

HONOR CODE HANDBOOK

CALIFORNIA INSTITUTE OF TECHNOLOGY

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Dear Student,

The Caltech Honor System has been a crucial component of the Institute since its very earliest days. Indeed, the very first catalog of the Throop Polytechnic Institute in 1892 (Throop grew into Caltech) presaged the Honor System by stating that: “The discipline of the institution will constantly keep in mind the development of self-governing citizens, self-respecting, law-abiding men and women. The helpfulness of the ever-watchful friend will take the place of the educational police officer.”

As the Honor System evolved, its guiding principle became crystallized into a simple statement: “No member of the Caltech community shall take unfair advantage of any other member of the community.”

The Caltech Honor System is remarkable in several respects. But what is most exceptional is how seriously it is respected and valued by the students and the faculty. We believe in the Honor System; we are proud of it; and we depend on it as the foundation for the kind of trust and mutual respect that would be impossible without it. Ask any Caltech graduate what they found to be special about this place. Chances are that the Honor System will head the list.

D. Roderick Kiewiet
Dean of Undergraduate Students
Professor of Political Science

Philosophy of the Honor Code

Every community, either through accident or conscious design, adopts certain levels of accepted conduct. With unfortunate frequency, the standards adopted officially and unofficially by academic communities are founded on a “lowest common denominator” of human behavior. It is considered a fact of life at many colleges that intensive proctoring, special examination booklets, and energetic suspicion on the part of the faculty are required to achieve some semblance of honesty in the majority of students.

The Caltech community has the privilege of disregarding these pessimistic traditions. The name given to our community’s official — and practiced — ethical code is the “Honor System.” The Honor System embodies our mutual trust and respect.

The Honor System makes Caltech a better and more enjoyable place to work and live because it affords to each person within the Caltech community the trust and freedom that honesty merits. As such, only one guideline is necessary to protect our community: “No member of the Caltech community shall take unfair advantage of any other member of the Caltech community.” Because of its nature, this principle must apply to all of the community, everywhere within the community. It is not restricted to transactions of a purely academic nature between students and faculty, but also binds students in their non-academic relations with any other member of the community.

On the other hand, the Honor System is not an administrative creation intended to ease the enforcement of university regulations or marginally decrease the chance of student cheating. A fundamental aspect of the Honor System is that the responsibility students display in their conduct must be met by trust from others. An example of this is Caltech’s official position on proctoring, which is not only held unnecessary, but is strongly discouraged under current faculty regulations. The bodies which deal with violations of the Honor System are also committed to promoting an atmosphere of trust and confidence. As it should be, honesty is a two-way street at Caltech.

It must be stressed that the responsibility for the maintenance of the Honor System lies with each student. In particular, this responsibility includes determining any possible consequences of our actions. We have accepted such responsibility in the belief that only by regulating our own conduct can we successfully promote a high standard of individual integrity.

The Honor system is enforced by two bodies: The Board of Control, comprised solely of students, and the Conduct Review Committee, comprised of students, faculty, and administrators. The Routing Group decides to which of these bodies cases will be referred.

The Honor System was not imposed upon the students and it will not be removed by any hand other than our own. Consequently, any necessary interpretation and enforcement is our duty and is performed by students. Members of the community must always bear in mind that their actions and

attitudes directly influence a proud and valuable trust which many generations of students have kept. The rewards of life under the Honor System are considerable; the responsibilities at times may be heavy and serious. The obligations have been met successfully in the past, and only we can insure that they will continue to be met.

Living Under the Honor Code

The Honor System is an agreement between members of the Caltech community, embodied in a single sentence:

No member of the Caltech community shall take unfair advantage of any other member of the Caltech community.

This principle, while extremely short, is the sole basis of the Honor System. The key words are “unfair advantage.” To not take unfair advantage, it is often sufficient to simply employ common sense and show respect for others and their privacy. But there are times when distinguishing fair and unfair courses of action will require a considerable amount of analytic thought. It is when one loses the habit of such thought that one’s actions may come into conflict with the Honor System. Failure to realize the consequences of a course of action does not justify it. Remember that purity of motive, when unaided by awareness, will not necessarily guarantee purity of action.

No distinction is made between academic and non-academic areas. Stealing from another student is a violation, just as cheating on a physics test is, as will be explained further in the following sections. However, the Honor System is not limited to examples such as these; any action which places a member of the Caltech community at an unfair disadvantage may result in an investigation. Honor System violations do not necessarily entail material disadvantage; invasion of privacy and actions that cause others emotional distress are examples.

It is important to realize that the Honor System covers every aspect of our interactions with members of the Caltech community. This is a larger body of people than appears at first glance. In addition to undergraduates, graduate students, and faculty, the Caltech community also includes administrative and scientific support staff, campus maintenance and custodial staff, and in some instances other companies or institutions which have relations with Caltech. Actions against people who are not direct members of the Caltech community may eventually become Honor System offenses if they result in action being taken against the Caltech community. Consequently, it is impossible to give a set of comprehensive examples that displays every possible situation in which the Honor System must be carefully applied. Therefore, the purpose of the following discussion is to outline a few areas of life at Caltech and demonstrate how the principles of the Honor System should be considered.

I. Tests

Academic life at Caltech is very different from life at a high school or another college. The vast majority of quizzes and midterm or final examinations are take-home. Stapled-shut tests are picked up in class or at a professor's office. Printed instructions on the cover of the test specify the conditions under which it must be taken, including the time limit, reference materials allowed, and the due date. The test may be taken at any time and at any place the student wishes, as long as the instructions are followed. If there is any confusion concerning allowed references or time limits, it is your responsibility as a student to seek clarification from the professor or a teaching assistant.

Violating an exam policy takes unfair advantage of other students in the class and compromises the trust of the instructor. In particular, a student working on a take-home exam should not consult students or sources other than those permitted by the instructor. This includes adding photocopies of other references to one's course notes when the instructor allows only course notes during the exams.

Any work done after the time limit of an exam should be clearly designated as such by drawing a line beneath the work completed during the allowed time, labeling this line, and then continuing with the test, indicating the amount of extra time spent. Many professors will give some credit for this work.

II. Homework and Laboratory Assignments

The misinterpretation of homework collaboration policies has been a source of problems in the past. Most instructors state their policies at the beginning of each academic term. It is your responsibility as a student to get this information. If the policy is ambiguous, seek clarification from the instructor. Note that although collaboration on some assignments may be unrestricted, there is a fine line between an exchange of ideas and some forms of plagiarism. Violating a collaboration policy takes unfair advantage of those who abide by the restrictions placed on them and compromises the trust of the instructor.

In general, both student and instructor share the responsibility for clarifying any rules governing a particular course. When in doubt, a student should consult the instructor before proceeding.

These principles also apply to laboratory course work and research. Falsification or theft of results ("drylabbing") are serious acts of intellectual dishonesty, as is claiming undue credit for another's work or ideas.

III. Papers and Reports

Students are required to produce a large number of reports and research papers during their careers at Caltech. In collecting data and information,

students need to actively avoid plagiarizing the work of others. Proper footnoting of source material and documentation of borrowed ideas are absolutely essential. Many professors are willing to show students how to correctly document their papers. Plagiarism, whether inadvertent paraphrasing or direct substitution, takes unfair advantage of any original authors, the instructor who incorrectly believes that the ideas are the plagiarist's, and other students who correctly footnote all sources.

IV. Library Usage

The operation of all Institute libraries is governed by the Honor System. At Caltech, students are not subjected to having their backpacks and briefcases checked before leaving the library. This valuable freedom has been maintained because the students respect the library rules and feel bound by the Honor System to do so. It is the student's responsibility to see to it that he or she is aware of all the rules applying to any library material used. Further information regarding the library's policies can be found at <http://library.caltech.edu/about/default.htm>.

A person who keeps a three-hour reserve book for longer than the specified time takes advantage of others who need the book, particularly at critical times such as before a test. Anyone who removes a book without intending to return it, or who mutilates or defaces a book, is stealing from every library user in the community. There are also some people who do intend to return books but do not bother with checking them out. Such people ignore the possibility that the library might decide the book is lost and replace it; or that a student might badly need a book and want to contact the person who took it, and the library would be unable to locate the borrower.

V. Master Keys

In the spirit of the Honor System, master keys allow members of the community access to a number of facilities including libraries, mailboxes, and classrooms. A student who uses a master key assumes responsibility for the legitimacy of his actions. Possession of a master key does not necessarily provide authorization for its use. Authorization to enter a non-public area consists of permission from the proper person to enter that particular room at that time.

Be aware that thefts, vandalism, and unfortunate accidents have occurred when Caltech master keys have come into the possession of people who were not members of the community. In addition, the security of many Caltech laboratories and rooms depends on the accountability of key possession, and is diminished by not reporting keys that are given to other students or lost. In light of this, students with master keys should be careful to consider Caltech's security and liability when using or circulating keys.

VI. Institute Property

Equipment, vehicles, and other property owned by the Institute are not necessarily available for unrestricted student use. Students need to be cautious to ensure that their actions do not lead to a restriction of student privileges. In recent years, there has been an increasing number of problems with the use of electrical and gas carts. These carts are intended for use by the staff, in carrying out their daily duties for Caltech. Using these carts without explicit permission can seriously interfere with the responsibilities of the departments to which the carts belong. Unauthorized use of these vehicles can render them useless by depleting their power supplies or, even worse, by permanently damaging them. A cart should be used only after specific permission has been obtained from its owner and should always be used in such a way that will not endanger the safety of others. Operation of these carts on campus should abide by general traffic laws. Take note that only a small number of these carts are licensed for street use.

VII. Practical Jokes and Pranks

Pranks (“RF’s”) and practical jokes have always been a part of undergraduate life at Caltech. Pranks, when planned with consideration for the rest of the community, can be very enjoyable. However, badly thought-out pranks can result in a reduction of student privileges, or may otherwise take unfair advantage of someone in the community.

When executing a prank, always keep in mind a number of issues. Will the receiver(s) of the joke think of it as humorous, or will they be upset? Will the joke possibly cause the destruction of property or the invasion of privacy? Could the prank cause a curtailment of student rights and privileges? Could it injure someone? Could it damage the position of the Institute, or cost the Institute money for reparations?

When pulling a prank as a house against another house, one must be particularly conscious of how the victim house members will react. One way to help make sure a prank against another house does not turn out badly is to notify the president of the house you are pranking before pulling the prank.

Whenever a prank is pulled, a note should be left informing the “victim” that he or she has been the object of a prank. The note should include the clear identity of the prankster(s) in case something goes wrong and the prankster needs to be contacted and in order to prevent misdirected retaliation. If no note is left, the person may misinterpret that situation and attribute the prank to theft or vandalism.

Finally, computer pranks should be treated extremely carefully. Computers and computer networks make it easy to affect many people — it is important to consider the results of your actions carefully. Considering the importance of unrestricted computer and network access to a large portion of the community, the creation or spreading of damaging viruses, false email or newsgroups, or other destructive programs, for example, may be a serious violation of the Honor System.

VIII. Traditions

House traditions, Ditch Day stacks, and other revered Caltech traditions are irreplaceable parts of student life. Unfortunately, these may occasionally get out of hand.

When acting as a part of a group, always think as an individual. Ask yourself many of the same questions that are relevant to a prank: Will this be fun for the participants, or upsetting? Will this destroy someone else's property, or invade someone's privacy? Could this cause harm to other members of the community, even those who are not directly involved?

When planning a stack or tradition-related event, always keep others in mind. Check your plans against Caltech's hazing policy or other relevant policies, and remember that those involved may react in unforeseen ways. (See the section on Laws and Institute Rules.)

IX. Computer Usage

Computing resources are scattered around campus and connected by a campus-wide network. Most resources are available 24 hours a day. Keys and lock combos are readily available. The use of computer resources is governed by the Honor System. Theft, damage (even minor damage, such as spilling water into a keyboard), or misuse of the equipment takes advantage of all the other users who will lose the use of the resources. Allowing unauthorized non-Caltech people access to the equipment reduces the amount of equipment available for Caltech users and may lead to thefts.

Use of computer accounts on the various computer clusters is also governed by the Honor System. Damaging system files or gaining unauthorized access to another user's files places other users at a disadvantage. Files located in user areas on disk should be respected as their personal property. Having the ability to gain access to another user's files does not imply having their permission to do so.

Many computers on campus have policies designed to allocate system resources (such as system disk space, memory, printers, modem lines) fairly and prevent unintentional damage to the system. Circumventing these policies may place other users at a disadvantage.

Because of the advances of networking it is very easy to communicate with other users on the computer system in a variety of ways. As with any interpersonal communications, it is important to think about how you are interacting with the person and whether you are using the computer to harass or victimize them.

Breaking into computers at remote sites could have serious repercussions for Caltech as an institute and could result in a serious reduction of some of the network computer resources available to us.

X. Companies Unaffiliated with Caltech

At a first glance, one might think that it is impossible for a Caltech student to transgress the Honor System while interacting with someone outside the community. However, this is not true if that person or organization offers a service to the community that might be jeopardized by the student's actions.

These dangers are best illustrated by example. For instance, if a student chooses to abuse campus pay telephones and make free telephone calls he does not appear to have taken unfair advantage of the community at first glance. However, although the company operating those telephones will probably be unable to trace the person who actually made the calls, they might bill the Institute or refuse to operate pay telephones on campus. Therefore, the entire Caltech community would be put at a disadvantage by the student's actions.

XI. Laws and Institute Rules

The laws of federal, state, and local governments are frequently more restrictive than the Honor System alone. Some activities against other members of the Caltech community, such as theft or assault, are clearly violations of both the Honor System and criminal laws, and as such may fall in both jurisdictions. Other actions which violate laws but have no immediate effect on the Caltech community may not be Honor System violations. Students are still responsible, however, for any consequences and penalties that result from their actions. The same is true for rules established by branches of the Institute.

This distinction does not mean that illegal actions are condoned by the Honor System. It is possible for some activities to have far-reaching consequences for Caltech that are not easily foreseen. For example, damage to the Institute's reputation, cutbacks of Institute funding or fines and further restrictions are indirect ways that the entire community may ultimately pay for the actions of a few people. Students are urged to consider seriously the long-term ramifications of their actions beforehand.

XII. Interpersonal Relations

Violations of the Honor System do not always involve material or tangible advantages. Clear examples of this are unfair discrimination and invasion of another's privacy. An action that places a demonstrably unreasonable emotional burden on another person invariably results in taking unfair advantage of that person. Actions which harmfully degrade an individual or group, promulgate damaging rumors, or place someone in a situation where he or she feels threatened, harassed, or victimized may unfairly disadvantage members of the community.

In order to create a healthy living and studying environment for everyone, it is important to be aware of the effects one's actions will have on others.

XIII. Sexual Harassment

As described in the previous section, if a student's actions place someone else in a situation where they feel threatened, harassed, or victimized, the student may be placing them at a disadvantage. For legal reasons, the Board of Control is not permitted to handle cases involving sexual harassment. The Dean of Students Office has information detailing the Institute's policies and procedures concerning sexual harassment.

The BoC and the CRC

Ideally, the Honor System should operate smoothly without any intervention. However, in practice, there are circumstances which prevent this. First, some people will not follow the Honor System; adequate measures must be taken to protect our community from them. Secondly, the intuitive sense of right and wrong upon which the Honor System so heavily relies does not always operate uniformly in complex situations.

The Board of Control (BoC) and the Conduct Review Committee (CRC) have been formed to help alleviate these problems. The BoC, a committee of undergraduates, is part of the Associated Students of the California Institute of Technology, Inc., and is chaired by a student elected by the student body. The duties and procedures of the Board are outlined in the ASCIT bylaws. (See the Bylaws section.) It is comprised of twenty three students: the Chairman and two Secretaries, (only one Secretary sits on each case), who do not vote; two representatives elected from each of the eight houses; one representative elected by the students who live off-campus; and three representatives at large, appointed by the Board from the entire student body.

The CRC, a committee of undergraduates, faculty, and staff, is co-chaired by the Associate Dean of Students and a student elected by the student body. Furthermore, student representatives are selected by each of the eight houses along with 2 representatives at large to serve on a rotating basis on the CRC. For a given case, the co-chairs will choose four other members from a designated pool of candidates to hear the case. One of the four members selected must be a student, and one must be a staff or faculty member. Members will be selected on a rotating basis, except in special circumstances.

The decision as to which of the two bodies, the BoC or the CRC, will review a particular case is made by the "Routing Group" (RG), comprised of the Dean of Students, the Senior Director of Campus Life or his designee, the chairman of the Board of Control, and the student co-chair of the CRC.

No one remembers just how or when the Honor System and the Board of Control started, although they were fully operating in the early 1920's. The Board originally considered, in addition to its present duties, matters concerning tradition, such as disrespectful freshmen and smoking in front of Throop Hall. Once a Board of Control had to hand-cut an obscene joke from every issue of one year's Big T. In an effort to reignite class spirit, the Board

once suggested that an annual freshman-sophomore competition be held; and the Board of Control Secretary added as an afterthought that a mud pit would be a good place for it. Eventually the Board of Control concerned itself only with violations of the Honor System, and a separate body, the Court of Traditions, was established to handle the rest. The latter is no longer even a memory.

The Conduct Review Committee was formed in part from a desire to give other groups of the Caltech community, in particular undergraduates and faculty, a voice in dealing with problems erstwhile considered only by the Dean or other members of the administration. Such problems include those that involve personal disputes between individuals, policy violations, or issues that affect a large number of students.

The Board currently deals with violations of the Honor System committed by undergraduates, that is, situations in which an undergraduate has, either consciously or unconsciously, gained an unfair advantage over other members of the community. Each decision is made independently, as the Board does not act on precedent. Considering every case on its own merits, the Board tries to treat each person fairly, as well as protect the Caltech community as a whole.

The CRC handles a wide range of issues, and because it may deal with widely known incidents or situations involving groups of people, it may at times be forced to operate more publicly than the Board of Control. If the outcome of a case could potentially affect many students, it would be difficult to come to an appropriate decision in total secrecy. The Conduct Review Committee will seek to make decisions in the best interest of the entire Caltech community. This emphasizes that the Conduct Review Committee is a body for joint decision-making. Representation of several constituencies on the committee is expected to bring about decisions that address the concerns of professors, students, and administrators. The CRC's role is purposefully not expressed too specifically so as not to limit its scope and unnecessarily complicate its workings.

The figure on the following page illustrates the procedural flow between the different committees involved in breaches of the Honor Code.

The following sections describe how the investigation of a potential Honor System violation would be handled.

Reporting Suspected Violations

No body is charged with surveillance under the Honor System; the Board of Control and the Conduct Review Committee are judiciary bodies, not police agencies. This means that every member must share the responsibility of protecting the Caltech community and upholding the Honor System.

This is indeed a heavy obligation. It implies not only refraining from actions that may violate the Honor System, but also protecting our community from any who engage in such activities.

Unfortunately, this duty can cause a conflict of responsibility or divided loyalty, especially if you have seen a violation or strongly suspect that one has been committed. You are placed in the difficult situation of weighing your obligation to the community against your concern for the violator. You might be tempted to warn the suspected violator of the seriousness of his or her acts, thinking this to be a satisfactory solution to the dilemma. However, the suspected violator may be able to convince you that no violation has occurred when one may have. If you suggest that the person turn himself or herself in, you really have no way of verifying, nor are you likely to know, if the questionable action is repeated. You are also not aware of the past record the person might have, a factor which plays a significant role in the Board's or CRC's decision concerning protection of the community. (See Protection section.)

Perhaps even more serious than these considerations is the possibility of contamination of evidence. If the person is warned about an investigation, evidence and testimony could be destroyed or altered, hindering the ability to discover the truth essential in making a fair decision.

The decisions of the Board and CRC are not intended to punish the violator in any way. If you are concerned that a possible Honor System violation may have occurred, but find it difficult to report the situation, please keep in mind that the BoC's goal when dealing with students who have committed Honor System violations is always to bring the violator to a place where they can live under the Honor System effectively. The decisions of the BoC and CRC are motivated by concern for the defendant as well as for the community as a whole. This is one of the most difficult areas of the Honor System for most students, however it is also one of the most important aspects of the Honor System.

In light of this, the Board and CRC have taken the position that it is the responsibility of every student to protect the community and the Honor System. A conscious failure to report suspected violations may itself be considered an Honor System violation.

If you do suspect that a violation has been committed, but are unsure what to do, talk with your house Board representative, or to any other member of the BoC, or speak to a member of the Routing group. You may also report to the confidential answering machine at the number: (626) 395-6200 (campus extension x6200). The Chairman of the Board of Control can always be contacted by e-mail at boc-chair@ugcs.caltech.edu. The Secretary can be reached at boc-sec@ugcs.caltech.edu. The Routing Group can be reached through the Dean of Students at campus extension x6351 or by email at routing@caltech.edu.

In all cases, consider your personal responsibility to the Caltech community of which you are a vital part. It is far better to report a strong suspicion than to allow it to grow and compound. A case that is closed without a conviction vanishes from the records of all concerned.

Routing Group Decision

All cases reported are brought before the Routing Group, which then decides whether to send the case to the Board of Control, the Conduct Review Committee, or to deal with it through less ceremonial channels (i.e. the Dean of Students).

The following will describe how a particular case would be handled by either body.

Board of Control Investigation

I. Preliminary Investigation

When a suspected Honor System violation is routed to the Board of Control, a preliminary investigation is conducted by the BoC Chair and Secretary. If one of these is unable, the other can conduct the investigation with one other member of the Board. To fulfill this duty, interviews are held with those directly involved in the matter reported. These may include teaching assistants, graders, professors, other witnesses, or defendants. After reviewing testimony and physical evidence (e.g., homework sets, tests, damaged property) the preliminary investigators decide if the case merits the attention of the remaining Board members. It is important to note that the preliminary investigators are not empowered to decide if the alleged offense actually constitutes a violation; this decision can only be made by the full Board of Control. If the matter at hand lacks sufficient evidence or is clearly not an Honor System issue, then the case may be dismissed by the preliminary investigators. If they feel that the offense may constitute an Honor System violation but cannot be properly and expeditiously handled by the Board of Control, then the investigation may be passed on to an appropriate organization such as the Office of the Dean of Students.

The Secretary will contact the necessary individuals and arrange for them to attend the preliminary hearings. If requested by the witness or defendant, another Board of Control member may attend the preliminary investigation in order to provide support or to explain the proceedings.

Since the Board realizes that personal interaction is extremely valuable in deciding any Honor System issue, the nature of the suspected violation or specific details of the case will not be revealed until the actual interview.

Throughout the interview process, it is the duty of any person interviewed to maintain absolute secrecy concerning the investigation.

At the conclusion of the interview process, the Chair and Secretary will decide if the case will be considered by the full Board of Control. If so, the procedures of a full case meeting will be explained to the witness(es) and defendant(s). The minutes taken during the preliminary interviews will then be passed along for the entire Board's consideration.

If the Chair and Secretary decide to dismiss the case, the interviewee(s) will be informed that the case is closed, and the Secretary will destroy any minutes recorded.

It is important to note that only when a case is completed may a defendant initiate discussion with others concerning his or her individual case, as outlined and regulated by the Board of Control bylaws. (See the Bylaws section.) Witnesses are bound to secrecy and can not divulge information concerning the investigation unless the defendant(s) initiate(s) discussion. The only exception is that after all proceedings are concluded, a witness may publicly acknowledge without the defendant's permission that he had been involved in a Board case, but may reveal no details beyond that simple fact. In all stages of the investigation, the Board strives to maintain the privacy of all those involved.

II. The Hearing

If the Chairman and Secretary deem it necessary to bring a case before the full Board, the Secretary schedules a time that minimizes conflicts for the Board members, defendants, and witnesses. Of the 11 voting members on the Board, at least seven must be present at the hearing. Witnesses and defendants are told to wait by a phone during this time until called.

If any individuals appearing before the Board feel that a particular member will be unable to render an unbiased judgment, they may request that the Chairman of the Board remove the member from the case.

In addition, if any member of the Board of Control is uncomfortable with working on a particular case or feels unable to render an unbiased judgment because of a personal relationship with the defendant, he or she is expected to remove himself or herself for the duration of the case.

When the Board convenes, it is first presented with the case in abstract; no student names are given — just a description of the violation involved. The

Board may decide at this point that it is not appropriate for a full Board investigation, in which case all records of the preliminary investigation are eventually destroyed (see the bylaws section), and no further action is taken. Although the Chair and Secretary will usually only bring cases to the Board which they feel should be heard, this part of the hearing does give the Board a preliminary chance to look at the case in the most objective manner possible.

The defendant is allowed to be accompanied by a companion, who may witness any part of the hearing at which the defendant is present (at the discretion of the defendant). This companion is also sworn to secrecy about the case, even upon completion, as are the witnesses and the Board members themselves. All involved are asked not to reveal the meeting place of the Board. However, the defendant reserves the right to release information about the case upon completion of the investigation. If he or she chooses to do so, then the witnesses are also permitted to discuss the case. (See section 3, subsections (l) and (r) of the bylaws.)

The defendant may also request a 'side-bar' with an individual member if he or she wishes to relate sensitive information that is difficult to tell to the entire Board. That member can then summarize the implications of this information to the rest of the Board.

The Board will make a sincere effort to keep the witnesses' identities from the defendant(s), although it cannot always be guaranteed. If the Board feels it is necessary to reveal the identity of a witness, they will do so only with the witness' express permission.

The following three subsections describe, in order, the three decisions that the full Board of Control will ultimately consider.

1. Determining the Violation

If the Board votes to hear a case, all the details of the preliminary investigation are revealed. The Board must resolve whether or not an Honor System violation has occurred. Copies of evidence, such as examinations and homework, are provided. Defendants and witnesses are interviewed once again this time by the full Board of Control.

Privacy is important, but the Board of Control may ask questions of anyone who can provide useful information. Teaching assistants, classmates, professors, and roommates may be consulted. Every relevant resource is considered.

A decision may be postponed for a few days if new evidence is forthcoming. Deliberation continues until the members of the Board are satisfied. If the facts are clear-cut, discussion might last an hour. Otherwise, it can take days.

After discussion, a voting member of the Board may move to dismiss the case. Members of the Board may vote in favor of the dismissal if they find the evidence insufficient, or if they determine that a violation has not occurred. If

the motion passes, the records of the case are eventually destroyed. (See the bylaws section.) They are never brought to light unless new evidence arises concerning the same case.

Otherwise, a voting member of the Board may move to convict a defendant of an Honor System violation. The specifics of the violation are included in the motion. The Board votes, and the results are recorded in the minutes of the case. If the motion passes, the Board discusses further convictions and ways to nullify any unfair advantage taken.

2. Nullification of Unfair Advantage

If a defendant is convicted of an Honor System violation, the Board of Control will then determine what measures would best nullify any unfair advantage taken.

Decisions are made on a case by case basis, without precedent or pre-established penalties for specific violations. The decisions of the Board of Control are never intended as punishment. The purpose of nullification is to remove the unfair advantage gained. This may be accomplished through such actions as grade changes, monetary reimbursement, or letters of apology. In some situations, an Honor System violation may have no corresponding way to remove the unfair advantage. In these cases the Board may not recommend any steps for nullification, but this in no way diminishes the effects or seriousness of the violation.

For example, if a defendant has copied one isolated problem on an exam, the Board may decide to nullify the advantage by giving zero credit on that problem. However, if the copied problem allows the student to answer other questions or verify previous results, it is possible that credit will be removed for those problems as well.

3. Protection of the Community

After deciding on the measures necessary to nullify the unfair advantage, the Board must decide if measures to protect the community from further violations are necessary and what these might be. This happens only if the Board has determined that an Honor System violation has indeed occurred. In many ways, this is the most difficult decision that the Board must make, because it has the most influence on the defendant's career. It is at this point only that the Board is made aware of any previous convictions of the defendant.

The title commonly given to the third decision is rather important: protection of the community. This is not an attempt to punish. It is an attempt by the Board to establish whether or not the defendant is likely to commit an Honor System violation in the future, and if so, to take appropriate action to protect the community. The Board can decide on any number of courses of action (protection of the community decisions have been known to be quite

creative at times). The following decisions of the Board are common enough to discuss:

All students convicted by the Board are required to speak with the Dean of Students after the case has been closed. This is known as “review”.

In addition, records of the case are kept and are available to future Boards when determining protection of the community if the student is convicted again. This alteration in the status of a student is called “probation.” It is important to note that these records are only made known after a future conviction has been made and nullification determined, and thus are not allowed to influence these first two decisions.

The BoC might also require that a defendant have one or more discussions with members of the Board about the Honor System. This is often done when the BoC feels that the defendant does not understand certain aspects of the Honor System.

The most drastic action that the Board can take is to place a student on indefinite leave. The Board resorts to this only in situations where it feels that the defendant needs time off to gain a better perspective on the Honor System and its advantages, and the community needs protection from future violations. This decision may or may not include a recommendation for *persona non grata* status (i.e., severing all ties with the Institute). A student wishing to return to Caltech from indefinite leave may apply to do so. They may be required to meet with a full Board, which can reject or support their application. When possible, this Board will include as many of the members from the original case. Some decisions of indefinite leave will require a minimum number of terms away from Caltech.

The Board is not restricted to these courses of action. It must be stressed that the decision is made in consideration of the defendant’s demonstrated ability to abide by the Honor System. Although the gravity or magnitude of the violation committed as well as the existence of prior convictions are indicators of such ability, other factors are taken into account as well. Two defendants convicted of similar violations could receive different measures for protection of the community if the Board felt that the likelihood of their committing another violation differed.

III. Conclusion and Consequences of Investigation

If, at any time during the investigation, the case is dismissed or closed without a conviction, the records and any evidence will eventually be destroyed (see the bylaws section), and the individuals involved are released of all suspicion.

Upon completion of a hearing that results in a conviction, the Chair and Secretary of the Board of Control will inform the Dean of Students and the Associate Dean, unless the defendant specifically requests that the latter not be present, of the details of the investigation and the outcome of the three decisions. It is the responsibility of the defendant to arrange a meeting with the Dean(s) as soon as possible.

There are several purposes to this meeting. First, the Dean wants to know if the student felt comfortable with the proceedings of the case, the line of questioning, and his or her treatment throughout the case. This is done to ensure that students are not scared or intimidated during the case, and that they were treated with respect throughout the proceedings.

A second purpose of the meeting is to enable the Dean to review the final decision of the Board and to assess its implications. The Dean carefully explains the three decisions and discusses them with the student. At this stage the student may ask questions to clarify the implications of the decisions. Finally the Dean allows the student to voice any objections about the case or the final decision.

At the end of the meeting, the Dean decides whether or not to uphold the decision of the Board. The Board's decision, once delivered, is almost always upheld. However, the importance of the Dean must not be overlooked. It is the Dean's responsibility to make the final decision and to ensure that it is carried out. For these reasons, the meeting with the Dean is extremely important for both the student and the Board of Control: it is the appeals process for the Board of Control's Decisions. Further, a decision to place a student on leave is subject to automatic review within seven working or 10 days by the VP for Student Affairs or his or her designee.

If the Dean reverses a BOC decision in a case involving cheating or plagiarism, the Professor, like the student(s) involved, may appeal this action to the Vice President for Student Affairs or her/his designee. The aim of this appeal is not to rehear the entire case, but only to determine whether the Dean's decision was "arbitrary or capricious". The decision of the Vice President for Student Affairs or her/his designee shall be final.

When a case is completed and a violation of the Honor System has occurred, the official records of the case are kept in the Board files. It is important to understand that these files are strictly confidential. Only the Chair and Secretary have access for the purpose of reviewing previous convictions of a defendant. If a defendant has any prior convictions, the previous files may be reviewed by the entire Board to aid in determining the protection of the community. However, these minutes will only be revealed after all motions for convictions and nullification are resolved.

The records of the Board of Control are never intended for public viewing, especially by outside agencies unrelated to Caltech. It has always been the policy of the Dean and the Board to keep all proceedings and decisions completely internal as far as the law will allow. A student's transcript will

never show any record of a Board of Control investigation. Some institutions will ask the Dean if an applying student has been convicted of an academic violation while at Caltech, after a waiver allowing release of such information has been signed by the student. In these cases, the Dean will answer truthfully, but protect the student's confidentiality to the greatest degree possible.

IV. If You Are a Witness or Defendant

You will be requested to attend the preliminary investigation. If desired, you may be accompanied by a Board member of your choice. At the interview, you will be informed of the reason for your presence; you will be asked for any information that you have pertaining to the case. Keep in mind that a conscious failure to answer questions asked of you may be considered an Honor System violation in itself. At the conclusion of their investigations, the Chair and Secretary will either dismiss the case and inform you of your responsibilities, or describe the next stage of the investigation — the hearing. If a defendant feels that the Chair or Secretary are unable to deliver an unbiased decision, then a request can be placed to have either individual temporarily replaced.

During the board hearing you may periodically be asked to wait in another room while the Board deliberates in private. Defendants should read the associated bylaws for a description of the right to bring a companion to the hearing or for these periods of waiting. Please familiarize yourself with the pertinent bylaws and procedures of the full Board.

If you are a witness you will be asked to provide all relevant facts at your disposal concerning the case. These may include dates, times, or testimony of any actions observed. Since as a witness you will not know the full details of the case, please do not withhold facts asked for by the Board on the basis of irrelevance. The Board will decide which facts are relevant and which are not. Remember that Board members are sworn to secrecy concerning all facts revealed during a hearing.

The defendant is not told of the action decided upon, if any, to remove any unfair advantage taken until the Board is ready to present all of its findings. The Board will not inform any witnesses of its recommendations, unless they require action by that witness. For cases involving a class, the class instructor should always be informed of the outcome, even if no grade change is required.

If you are a defendant you will be asked to explain any circumstances concerning the event or action in question. For example, in an academic case, this may include such information as where and when a particular homework set or exam was completed, and what references were used. You may also need to explain your reasoning and thought processes on certain problems. It is very important to realize that it is in your best interests to tell the truth while involved in a Board of Control hearing, even if you contradict information you conveyed in the preliminary investigation or a prior meeting before the full Board.

If you are a defendant you will probably not know when the Board has entered the protection of the community phase of deliberation. Protection of the community is not intended as punishment. Instead, your ability to function effectively under the Honor System will be assessed. Honesty throughout the proceedings will count heavily in your favor.

If you are a witness you will not know the protection of the community decision unless the defendant chooses to tell you or if the Board determines that it is necessary that you be informed for the protection decision to be carried out. Remember that you are required to not divulge anything about the case (including its occurrence) unless the defendant permits discussion.

If the case does not result in a conviction all records will be destroyed, and no indication of the investigation will ever appear on your academic record. If there is a conviction, you will be required to meet with the Dean.

Conduct Review Committee Investigation

I. General Procedure

1. Who May Bring a Case

The jurisdiction of the CRC is restricted to matters involving undergraduate students, but all employees and students (both graduate and undergraduate) at Caltech can bring a case to the attention of the Committee.

2. How Cases are Brought

Issues can be brought to the Office of the Dean of Students, to members of the Routing Group, to any member of the Board of Control, or to either Co-Chair of the Conduct Review Committee.

3. Confidentiality

In general, actions and proceedings of the Conduct Review Committee will only be shared with committee members, participants, and affected parties. The Conduct Review Committee may choose to put aside normal confidentiality conventions under consultation with the Dean of Students. A breach of strict confidentiality requires a three-fourths vote of the committee.

4. Membership

The Conduct Review Committee will be co-chaired by the Associate Dean of Students and a student voted on by the Student Body. Under usual conditions, the co-chairs will sit on every case. The co-chairs will choose four other members for each case. One of the four must be a staff or faculty member and one must be a student. Members will be selected on a rotating basis except in special circumstances. The Conduct Review Committee will convene a new group on a case-by-case basis. Student members will be elected by their houses. Faculty and staff members will be selected from a pool nominated by the Dean of Students. Five members of the CRC shall constitute a quorum. In the case of absence,

disability, or conflict of interest, the Conduct Review Committee may temporarily replace a co-chair. They will select a replacement from the pool of nominees to which the permanent co-chair belongs. In the event that a selection pool has been exhausted (there are no qualified potential members remaining) and a quorum cannot be reached, the co-chairs may appoint past members of the CRC to serve on a case, contingent upon approval by a three-fourths (3/4) vote of the remaining CRC members.

II. Preliminary Investigation

When an incident is routed to the Conduct Review Committee, the co-chairs conduct a preliminary investigation. Interviews are held with those involved in the matter reported. The co-chairs may require any person to discuss their knowledge of any information concerning the case. The co-chairs will keep a running record of their investigation. At the conclusion of the interview process, the co-chairs will decide if the case will be considered by the full CRC. If so, the minutes taken during the preliminary interviews will be given to the entire CRC membership. Should the co-chairs be unable to arrive at a decision, then the Dean of Students will decide how to proceed. Besides taking the steps needed to insure a fair and thorough investigation the preliminary investigators' only prerogative is to decide whether or not to convene the Conduct Review Committee.

If the co-chairs decide to dismiss the case, all records are destroyed and the interviewees will be informed that the case is closed.

It is important to note that only when a case is completed may a defendant initiate discussion with others concerning his or her individual case. Witnesses are bound to secrecy and can not divulge information concerning the investigation unless the defendant(s) initiate discussion. In all stages of the investigation, the Committee strives to maintain the privacy of all those involved.

III. The Full Hearing

Those appearing before the committee will be reminded that they are expected to tell the truth. The co-chairs will alternate roles as Chairman and Secretary. The secretary for a specific proceeding will be responsible for keeping the official record. Those asked to appear before the committee will be informed in writing of the nature of the incident being considered. Cases will proceed even without the cooperation of those requested to appear before the committee. Attempts will be made to collect the relevant information. Every attempt will be made to complete the hearing and render a decision in a timely manner.

One member of the Caltech community may accompany a person appearing before the committee. The observer may accompany the individual during waiting periods and at any part of the hearing where that individual is present. The observer must remain silent while at the hearing and maintain the

confidentiality expected of all others involved with the hearing. No legal representation will be allowed in the hearing.

If anyone involved in a proceeding feels that particular CRC members are unable to render an unbiased judgment, a request may be made to the co-chairs or, in the case of a co-chair, to the Dean, that those members not sit on the case. A case cannot proceed until such requests are addressed. If a CRC member feels unable to render an unbiased judgment in a particular case, that member shall disqualify him- or herself. No member of the CRC shall sit in judgment of his or her own case. The co-chairs shall replace disqualified members according to the procedures in the "Membership" section.

IV. The Decision

The committee will seek to make decisions in the best interest of the entire Caltech community. A three-quarter vote of the members present shall be necessary for a decision of the CRC. Records of the Board of Control, the Dean of Students, and the Senior Director of Campus Life or his designee will be taken into consideration during the decision making process, and may have an impact on the committee's decision. The possible outcomes of a decision of the CRC are similar to those normally exercised by Student Affairs. In the event of deadlock, the committee will forward the details of their investigation and their deliberations to the Dean of Students who will then be responsible for making a final decision. A case shall be considered closed when a decision is delivered to the Dean of Students. The co-chairs shall inform in writing individuals who are individually affected by a decision. Individuals affected by a decision are encouraged to meet with the Dean of Students as soon as possible after the conclusion of a case. The Dean of Students will ensure that they understand the implications of the action and were treated fairly during the proceedings.

V. Appeal

The Dean of Students will hear appeals of a decision of the Conduct Review Committee. Appeals must be brought in writing within ten days of a decision. After considering an appeal, the Dean of Students can choose to uphold the decision, send the case back to the committee for reconsideration, or, in rare cases, amend the decision. The action of the Dean of Students is subject to appeal in writing to the Vice President for Student Affairs.

VI. Records

The official minutes of proceedings shall include the names of all persons concerned, the names of the members of the CRC present, a description of the case, the evidence used in making the decisions, and the decisions reached by the CRC with corresponding vote tallies. Records of preliminary investigations will be kept in the official minutes. All records are strictly confidential, unless legally compelled to be released. Only the Conduct

Review Committee co-chairs and the Deans have access for the purpose of reviewing previous decisions. Records of the Conduct Review Committee may be shared with the Board of Control Chairman and the Senior Director of Campus Life or his designee upon specific request. Records related to actions involving students will be destroyed when the students graduate or permanently leave Caltech. Material not part of the official record but related to a case will be destroyed.

Q&A about the Board of Control

Q: Who can be investigated by the Board of Control?

A: The Board is in charge of dealing with suspected Honor System violations by undergraduates. The Graduate Review Board is responsible for cases involving graduate students. The Graduate Review Board may be reached through the Dean of Graduate Students or through referral from the Board of Control. For situations involving both graduate and undergraduate defendants, the GRB and BoC will investigate the case together. Problems involving faculty members, staff, or administration should be brought to the attention of the Student Grievance Committee. Currently, the ombudsman for the student grievance procedure is the Vice President for Student Affairs. The officers and representatives of the Board of Control have further information and can assist with pursuing these other procedures.

Q: What can a person be investigated for?

A: Academic cases in which the Honor System may have been violated by an undergraduate student are investigated by the Board of Control. Obvious examples include cheating on exams, breaking homework collaboration policies, and plagiarism. Examples of nonacademic violations that would be investigated by the Conduct Review Committee are theft and vandalism.

Q: Why is the Board so secretive?

A: The Board of Control investigations and hearings are conducted in secret to protect the individuals being investigated. In order to prevent the formation of an unfair bias or prejudice against those appearing before the Board, extreme measures are taken to ensure that details about particular cases do not become known to the community. The results of Board votes are kept confidential to prevent any conflicts between defendants and individual Board members. The Board is also secretive about where and when it meets to prevent speculation about people seen entering or leaving the meeting place.

Q: What can the Board do to a person?

A: If a person is convicted of committing an Honor System violation by the Board of Control, the responsibility of the Board is to nullify whatever advantages were taken by the individual. This would include actions such as giving no credit for homework, or exam problems completed in

violation of the Honor System or requiring the person to provide compensation if property had been damaged. After nullification, the Board considers whether the person is capable of living under the Honor System in the future. Among actions that may result from this are placing the student on probation, having the student take a leave of absence, or recommending the student for expulsion. See Protection of the Community section for more information.

Q: Why isn't a person informed in advance as to the reasons why he or she is being summoned for questioning?

A: The Board will frequently refrain from giving information to the person being summoned in order to prevent any tampering with evidence or comparing and changing of stories about the incident under investigation.

Q: Are the Board's decisions always carried out by the Dean?

A: The Board of Control acts as an advisory committee for the Dean, providing recommendations after investigating the case and coming to a decision. If the Dean feels that the Board's decision is not justified then he or she may choose to not follow it. However, it is only in very rare circumstances that the Dean will overrule a Board decision. Slightly more often he or she may ask the Board to reconsider its decision, though this too is rare. (See Statistics.)

Q: Is it an Honor System offense to not report a suspected violation?

A: Strictly speaking, yes. The Honor System is only effective as long as the members of the community uphold it. However, cases where violations are not reported will have to be investigated for special circumstances. The section on Reporting of Suspected Violations has more information.

Q: What records are kept of cases?

A: In the case of a conviction, the records will contain the names of the defendants and the decisions of the Board, minutes of all proceedings connected with the case, and any physical evidence with bearing on the case. The minutes will also contain a summary of the ideas and concerns that were brought up during the investigation by Board members as well as testimonies of those interviewed. The records will only be consulted in the event of a future conviction of one of the defendants, or for purposes of preparing abstracts or computing statistics. If no conviction results, the evidence that accumulated during the investigation will be kept by the Board Secretary in case the investigation is re-opened. However, when a new Secretary is elected, all the evidence of the investigations that did not result in a conviction will be destroyed by the outgoing Secretary.

Q: Is it an Honor System violation to disobey Federal, State, or Local laws and Institute Rules?

A: Disobeying laws or Institute rules is not *a priori* a violation, but if the action results in placing other members of the community at an unfair disadvantage, it may become one. However, even though breaking a law or Institute rule might not fall within the Board's jurisdiction, it is

expected that students be cognizant of such rules and comport them selves accordingly. There are other bodies on campus that deal with various disciplinary problems that may not be Honor System violations, or that the Board of Control is not allowed to deal with. For example, a main purpose of the CRC is to work with cases concerning Institute policies, which are also possibly violations. Be reminded that the intent of legislation is often to protect people from unfair or dangerous actions in the first place, and Institute rules frequently uphold legal or insurance-related obligations. Students are still responsible to the appropriate bodies for the consequences of disobeying these laws or rules.

Board of Control Statistics

The following Board of Control statistics were compiled.	As of May 18					
Cases	04-05	05-06	06-07	07-08	08-09	10-11
Leading to Conviction	23	35	26	38	24	17
Upheld by Dean	23	35	25	38	24	17

Sample Investigation of the BoC

The abstract that follows is fictitious, the procedures, investigation methods, and items considered in arriving at a recommendation are drawn directly from Board of Control Meetings.

April 1, 2010

BoC Chair
 BoC Secretary
 Defendants: Defendant One, Defendant Two
 Regarding: Math 1b Practical Sets 7 and 8
 Board: BoC Member A
 BoC Member B
 BoC Member C
 BoC Member D
 BoC Member E
 BoC Member F
 BoC Member G

Case Summary:

The reporting TA contacts the board by emailing the current chair and secretary at boc@ugcs.caltech.edu. The chair and secretary will then meet with the TA to collect the evidence and the full report. If necessary, meetings will be held with the professor or any other important witnesses. In this case, the head TA has already contacted the professor and compiled a full report from the TAs, so we will only need to speak with the two students involved.

The concern involving Defendant One sets 7 and 8 were initially reported on March 15th by the head TA of Math 1b. The TA indicated that there

was a high degree of similarity between Defendant One's and Defendant Two's sets, and he felt that these similarities were very concerning. In particular, both defendants made the same errors in calculation, and many of these errors were uncommon in the class. The TA noted that the errors in problem 3 and 4 of homework 7 are particularly unique, as they both involved a series of uncommon errors that were not found in any other student's sets.

At this point both students are contacted separately by email. The email informs them that they are currently under investigation for an Honor System violation. They are asked for their availability so that the chair and secretary can arrange a preliminary meeting.

A preliminary meeting with Defendant One was held on March 17th. At this meeting Defendant One indicated that he did not know what might have caused the similarity. He had worked on the sets primarily alone in his room the night before they were due, only stopping intermittently to ask others for help. He noted that he typically asked some friends in his house for help on math sets, Student A and Defendant Two, who were in the course with him. On set 8 he had also consulted with Student B, a sophomore who had already completed the course, but that they had only discussed one of the problems in general terms.

Defendant One said that they would discuss problems with each other, and that he had seen his friend's sets in the process of explanation, but that he had written his solutions alone. He said that he had completed the sets late that night, and had submitted them around 3 AM on the Monday that they were due. He could not remember exactly when he began these two sets, but said that he typically begins math sets around 5 PM on Sunday afternoon. Defendant One said that he had submitted his set alone, but he did not remember clearly.

A preliminary meeting with Defendant Two was held on March 22nd. Defendant Two also indicated that he had "no idea" why there would be similarity between his set and another student's set. He said that he primarily worked on sets alone, though he would sometimes consult with a couple friends of his in the class, Student A and Defendant One. He noted that he had also consulted with several other students during office hours, but he did not know their names.

Defendant Two said that collaboration was mainly verbal, but that he would sometimes show his set to explain something, or look at another student's set for the same purpose. He said that he generally began his sets early on Friday evening, and would go to a TA office hours on Saturday afternoon. He would then complete the majority of the set on Saturday evening. He could not remember exactly when he had worked on set 7, but remembered that he had started on set 8 on Friday night around 8 PM.

After each preliminary meeting the defendants are told the procedure for a full board hearing. They are given a list of current reps, past reps, and House presidents who may hear their case, and are asked to dismiss those who they

feel would be unfairly biased in their case. They are also asked for their availability in the next week so that we can arrange a meeting with the board. In this case, Defendant One and Defendant Two dismiss all of the people who live in the same House.

A full board hearing was held on April 1, 2010. The board agreed that the most concerning portions of the sets was in problems 3 and 4 of homework 7, as the TA had indicated. Additionally there were a number of other concerning similarities, particularly in problem 2, 3, and 4 in homework 8, and there was a general similarity between the two sets overall.

The line-by-line similarity of the two student's sets made it seem impossible that they had been completed independently, especially in the case of problems 3 and 4 of both homework sets, in which both papers had nearly identical material. In these problems both defendants showed the same steps in algebraic manipulation, and there was no difference in notation or ordering. Problems 1 and 2 of homework 7 and problem 1 of homework 8 were less concerning despite their similarity, as these were simple problems with little possible variation between solutions.

The concerning similarity in problem 2 of homework 8 involved a mistake in integration, where both defendants had failed to change the bounds of the integral after using the same substitution. Though it was concerning to see the same mistake in both papers, this seemed like it might have been a fairly common mistake, so the main concern was in problems 3 and 4 of both homework sets.

Defendant Two is informed that the board is ready to speak with him. He chooses not to appoint a silent witness and does not ask any current or former rep to accompany him.

In the interview with Defendant Two, he maintained that he had worked on his set alone. He said that had started on both of the sets on the Friday and completed them late on Saturday night. He mentioned that he had given his sets to a friend, Defendant One, to turn in on Sunday afternoon. Defendant Two explained that he did not have a South Master, and had gone out to dinner on both of these nights with his girlfriend, so he let Defendant One turn his sets in for him. He said that he did not know whether Defendant One was done with his set at the time that he gave his sets to him, but that he suspected that Defendant One had not completed much of the set. Defendant Two also mentioned that Defendant One had offered on both weekends to submit his set for him.

While going over the evidence, Defendant Two agreed that the similarity between the two sets was very concerning. He seemed upset to find the similarity, and immediately recognized the handwriting of the other student as Defendant One's. The board indicated the mistake substitution from a TA at office hours, and had simply forgotten to change the bounds of the integral accordingly. Defendant Two was able to provide the correct bounds after a few minutes of thought.

Defendant Two reiterated much of what he had said during the preliminary meeting. He mentioned that in both of these homework sets he had gone to the Saturday office hours for assistance. He said that he had also used his own notes and the class textbook while completing the sets, and that he had asked Student A for assistance with problem 3 of homework 8. He did not remember clearly who he had talked to on homework 7, but suspected that he might have talked to Student A or other students at office hours about problem 4, since he remembered having some trouble with that problem.

The board also indicated problems 3 and 4 on each of the sets as being very concerning. They mentioned that they found a number of small discrepancies in problem 4 of homework 7 and problems 3 and 4 of homework 8. In these discrepancies the other student would have made an error in one step, but would correct the error in the next step. Defendant Two took some time to look over the evidence, and expressed concern that the other student had copied his set. When asked if these sets could have arisen independently, Defendant Two indicated that it was possible but very unlikely.

Defendant Two departs. Defendant One is informed that the board is ready to speak with him. He asks a former rep, Silent Witness, to accompany him.

In the interview with Defendant One, he also maintained that he had completed his sets on his own. He said that he had started both of the sets on Sunday afternoon before they were due; he started set 7 around 1 pm on Sunday and set 8 around 5 pm the following Sunday. When asked whether he picked up any other students sets to turn in, Defendant One said that he had picked up Defendant Two's set on Sunday evening. He said that he couldn't remember clearly when he had received them, but he knew that it would have been around 5 pm, since he remembers receiving them before dinner. He said that he completed both of the sets around 1 AM and turned them in at night.

While going over the evidence, Defendant One agreed that the similarities were concerning, but felt that the similar mistakes were relatively common errors. The board indicated the mistake that they had found in problem 2 of homework 8. Defendant One remarked that he felt that an error in changing the bounds of the substitution would have been fairly common. When asked whether he could correct the mistake, Defendant One said that his memory of these problem sets was very poor, and that he could not remember this problem very well. He said that he had completed the set using only the textbook and his notes, and had not gone to office hours for either of these sets.

The board also indicated problems 3 and 4 on each of the sets as being very concerning. Defendant One noted a couple of differences in the problems, in which he had omitted one of the steps in Defendant Two's work, and had written his algebraic manipulations out on one line, rather than vertically down the paper.

The board also mentioned that they found a number of small discrepancies in problem 4 of homework 7 and problems 3 and 4 of homework 8. In these discrepancies Defendant One would have made an error in one step, but would

correct the error in the next step. Defendant One did not have an explanation for these mistakes, and did not remember very well how he had done these problems. He said that the mistakes were very strange but that he may have made a mistake in copying some steps from scratch work, though he did not remember specifically using scratch work. He seemed upset by the number of concerning similarities that the board had found.

After meeting with the full board, each defendant is informed that their case is still open and that the board must deliberate before they reach a decision.

Defendant One mentioned that he had been having quite a bit of trouble in the class, and had been worried that he was going to fail since he had done very poorly on the midterm exam. He said that the similarities might have come about when he asked Defendant Two for help on the problem sets, but that he had not referenced Defendant Two's or any other student's sets while completing his own.

Conviction:

Given the incredible similarity between the sets, the board felt that it was impossible that these sets could have arisen independently. The board felt that there were also several instances in which Defendant One had made inexplicable transcription errors only to arrive at the same answer in the same form as Defendant Two. Given the strong evidence, and the agreement over the general timeline in which Defendant One was in possession of Defendant Two's sets for several hours, the board concluded that Defendant One must have improperly referenced Defendant Two's sets while completing his own. In addition, the board felt that Defendant One had attempted to mislead the board about his use of Defendant Two's sets as a reference to complete his own.

Therefore the board voted to convict Defendant One of an Honor System violation for improperly referencing another student's sets 7 and 8 in Math 1b Practical, in clear violation of both course policy and the Honor Code, and for misleading the Board of Control. (7-0-0)

Votes are tallied as (yes-no-abstain), so (7-0-0) indicates a unanimous decision. The board also votes unanimously to dismiss Defendant Two. Defendant Two is immediately informed that his case has been dismissed.

Nullification:

The board felt that the extreme similarity in problems 3 and 4 of homeworks 7 and 8 indicated that all of Defendant One's work for these problems was copied from Defendant Two's set. In addition, the board agreed that the similarity in problem 2 of homework 8, given the other similarities, was sufficiently concerning such that they concluded this problem had been copied as well. The board noted that though problems 1 and 2 of homework 7 and problem 1 of homework 8 also showed strong similarity, they were relatively simple problems, so it was difficult to be sure whether the problems had been copied or completed independently. For this reason, the board voted

to nullify the unfair advantage gained by removing credit for problems 3 and 4 of homework 7 and problems 2, 3, and 4 of homework 8. (7-0-0)

Protection:

The board was very concerned about Defendant One's actions in this case. In two separate instances he had offered to turn in his friend's set, and had then used this set as a reference to complete his own. He also failed to acknowledge his violations, and did not seem to understand the serious nature of academic dishonesty.

The board felt that he had violated the trust placed in him by other members of the Caltech community by offering to turn in his friend's sets and subsequently referencing them for his own work. Members of the board felt that he was likely to commit future violations unless serious actions were taken to impress upon him the significance of academic honesty within the Honor System.

The board felt that Defendant One had demonstrated an immature understanding of the Honor Code. The best way they felt we could address these concerns was through a period of indefinite leave. In this way, the defendant would be suspended from Caltech for a period of time, during which he would be encouraged to reflect on his violations and perhaps to pursue courses at other colleges. The board hoped that this suspension would give him a chance to appreciate the benefits and the responsibilities of living under the Honor Code.

Should he choose to return to Caltech after this period of leave, he will be asked to speak briefly with the board at a reinstatement hearing. In this hearing, the board will consider what he has done in his time away, and what further action, if any, is necessary.

Therefore the board voted that in order to protect the Caltech community the defendant, Defendant One, will be placed on indefinite leave effective immediately, eligible to apply for reinstatement for the Winter Term of 2011. In addition, his case will be reviewed by the Deans and records of the case will be stored in the permanent files of the Board of Control. (7-0-0)

Defendant One is contacted that the Board has reached a decision in his case. He informed of the decision and of the appeals process. He must meet with the Deans to discuss the case, and if he wishes to appeal any part of our decision he must inform the Dean within 10 days. Since his case involves leave, there will be an additional automatic appeal through the Vice President of Student Affairs.

Board of Control Bylaws

The Board of Control is defined in Articles II, and XIII of the bylaws of the Associated Students of the California Institute of Technology (ASCIT), Incorporated. The bylaws below were current as of the time of publication of this handbook, but may be subject to change through subsequent student body elections.

ARTICLE II—HONOR SYSTEM

SECTION 1. No member of the Caltech community shall take unfair advantage of any other member of the Caltech community.

SECTION 2. The Honor Code shall be the fundamental principle of conduct of all members of the Corporation. It shall apply to all scholastic activities as well as to relations with other members of the Caltech community.

ARTICLE XIII—THE BOARD OF CONTROL

SECTION 1. PURPOSES AND DUTIES. The Board of Control shall review all cases of alleged violations of the Honor System and shall make recommendations to the Dean of Students for action in those cases in which a violation is found to have been committed. All defendants will be asked if they wish the Associate/Assistant Dean of Students to participate in the Dean's review of the Board's recommendations. Violations of the Honor System may be brought to the attention of the Board by any member of the Caltech Community.

SECTION 2. MEMBERSHIP. The activities of the Board of Control will be reviewed and be led by the Chair of the Board of Control. In addition to the Board of Control Chair, the Board will consist of the following members: the Secretary of the Board of Control, two members appointed by the Board of Control, one member for each of the undergraduate houses, elected by the members of that House, and one elected by students living outside of the Houses.

- (a) The representatives from the Houses shall be elected each year in accordance with the election procedures determined by the House. A candidate may declare his candidacy in any House, but all students shall vote in the House with which they are affiliated at the time of the election. Students not affiliated with any House may register to vote in the House of their choice. Students not registered nor affiliated with a House at the time of the election may not vote.
- (b) A candidate may declare his candidacy in any House, but all students shall vote in the House with which they are affiliated at the time of the election. Students affiliated with more than one House may only vote in one House.
- (c) The Board of Control shall appoint two members from the undergraduate student body at large for a term of office not to exceed one year. All applicants must be interviewed by the Board of Control.

- (d) Students living outside the houses and associated off-campus alleys shall be eligible to elect one representative in an annual election organized according to procedures determined by the electors. Ballot box(es) shall be set out in place(s) including but not limited to Avery House at the time of this election. Eligible students who choose to vote in the election for off-campus Board of Control Representative may not vote for Board of Control Representatives in one of the houses.
- (e) Only registered undergraduates may serve on a case of the Board of Control.
- (f) In the event that a Board of Control member fails to register or takes a leave of absence at any time during his term of office, said member shall retire from that office immediately.
- (g) In the event that a Board of Control representative from the Houses retires before his term of office expires, the House shall elect a replacement for the remainder of the term of office in accordance with the election procedures determined by the House.
- (h) These representatives at large shall be chosen after ASCIT elections but before the swearing in of the new officers. They shall assume office at the time the Board of Control Chair is installed.
- (i) In the event that a Board of Control representative at large retires before his term of office expires, the Board of Control shall appoint a replacement from the undergraduate student body at large for the remainder of the term of office.

SECTION 3. RULES OF PROCEDURE.

- (a) When a suspected violation of the Honor System is reported to the Board, the Chairman or Secretary, and one other Board member will conduct a preliminary investigation to examine all relevant facts. They may require any persons involved to discuss their knowledge of any information concerning the case. The Chairman and Secretary will determine whether or not the case will be brought to a hearing of the full Board.
- (b) During the preliminary investigation, all potential defendants will be informed of any current or former Board members or House presidents who may hear the case.
- (c) When a case is brought to a hearing of the full Board, the Board will make three decisions:
 - 1. Whether or not an Honor System violation has been committed.
 - 2. How to nullify the advantage that has been taken.
 - 3. How to protect the Caltech Community.
- (d) All persons appearing before the Board at a hearing or a preliminary investigation will be informed of the reasons for their presence.
- (e) Persons who feel that they have been unfairly treated by any members of the Board or that their personal rights have been violated may make appeals to the Dean of Students.
- (f) The preliminary investigators shall not have a vote on the Board.

- (g) No Board representative shall conduct any investigation outside a hearing except at the instruction of the Chairman.
- (h) Seven (7) voting members of the Board shall constitute a quorum.
- (i) In case of absence or disability of the Chairman, the Board shall select a temporary chairman from among their number who, while acting as Chairman, shall not have a vote. In the case of absence of the Secretary, the Chairman shall appoint a temporary Secretary, who shall not have a vote, from among those who are present or past Board members (see subsection (j)).
- (j) If a Board member feels unable to render an unbiased judgment in a particular case, that member should disqualify himself. Furthermore, no member of the Board shall sit in judgment of his own case.
- (k) If a defendant feels that particular Board members are unable to render an unbiased judgment, a request may be made to the Chairman or the Dean before the start of the full Board hearing that those members not sit on the case.
- (l) If made necessary by subsections (g),(h), or (i) in order to maintain a full quorum of the Board, the Board shall reserve the right to ask any past members of the Board of Control to serve on a case, contingent on a three-fourths (3/4) vote of the remaining voting Board members. In the case that full quorum is not met using all eligible current and past members, the Board reserves the right to ask the House Presidents to serve on the case. Each House President must be approved by a three-fourths (3/4) vote of the remaining Board members. All those serving on a case are bound to secrecy as stated in subsection (s). House Presidents who have served on a case are not considered former members of the Board of Control. Accordingly, past House Presidents (unless current or former Board members) may not serve on a case.
- (m) Any person asked to attend a preliminary investigation may be accompanied by any current or former Board member of his choice.
- (n) A defendant attending a hearing of the full Board may be accompanied by any one member of the Caltech community of his own choosing. This person may accompany the defendant during waiting periods, and at any part of the hearing where the defendant is present. This person must not disrupt or interfere with the proceedings of the Board in any way, and shall be immediately removed at the Chair's discretion if such disruption occurs. This person will be bound by secrecy as set forth in subsection (s) for all witnesses.
- (o) A defendant attending a hearing of the full Board may ask the Chair at any time for permission to hold a short, private recess with a Board member of the defendant's choice.
- (r) No decision of a previous Board shall be revoked, unless the Board is convinced that new evidence or changed conditions change the status of the original case, or upon recommendation of the Dean
- (s) Any records of the proceedings of the Board are to be kept only by the Secretary. The official minutes of proceedings resulting in convictions

shall be kept by the Secretary in a minute book of the Board of Control. This book shall be kept under lock and key by the Dean of Students. The Chairman and the Secretary shall have the sole power to get the minute book from the Dean and shall do so only on official business of the Board. All other records shall be destroyed by the Secretary.

(t) The official minutes of proceedings resulting in convictions shall include the names of all persons concerned, the decisions reached by the Board with corresponding vote tallies, a description of any previous convictions, as well as the names of the members of the Board present.

(u) The Board of Control has the right to collaborate with the Graduate Review Board, the Dean of Students, the Director of Residence Life, and the Conduct Review Committee.

(v) In cases resulting in conviction, the Chair and Secretary must make clear to the defendant the Board's basis for its decisions, including but not limited to the main line of reasoning that led to conviction.

(w) All those appearing before the Board, and the Board itself, are expected to maintain absolute secrecy regarding case meetings of the BOC. Divulgence of any of the proceedings shall be considered a violation of the Honor System. Should the defendant wish to discuss the issues involved in his case with others, after his case has been completed, he may do so at any time, provided no portion of the case that concerns other defendants is made public without the permission of those persons.

However, once the defendant initiates discussion, witnesses in the case are no longer bound to secrecy. If, in a particular case, the Board shall deem it wise to make known the proceedings of the Board, the Chairman shall be empowered to, upon resolution of the Board, to convey such information without disclosing the names or identities of any persons involved.

(x) When a case is reported to the Board by some member of the Community, the Board will inform this member that the case is being considered. If any grade changes or status changes are necessary, the appropriate faculty member or administrator will be notified of the need for such changes at the close of the case.

(y) When a case involves both an undergraduate and graduate defendant, the Chairman and Secretary may conduct the preliminary investigation with the Chairman and Secretary of the Graduate Review Board. The Chairman and Secretary of the Graduate Review Board may also sit in on the Board hearing for the case and shall not have a vote. The Graduate Review Board shall have access to the records for this case.

(z) The Dean of Students will review all cases resulting in conviction conducted by the Board of Control. The Dean reserves the right to call for a reinvestigation of any case resulting in conviction upon suspicion of bias, incomplete information, or if additional relevant evidence becomes available.

(aa) OATH. The oath taken by all persons appearing before the Board of Control shall be: "I do solemnly swear (or affirm) to tell the truth, the whole truth, and nothing but the truth."