Academics—Student Use of Previous Examinations

Case No. 05-12

Facts:
Engineering Student A at State University is enrolled in the engineering college. Toward the end of the semester, while studying in a university library, Engineering Student A discovers a folder on a table with previous year's final examinations, some of which were in Engineering Student A's areas of study. Using the library copier, Engineering Student A makes copies of the examinations and then brings the originals to the engineering college office, where he is complimented by the engineering dean for bringing the matter to his attention and Engineering Student A is not questioned any further. It turns out that an administrative staff person inadvertently left the examinations on the table while making copies for faculty. During the examination study period, Engineering Student A uses the copies of those examinations to study for the final examination in his areas of study. The engineering college does not generally distribute copies of prior year examinations and Engineering Student A is aware of this policy.

Question:
Was it ethical for Engineering Student A to makes copies of the examinations and use those examinations to prepare for the final examination in his areas of study?

References:

Section I.5.	-	*NSPE Code of Ethics:*	*Engineers, in the fulfillment of their professional duties, shall avoid deceptive acts.*
Section I.6.	-	*NSPE Code of Ethics:*	*Engineers, in the fulfillment of their professional duties, shall conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.*
Section III.1.	-	*NSPE Code of Ethics:*	*Engineers shall be guided in all their relations by the highest standards of honesty and integrity.*
Section III.1.e.	-	*NSPE Code of Ethics:*	*Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.*

Discussion:
The facts presented in this case relate to some of the fundamental ethical obligations relating to the conduct of students in the academic environment. As the NSPE Board of Ethical Review has noted before, the NSPE Code of Ethics applies to engineering students as a means of providing guidance to engineering students in preparation for entrance into the engineering profession.

The Board has examined some of the ethical issues relating to the conduct of students in the past. For example, in BER Case No. 91-5, Engineering Student A, a professional engineer on unpaid leave from employer of ZYX Consultants, was a post-graduate student at a small, private university and was enrolled in a research class for credit taught by Jones, a mechanical engineering professor at the university. Part of the research being performed by Engineering Student A involved the use of an innovative geothermal technology. The university was in the process of enlarging its facilities and Jones, a member of the university's building committee, was charged with responsibility for developing a Request for Proposal in order to solicit interested engineering firms. Jones planned to incorporate an application of the geothermal technology into the RFP. Jones approached Engineering Student A and asked if he would personally serve as a paid consultant to the university's building committee in developing the RFP, reviewing proposals, etc. ZYX Consultants would not be submitting a proposal and was not averse to having Engineering Student A submit a proposal. Engineering Student A agreed to serve as a paid consultant. In deciding that it was ethical for Engineering Student A to be enrolled in a class for credit at

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the university and at the same time agree to serve as a consultant to the university, and ethical for Engineering Student A to participate in the preparation of the RFP, but unethical for Engineering Student A to review the proposal, the Board noted that the circumstances involved are of a nature that involve a conflict of interest in the review of innovative technologies of competing firms. The Board also added a word of clarification concerning Engineering Student A's treatment as a student in Case No. 91-5, recognizing the need for universities, their faculties, and students to develop new methods of addressing innovative technological questions, and infer an attitude of good faith on the part of all involved. Clearly, the Board recognized the unique set of circumstances that apply to students and their relationship to the university in the academic environment.

More recently in BER Case No. 01-10, the Board considered a case involving Engineering Student A, a graduating senior with excellent credentials from State University. Engineering Student A had a series of job interviews with engineering companies from around the U.S. Following interviews with several industrial companies, Engineering Student A decided to accept an offer with ABC Incorporated, located in his hometown of Townville, and planned to notify ABC the following week. In the interim period, Engineering Student A received a call from Engineer B, an executive with XYZ Incorporated, a potential employer with whom Engineering Student A had interviewed. On behalf of XYZ, Engineer B offered Engineering Student A a position with XYZ and invites Engineering Student A, at XYZ's expense, to visit XYZ's headquarters in Mountainville, a city located near a resort area, following Engineering Student A's graduation. Engineering Student A had earlier decided he would not accept a position with XYZ if offered a position by ABC because Engineering Student A wanted to be close to family and friends in Townville, and also because ABC provided better long-term professional opportunities. However, after receiving the call from XYZ, Engineering Student A decided to accept the invitation to visit XYZ's headquarters and combine the trip with a post-graduation vacation, believing that the visit to XYZ would broaden Engineering Student A's knowledge of the employment market, as well as future professional opportunities with XYZ. A week after the trip, Engineering Student A called ABC to inform the company that he would accept the position with ABC. In deciding that it was not ethical for Engineering Student A to accept the invitation to visit XYZ headquarters without informing XYZ of his intent to accept ABC's offer, the Board noted that the case raised questions relating to employment offers and potentially misleading actions by engineers in connection with such offers. Here, Engineering Student A knowingly accepted an offer to visit a potential employer's headquarters with the full belief that he would not take a position with XYZ. Even if there was a possibility that the engineer could be persuaded otherwise, at a minimum, Engineering Student A had an obligation to disclose to XYZ that he had already made a personal decision to accept the position with ABC. The Board noted that negotiation of an employment agreement is among the first of many professional challenges a young engineer faces, and wisdom says it is appropriate to seek the ethical highway as opposed to the back trails when starting off on a career. Such relationships must be built upon trust and the failure to establish these bonds can easily result in serious consequences for all concerned.

The Board believes that some of the implicit ethical points raised in both BER Case Nos. 91-5 and 01-10 are relevant to the discussion in the present case. Issues of trust and honesty in an academic environment are critical to the mission of the university. University honor codes and student standards of conduct are critical to academic integrity.

In the Board's view, the use by Engineering Student A of the material in question as a study aid to provide an edge in preparing for engineering examinations is inconsistent with the notion of honesty and truthfulness and undermines the integrity of the academic institution. The appropriate action for Engineering Student A to take under the circumstances would have been to immediately return the material to the engineering office once Engineering Student A had determined the nature of the material.

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Conclusion:
Using the NSPE Code of Ethics as a guidance document for engineering students, it was unethical for Engineering Student A to makes copies of the examinations and use those examinations to prepare for the final examination in his areas of study.

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