The Bylaws of the Undergraduate Honor Council at William & Mary in Virginia

The Honor Code provides general rules about the governance of the Honor System, but on the whole it is a description of infractions and their consequences. These Bylaws shall provide guidelines for the Honor Council when conducting elections of officers and members, performing the duties and responsibilities of officers and members, and dealing with any business that might arise.

I. The Undergraduate Honor Council

A. Composition: The Council shall consist of twenty-four (24) members of the undergraduate student body, eight (8) from the sophomore class, eight (8) from the junior class, and eight (8) from the senior class. Members must be enrolled at the college, maintain a minimum cumulative GPA of 2.5, and not be found responsible of an Honor Code offense or responsible for a serious Student Conduct offense.

B. Election Procedures

1. Elections shall be conducted annually by an Elections Committee, which shall consist of all non-returning members of the Honor Council. The committee shall be chaired by an Elections Committee Chair, generally the undergraduate Honor Council Co-Chair. If the Co-Chair is a junior and/or intends to serve again on Council, he/she must designate a non-returning member of the Honor Council to chair the Elections Committee. Further description of the Elections Committee is provided below in [II.C.2.].

2. All undergraduate students in the rising sophomore, rising junior, and rising senior classes who meet the requirements set forth in [I.A] shall be eligible to submit an application to run for the Honor Council.

3. The Elections Committee shall advertise and hold informational meetings for interested students approximately two to three (2-3) weeks prior to the date of Honor Council elections. In the event that winter break takes place during the two to three weeks prior to the scheduled election, the information sessions will take place in the weeks before winter break. The exact timing shall be based upon the academic calendar. These meetings shall discuss Honor Council responsibilities and application procedures.

4. Honor Council Application

   a. The Application Form shall consist of the following: A general information sheet, a case study, an essay question about an aspect of the Honor Code, and two recommendation forms completed by university officials. “University officials” shall include professors, administrators, resident assistants (RAs), and orientation aides (OAs). The Application Form shall be due approximately two (2) weeks after the last information meeting, on a date selected by the Elections Committee.
b. The Application Forms submitted by candidates shall be reviewed by the Nominating Committee, consisting of the Dean of Students (or designee), one (1) faculty member, two (2) members of the student body at-large, and two (2) non-returning members of the Honor Council, including the Chair of the Elections Committee and one (1) other member of the Elections Committee. The Nominating Committee shall have no other members from the current Elections Committee. The Nominating Committee shall meet to discuss candidates after Application Forms have been submitted. The Nominating Committee may, by a minimum five-sixths (5/6) vote, remove a candidate from the ballot if, and only if:

i. The application is incomplete.
ii. The applicant has been found responsible of an honor violation.
iii. The applicant has been found responsible for a serious Student Conduct violation. Determination of a “serious Student Conduct violation” shall be made by the Nominating Committee in consultation with the Dean of Students (or designee).
iv. A recommendation form submitted by a university official reflects negatively upon the applicant.
v. The applicant will be unable to perform his/her duties for more than fifteen percent (15%) of the elected term.

c. The Elections Committee shall create, upon completion of the election and with the advice of the Nominating Committee, a summary document detailing the total number of individuals removed from the ballot for any of the above mentioned reasons [I.B.4.b.(i.-v.)].

i. No personal or identifying information about the removed individuals shall be included in this document, excluding the provisions contained below in [I.B.4.c.ii.]

ii. This document shall identify the specific reason(s) for removal of each individual, provided that each individual consents to allowing the Elections Committee to publish his/her respective reason(s) for removal.

iii. If any individual does not consent to allowing the Elections Committee to publish his/her respective reason(s) for removal, this document shall detail the total number of individuals who did not provide such consent.

iv. This document shall be published online. Campus publications shall be notified once it becomes available.

5. Once the ballot is announced, the Elections Committee shall promote all candidates through available media. Candidates shall not campaign individually and may be removed from the ballot by a majority vote of the Elections Committee for illegal campaigning. Candidates shall not promote the election using listservs.

6. Polling shall be conducted using an electronic online voting system chosen by the Elections Committee. Students shall be eligible to vote for candidates in all social classes and may cast up to eight (8) votes per class. A ballot with more than eight (8) votes per class shall be voided.

7. The Elections Committee shall certify the results at the end of voting on the date of Honor Council elections. The eight (8) candidates from each class holding the plurality of the votes shall be considered elected, and shall form the Council-Elect. The Chair of the Elections Committee shall notify the Council-Elect and those candidates not elected. A candidate may ask for a recount or contest the election for good reason, as determined by the Elections Committee.

C. Training & The Council-Elect
1. Honor Council training and orientation shall be conducted the first Saturday after the date of Honor Council elections. Training shall be organized and conducted by the Training Committee, in consultation with the Dean of Students (or designee).

2. The Council-Elect must be sworn in as a sitting Council (the New Council) within two (2) weeks of the certification of the election results. The New Council and the Old Council shall sit concurrently for a forty-five (45) day period, to allow New Council members to be trained. During this period, the officers elected by the New Council shall conduct administrative duties.

D. Duties of Members: Duties shall be required of each Council member.

1. Office Hours
   a. Members of the Honor Council shall be required to sit one (1) office hour each week in order to handle accusations, answer questions, and assist in office upkeep and maintenance.
   b. Office hours shall be held from 10:00am-3:00pm, Monday-Friday when the university is in regular session, and during final exams.
   c. Members who must miss an office hour shall notify the Secretary beforehand that he/she must miss an office hour and shall attempt to find another Council member to sit the office hour in his/her place.
   d. Members who miss three (3) or more unexcused office hours must be impeached by the Co-Chairs (or Assistant Chair for Administration if the Chair is to be impeached). Impeachment procedures are enumerated in [II.D.] below.
   e. No officer shall allow non-Council members into the Honor Council office with the exception of students participating in the Honor Process.

2. Attendance at Weekly Business Meetings:
   a. Members shall be required to attend weekly business meetings.
   b. The Assistant Chair for Administration shall take the roll at each weekly meeting, noting the absence of any member.
   c. Members who must miss the weekly business meeting shall notify the Assistant Chair for Administration at least one (1) hour prior to the meeting.
   d. Members shall make every reasonable effort to arrive at a weekly business meeting promptly. If a member arrives more than five (5) minutes late, the Assistant Chair for Administration shall record the member as tardy. If a member is tardy without excuse multiple times in a given term, every two (2) tardies shall count as one (1) absence.
   e. Members who miss three (3) or more unexcused business meetings must be impeached by the Co-Chair (or Assistant Chair for Administration if the Co-Chair is to be impeached). Impeachment procedures are enumerated in [II.D.] below.
   f. The determination of unexcused absences shall be left to the discretion of the Co-Chair (or Assistant Chair for Administration if the Co-Chair’s absence is in question).

3. Assistance with Education Initiatives:
   a. Members of the Honor Council shall assist with the education of the university community by participating in Orientation, hall meetings, and faculty outreach as planned by the Outreach, Training, Orientation, Rules, and Faculty Liaison Committees.

4. Committee Participation:
   a. Members of the Honor Council shall sit on committees, both annual and ad hoc (if necessary), in order for the Council to function well.

5. Case Participation
a. Members of the Honor Council must participate in casework, including serving on Investigating Committees, Sufficient Evidence Panels, Hearing Panels, and as Procedural Advisors. Members shall agree to share the workload of the Council as much as possible.

E. **Vacancies:** If a member of the Honor Council does not return to the university for any reason, resigns his/her seat, or is removed from the Council, the seat shall be considered vacant. In the event of a vacancy, the Council must publicize the opening to the student body and accept applications for at least one week. After this period, the Council will consider the applicants and elect, by a ¾ majority, a new member who meets the requirements outlined in [I.A.] to fill the seat until the next annual election.

II. **Undergraduate Honor Council Officers**

A. **Election of Officers:** Annual officers shall be elected by members of both the New and Old Councils at the first training session of the New Council. The outgoing Chair shall conduct these elections. Members of the Old and New Councils shall be eligible to vote for each office. Returning members of the Council shall have only one vote. Each officer shall be elected by a simple majority. Only members of the New Council shall be eligible to run for election.

B. **Annual Officers:** Annual officers shall conduct most of the administration of the Council and serve as liaisons with university administration.

1. **Co-Chairs**
   a. The Co-Chairs must be at least rising juniors with at least one year of experience on Council.
      a. Co-Chairs will be elected simultaneously during elections for the executive board at the start of the term. Each voting Council member will receive two votes for Co-Chair. The two nominees for Co-Chairs with the highest vote count will be elected as Co-Chairs.
      b. At the first business meeting of the term, the Co-Chairs must decide and announce to the Council which is responsible for the oversight of standing and ad-hoc committees, and the Council election process.
   b. The Co-Chairs shall appoint all annual officers and annual committees not elected by the Council. The Chairs shall appoint all hearing officers and hearing committees, or designate a member of the Council to fulfill all hearing responsibilities contained in these Bylaws in case of bias or unavailability. This shall include appointing nonmembers to sit on hearings or investigating committees if members are unavailable.
   c. The Chairs shall sit on the Honor System Advisory Committee (HSAC). Should the Co-Chairs not come to agreement on HSAC voting on substantive matters, the vote will be decided by a majority of Council members.
   d. The Chairs shall meet weekly with the Dean of Students (or designee), and regularly with the Vice-President for Student Affairs.
   e. The Chairs shall preside at weekly business meetings and set the agenda for those meetings. The Chairs shall serve as ex-officio members of the annual standing committees. The Chairs shall be responsible for overseeing and coordinating the work of the annual standing committees by holding regular meetings with the annual committee chairs.
   f. One of the Chairs (or designee) shall preside at hearings, according to the guidelines in the Honor Code and these Bylaws.
g. The outgoing Chairs shall swear in the New Council.

h. The Chairs shall perform other ceremonial duties as necessary.

2. Assistant Chair – Administration
   a. The office of Assistant Chair for Administration may be held by any member of the Council.
   b. The Assistant Chair for Administration shall be responsible for taking minutes and attendance at any business meeting of the Council.
   c. The Assistant Chair for Administration shall also be responsible for enforcing any policies set forth in these Bylaws regarding attendance at business meetings and office hours.
   d. The Assistant Chair for Administration shall conduct any business if either of the Co-Chairs are unavailable to do so. This includes, but shall not be limited to, chairing hearings, meetings with respondents and reporting parties, and meeting with members of the university administration.
   e. The Assistant Chair for Administration shall act as the office manager for the Honor Council office and shall be responsible for general maintenance and the supply of office materials, as well as maintaining the Council budget.

3. Assistant Chair – Education
   a. The Assistant Chair for Education shall chiefly be responsible for the training of new members of the Council.
   b. The Assistant Chair for Education shall instruct all members in bylaw or structural changes from the Dean of Students’ Office.
   c. The Assistant Chair for Education shall organize and run retreats and all other Council trips.
   d. The Assistant Chair for Education shall be responsible for maintaining case digests and compiling annual reports of Council activity for public release

C. Committees and Committee Chairs: Committees and committee chairs shall be appointed by the Co-Chairs to carry out the business of the Council. These appointments shall be made before the second business meeting of the New Council.

1. Outreach Committee
   a. The Outreach Committee shall be responsible for promoting the Honor Council’s mission to the campus community. The Outreach Committee shall be responsible for promotion and support of the Honor Council in the view of the William & Mary community.
   b. The Outreach Committee shall work to accomplish the following initiatives every year:
      i. Plan, promote, and execute “Ethics Week” or other ethics education programming in concert with the Student Conduct Council, to include a mock Honor Council hearing.
      ii. Invite speakers to promote discussion of integrity at the university.
      iii. Hold public forums with students and faculty to encourage dialogue and understanding of the Honor Council process itself.
      iv. Design and publish advertisements in campus publications featuring goals and accomplishments for every committee of the Honor Council for a more transparent view of the Honor Council’s everyday activities.
      v. Reach out to the campus community up to and during final exams.
vi. Work closely with the Orientation and Faculty Liaison committees to keep the Honor Code fresh and relevant to all members of the campus community.

2. **Elections Committee**
   a. The Elections Committee shall be headed by the Co-Chair (or designee) and shall consist of those members of the Council who are not running for reelection for the following term. The Chair of the Elections Committee (Co-Chair or designee) shall be responsible for organizing and implementing Honor Council elections per the requirements listed in [I.C.] of these Bylaws. Selection of members to the Elections Committee shall be completed a month prior to the date of Honor Council elections, and the Committee shall meet at that time. If it is necessary for the Elections Committee to conduct a referendum vote, the Co-Chair may appoint any member of the Council to the committee.

3. **Faculty Liaison Committee**
   a. The Faculty Liaison Committee shall be responsible for ensuring positive relations between the Council and faculty members. The Committee’s primary goal shall be to act as a resource for the faculty to provide information on preventing honor violations and on the potential role of faculty in the adjudication process.
   b. The committee shall strive to do the following tasks annually:
      i. Make an informative presentation to the Faculty Assembly.
      ii. Assign Honor Council members as departmental representatives and liaisons.
      iii. Publish a letter with contact information and preventative measures to department chairs.
      iv. Give presentations to individual departments on preventative measures as well as the professor’s role in the adjudication process.

4. **Orientation Committee**
   a. The Orientation Committee's primary function shall be to acquaint new students with the university’s Honor Code. Specific tasks shall include, but not be limited to, organizing the Honor Council portion of the fall and spring orientation presentations, scheduling extended orientation presentations with the Student Conduct Council and Residence life, and working with the Outreach Committee to augment orientation initiatives. The Orientation Committee shall work to ensure that all members of the Council play an integral role in all new student orientations including extended orientation.

5. **Rules Committee**
   a. The Rules Committee shall ensure that all bylaws and procedural rules are maintained, craft initial amendments to these Bylaws and/or the Honor Code, and perform annual rule reviews of the Honor Council process and these Bylaws.

6. **Training Committee**
   a. The Training Committee shall be responsible for working with the Dean of Students (or designee) to create a training program and a training manual.
   b. The Training Committee shall be responsible for providing instruction materials and training sessions to prepare Council members to adequately participate in the adjudication process.
   c. The Training Committee shall hold two training workshops, one in the fall and one in the spring. These workshops shall occur outside of regular training sessions conducted at weekly business meetings.

7. **Historian**
   a. It shall be the duty of the Historian to document all Honor Council activities. The Historian will also be responsible for collecting, storing, and presenting visual
information about the Honor Council and for maintaining a historical roster of all Honor Council members by term. The Executive Board will appoint the Historian.

8. **Ad Hoc Committees**: Ad hoc committees may be appointed by the Co-Chairs to deal with issues that arise.

**D. Impeachment and Removal of Members or Officers**

1. **Impeachment**
   a. “Impeachment” is defined as charging a member or officer of the Honor Council with improper conduct, including, but not limited to, violations of the Honor Code, serious Student Conduct violations, failure to comply with these Bylaws and/or other policy set forth by the Council, and/or negligence in duties incumbent upon a member or officer of the Council.
   b. Any member of Council may bring charges of impeachment against a member or officer.
   c. Prior to bringing charges of impeachment, a member shall consult the Co-Chairs (or Assistant Chair for Administration if the Co-Chair’s improper conduct is alleged) regarding the process of impeachment and removal contained in these Bylaws.

2. **Discussion of Alleged Improper Conduct**
   a. At the next regularly scheduled business meeting following an impeachment of a member or officer, the Co-Chair (or Assistant Chair for Administration) shall present for discussion the alleged improper conduct of the impeached member or officer, with the impeached member or officer absent.
   b. All discussion shall be kept strictly confidential.
   c. After this discussion has occurred and at the same business meeting, the impeached member or officer shall have an opportunity to speak to Council regarding his/her alleged improper conduct.

3. **Vote on Removal of an Officer from Office**
   a. An impeached officer shall be removed from office if and only if a minimum three-fourths (3/4) majority votes for removal from office.
   b. At the business meeting following the discussion of alleged improper conduct, the Co-Chair (or Assistant Chair for Administration) must record such a vote on removal from office. The impeached officer shall not vote.
   c. Removal from office shall not constitute removal from Council. An additional discussion and vote on removal from Council must be conducted for an officer to be removed from Council, just the same as any other member, and per the rules contained in these Bylaws for removal from Council.

4. **Removal of Committee Heads and Members**
   a. Chairs and members of annual, ad hoc, and hearing committees may be removed by the Chair at any time, without impeachment or a vote on removal.

5. **Vote on Removal of a Member from Council**
   a. An impeached member shall be removed from Council if and only if a minimum three-fourths (3/4) majority votes for removal from Council.
   b. At the business meeting following the discussion of alleged improper conduct, the Co-Chair (or Assistant Secretary for Administration) must record such a vote on removal. The impeached member shall not vote.

**III. Conducting Business: Weekly Business Meetings**

**A. Weekly Business**
1. The council shall hold business meetings weekly during the academic year. The Co-Chair shall preside at these meetings. If the Co-Chair is unable to preside over these meetings, then the Assistant Chair for Administration shall preside.

2. A quorum of at least eighteen (18) members shall be required to conduct official weekly business meetings.

B. Meeting Agenda
1. The Co-Chairs shall set an agenda for each weekly business meeting. The agenda shall include:
   a. A report from the Co-Chairs, Assistant Chair for Administration, and Assistant Chair for Education.
   b. Reports from the committee chairs, ad hoc committee chairs, and other individuals responsible for Council initiatives.
   c. Old and new business, including Council logistics and case updates.

C. Council Administrative Decisions
1. Council decisions shall be made by a simple majority vote, unless otherwise specified in the Honor Code or these Bylaws.
2. If business decisions must be made when the full Council is unable to meet, the Co-Chairs shall be authorized to make such decisions as necessary, in consultation with any appropriate committee chair(s). The Chair shall notify the entire Council of such decisions as appropriate, and as soon as possible.

D. Breaches of Security
1. In the case of a serious breach of Honor Council office security, the Council shall:
   a. Immediately notify Campus Police if necessary.
   b. Immediately notify the Co-Chairs of the Honor Council, the Dean of Students (or designee), and the Vice-President for Student Affairs.
   c. After the Honor Council office has been secured, the Co-Chairs, Assistant Chair for Administration, and Assistant Chair for Education, shall form an executive committee to assess the nature of the breach and write a notification memo to the university administration detailing the nature of the theft, vandalism, or other violation of confidentiality.
   d. In cooperation with the Dean of Students (or designee), the Co-Chairs shall prepare a plan of action to determine and implement a plan to recover the lost or stolen confidential material, notify individuals affected by the breach of security, and establish a new security system in the office.

IV. Policies and Procedures for Honor Code Enforcement

A. Preliminary Matters:
1. Pursuant to the Honor Code, if a respondent fails to turn him/herself into the Council within forty-eight (48) hours, does not resign from the university instead of turning him/herself into the Council, or if a potential respondent makes an improper accusation as per the requirements of the Honor Code, the Chair (or designee) shall contact the respondent or reporting party first to attempt to resolve the matter. The Chair (or designee) shall request further assistance from the Dean of Students (or designee) if necessary.
2. The Chair (or designee) and Procedural Advisor (PA) shall meet with the respondent and provide a copy of the written accusation, the Honor Code, an honor process flow chart, and a list of trained Student advisor.
a. During this meeting, the PA shall discuss with the respondent rights and duties and the investigation process as detailed in the Honor Code, and explain the role of the PA under the Code.

b. The PA shall notify the Investigating Committee Chair (ICC) when this meeting has taken place so that the investigation can begin.

3. As detailed in the Honor Code, respondents have the right to Student advisor.

   Current members of the Honor Council shall not serve as Student advisor.

4. The PA shall make a diligent effort to meet with the reporting party to discuss rights and duties and the Honor process as detailed in the Honor Code. The PA shall also offer the assistance of the Dean of Students (or designee).

B. Investigation

1. After receiving a written accusation, the Chair (or designee) shall appoint an Investigating Committee (IC) of no fewer than two (2) and no more than four (4) Honor Council members, or non-members if necessary, to collect and preserve evidence in a case.

2. Of the appointed IC members, one (1) shall be designated the Investigating Committee Chair (ICC). The ICC shall lead the investigation and arrange all interviews.

3. During all interviews, members of the IC shall take notes, noting the date, time, place, and testimony. The witness or party must review and sign the notes of his/her interview in order to ensure their accuracy. Members of the IC may also use a computer to take notes. The witness or party must then place an electronic signature in the electronic file of notes to ensure the accuracy of the notes.

4. The Investigating Committee (IC) shall meet with the respondent, the reporting party, and any relevant witnesses to obtain any relevant information.

5. The ICC may request assistance from the Dean of Students (or designee) if any necessary party refuses to cooperate.

6. The ICC shall direct the writing of the investigative report, listing interviews and briefly describing the nature of the testimony, listing all relevant documentary evidence and briefly describing what is shown in the evidence.

7. If an investigation continues beyond the seven (7) working days allotted by the Honor Code, and an extension is granted by the Chair (or designee), the justification for such an extension must be noted in the case file.

8. If a respondent has documents or evidence he or she thinks may be of interest to the investigation, the medical documentation should be submitted to the Office of Student Conduct (107 Campus Center). The Medical Review Committee will review the documents presented by the respondent and will provide a summary and guidance to the Council.

C. Sufficient Evidence Panel (SEP)

1. Unless there are extraordinary circumstances, as determined by the Chair (or designee), the SEP meeting shall take place in person.

2. If sufficient evidence is found by a two-thirds (2/3) vote, the SEP shall create (1) a brief written statement summarizing the committee’s finding of sufficient evidence, and (2) a charge sheet, containing a list of material witnesses expected to testify, the charge from the Honor Code, and a description of the action(s) in violation of the Honor Code. The case shall then move to the hearing phase.

3. If the SEP finds by a two-thirds (2/3) vote that more evidence must be collected before a final determination of sufficient evidence can be made, they shall send the investigative report back to the Investigating Committee with the permission of the Chair (or designee).

   a. The SEP shall include a transfer form detailing any evidence they believe is missing from the report.
b. The IC shall have forty-eight (48) hours to collect the requested additional evidence and return the report to the SEP. If more time is needed, the IC shall file a request for an extension with the Chair (or designee). If the additional evidence is not available, then it shall be the responsibility of the SEP to decide if the available evidence is sufficient.

4. If sufficient evidence is not found, the case shall be closed. The Chair (or designee) shall inform the respondent of the decision. The Dean of Students (or designee) shall inform the reporting party of the decision.

D. Pre-Hearing
1. The ICC shall prepare a case file detailing all pertinent information, including the charge sheet, the SEP transmittal, the IC report, any documentary evidence or other documents necessary for the hearing. The ICC shall prepare seven (7) copies of this file, one (1) for each of the hearing panel members, and one (1) for the Chair (or designee).
2: The Chair (or designee), the PA, the respondent, and student advisor (if applicable) shall meet to discuss the rights and duties of the respondent. During this meeting the Chair (or designee) shall provide the respondent with paper copies of any necessary documentation as listed in the Honor Code, and, as necessary, electronic copies of these documents as well.
3. The Honor Code directs the Chair (or designee) to schedule the date, time, and place for a hearing with respect for the rights and duties of the respondent and the reporting party. Under extraordinary circumstances, the Chair (or designee) may arrange for witnesses and other parties to testify at this hearing remotely via telephone if such parties are unable to attend in person.
4. The PA shall make a diligent effort to meet with the reporting party prior to the hearing to discuss the reporting party’s rights and duties, and answer any questions asked by the reporting party.

E. Judgment Hearing
1. General Procedures
   a. Prior to the start of the judgment hearing, the ICC shall prepare the hearing room for hearing by arranging chairs, distributing documentary evidence, setting up the tape recorder and conference phone (if necessary), and ensuring that hearing necessities (pens, highlighters, etc.) are available.
   b. Prior to the start of the judgment hearing, the ICC and PA shall make sure all hearing panel members, witnesses, the respondent, and reporting party are present or available to testify otherwise.
   c. If the respondent exercises his/her right upon request to hold an open hearing, the Chair shall do the following, in order to maintain proper and effective functioning of the Honor hearing as protected under the Student Code of Conduct and the Honor Code, and maintain fundamental fairness during the proceedings as described by the Honor Code:
      i. Prior to the start of the hearing, the Chair shall instruct all attendees of this requirement to remain silent and respectful of the proceedings, and that failure to comply with these instructions may result in removal from the hearing room.
      ii. In the event that such disruption is so egregious as to warrant student conduct charges where applicable, the Chair may exercise his/her authority to pursue such charges against the disruptive individual.
   d. The Chair (or designee) shall record an introduction to the recording of the hearing. This recording shall include the date, time, and place of the hearing; the charge and
the names of the respondent, the Student advisor, the PA, the ICC, the members sitting, the Hearing Secretary, and the Chair (or designee).

e. The PA shall be present at the hearing for the benefit of the respondent, the reporting party, and the Chair (or designee). The PA shall not speak during the hearing proceedings, but may make motions to correct procedural errors and maintain the Honor Council adjudication process.

f. During the hearing, and pursuant to the evidentiary standards given in the Honor Code, the Chair (or designee) may limit the presentation of new hearsay evidence if it is not relevant and/or does not contain adequate indications of reliability. Additionally, the Chair may limit the presentation of new documentary and/or new tangible evidence if it is not relevant and/or it offers no adequate authentication or indication of reliability.

g. The Chair (or designee) shall bring the respondent and Student advisor (if applicable) into the hearing room for the introduction of the panel, reading of the charge(s), and the respondent’s entry of a plea.

h. Following these procedures, the reporting party shall be given an opportunity to present an opening statement pursuant to the Honor Code.

2. Testimony of the Reporting Party
a. The reporting party shall testify first. The reporting party shall begin his/her testimony by making a statement, but may request that the ICC begin questioning in lieu of a statement. If the reporting party chooses to make a statement, then the ICC shall question the reporting party immediately following this statement. The Chair shall question the reporting party next, then the hearing panel shall question afterward, and finally the respondent and/or Student advisor (if applicable).

b. After the reporting party’s testimony has been given (or relayed through questioning), an opportunity for final questions shall be offered to first the ICC, then the respondent, and finally the hearing panel.

c. After the reporting party is finished testifying and all questions have been asked, the Chair (or designee) shall encourage the reporting party to remain for the duration of the hearing. If he/she chooses to leave, he/she shall be asked to leave a phone number in the event that he/she must be contacted for further testimony.

3. Testimony of Material Witnesses
a. The Chair (or designee) shall call any material witnesses.

b. Each material witness shall begin his/her testimony by making a statement, but may request that the ICC begin questioning in lieu of a statement. If a material witness chooses to make a statement, then the ICC shall question the witness immediately following this statement. The Chair shall question each material witness next, then the hearing panel shall question afterward, followed by the respondent and/or Student advisor (if applicable), and finally the reporting party.

c. After each witness’s testimony has been given (or relayed through questioning), an opportunity for final questions shall be offered to first the ICC, then the respondent, and finally the hearing panel.

d. Each witness shall be excused after his/her testimony, but must leave a phone number in case he/she must be contacted for further testimony.

4. Testimony of the Respondent
a. The respondent shall testify last. The respondent shall begin his/her testimony by making a statement, but may request that the ICC begin questioning in lieu of a statement. If the respondent chooses to make a statement, then the ICC shall question the respondent immediately following this statement. The Chair shall question the respondent next, then the hearing panel shall question afterward, followed by the respondent’s Student advisor (if applicable), and finally the reporting party.
5. After all witnesses have been questioned, the Chair (or designee) shall excuse the ICC and turn over the case file to the Hearing Secretary.

6. If the reporting party has chosen to remain in the hearing, the Chair (or designee) shall offer him/her the opportunity to present a closing statement prior to the respondent’s opportunity to present a closing statement. The Chair (or designee) may instruct the reporting party regarding the purpose of a closing statement.

7. Before closing the evidence portion of the hearing, the Chair (or designee) shall instruct the panel that the respondent student is to be found not responsible unless five of the six (5/6) members are convinced of his/her responsibility beyond a reasonable doubt. The Chair (or designee) shall read from the Honor Code the definition of reasonable doubt.

8. The Chair (or designee) shall then declare the hearing closed, excuse the reporting party (if still present), and leave the hearing room with the respondent and the Student advisor (if applicable) to allow the panel to deliberate.

F. Judgment Deliberations
1. The judgment deliberations shall be held in private. No recording of the deliberations shall be made.

2. After completing discussion and conducting a final vote, thereby reaching a judgment, the Hearing Secretary and panel members shall write a rationale for the judgment to be included in the case file transmitted to the Dean of Students (or designee).

3. The hearing panel shall inform the Chair (or designee) when a judgment is reached and the rationale is written. The Chair (or designee) shall then inform the respondent and Student Advisor (if applicable) of the judgment when mutually convenient for the Chair, respondent, Student Advisor (if applicable) and member of the Dean of Students Office.

4. If the judgment is not responsible, the Chair (or designee) shall deem the case closed and excuse the hearing panel. The respondent shall be given a written copy of the judgment and certification of the finding.

G. Sanctions Hearing
1. If the judgment is responsible, the Chair (or designee) shall convene a sanctions hearing pursuant to the provisions of the Honor Code. The Chair (or designee) shall open the sanctions hearing and report the panel’s judgment for the recording. The Chair (or designee) shall explain that the sanctions hearing is not for reassessment of responsibility, but for determination of appropriate sanction(s).

2. The Chair (or designee) shall open the letter containing the respondent’s prior record of Honor or Student Conduct offenses as provided by the Dean of Students (or designee).

3. The Chair (or designee) shall offer the respondent an opportunity to present an opening statement, highlighting any extraordinary or aggravating circumstances of the violation or his/her situation.

4. The Chair (or designee) shall offer the respondent an opportunity to present character witnesses, who shall testify to the respondent’s character and contribution to the university community. The Chair (or designee) may limit the total number of character witnesses allowed to testify, usually to no more than three (3) character witnesses. The hearing panel and Chair (or designee) may ask each character witness for more information to gain further insight into the character of the respondent.

5. The Chair (or designee) shall limit the introduction of additional documentary evidence to evidence that addresses appropriate sanctions.

6. The respondent shall be permitted to make a closing summary and argument.

7. The Chair (or designee) shall remind the hearing panel that sanction determination begins with suspension from the university, but that it may be modified at the discretion of the
hearing panel in the presence of extraordinary or aggravating circumstances, and that it must be imposed by a vote of at least four of the six (4/6) panel members.

8. The Chair (or designee) shall declare the hearing closed and instruct the respondent and Student advisor (if applicable) to exit the hearing room.

H. Sanctions Deliberations
1. The sanctions deliberations shall be held in private. No recording of the deliberations shall be made.
2. The Hearing Secretary, with assistance from the hearing panel, shall write a rationale explaining the reason(s) behind the sanction. This rationale shall be included in the case file transmitted to the Dean of Students (or designee).
3. The hearing panel shall inform the Chair (or designee) when a decision is made. The Chair (or designee) shall inform the respondent and Student advisor (if applicable) of the sanction(s) recommended immediately. The Chair (or designee) shall provide the respondent a written copy of the judgment and recommended sanction(s), including certification of the findings.

I. Post-Hearing
1. The Hearing Secretary shall prepare a case file for transmittal to the Dean of Students (or designee) within forty-eight (48) hours of the hearing. This packet shall include: typed notes of testimony and reasoning for judgment and sanctions (if necessary); copies of the letters sent to the reporting party, the respondent, and witnesses; the original copies of documentary evidence; the tape recording of the proceedings; and a letter transmittal.
2. The Hearing Secretary shall complete and send thank you notes to all witnesses involved in both judgment and sanctions hearings.
3. It shall be the Hearing Secretary’s duty to remove any writing pertaining to the case on the whiteboard of the room where the panel takes place.
4. It shall be the duty of the Hearing Secretary to, at the end of each case, publish a brief summary of the case in a manner that does not identify the student, to include the charges, a short summary of the facts of the case, the findings, and sanctions imposed; this information will be used by the Honor System Advisory Committee, provided to student media publications, and will be posted on the Honor Council website at the end of each semester.
5. A copy of the case file shall be kept in the Honor Council office. In the event of a responsible judgment, all confidential and/or identifying information of the respondent, reporting party, and any witnesses shall be permanently redacted in the case file. The file shall be scanned and stored electronically as well as in paper form by Council.
   a. Such redaction shall only occur once all appeals and reinstatement processes are complete for each case.
   b. Additionally, such redaction shall only occur once all information contained in each case file is no longer needed as evidence in a separate honor investigation or hearing.

V. Other Hearing Procedures

A. Reinstatement Hearings: Per requirements detailed in the Student Handbook, a student who receives an indefinite suspension as sanction for an Honor Code offense must petition for reinstatement to the university through a reinstatement hearing.
1. A panel of consisting six (6) members shall sit each reinstatement hearing. Of those six (6) members, at least three (3) members shall have served on the student’s original hearing panel, when possible. If three (3) original panel members are unavailable, replacement members shall be appointed by the Chair (or designee). The Chair (or designee) shall appoint one member to serve as Hearing Secretary.
2. The Chair (or designee) shall record an introduction to the tape recording which includes the date, time, and place of the hearing; the petitioner’s name; the original violation of the Honor Code for which the petitioner was found responsible; the Student advisor’s name (if applicable); the Investigating Committee Chair’s name; the members sitting the reinstatement hearing, the reinstatement Hearing Secretary, and the Chair (or designee).

3. The Chair (or designee) shall bring the petitioner and Student advisor (if applicable) into the hearing room for introduction to the reinstatement hearing panel.

4. The Chair (or designee) shall remind the petitioner and each witness that they must testify "fully and truthfully", and must answer all direct questions and not withhold any information unless as a student, he/she invokes his/her right against self-incrimination as provided in the Honor Code. The Chair (or designee) shall secure acknowledgment and affirmation from each witness that he/she will comply.

5. The original ICC, if available, shall provide a brief unbiased account of the violation and decision and sanctions of the original panel. If the original ICC is unavailable, the Chair (or designee) shall appoint another member of the original IC. If no other member is available, the Chair shall appoint any current member of the Honor Council to act by proxy during this hearing.

6. The Chair (or designee) shall offer the petitioner an opportunity to make an opening statement.

7. The Chair (or designee) shall offer the petitioner an opportunity to present character witnesses, who shall testify to the petitioner’s character and potential to contribute to the university community. The Chair (or designee) may limit the total number of character witnesses allowed to testify, usually to no more than three (3).

8. The Chair (or designee) shall offer the petitioner an opportunity to make a closing summary and argument.

9. The Chair (or designee) shall instruct the readmission hearing panel that reinstatement requires the agreement of four of the six (4/6) panel members. The Chair (or designee) shall then declare the hearing closed and leave the hearing room with the petitioner and Student advisor (if applicable).

10. The reinstatement hearing panel shall deliberate in private. No recording of the deliberations shall be made.

11. The reinstatement hearing panel shall inform the Chair (or designee) when a decision on reinstatement is made. The Chair (or designee) shall then inform the petitioner and Student advisor (if applicable) of the decision immediately.

12. If denied reinstatement, a petitioner may reapply for reinstatement during the next academic term; either the spring, summer, or fall.

13. The Hearing Secretary shall prepare a case file for transmittal to the Dean of Students (or designee) including: typed notes of testimony and reasoning for the recommendation; copies of letters sent to the witnesses; the original copies of any documentary evidence; the tape recording of the proceedings; and a letter of transmittal.


VI. Amendments

A. Amendments to the Honor Code:

1. Amendments to the Honor Code must be approved by the undergraduate student body in a referendum on a date set by the Elections Committee.

B. Amendments to the Bylaws
a. Proposed amendments may be raised by any sitting Council member by referring the idea or proposed amendment to the Rules Committee no later than forty-eight (48) hours before any business meeting.

b. The Rules Committee shall draft any proposed ideas into formally proposed amendments for presentation, discussion, and debate at the subsequent business meeting. The proposed amendment(s) must be e-mailed to the entire Council at least twenty-four (24) hours prior to this business meeting.

c. During this business meeting, the proposed amendment may be modified by the Council by a consensus. Debate may be closed by the Co-Chair at any time.

d. At the following business meeting, proposed amendments may be approved and adopted by a three-fourths (3/4) vote.