	9 guilty; 2 not guilty (cheating)
2005-06	10	7	17	14 guilty; 3 not guilty (2 cheating, 1 plagiarism)
2006-07	7	14	21	11 guilty; 10 not guilty (8 cheating; 2 plagiarism)
2007-08	7	2	9	6 guilty; 3 not guilty (1 cheating; 2 plagiarism)
2008-09 <sup>13</sup>	3	7	10	10 guilty

See Appendix E for a detailed history of judicial cases from the fall semester of 2004 –Winter Term 2009. It must be noted that cases of alleged academic dishonesty are widely acknowledged to be underreported; see “Student Reporting Requirement” for more information.

Not surprisingly, the feedback the HCRC received both online and in focus groups suggests a diversity of perceptions about academic dishonesty on campus. Many faculty members think that cheating happens at “an alarmingly high” or “unacceptable” rate, while others report witnessing “no evidence of cheating.” Similarly, many students think “cheating is still a problem on campus” while others “have never seen anyone break the Honor Code.” Nonetheless, the data above, as well as the on-line and focus-group feedback confirm the presence of a variety of dishonest academic practices at Middlebury.

<sup>10</sup>Michael Moore, *Cheating 101: The Benefits and Fundamentals of Earning the Easy “A”* (Hopewell, NJ: Moore Publishing, 1991).

<sup>11</sup> Gus Jordan, “Academic Integrity at Middlebury College,” (report to the Middlebury faculty, October 1, 2001).

<sup>12</sup> The online survey was a conducted by a student as part of a project for the course “Economics of Sin,” Spring 2008.

<sup>13</sup> Through February 2009.

#### D. *Where cheating happens at Middlebury*

Community feedback strongly suggests that, understandably, most cheating at Middlebury takes place on take-home and self-scheduled exams. According to one student, “the honor code is NOT working during self-scheduled exams. I have seen rampant amounts of cheating during this.” Another reports that “the most cheating that I know of takes place in the Twilight exam rooms where it isn’t just a class of students, but students from many different classes.” A third writes that “there will always be cheating, but I think it can be significantly decreased by eliminating take-home exams.” Regarding in-class exams, several faculty report witnessing students heading to the bathroom within minutes of receiving the exam, and the AJB hearing history includes several cases of students who stored unauthorized source materials in bathrooms. Several students also report that cheating happens on small papers and assignments in which students may be less invested. This is consistent with research conducted by Gus Jordan regarding the correlation of low intrinsic and high extrinsic motivation to cheating patterns at Middlebury.<sup>14</sup>

#### E. *Costs to the Middlebury community*

A number of students and faculty have expressed that while academic dishonesty is unfortunate, it only hurts the cheater. In fact, the bulk of the feedback we have received suggests otherwise: that there are concrete ways in which the work of some dishonest students at Middlebury directly compromises the academic experiences of other honest students.

##### 1. Grading curves

Although students are largely under the impression that grading curves do not exist at Middlebury, many of the faculty members with whom we met disagree. Professors report that when they grade assignments, they regularly use the top paper or exam to set the standard for an A grade. They also look to the top assignments to determine whether they have been pedagogically successful; i.e., if all students struggle with a particular question, professors may assume some responsibility for not teaching this topic effectively, and weight it accordingly. If a small number of students respond correctly, the professor is more likely to believe that students were appropriately prepared to answer the question, and some just did so more successfully than others. Students who derive correct answers dishonestly therefore undermine the ability of honest students to be appropriately recognized for their work, as well as that of faculty to accurately gauge their effectiveness as instructors.

##### 2. Assignment creativity

Several faculty members also reported restricting themselves to a “cheat-proof” syllabus. That is, they may feel that there are more creative and more effective ways of teaching their subject, and of evaluating student learning, but they limit themselves from offering these options because of the difficulty of assuring the assignment’s integrity.

##### 3. Environment of trust

Those students who are unaware of the existence of cheating and plagiarism at Middlebury were consistently enthusiastic about the Honor Code. Many of them spoke specifically about the pleasure they take in having faculty members who trust them, assume their honesty and integrity, and respect them as adults. Many faculty members, however, do not reflect these feelings of trust in their feedback, largely based on their experiences and observations with dishonest students. While they are clearly invested in trusting and respecting those students who are doing honest work, the actions of dishonest

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<sup>14</sup> Jordan, “Academic Integrity at Middlebury College.”

students weaken many professors' trust in the student body as a whole.

## VI. Focus Issues and Resulting Recommendations

We have divided our recommendations into two sections. The first section includes those recommendations that would require changes to the Honor Code constitution. The Honor Code dictates the following:

### **Article IV: Amendment Procedures and Review Committee**

**a.** This constitution (B. Undergraduate Honor System: Preamble and Articles I-IV) may be amended by a referendum in which two-thirds of all students who are currently registered for classes vote, and in which two-thirds of those voting support the change, subject to ratification by the faculty. Community Council, the faculty, or the Honor Code Review Committee can suggest changes to other aspects of the judicial system by making recommendations. Those recommendations would eventually need to be ratified by the Community Council, which forwards them to Faculty Council for review, and then to the faculty for final approval.

The second section includes recommendations that do not require this process, but would involve follow-up by different members of the College community.

### *A. Issues and recommendations involving changes to the Honor Code Constitution*

#### 1. Faculty presence during exams

In both online feedback and focus group discussions, many faculty members supported the right of professors to be present during exams if they wish (although several did not believe it was necessary, and/or indicated that they would not avail themselves of this option were it permitted). Those who supported faculty proctoring felt that since students are not proctoring themselves, faculty should have the option of maintaining the academic integrity of the exam. Others noted that the presence of a faculty member to clarify concerns or answer questions would benefit all students in the class, not just those brave enough to seek out the professor during the exam. Some faculty felt disrespected as a result of the current policy; one faculty member questioned, "If we are not allowed to be present when they are taking an exam, why should they respect our authority?" Another commented, "I have always felt disowned when I am not allowed to be present in the room when my exam is being taken. Just as I trust them not to violate the code, so should they trust me to respect their integrity and at the same time be a presence in that testing space." Several faculty reported feeling that their presence during exams is actually an expression of respect and protection for those students who are doing honest work.

Student response to faculty proctoring was more bimodal. Many students believe that faculty proctoring would reduce cheating on tests and "help ensure that the laziness and immorality of a few does not negatively affect the class as a whole." As one student stated "I, personally, am ashamed to admit cheating and I believe I would have been deterred under professor supervision." On the other hand, several students suggested that the introduction of proctoring would be insulting. According to one such student, "I would be highly offended and perturbed by any alteration to allow professors to proctor exams. That would send a message to me that professors do not trust me..."

Middlebury's original Honor Code includes a *quid pro quo* relationship between student reporting and unproctored exams; that is, if students are willing to hold each other accountable, they may take exams without proctors. It is clear from the feedback, however, that students and faculty are in agreement that

students not only are not reporting each other, but also that they do not wish to be expected to report each other. For example, in the 2008 study on campus, 97% of students who said they had witnessed cheating chose not to report it.<sup>15</sup> It therefore appears unreasonable for students both to abdicate responsibility for proctoring each other and to prohibit faculty from doing so if they wish.

Finally, community feedback identified several advantages to the presence of faculty in the exam space. It allows professors to better guarantee the integrity of their evaluation process by ensuring that those students who are doing honest work are being rewarded for their efforts. It also allows for the entire class to benefit from clarification from the professor when one member of the class raises procedural questions.

*Recommendation:*

After much consideration, we therefore recommend that the language restricting faculty from being present during exams be removed from the Honor Code constitution, as follows:

**Article II: Examination Procedure**

**a.** Only authorized materials may be used during an examination.

~~**b.** No proctors will be present during examinations, unless specific authorization has been given by the Academic Judicial Board.~~

~~**c.** The Academic Judicial Board may grant an instructor permission to proctor an examination in his or her course when the instructor has demonstrated to the board that there is a reasonable suspicion that there are students cheating in examinations in the course. Authorization will apply only to a single examination and must be renewed in every case by the same procedure.~~

~~**d.** When an instructor's presence in the exam is required because of the nature of the exam (e.g., slides), the instructor should receive permission from the administrative co-chair of the Academic Judicial Board and notify the class in advance.~~

~~**e.** The instructor will remain in the examination room for no more than 15 minutes after the start of an examination. He or she may return during the examination to check on any further problems that students may have with examination questions or general procedure, only if he or she announces his or her intention to do so at the beginning of the examination.~~ **(b)** Instructors will remain in the general area for questions for the duration of the examination period.

~~**f.**~~ **(c)** During the examination each student will have complete freedom of action providing he or she does not interfere with the work of others. Except in the case of take-home examinations, no examination papers will be taken from the room except to consult with the instructor.

We offer three clarifying observations. First, the language “general area” in the new line b can be interpreted to include the exam space. Second, proctoring would not be mandatory, but simply an option that faculty could avail themselves of if they wish. Additionally, students and faculty are in agreement that no one is interested in turning our academic environment into a “police state” where faculty presence during an exam is menacing and distracting.

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<sup>15</sup> Online survey conducted for “Economics of Sin,” Spring 2008.

Finally, we note that our current Honor Code suggests that trust is a quality that can be mandated through institutional policy. Our community feedback reveals that this is not the case. While the members of our community may commit themselves to earning trust, and may sincerely desire to be trusting, trust must be cultivated between groups and individuals and cannot be legislated. We feel that the above recommendation will better reflect this relationship.

## 2. Judicial process

This issue came to our attention not through community feedback, but by virtue of the fact that the language of the Honor Code constitution is no longer consistent with the language of the Middlebury Handbook. There are now two processes through which alleged academic offenses are adjudicated: disposition without hearing (also referred to as a “dean’s sanction”), and the AJB hearing. In December 2007, the faculty approved the following amendment to the Handbook section entitled “Judicial Boards and Procedures”:

### *1a. Disposition without hearing.*

Upon receiving written notification of the charges, the accused student has the option of petitioning the Judicial Affairs Officer for a final disposition of the charges. The Judicial Affairs Officer will review the petition. Students who take full responsibility for the charges, and in cases where other parties are not impacted, will have the opportunity for a disposition without hearing. After reviewing the case, consulting with other administrators, and considering the best interests of the College, the Judicial Affairs Officer will determine a final disposition of the charges, as well as any sanctions that would accompany an acknowledgement of guilt. The student will not have the opportunity to reject the disposition. In circumstances where the Judicial Affairs Officer (after appropriate consultation) determines that a final disposition of the charges is not in the best interests of the College, the petition will be rejected and the case will go forward to a hearing.

This process has been in effect and utilized for academic and non-academic policy violations since January 2008. The Honor Code constitution, however, identifies only the AJB for adjudicating alleged violations.

### *Recommendation:*

It is important that the Honor Code reflect the current approved judicial process. As judicial board members, students, faculty and administrators regularly review and amend the judicial process and its language, we recommend changes to this section that will allow this to take place without rendering the language of the Honor Code constitution incorrect, as follows:

### **Article III: Violations of the Honor Code, Procedures, and Disciplinary Actions**

a. Any member of the College community (student, faculty, or administrator) who is aware of a case of academic dishonesty is morally obligated to report it *to the professor or the Judicial Affairs Officer.* ~~to the Academic Judicial Board through the associate dean of the college or an instructor.~~

b. Those who cheat are morally obliged to report their own offense *to the professor or the Judicial Affairs Officer.* ~~to the Academic Judicial Board.~~

c. *Alleged violations will be handled according to the academic disciplinary policies of the current Middlebury College Handbook. ~~The Academic Judicial Board will schedule a hearing for the accused. The accused will be allowed to introduce evidence or witnesses in his or her defense. The presence of the accuser in person is required at the hearing.~~*

d. *For cases that are heard by the Academic Judicial Board, if seven members of the Academic Judicial Board are present, six votes are needed for a decision of guilt. If six members are present, five votes are needed.*

Additional text in this section would remain unchanged.

### 3. New student Honor Code orientation

The Honor Code Constitution includes the following language under **Article I: Honor System:**

b. The Academic Judicial Board shall prepare a statement for all incoming students describing the aims and operation of the academic honor system. The Academic Judicial Board will be responsible for an orientation session during orientation week so that all new students fully understand the system.

In the last five years, we have experimented with a variety of different models of orienting new students to the Honor Code, most of which have involved the participation of members of the AJB. Problems have emerged with this approach. The AJB is selected in the spring for the following fall, and often includes students and faculty members who have not yet had any training or direct experience with the academic disciplinary policies or process at the time of new student orientation. They are therefore too new in their roles to be able to develop an orientation program and lead it with confidence. Furthermore, students and faculty members are not on campus in the summer, by which time Honor Code orientation plans must be finalized. This suggests that while the Honor Code constitution should mandate the presence of an Honor Code orientation for new students, it should not assign this responsibility to the AJB.

#### *Recommendation:*

We recommend that the Judicial Affairs Officer be responsible for developing the Honor Code orientation process. This would involve the following language amendments:

b. ~~The Academic Judicial Board~~ *Judicial Affairs Officer* shall prepare a statement for all incoming students describing the aims and operation of the academic honor system. ~~The Academic Judicial Board~~ *Judicial Affairs Officer* will be responsible for an orientation session during orientation week so that all new students fully understand the system.

## B. *Additional issues and recommendations not involving changes to the Honor Code Constitution*

### 1. Culture of academic integrity

As discussed above under “Applications to Middlebury,” community feedback identified a number of areas in which students, faculty and staff can play a more active role in ensuring that the value of academic integrity is more regularly affirmed and explored throughout students’ time at Middlebury, rather than being relegated primarily to new student orientation.

*Recommendation:*

We recommend that more faculty members make an effort to explicitly address with their students not only the logistics of their assignments *vis a vis* the Honor Code, but broader issues of academic integrity and scholarship in the context of their field and of their class. Examples of possible approaches may be found in Appendix F. We further encourage students to form a group to discuss and publicly promote the importance of community ethics in both academic and non-academic contexts, as has occurred on other campuses (e.g., Ethical Inquiry at Carleton College: <https://apps.carleton.edu/campus/ethic/>).<sup>16</sup>

## 2. Student reporting requirement

The language of the Middlebury College Web-based Handbook states: “Any member of the College community (student, faculty, or administrator) who is aware of a case of academic dishonesty is morally obligated to report it to the Academic Judicial Board through the Judicial Affairs Officer.” Our feedback indicates that with near unanimity, students and faculty agreed that the student reporting requirement of the Honor Code does not work, and appears to be one of the weakest components in the Honor Code.

The largest obstacle is the perceived social cost to the reporter. Other concerns include the perception of severity of the possible punishment; the perception that all allegations will result in an AJB hearing in which the reporter is required to participate; the perception that academic dishonesty only harms the cheater and is therefore not the concern of others; the amount of evidence required to go forward to a hearing; not knowing how to proceed if a student actually wanted to report concerns; and/or objection to having this moral obligation in the Honor Code.

The social cost was the reason most often cited: virtually all students and faculty said that they believed that this was a difficult responsibility to bear in such a small community. The student who reports a peer fears becoming socially ostracized for “ratting” instead of appreciated for upholding a culture of academic integrity and/or supporting friends to take responsibility for their actions. Students reported that they “have no interest in policing,” and “would feel hard pressed” to turn in a friend.

In other instances, students’ perceptions that “the consequences are so severe” deter them from turning in peers. Some faculty members have described instances in which students met with professors to discuss a peer whom they observed doing academically dishonest work, but the students refused to take action or provide enough information for others to take action because they did not have conclusive evidence or did not want to confront the peer face-to-face.

External research corroborates these findings. McCabe et al. conducted a series of surveys regarding the effectiveness of peer reporting requirements in schools with and without Honor Codes. The results showed no significant differences in peer reporting rates between schools that “required vs. obligated, obligated vs. encouraged, and encouraged vs. not encouraged” peer reporting.<sup>17</sup>

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<sup>16</sup> Donald L. McCabe and Linda Klebe Trevino, “What We Know About Cheating in College,” *Change* 28, no. 1 (1996): 28-33.

<sup>17</sup> Donald L. McCabe, Linda Klebe Trevino, and Kenneth D. Butterfield, “Dishonesty in Academic Environments: The Influence of Peer Reporting Requirements,” *The Journal of Higher Education* 72, no. 1 (2001): 29-45.

We must then consider the obvious question: Should Middlebury students have any obligation to take action when they become aware of another student's potential Honor Code violation? After considerable discussion, we are not ready to abandon this obligation. The Preamble to the original Honor Code includes the following language: "The Middlebury student body, then, declares its commitment to an honor system that fosters moral growth and to a code that will not tolerate academic dishonesty in the College community." In the spirit of our goal to strengthen the culture of academic integrity at Middlebury, we feel our community is best served by recommitting ourselves as students, faculty, and staff to expressing our intolerance for academic dishonesty by taking action, rather than by removing this obligation. We acknowledge the very real forces and perceptions that make reporting difficult, but we believe there are potential remedies.

*Recommendation:*

We believe that strengthening the culture of academic integrity on campus can lower the cost of peer reporting to students, and we call on the student body to provide leadership in this area. In addition to the recommendations noted above ("Culture of academic integrity"), we recommend that student leaders regularly discuss and promote the importance of upholding academic honor with their peers. Specifically, we suggest that the CTLR provide training for peer writing tutors and ACEs about the Honor Code, peer reporting, and the AJB, and that these peer leaders share this information with all first-year seminars and reiterate the importance of maintaining academic integrity at Middlebury. CRAs and other student residential staff should similarly discuss the Honor Code, peer reporting, the AJB and the importance of academic integrity during at least one dorm meeting each year. Finally, we recommend that all student leaders, including athletics captains and student organization leaders, more fully incorporate the exploration and reinforcement of academic and non-academic integrity and ethical behavior into their training and activities with their peers.

Our hope is that this "army" of peer leaders will not only help change the culture at Middlebury (i.e., reduce the prevalence of academic dishonesty and increase the acceptability of student reporting) but also act as a resource for students who need advice on whether, how and with whom to address incidents of academic dishonesty or other disturbing peer behavior. This process should clarify for students that not all cases of academic dishonesty require witnesses to participate in AJB hearings: some are resolved through Disposition Without Hearing/Dean's Sanction, and some cases that do go to hearing do not require witness testimony. It should also clarify that not all students found guilty of academic dishonesty are suspended.

By providing students with options that involve working with friends and peer mentors to address the problem, as well as accurate information about the judicial process, we hope to make the prospect of taking action to uphold community values not merely tolerable but socially reinforced. We also hope to remind students that there is strength in numbers, and that there is honor in acting together to uphold a community principle you believe in; indeed, communities of academic integrity depend on it.

### 3. Self-scheduled and take-home exams

Our discussions revealed that many faculty members do not offer self-scheduled and take-home exams out of concern that the atmosphere is ripe with opportunities to cheat. This perception seems to be confirmed by the experiences of many of the students. As noted earlier, the sentiment expressed by one student was echoed by many others: "The Honor Code is NOT working during self-scheduled exams. I

have seen rampant amounts of cheating during these.” Another student suggested that “all take-home tests are perceived by some students as having no time limit and unconditionally open book.” With respect to self-scheduled exams, we learned that exam monitors do not always keep track of the time allowed for each exam, nor whether notes are permitted, nor whether a student must remain in Twilight. Furthermore, it was noted that students can’t be expected to monitor their peers in a self-scheduled setting if they do not know whether other students’ exams are open or closed.

#### *Recommendations:*

We believe that faculty should maintain autonomy over their assignments and exams, and thus continue to utilize the options of take-home and self-scheduled exams if they wish. Yet we also recommend that faculty who choose the options of take-home and self-scheduled exams do so with careful regard for providing clear policies on authorized resources, collaboration, and time limits. Self-scheduled exam monitors should be given explicit guidelines for each exam they monitor, and must assume responsibility for making sure that the time-limits for each exam are adhered to. Self-scheduled exam rooms should be designated as open-book or closed-book. Faculty should remind students that sharing *any* information pertaining to the exam is a violation of the Honor Code.

#### 4. Severity of sanctions

Student focus groups revealed a consistent impression that if someone is found guilty of cheating or plagiarism, they will be suspended for at least a semester. Many students suggested that the severity of this outcome, which they believed to be inevitable, deterred them from reporting cases of academic dishonesty, particularly in cases where they deemed the infraction to be relatively minor. They also expressed concern that because of the significant sanction, the AJB would be less likely to find someone guilty unless the evidence were irrefutable, when in fact the standard of guilt for Middlebury’s judicial boards is “preponderance of evidence,” or more likely than not. Students suggested that if the punishment for cases involving academic dishonesty were less harsh, at least for first-time offenders, then more cases of academic dishonesty would be reported.

Faculty feedback reflected similar concerns regarding severity of punishment and standard for guilt. A larger theme, however, was faculty interest in having more control over the sanction. Given their authority over almost all other aspects of their courses, many faculty members resent feeling restricted from handling academic dishonesty cases on their own, and are not always in agreement with AJB outcomes.

Research suggests that successful sanctioning processes must meet several goals: they must be severe enough to discourage academic dishonesty; they must not be so severe as to discourage reporting for lesser or first-time offenses; they must be administered with consistency across the institution; and there must be enough flexibility to allow for educational rather than punitive outcomes when warranted.<sup>18</sup> When these goals are met, student and faculty reporting tends to increase, and as a result, academic dishonesty tends to decrease as students are increasingly aware of the likelihood of consequences for their actions.<sup>19</sup>

Middlebury’s current sanction processes actually meet these criteria rather favorably. Data from the last four years of AJB and Dean’s Sanction outcomes indicates that both adjudication processes have

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<sup>18</sup> McCabe, “It Takes a Village.”

<sup>19</sup> McCabe, “It Takes a Village.”

used considerable discretion in assigning sanctions, ranging from quite severe to primarily educational in nature. The Dean's Sanction option allows faculty members to consult with the Judicial Affairs Officer and to play a role in determining an outcome that is appropriate to the situation and consistent with precedent. For faculty members who suspect violations but do not wish to pursue a hearing, this option also provides an alternative to ignoring the violation or attempting to adjudicate it independently and thus violating the Honor Code. Student and faculty feedback, however, suggests that the community is not well informed about this process, or about the range of sanctions that are assigned for academic dishonesty violations. We interpret this as good news: the changes that are needed primarily involve better informing the community of current practices rather than changing our practices.

*Recommendation:*

We do not recommend any change in constitution or Handbook policy on this issue. We, nonetheless, recommend concerted efforts on the part of the College to ensure that students and faculty are well educated about the Disposition Without Hearing option, and about the actual sanctions that have resulted from cases of academic dishonesty. The latter can be done through information sessions by peer leaders in first-year seminars and residential life and by maintaining and publicly promoting the presence of the Judicial Log ([http://www.middlebury.edu/campuslife/doc/judicial/judicial\\_log/](http://www.middlebury.edu/campuslife/doc/judicial/judicial_log/)), which provides on-line summaries of all judicial cases and their sanctions. Finally, we recommend that the College consider the development of educational mini-courses on academic integrity, ethical development, and citation practices that may be included in the sanction of first-time or lesser offenders.

5. Student instruction on plagiarism and proper citation practices

As students and faculty attest, problems of plagiarism on campus are complicated by the fact that not all Middlebury students learn appropriate skills in citing sources of information in their work. Although many professors have tackled this issue directly when teaching first-year seminars, the scope and effectiveness of this instruction can vary widely depending on an instructor's particular approach and intellectual field. As students pursue their majors, their development of proper citation practices can further diverge along widely different disciplinary expectations and trajectories. The CTLR website already offers a valuable online resource that contends with many of these issues: a plagiarism resource website organized by Colby, Bates, and Bowdoin (<https://leeds.bates.edu/cbb/>; please note that this link does not seem to work consistently) that offers useful definitions of different forms of plagiarism, discipline-specific citation guides, and ways for students to assess their own knowledge of correct and incorrect citations. Our sense, however, is that this resource is underutilized by and unknown to many faculty and students.

A related issue involves the use of another type of unauthorized aid on writing assignments: one's parents. In Barbara Hofer's recent study of almost 600 Middlebury students, 19% reported that parents had proofread their papers and 14% reported that parents had edited their papers. More troubling is that most students do not view such aid as a violation of the Honor Code. According to Barbara Hofer, "students describe how easy it is to use "tracking changes" so parents can just make corrections and suggestions and send the paper back, that their parents are typically available at the last minute, when peer tutors might not be, and besides, their parents like to help."<sup>20</sup>

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<sup>20</sup> E-mail correspondence with Barbara Hofer, February 4, 2009.

*Recommendations:*

We therefore recommend that the CTLR design a guidebook for all incoming students that outlines the various forms of plagiarism (and how to avoid it) and also includes basic APA and MLA citation styles. This guidebook would be distributed in each first-year seminar along with a copy of the Honor Code, thereby equipping every student with a single resource that could be relied upon across the disciplines and throughout their career at Middlebury. We also suggest that explicit discussion of the boundaries of acceptable help on written work be incorporated into both New Student and Parent Orientation.

6. Academic Judicial Board

Judicial hearing witnesses and respondents—even those found guilty of policy violations—often remark on the professionalism and care with which hearings are conducted. However, comments from students and professors emerged in our feedback process that suggested displeasure with the experience of serving as a witness as a result of feeling that their own credibility or integrity was challenged in ways that felt uncomfortable.

Although board members strive to treat all hearing participants with respect, the hearing process regularly includes questioning witnesses about important details. This may understandably be uncomfortable for witnesses, particularly at times when the information in question is circumstantial or unclear. If a board determines that the standard of guilt has not been met, or if the faculty member deems the sanction too lenient, witnesses and faculty members may experience this as disrespect for or devaluing of their opinions.

*Recommendations:*

We recommend that the Judicial Affairs Officer communicate closely with witnesses and faculty members who participate in AJB hearings to prepare them for the process and educate them about the standards of the board. In cases where the student has not admitted guilt and the Judicial Affairs Officer does not feel there is sufficient evidence for a board to be able to resolve the situation, s/he may work with the faculty member to develop an appropriate response short of pursuing a hearing, such as meeting together with the student to express concern and to reiterate the policies of the Honor Code.

7. Issues for further consideration

Several issues that we were not able to explore in depth arose during our review of the Honor Code. We believe they deserve further study in order to ensure academic fairness to all Middlebury students, and we invite Community Council to determine the appropriate means for follow-up.

- a. *ADA issues:* The ADA office has expressed concerns over fairness in exam policies that are changed to accommodate disabled students, but may actually be discriminatory. These include professors who require that students taking untimed exams be proctored; professors' concerns about cheating when some students are given access to computers for exams when the rest of the students are not; and a general sense that some professors express heightened concern about student honesty when accommodations for disabilities are utilized.
- b. *Disclosure of judicial history:* Should a student's judicial history be provided to the AJB as evidence during a hearing, rather than disclosed only if a student has been found guilty at that

hearing? How would knowledge of a student's prior academic infractions and hearing outcomes influence the AJB's review of his or her present case, and is it important for the AJB to know if a student has a pattern of suspicious behavior, even if the student has not been found guilty in previous hearings? Would (and should) a student's prior record help adjudicate some of the more difficult-to-prove cases?

- c. *Honor Code procedures*: The process by which the Honor Code can be amended is not clearly specified in the Handbook, nor is it necessarily ideal in supporting the regular exploration and adjustment of our community practices. We recommend that the procedures for changing the Honor Code be reexamined and more clearly specified in the Handbook.
- d. *Additional questions of academic integrity*: In the process of reviewing the Honor Code, students, staff and faculty have raised concerns about particular practices that can challenge the boundaries of academic integrity. These include the sale and use of study drugs (Adderall, Dexedrine, Ritalin, etc.) by students without a prescription, and the abuse of deadline extension policies for non-emergency situations.

## **Appendix A**

### **Current Honor Code Constitution**

#### **C. Undergraduate Honor System**

In 2001, both the student body and the faculty reaffirmed their commitment to the Honor Code through a student referendum and faculty ratification.

#### **Constitution of the Undergraduate Honor System**

All assigned academic work is conducted under the terms of the Undergraduate Honor System, which follows in full:

##### **Preamble**

The students of Middlebury College believe that individual undergraduates must assume responsibility for their own integrity on all assigned academic work. This constitution has been written and implemented by students in a community of individuals that values academic integrity as a way of life. The Middlebury student body, then, declares its commitment to an honor system that fosters moral growth and to a code that will not tolerate academic dishonesty in the College community.

##### **Article I: Honor System**

- a.** Before enrolling in Middlebury College each student must agree to abide by and uphold this honor system. Additional commitments to the honor system should be part of orientation week activities.
- b.** The Academic Judicial Board shall prepare a statement for all incoming students describing the aims and operation of the academic honor system. The Academic Judicial Board will be responsible for an orientation session during orientation week so that all new students fully understand the system.
- c.** The Academic Judicial Board will meet annually at the beginning of the fall term with deans from the Office of the Dean of the College, the Community Judicial Board, and the Judicial Appeals Board to review the honor system and to orient new members.

##### **Article II: Examination Procedure**

- a.** Only authorized materials may be used during an examination.
- b.** No proctors will be present during examinations, unless specific authorization has been given by the Academic Judicial Board.
- c.** The Academic Judicial Board may grant an instructor permission to proctor an examination in his or her course when the instructor has demonstrated to the board that there is a reasonable suspicion that there are students cheating in examinations in the course. Authorization will apply only to a single examination and must be renewed in every case by the same procedure.
- d.** When an instructor's presence in the exam is required because of the nature of the exam (e.g., slides), the instructor should receive permission from the administrative co-chair of the Academic Judicial Board and notify the class in advance.
- e.** The instructor will remain in the examination room for no more than 15 minutes after the start of an examination. He or she may return during the examination to check on any further problems that students may have with examination questions or general procedure, only if he or she announces his or

her intention to do so at the beginning of the examination. Instructors will remain in the general area for questions for the duration of the examination period.

**f.** During the examination each student will have complete freedom of action providing he or she does not interfere with the work of others. Except in the case of take-home examinations, no examination papers will be taken from the room except to consult with the instructor.

### **Article III: Violations of the Honor Code, Procedures, and Disciplinary Actions**

**a.** Any member of the College community (student, faculty, or administrator) who is aware of a case of academic dishonesty is morally obligated to report it to the Academic Judicial Board through the Judicial Affairs Officer.

**b.** Those who cheat are morally obliged to report their own offense to the Academic Judicial Board.

**c.** The Academic Judicial Board will schedule a hearing for the accused. The accused will be allowed to introduce evidence or witnesses in his or her defense. The presence of the accuser in person is required at the hearing.

**d.** If seven members of the Academic Judicial Board are present, six votes are needed for a decision of guilt. If six members are present, five votes are needed.

**e.** Any infraction of the honor system is normally punishable by suspension from the College. However, the penalty may be modified when, in the opinion of the Academic Judicial Board, conclusive reasons warrant such action.

**f.** Should the accused be found not guilty, all records of the proceeding will be destroyed.

**g.** Right of Appeal: A student found guilty of an offense will have the right of appeal to the Judicial Appeals Board in all cases.

**h.** All deliberations of the Academic Judicial Board concerning violations of the honor system will be conducted in confidence.

### **Article IV: Amendment Procedures and Review Committee**

**a.** This constitution (B. Undergraduate Honor System: Preamble and Articles I-IV) may be amended by a referendum in which two-thirds of all students who are currently registered for classes vote, and in which two-thirds of those voting support the change, subject to ratification by the faculty. Community Council, the faculty, or the Honor Code Review Committee can suggest changes to other aspects of the judicial system by making recommendations. Those recommendations would eventually need to be ratified by the Community Council, which forwards them to Faculty Council for review, and then to the faculty for final approval.

**b.** At least every fourth year, a committee consisting of two faculty members, two students (one of whom will be the current co-chair of the Academic Judicial Board), and a dean from the Office of the Dean of the College shall examine the honor system and its operation and make any appropriate recommendations for revision to the faculty and the Community Council. Faculty members will be selected by the Faculty Council, the second student member by the Student Government Association, and the dean from the Office of the Dean of the College.

## **Appendix B**

### **Honor Code Constitution with HCRC Recommended Changes**

#### **Undergraduate Honor System**

In 2001, both the student body and the faculty reaffirmed their commitment to the Honor Code through a student referendum and faculty ratification.

#### **Constitution of the Undergraduate Honor System**

All assigned academic work is conducted under the terms of the Undergraduate Honor System, which follows in full:

##### **Preamble**

The students of Middlebury College believe that individual undergraduates must assume responsibility for their own integrity on all assigned academic work. This constitution has been written and implemented by students in a community of individuals that values academic integrity as a way of life. The Middlebury student body, then, declares its commitment to an honor system that fosters moral growth and to a code that will not tolerate academic dishonesty in the College community.

##### **Article I: Honor System**

**a.** Before enrolling in Middlebury College each student must agree to abide by and uphold this honor system. Additional commitments to the honor system should be part of orientation week activities.

**b.** *The Judicial Affairs Officer* shall prepare a statement for all incoming students describing the aims and operation of the academic honor system. *The Judicial Affairs Officer* will be responsible for an orientation session during orientation week so that all new students fully understand the system.

**c.** The Academic Judicial Board will meet annually at the beginning of the fall term with deans from the Office of the Dean of the College, the Community Judicial Board, and the Judicial Appeals Board to review the honor system and to orient new members.

##### **Article II: Examination Procedure**

**a.** Only authorized materials may be used during an examination.

**b.** Instructors will remain in the general area for questions for the duration of the examination period.

**c.** During the examination each student will have complete freedom of action providing he or she does not interfere with the work of others. Except in the case of take-home examinations, no examination papers will be taken from the room except to consult with the instructor.

##### **Article III: Violations of the Honor Code, Procedures, and Disciplinary Actions**

**a.** Any member of the College community (student, faculty, or administrator) who is aware of a case of academic dishonesty is morally obligated to report it *to the professor or the Judicial Affairs Officer*.

**b.** Those who cheat are morally obliged to report their own offense *to the professor or the Judicial Affairs Officer*.

*c. Alleged violations will be handled according to the academic disciplinary policies of the current Middlebury College Handbook.*

*d. For cases that are heard by the Academic Judicial Board, if seven members of the Academic Judicial Board are present, six votes are needed for a decision of guilt. If six members are present, five votes are needed.*

*e. Any infraction of the honor system is normally punishable by suspension from the College. However, the penalty may be modified when, in the opinion of the Academic Judicial Board, conclusive reasons warrant such action.*

*f. Should the accused be found not guilty, all records of the proceeding will be destroyed.*

*g. Right of Appeal: A student found guilty of an offense will have the right of appeal to the Judicial Appeals Board in all cases.*

*h. All deliberations of the Academic Judicial Board concerning violations of the honor system will be conducted in confidence.*

#### **Article IV: Amendment Procedures and Review Committee**

**a.** This constitution (B. Undergraduate Honor System: Preamble and Articles I-IV) may be amended by a referendum in which two-thirds of all students who are currently registered for classes vote, and in which two-thirds of those voting support the change, subject to ratification by the faculty. Community Council, the faculty, or the Honor Code Review Committee can suggest changes to other aspects of the judicial system by making recommendations. Those recommendations would eventually need to be ratified by the Community Council, which forwards them to Faculty Council for review, and then to the faculty for final approval.

**b.** At least every fourth year, a committee consisting of two faculty members, two students (one of whom will be the current co-chair of the Academic Judicial Board), and a dean from the Office of the Dean of the College shall examine the honor system and its operation and make any appropriate recommendations for revision to the faculty and the Community Council. Faculty members will be selected by the Faculty Council, the second student member by the Student Government Association, and the dean from the Office of the Dean of the College.

**Appendix C**  
**Excerpted Notes from Faculty Meeting, April 11, 2008**  
**Discussion of Honor Code**

Faculty Council. To speak on behalf of the Faculty Council, Mr. Fernandez was invited to come forward. Referring to the proposal to permit faculty to proctor exams in the meeting packet, Mr. Fernandez said that legal counsel and the parliamentarian have informed him that no major revisions of the Honor Code can be made without a student vote. In order to make any changes to the code, two-thirds of current students who are registered for classes must vote, and two-thirds of those voting must support the changes. The changes must then be ratified by the faculty. Faculty Council will therefore not be forwarding this proposal, but will replace it with a sense of the faculty motion.

He briefly explained the reason for the timing of this discussion, noting concerns raised by some faculty and an entire department. Many believe the system is not working, so we need to reduce opportunities for students to cheat. Faculty Council then proposed that faculty be allowed to proctor their own exams. Mr. Fernandez made the following motion to replace its proposal: "In the next review of the constitution of the honor system, which must take place no later than next year, faculty shall not approve the honor code without the option of proctoring their own exams." The motion was seconded.

This led to significant discussion about whether this is the right way to handle this issue in light of the upcoming review of the honor system. The motion would actually be binding the faculty to vote in a particular way. Mr. Fernandez expressed the hope that the faculty would be able to exert some power in the outcome of the review. But some thought we should just wait until any new language is proposed and then vote it up or down.

Mr. Olinick provided a quick history of the honor system. It was adopted in the 1960s, when faculty were willing to relinquish its power to dictate proctoring. We may view this as an unwise decision now, but it was done. One faculty member wondered if the faculty could withdraw its consent for an honor code. President Liebowitz noted a legal case pending in the Vermont Supreme Court, in which the legal standing of the honor code is being challenged. Because the Handbook is considered a contract between faculty and students, we are required to follow it.

Faculty generally voiced concern that by waiting for students to propose a change, their hands would be tied. Mr. Wyatt, who has served on the honor code review committee, pointed out that amendments to the code have typically strengthened the hands of the students. He suggested that faculty initiate a discussion with students about these concerns.

Mr. Ward wondered if this really was a problem. Do we know how many students really cheat? Mr. Fernandez noted the very revealing survey that Mr. Jordan did a few years ago. His results indicated that approximately 50% of students admit to cheating of some kind. Ms. Holmes also has a student doing a study on the subject this semester. Ms. Holmes reviewed some of the data she has already received. Of 482 students surveyed, 49% said they had witnessed cheating; among those, 60% have seen cheating more than once in a semester; and 36% admit cheating themselves. She suggested that in order to get more accurate results, we should look at seniors only. She followed up by commenting that we expect students to self-police, but this isn't happening. When asked why they don't turn others or themselves in, they admit they don't care, that it's none of their business, or not their responsibility. In light of these data and comments, we need to begin proctoring because someone needs to care.

Mr. Jordan made some comments regarding cheating in general and some suggestions for dealing with it. Research suggests that our situation is bad, but not as bad as the national average. We are unique because of the honor code. He pointed out that schools with an honor code generally have a lower incidence of cheating than schools without one. To solve this problem, we need to address it at several levels. In fact, there is no evidence that proctoring reduces cheating. We could expend our energy in a better way. For example, we can spend 15 minutes at the start of the semester talking about integrity and moral issues. We can spend 5 minutes before each exam to talk about dishonesty. He said he believes this would have a greater benefit than the faculty taking a unilateral action. He suggested we evaluate the honor code next year as scheduled and then see where we are. We certainly need to involve students in the discussion.

But Mr. Fernandez reiterated that a large number of faculty think we have a crisis because the system is not working. If we don't trust the system, what good is it?

Dean Spears, speaking as chair of the academic judicial board said he could affirm Ms. Holmes' observations about students' willingness to police one another. Students believe in the honor code, but not when it's related to another student. They don't want to turn in their peers. The Office of Student Life has been having discussions about how to engage students in a discussion about accountability and self-governance in social life issues. We need to involve students, but it should be a broad discussion including academic and social honor codes.

There was a brief discussion about how much of the honor code covers proctoring. Mr. Olinick pointed out that a significant portion of the Constitution of the Honor System addresses proctoring. He also noted that the honor code allows faculty to request permission from the Academic Judicial Board to proctor if they can substantiate need. Dean Spears noted the Board had not received any recent requests.

Some faculty said they believe a large number of students do not cheat. Mr. Fernandez said he recently spoke with three officers of SGA, who defended the honor code and were surprised by the reported number of cheaters at Middlebury. There was a brief discussion of the process of making changes to the constitution. Mr. Emerson reiterated that faculty must ratify any changes that are recommended. But some wondered what would happen if the faculty refused to ratify the changes. Can the faculty withdraw its support for the honor system? President Liebowitz has asked Mr. Emerson to look into the possibilities. Provost Byerly said that if we don't have an honor code, we would still need some kind of disciplinary rules, which is what we would have to work with. President Liebowitz will be speaking with College counsel next week.

Following more discussion, Mr. Fernandez changed the sense of faculty motion and read it for the faculty. He moved the following language: "Faculty wish the entire college community to engage in a thorough review of the Constitution of the Undergraduate Honor System, that will consider proctoring, to commence in 2008-09." The motion was seconded. By a show of hands the motion passed.

**Appendix D**  
**Letter from the HCRC in *The Campus*, 9/25/2008**

To the Middlebury College Community,

We write to introduce you to our work as the 2008-09 Honor Code Review Committee, and to invite your participation in our review process in the months ahead.

In 1963, Middlebury College students developed and implemented an Honor Code that was introduced with the following Preamble: “The students of Middlebury College believe that individual undergraduates must assume responsibility for their own integrity on all assigned academic work. This constitution has been written and implemented by students in a community of individuals that values academic integrity as a way of life. The Middlebury student body, then, declares its commitment to an honor system that fosters moral growth and to a code that will not tolerate academic dishonesty in the College community.” The spirit of this code is simple in structure: the faculty agrees not to proctor in-class exams and to offer take-home exams, and in exchange for the trust of their professors, the student body agrees to uphold academic integrity in their work and in the work of their peers.

The Honor Code’s constitution requires that every four years, a review committee “shall examine the honor system and its operation and make any appropriate recommendations for revision to the faculty and the Community Council.” The review committee must consist of a member of the dean of the College staff; two faculty members appointed by Faculty Council, and two students, one of whom must be the co-chair of the Academic Judicial Board.

As the committee’s charge is fairly broad, it has been up to each group to shape its focus to reflect the current campus environment and concerns. As the College community has historically expressed overall satisfaction with the presence of an honor code, past review processes have been focused on the effective administration of this system, and on how best to support community adherence to its principles.

Our current environment, however, requires that our committee broaden our scope of inquiry. At the April 2008 faculty meeting, several professors expressed concerns about the presence of cheating in the classroom and raised the possibility of returning to a system of proctoring exams. An energetic discussion ensued that revealed that a portion of Middlebury’s faculty have significant reservations about the extent to which students are not only doing honest work themselves, but are proctoring each other, as the Honor Code requires. Those present voted to delay faculty action to allow the Honor Code Review Committee to conduct its scheduled review in the current year in hope that this issue would be thoroughly explored.

We therefore cannot take for granted at the outset of our work that there is universal campus support for the continued presence of an honor code. As a result, we undertake this review process not to answer the question of how best to strengthen Middlebury’s Honor Code, but how best to strengthen the practice of academic integrity at Middlebury. Our recommendations may fall into one of three categories: we may recommend strengthening the promotion and administration of the existing Honor Code; we may recommend amending it to adjust its policies and/or introduce new ones; or we may recommend abandoning it if other approaches to upholding academic integrity appear more promising.

Our success in developing these recommendations will be dependent upon the candid and thoughtful engagement of the entire Middlebury community. We anticipate an agenda that will involve multiple and ongoing opportunities for input from students, faculty and staff, including focus groups, individual conversations, and open campus meetings. We commit to providing regular updates of our work and projections for our next steps, and to listening carefully and objectively to all who share their thoughts with us.

You will be hearing more details from us in the coming weeks. In the meantime, we thank you in advance for your participation in this vital community conversation.

Sincerely,

The 2008-09 Honor Code Review Committee:

Jamal Davis '11

Associate Dean of the College Karen Guttentag

Assistant Professor of Economics Jessica Holmes

Alex Schloss '09.5

Associate Professor of History Jacob Tropp

## Appendix E

### Detailed Academic Disciplinary History since Fall 2004

Please note that all highlighted entries reflect cases where multiple students are charged in the same incident

Semester	Charge	Disposition	Outcome	Field	Detailed summary	Sanction
Fall 2004	cheating	AJB	Guilty	Music	Duplicate submission of written work	Reprimand; F on the assignment
Fall 2004	plagiarism	AJB	Guilty	Religion	Submission of a paper and exam with uncited sources	Suspension for spring semester; F in class
Fall 2004	plagiarism	AJB	Guilty	English Literature	Submission of a paper with uncited sources	Reprimand; F on the assignment
Fall 2004	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Fall 2004	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Fall 2004	plagiarism	AJB	Guilty	Spanish	Submission of a paper with uncited sources	Reprimand; F on the assignment
Winter 2005	plagiarism	AJB	Guilty	Psychology	Submission of assignment with uncited sources	Suspension for spring semester; F in class
Spring 2005	cheating	AJB	Guilty	Psychology	Use of textbook during closed-book exam	Academic disciplinary probation; F in class
Spring 2005	cheating	AJB	Guilty	Environmental Studies	Accessed notes left in bathroom during final exam	Suspension for summer; F in class
Spring 2005	plagiarism	AJB	Guilty	Spanish	Submission of take-home exam with uncited sources	Reprimand; F on the assignment
Spring 2005	cheating	AJB	Guilty	Computer Science	Use of unauthorized aid on an exam	Suspension for fall semester; F in class
Fall 2005	plagiarism	AJB	Guilty	Philosophy	Submission of take-home exam with uncited sources	Suspended for spring semester; F on assignment
Fall 2005	cheating	AJB	Guilty	Computer Science	Use of unauthorized aid on an assignment	Academic disciplinary probation; F on assignment
Fall 2005	plagiarism	AJB	Guilty	Italian	Submission of a paper with uncited sources	Reprimand; F on the assignment
Fall 2005	cheating	AJB	Guilty	Mathematics	Unauthorized collaboration on a mid-term exam	Suspended for winter and spring semester; F in class
Fall 2005	cheating	AJB	Guilty	Mathematics	Unauthorized collaboration on a mid-term exam	Academic disciplinary probation; F in class
Fall 2005	plagiarism	AJB	Guilty	FYSE: Economics	Submission of paper with uncited sources	Suspension for winter term; F on assignment

Fall 2005	plagiarism	AJB	Guilty	Classics	Submission of a paper with uncited sources	Reprimand; correction and resubmission of paper
Spring 2006	plagiarism	AJB	Guilty	Economics	Use of unauthorized aid on an assignment	Reprimand; F on the assignment
Spring 2006	plagiarism	AJB	Guilty	Computer Science	Use of unauthorized aid on an assignment	Temporary suspension; F on the assignment
Spring 2006	cheating	AJB	Guilty	Biology	Falsification of data	Academic disciplinary probation; F in class
Spring 2006	plagiarism	AJB	Guilty	Philosophy	Submission of paper with uncited sources	Temporary suspension; F in the class
Spring 2006	plagiarism	AJB	Guilty	Mathematics	Plagiarized work of another student	Reprimand; F on the assignment
Spring 2006	plagiarism	AJB	Not guilty	Mathematics	Alleged unauthorized collaboration	N/A
Spring 2006	plagiarism	AJB	Guilty	Spanish	Use of unauthorized aid on assignments in two classes	Suspended for fall semester; F in class
Spring 2006	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Spring 2006	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Spring 2006	cheating	AJB	Guilty	Economics	Pre-exam access to correct answers	Suspended for fall and spring semester; F in class
Fall 2006	plagiarism	AJB	Not guilty	English and American Literature	Alleged plagiarism of another student's work	N/A
Fall 2006	plagiarism	AJB	Guilty	Arabic	Submission of paper with uncited sources	Suspension for winter and spring semester; F in class
Fall 2006	cheating	AJB	Guilty	Economics	Unauthorized collaboration on a mid-term exam	Suspension for winter term; F in class
Fall 2006	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Fall 2006	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Fall 2006	plagiarism	AJB	Guilty	FYSE: Religion	Submission of paper with uncited sources	Suspension for winter term; F in class
Fall 2006	plagiarism	AJB	Not guilty	French	Alleged submission of paper with uncited sources	N/A
Fall 2006	cheating	AJB	Guilty	Mathematics	Unauthorized collaboration on take-home exam	Suspension for winter term; F in class
Fall 2006	cheating	AJB	Guilty	Mathematics	Unauthorized collaboration on take-home exam	Suspension for winter term; F in class
Spring 2007	cheating	AJB	Guilty	Italian	Duplicate submission of written work	Academic disciplinary probation; F on both assignments

Spring 2007	cheating	AJB	Guilty	Economics	Use of unauthorized aid on exam; second academic offense	Suspension for one year; work with a counselor
Spring 2007	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration on exam	N/A
Spring 2007	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration on exam	N/A
Spring 2007	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration on exam	N/A
Spring 2007	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration on exam	N/A
Spring 2007	plagiarism	AJB	Guilty	American Studies	Submission of paper with uncited sources	Reprimand; F on assignment
Spring 2007	plagiarism	AJB	Guilty	History of Art and Architecture	Submission of paper with uncited sources	Academic disciplinary probation; F in class
Spring 2007	cheating	AJB	Guilty	Economics	Unauthorized collaboration	Suspension for fall semester; F in class
Spring 2007	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Spring 2007	cheating	AJB	Not guilty	Economics	Alleged unauthorized collaboration	N/A
Spring 2007	plagiarism	AJB	Guilty	Italian (Study Abroad)	Submission of paper with uncited sources	Suspension for fall semester; F in class
Fall 2007	plagiarism	AJB	Not guilty	American Literature	Alleged submission of paper with uncited sources	N/A
Fall 2007	plagiarism	AJB	Guilty	German	Submission of paper with uncited sources	Academic disciplinary probation; F in class; required meeting with writing tutor from CTLR
Fall 2007	plagiarism	Dean's Sanction	Guilty	FYSE: Film and Media Culture	Submission of paper with uncited sources	Reprimand; F on assignment
Fall 2007	cheating	AJB	Not guilty	Mathematics	Alleged use of unauthorized aid on exam	N/A
Fall 2007	cheating	AJB	Guilty	Study abroad	Falsified transcript grades; turned self in on own	Reprimand
Fall 2007	plagiarism	Dean's Sanction	Guilty	Biology	Plagiarized work of another student	Temporary suspension; F in class
Spring 2008	plagiarism	Dean's Sanction	Guilty	Environmental Studies	Submission of paper with uncited sources	F in class
Spring 2008	plagiarism	AJB	Guilty	Music	Plagiarized work of another student	Suspension for fall and winter term; F in class
Spring 2008	plagiarism	AJB	Not guilty	Music	Alleged plagiarizing of another student's work	N/A
Fall 2008	cheating	AJB	Guilty	Mathematics	Unauthorized collaboration on take-home exam	Reprimand; F in class
Fall 2008	cheating	AJB	Guilty	Mathematics	Unauthorized collaboration on take-home exam	Reprimand; F in class
Fall 2008	cheating	AJB	Guilty	Political Science	Books left in bathroom during exam	Suspended for spring term; F on exam

Fall 2008	cheating	Dean's Sanction	Guilty	Computer Science	Unauthorized collaboration on mid-term	Suspension for winter term; F in class
Fall 2008	cheating	Dean's Sanction	Guilty	Computer Science	Unauthorized collaboration on mid-term	Suspension for winter term; F in class
Fall 2008	cheating	Dean's Sanction	Guilty	Mathematics	Use of unauthorized aid during exam	Reprimand; F on assignment
Fall 2008	plagiarism	Dean's Sanction	Guilty	International Studies	Submission of paper with uncited sources	Suspension for winter term; F in class
Fall 2008	plagiarism	AJB	Guilty	Psychology	Submission of homework with uncited sources	Suspension for December break; F in class
Fall 2008	cheating	Dean's Sanction	Guilty	Biology	Use of unauthorized aid on exam	F on assignment
Winter 2009	plagiarism	AJB	Guilty	Political Science	Submitted paper with multiple unattributed direct quotations	Failing grade on assignment
Fall 2008 and Winter 2009	plagiarism	AJB	Guilty	Political Science	Submitted papers in three different classes with incited sources and quotations	Failing grade for all three classes, leading to academic failure; academic probation

## Appendix F

### Resources for Faculty and Students

1. Taylor, Bill. "Integrity: Academic and Political—A Letter to My Students." Oakton Community College. (unpublished Web resource, available at [http://www.academicintegrity.org/educational\\_resources/pdf/Letter\\_To\\_My\\_Students.pdf](http://www.academicintegrity.org/educational_resources/pdf/Letter_To_My_Students.pdf))
2. Newton, Janice. "Plagiarism and the Challenge of Essay Writing: Learning from our Students." York University. (unpublished Web resource, available at <http://facstaff.elon.edu/sullivan/cheatpap.htm>)
3. Lipson, Charles. Doing Honest Work in College: How to Prepare Citations, Avoid Plagiarism, and Achieve Real Academic Success. Chicago: University of Chicago Press, 2004.
4. The Center for Academic Integrity: <http://www.academicintegrity.org/index.php>
5. Middlebury College Center for Teaching, Learning and Research: <http://www.middlebury.edu/administration/ctrl/>
6. The Learning Center at Plagiarism.org: <http://www.plagiarism.org/>

## **Appendix G**

### **Compiled Community Feedback**

Please visit the Honor Code Web site

([http://www.middlebury.edu/academics/acadinfo/honorcode/hcrc/2008-](http://www.middlebury.edu/academics/acadinfo/honorcode/hcrc/2008-09+Honor+Code+Review+Report.htm)

[09+Honor+Code+Review+Report.htm](http://www.middlebury.edu/academics/acadinfo/honorcode/hcrc/2008-09+Honor+Code+Review+Report.htm)) to review the compiled feedback from students, faculty and staff members on the following topics :

1. General Feedback on the Honor Code
2. Feedback on Faculty Presence in Exams
3. Feedback on the Expectation that Students will Report Other Students' Violations
4. Comments on Prevalence of Honor Code Violations
5. Comments on the Role of the Faculty in Supporting and Enforcing the Honor Code
6. Comments on Where/When Cheating Happens at Middlebury
7. Comments on the Written Honor Code Pledge
8. Comments on Violations and Penalties
9. Anecdotes