



2012-2013

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## I. PHILOSOPHY

Committed to the rigorous pursuit of liberal learning and the teachings of the Christian faith, the Presbyterian College community is dedicated to integrity in the pursuit of truth and honor in the building of community. As members of this community, we share a common commitment to maintaining the high standards of honesty and honorable conduct required for this pursuit.

Since 1915, our commitment has been realized in our agreement to live under the Honor Code of the College. As this Code is student maintained, our agreement contains two parts: first, that we personally adopt the standards of conduct as stated in the Honor Code; and second, that we deal responsibly with those of our peers who fail to do so. By holding one another accountable to this commitment, we ensure the integrity of our academic program and community.

Our acceptance of this commitment allows us to enjoy an atmosphere of mutual trust and respect among students, faculty, and administration. The academic and social advantages therein are many: as students, we are trusted to work independently; exams may be taken free of supervision; computer labs are available twenty-four hours a day; personal property is generally safe on campus; and one's word may be considered trustworthy, both on and off campus. It is our shared interest in preserving this atmosphere that motivates our commitment to the Honor Code.

However, privilege requires responsibility. We at Presbyterian College are responsible for knowing the purpose, design, and procedures of our Honor Code and are required to exhibit honorable conduct in all areas of life: social as well as academic, off campus as well as on. It is solely through the consistency of this commitment that we may both trust and be trusted, respect and be respected, regardless of place or circumstance. Therefore, each of us is expected to maintain the integrity of that commitment at all times.

When we join the Presbyterian College community, we sign the Roll of Honor and formally enroll under the pledge:

“On my honor, I will abstain from all deceit. I will neither give nor receive unacknowledged aid in my academic work, nor will I permit such action by any member of this community. I will respect the persons and property of the community and will not condone discourteous or dishonest treatment of these by my peers. In my every act, I will seek to maintain a high standard of honesty and truthfulness for myself and for the College.”

## II. THE HONOR CODE

Presbyterian College students pledge to abstain from all deceit and dishonorable conduct. Though many acts may at times be considered deceitful or dishonorable, students at Presbyterian College agree that lying, cheating, plagiarism, stealing, and failure to enforce the Honor Code are by definition dishonorable and are, therefore, always in violation of the Honor Code.

### A. Honor Code Violations

1. **Lying** is defined as any attempt to deceive, falsify, or misrepresent the truth.
2. **Cheating** is defined as the employment of or rendering of any unacknowledged or unallowed aid in any assigned work.
3. **Plagiarism** is defined as the presentation of the words or ideas of another person as one's own.
4. **Stealing** is defined as the appropriation of money or property belonging to another person, organization, or the College or the borrowing of such property without the knowledge and permission of the owner.
5. **Failure to enforce the Honor Code** is defined as any act of omission that permits violations of the Honor Code to occur or to go unreported.

All students enrolling at Presbyterian College are bound not only to abstain from the above, but also to report such acts committed by fellow students. When events of a questionable nature occur, it is the responsibility of each student to promptly communicate that information to the Honor Council. Determining whether or not a violation of the Honor Code has occurred is the responsibility of the Honor Council. Failing to report such events amounts to the toleration of dishonor in the community and shall itself be considered a violation of the Honor Code.

Students' obligation to the Honor Code is not confined to the boundaries of the College campus but extends to conduct in the larger community. All student conduct, whether on or off campus, shall be subject to the Honor Code.

### B. Pledged Work

All academic work at Presbyterian College falls under the Honor Code. Quizzes, tests, examinations, projects, and papers to be graded are governed by and should be accompanied by the pledge:

**“On my honor, I pledge that I have neither given nor received any unacknowledged aid on this assignment.”**

followed by an act of student acknowledgement, usually a signature.

Unacknowledged aid includes aid that is not allowed by the instructor.

## C. Honor Code Penalties

The normal penalty for a first violation of the Honor Code is immediate suspension for the remainder of the current semester and for one additional semester. The student will be ineligible to earn academic credit for the equivalent of two full academic semesters no matter when the violation took place. If the violation involves cheating, plagiarism, or lying to gain academic advantage in a course, a grade of “F” will be imposed in that course and withdrawals will be assigned in all other courses.

The Honor Council may deviate from the standard penalties, but only for specific reasons (see page 12).

The normal penalty for a second violation of the Honor Code is immediate and permanent expulsion from the College.

## III. THE HONOR COUNCIL

### A. Responsibilities

The Honor Council is charged with investigating and hearing alleged violations of the Honor Code and determining whether violations have occurred. Upon determining such violations, the Council is empowered to impose appropriate sanctions, up to and including expulsion from the College. The Honor Council reserves the right to refer certain cases to the Office of Student Life.

The Honor Council is also responsible for assisting in the education of new students concerning the Honor Code and in the annual publication of *The Blue Book*. Every three years, the Honor Council, with the assistance of the President of the College, shall conduct a full review of the Code, recommending reforms appropriate for its upkeep. The Honor Council shall have the right to request the assistance of the President of the College to convene an *ad hoc* Honor Code Committee called to consider and make changes to the Honor Code and/or *The Blue Book* at any time the need arises. The revisions will be accepted upon the approval of the Student Government Executive Committee, the Honor Code Committee, the Faculty, and the President of the College.

## B. Membership

The Honor Council will have a total student membership of no fewer than 40 members with a minimum of 4 members from each class. Each February, the Honor Council will solicit applications for Council membership. Students will typically begin membership in the fall of a given year, but new members may apply to fill vacancies for the spring term. The Honor Council Executive Committee shall have the final discretion in selection of members. Student members of the Honor Council normally serve until the end of their fourth year on campus and are expected to remain on campus through exams each semester for hearings.

The Chair of the Honor Council may ask for the resignation of any student member when there is evidence that his or her behavior threatens the integrity of the Council. If the member in question refuses to resign, the entire student membership of the Council shall be called to consider the matter. Twelve (12) student members shall constitute a quorum, and a two-thirds (2/3) vote is required to remove a student from the Council. If a seat becomes vacant for any reason, a student from the appropriate class shall fill it.

The Honor Council shall also include a minimum of 25 faculty members, self-selected and endorsed by the faculty. They shall select one of their members as the chair of the Appeals Board, one as the Faculty Coordinator of Honor Council hearings, and another as Secretary. The Coordinator schedules two (2) faculty for every hearing. The Secretary keeps the official record of faculty participation.

The Provost and the Dean of Students are members, *ex officio*, of the Honor Council.

## C. Leadership

The **Executive Committee** of the Honor Council shall consist of the Honor Council Chair, Assistant Chair, and the student Secretaries of the Council, with the Provost and the Dean of Students serving as advisors. The Executive Committee shall conduct the initial investigation of possible Code violations and is responsible for the activities of the Honor Council, including training Honor Council members and designing the orientation and education program for new students.

The **Chair** of the Honor Council shall call and preside over all meetings of the Executive Committee, hearings, and meetings of the full Council. He or she shall appoint assistants for the defense of students charged, shall coordinate the selection of members before hearings, and shall review the minutes of each hearing. The Chair of the Council must be of junior or senior standing with at least one year of Council experience.

The **Assistant Chair** shall aid in the execution of Council affairs. In the absence of the Chair, the Assistant Chair shall preside over any meeting of the Executive Committee, hearing, or full meeting of the Council. For any hearing over which he or she presides, the Assistant Chair shall also assume responsibility for appointing assistants for the defense of students charged, coordinating the selection of members before hearings, and reviewing minutes.

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The Assistant Chair must be of junior or senior standing with at least one year of Council experience.

The **student Secretaries** of the Honor Council shall be responsible for keeping minutes of hearings, for maintaining files of past hearings, for the official correspondence of the Council, and for the financial affairs of the Council. They shall also coordinate the solicitation and review of applications for membership each spring.

The Chair for each ensuing year is selected in the spring by majority vote of the current Honor Council student membership. His or her name is then submitted in Student Government elections for confirmation by the student body. After the election of the incoming Chair, the Council must select an incoming Assistant Chair and two student Secretaries by majority vote. Elected officers shall assume their responsibilities with the installation of new members each spring.

## IV. PROCEDURES

In extraordinary circumstances the President of the College, at any time and in consultation with the Chair of the Honor Council, may find it to be in the best interest of the College to forego the usual Honor Council procedures. In such instances the President will determine a just means for handling such extraordinary circumstances. When alternative measures are employed for the resolution of student misconduct, students shall retain the same rights otherwise granted under the Honor Code.

### A. Reporting a Violation

Students who have violated the Honor Code are encouraged to self-report by contacting the Honor Council, the Provost, or the Dean of Students as appropriate.

When students, faculty members, or administrators suspect a student of having violated the Honor Code, they should encourage that student to self-report. The matter must also be brought to the attention of the Honor Council and to the Provost or Dean of Students, as appropriate, regardless of whether the suspected student reports himself or herself.

Contact information for the Honor Council is provided in the back of *The Blue Book*. Honor Council members are prepared to consult with students who have concerns but who are uncertain how to proceed.

## **B. Investigations**

### **1. Participants**

The Executive Committee of the Honor Council and the appropriate Officer of the College (the Provost or the Dean of Students) shall conduct preliminary investigations into reported violations. Two student members of the Committee must be present at all times to constitute a quorum, and the vote of two members is required to convene an Honor Council hearing. In the event that any of its student members are unavailable, the remaining student member(s) may appoint another Honor Council member to fill the necessary role on an interim basis.

### **2. Procedure**

- a. Any information received or discovered by a member of the Honor Council that would indicate a possible Honor Code violation must be communicated immediately to the Chair, or in the absence of the Chair, to the Assistant Chair.
- b. Immediately upon reception of such information by the Executive Committee, an investigative team may be appointed from the Honor Council membership. This team, composed of one or two student Honor Council members, shall act as a neutral agent, gathering what information is available concerning the possible violation and reporting to the Executive Committee.
- c. Upon receiving the report of the investigative team, the Executive Committee will call a meeting. The purpose of this meeting shall be to determine whether an Honor Council hearing should be held. The accused and an appointed assistant will be given a copy of the investigative report following the Executive Meeting.
  - (i) Should the Committee find the information sufficient to merit a hearing, a written statement shall be provided to the appropriate officer of the College including the student's name and the charge to be made.
  - (ii) Should the Committee find the information insufficient to merit a hearing, one copy of all information pertaining to the investigation shall be kept in the Honor Council files for up to one year, and disclosure of the matter shall be a right reserved solely to the student(s) in question.

## C. Charges

Should the Executive Committee find the information sufficient to merit a hearing before the Honor Council, the accused student shall be provided written notice of the date, place, and time of the hearing, along with a description of the violation in question. Unless otherwise agreed upon by the accused student(s), hearings shall be convened no sooner than seventy-two (72) hours and no later than ten (10) business days following the delivery of this written notice. The Honor Council Executive Committee, in consultation with the Honor Council and the accused student(s), may grant exceptions. Requests to change the date, time, or place of the hearing shall be ruled upon by the Executive Committee.

## D. Student Rights

Before proceedings take place, the Chair of the Council must be certain that any student charged understands that he or she has the following rights:

1. To be assisted in the defense by an appointed member of the Honor Council;
2. To be further assisted in the defense by a student of his or her choosing;
3. To call and to question witnesses; or, in extraordinary circumstances where the Executive Committee deems it necessary to shield a witness, to have witnesses questioned by way of a third party; and
4. To testify on his or her own behalf and to refuse to answer questions.

## E. Hearings

Between academic semesters and during the summer months, it may be impractical for the Honor Council to conduct hearings. At such times, the President of the College, in consultation with the Chair of the Honor Council, may appoint an *ad hoc* Judicial Committee, consisting of available students, faculty, and administrators. Such a committee, when employed, shall reflect as much as possible both the proportions and membership of the Honor Council and shall bear the same authority and responsibilities.



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## 1. Participants

- a. In Honor Council hearings, the Chair or Assistant Chair of the Council shall preside, with one student Secretary serving to record minutes. Investigating members of the Executive Committee shall be ineligible to sit as voting members of the Council.
- b. For any hearing, the presiding officer shall arrange for seven (7) student members of the Honor Council to be in attendance, at least three (3) of whom are seniors, two (2) of whom are juniors, and one (1) of whom is a sophomore, with the remaining member to be selected from any class. In addition, the Chair shall notify the coordinating faculty representative, who shall provide two (2) faculty representatives for the hearing. Any member of the Council who is a witness to the possible violation or who has demonstrable bias against or toward the person charged shall be ineligible to sit on the hearing for that case.
- c. The Provost shall be present for all academic cases and the Dean of Students for all non-academic cases. They shall be available for consultation during hearings but shall have no vote.
- d. The investigative team, which began investigating the case during the initial inquiries of the Executive Committee, shall serve during the hearing to present the facts of the case as determined during that investigation. This person or team shall introduce and summarize the circumstances of the case and may present documents, statements, and witnesses before the Council.
- e. The student charged may be accompanied by his or her appointed assistant and any other student he or she may have selected to help in the defense. These assistants may speak for the student charged and may present documents, statements, and witnesses before the Council.
- f. Prior to the hearing, a list of expected witnesses shall be provided to the presiding officer by each party. Witnesses shall be excluded from the hearing until called and shall be instructed by the presiding officer not to discuss the case among themselves or with anyone but (1) the person designated to present the information surrounding the offense or (2) the student's representatives. Character witnesses are normally called during the penalty phase of the hearing but may be called earlier at the discretion of the Chair.
- g. Once called during the hearing, each witness shall be sworn in and reminded by the presiding officer of his or her pledge to uphold the Honor Code of the College. Following this reminder, the calling party, the opposing party, and

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finally the Council itself may question the witness. When the Council is satisfied and no further questions are forthcoming, the witness shall be dismissed from the hearing room.

h. The presiding officer is responsible for maintaining order in the hearing. In the interest of time, he or she may limit the number of witnesses called by either party and may rule that certain information or testimony is irrelevant to the case at hand. He or she shall also rule on requests for recess. Decisions made by the presiding officer may be overturned by majority vote of the Council.

i. Hearings shall be closed to the public, unless the student charged makes a written request for an open hearing twenty-four (24) hours prior to the set date and time. In the event of an open hearing, the presiding officer shall have authority to impose reasonable rules for the number of non-participants in attendance and for their selection. He or she may also remove from the hearing any person whose behavior proves distracting or inappropriate.

## 2. Procedure

### Finding Phase

a. To begin each hearing, the presiding officer shall read the specification of the charge aloud and shall verify that the student charged received notification at least seventy-two (72) hours in advance of the hearing. The student charged shall then be asked to declare whether he or she did or did not violate the Honor Code.

b. If it is declared by the student that he or she did violate the Honor Code, the presiding officer shall move immediately to the procedures for the penalty phase of the hearing.

c. If it is declared by the student that he or she did not violate the Honor Code, the presiding officer shall recognize the investigation team selected for the case. This team shall begin by introducing the circumstances of the case and may at this time submit to the Council any written statement or other relevant document. Sworn witnesses may also be called to speak in support of such information.

d. Following the presentation of witnesses by the investigative team, the presiding officer shall recognize the student charged. The student or the student's representatives may then make an introductory statement, present relevant documents, and call witnesses to support his or her declaration.

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e. Following the presentation of witnesses by the student charged, the presiding officer shall call for summary statements from each side, beginning with the statement of the student charged. At the conclusion of these statements, all parties shall be asked to withdraw from the room so that deliberations of the Council may begin. Deliberations shall be closed to all but voting members of the Council with the exception of the presiding officer and the recording secretary.

f. The presiding officer shall instruct the Council that its decision must be based solely upon the information received during the hearing. Discussion may then take place. If the Council feels that more information is required, deliberations may be temporarily adjourned, and the hearing reconvened for questioning of parties or witnesses. At the end of discussion, the presiding officer shall call for a vote by secret ballot. The votes of six (6) members of the Council shall be required in order to find that the student has violated the Honor Code.

g. Following deliberations, all parties are called back into the hearing room, and the presiding officer announces the finding.

(i) If it is found that the student has not violated the Honor Code, the case shall be closed, and all records of the hearing destroyed.

(ii) If the student is found responsible for having violated the Honor Code, the hearing shall continue into the penalty phase.

## **Penalty Phase**

h. If it is declared by the student charged, or found by the Council through deliberation, that he or she has violated the Honor Code, then the opportunity shall be offered to make statements, present information, and call witnesses in mitigation before the Council. Character witnesses may also be called at this time.

i. Following statements, evidence, and witnesses presented by the student, the investigation team shall be called upon to present further information or to address misleading statements made in mitigation. If character has been offered as cause for mitigation, the appropriate officer of the College may also be called upon at this time to provide relevant disciplinary or academic records. After offering the student the opportunity to respond to this information, the presiding officer shall clear the room of all but voting members of the Council, and deliberations shall begin.

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j. The purpose of deliberations during the penalty phase shall be to determine whether information presented in mitigation is sufficient to warrant less than the normal penalty. The Honor Council may deviate when in its judgement the offender understands, accepts, and can live faithfully under the Honor Code. However, personal circumstances affecting the accused that may result from the penalty shall not be considered mitigating. The presiding officer shall remind the Council that normal penalty for a first violation of the Honor Code is immediate suspension for two academic terms and that normal penalty for a second violation is immediate and permanent expulsion from the College. Discussion may then take place. At the end of discussion, the presiding officer shall call for a vote by secret ballot. Six (6) votes are required in order to deviate from the normal penalty.

(i) If Council decides to impose the normal penalty, deliberations are adjourned.

(ii) If the Council decides to deviate from the normal penalty, it may elect to impose one of three types of penalties: (1) one semester suspension with sanctions, (2) one semester suspension, or (3) continued enrollment with sanctions. Discussion shall continue until a single penalty is agreed upon or until alternative penalties are designed and voted upon. Six (6) votes shall be required for the selection of a lesser penalty.

k. Following deliberations, all parties are called back into the hearing room, and the presiding officer announces the penalty. The student is advised that he or she may appeal the finding and/or the penalty to the Appeals Board, and the hearing is then adjourned. In the absence of an appeal, the accused is informed by the Provost or the Dean of Students when and how the penalty is to be carried out.

In the event of a suspension or expulsion, college fees including tuition and board may be partially refunded, the amount to be based upon the proportion of days remaining in the term from the day the suspension or expulsion was initially imposed as a penalty. There will be no refund after the ninth week of the term of enrollment. The student exhausts the appeals process when the President upholds the Honor Council decision. The effective date of refund, if applicable, is the date of the final decision. The student may attend classes during the appeals process provided that he or she meets the cost of the college's fees including tuition and board. In the event of a suspension, a student readmitted to Presbyterian College will receive no transfer credit for coursework taken during the period of suspension.

## VI. THE APPEALS BOARD

### A. Responsibilities

The Appeals Board will accept for consideration three types of appeal: (1) those questioning a finding of guilt, (2) those requesting a change in penalty, and (3) those citing a procedural error that may have affected the outcome of the case. Only the accused student or the investigative team may appeal a decision. Decisions that find a student not responsible for having violated the Code are not eligible for appeal.

The Appeals Board is not empowered to change the penalty imposed by the Honor Council. If the Board upholds a student's appeal, the case will be remanded to the Honor Council. Grounds for remanding a case are left to the discretion of the Board but shall be communicated to the Honor Council.

### B. Membership

The Appeals Board consists of five (5) faculty and four (4) student members of the Honor Council, none of whom participated in the original hearing of the case. The presiding officer of the Honor Council, the Dean of Students, and the Provost are *ex officio* members of the Board, available for consultation, but with no vote.

Members of the Appeals Board are to be available for duty through the end of the examination period of each semester so that *ad hoc* Appeals Committees need not be formed. In the event an appeal must be heard between semesters or during summer months, the President of the College, in consultation with the Chair of the Appeals Board, may appoint an *ad hoc* Appeals Committee. An *ad hoc* Appeals Committee shall reflect as much as possible both the proportions and membership of the Appeals Board and shall bear the same authority and responsibility.

## VII. PROCEDURE FOR APPEALS

### A. Petition for Appeal

A petition for an appeal must be submitted in writing to the Student Life Office, the Office of the Provost, or to the Chair of the Appeals Board within forty-eight (48) hours of the decision of the Honor Council. The petition must state the nature of the appeal (i.e., an appeal of finding, of penalty, or of procedure) and must explain its grounds. When the petition is accepted for consideration, the Chair will attempt to convene the Appeals Board within forty-eight (48) hours of its acceptance.

## B. Hearing of Appeals

### 1. Participants

a. For any appeal, the Chair of the Appeals Board shall arrange for nine (9) voting members of the Council to be in attendance, consisting of five (5) faculty and four (4) student members. Any member of the Board who is a witness to the case, who was a participant in the original hearing, or who has demonstrable bias against or toward the appellant, shall be ineligible to sit on the appeal for that case.

b. The Provost shall be present for appeals in all academic cases and the Dean of Students shall be present for appeals in all non-academic cases. They shall be available for consultation by the Appeals Board but shall have no vote.

c. The presiding officer of the original Honor Council hearing shall be present for any appeal and shall be available for consultation by the Appeals Board but shall have no vote.

d. The accused, his or her assistants, and the investigation team will be notified of the time and place of the appeal hearing at least twenty-four (24) hours in advance. These persons must appear in person before the Appeals Board.

e. Witnesses who testified at the original hearing may appear at the request of the Appeals Board. Witnesses shall be excluded from the hearing until called and once called shall be reminded of their pledge to uphold the Honor Code of the College. During appeals, witnesses are brought into the room individually as needed and may be questioned only by the Chair or members of the Board. Once the Board is satisfied and no further questions are forthcoming, witnesses shall be dismissed from the hearing room.

f. The Chair of the Appeals Board is responsible for maintaining order in the hearing of appeals. He or she shall conduct the hearing by recognizing participants who wish to address the Board or by recognizing Board members who wish to question participants or witnesses. The Chair may rule that certain information or testimony is irrelevant to the appeal at hand and shall rule on requests for recess. Decisions made by the Chair may be overturned by majority vote of the Board.

g. Hearings before the Appeals Board are closed to the public.

## 2. Procedure

- a. After the arrival of all voting Appeals Board members and prior to calling additional parties into the room, the Chair may call the presiding officer of the Honor Council to present a written summary of the original case as heard before the Honor Council. At this time, the presiding officer of the Honor Council also may be asked to clarify or explain that summary.
- b. Once the summary has been presented and when the Board is ready, the Chair shall call the student, his or her assistants, and the investigation team into the room. The Chair shall open the hearing by recognizing the person making the appeal, or his or her representative, for an elaboration of the argument(s) contained in the petition for appeal.
- c. The Chair may then recognize other participants who wish to be heard or any Board member who wishes to ask questions of a participant or a witness. Although questioning witnesses may evoke some new testimony not heard in the original hearing, the primary purpose of such questioning shall be to clarify points of contention. However, the Appeals Board may decide that new testimony is significant enough to warrant a new hearing by the Honor Council. Six (6) of the nine (9) votes shall be required for such a decision.
- d. When members of the Appeals Board agree that all relevant information has been obtained, the Chair shall clear the room of all but voting members of the Board, and deliberations shall begin. In deliberations, the Chair may allow discussion to take place. Following discussion, a vote shall be called. Six (6) of the nine (9) votes shall be required to uphold an appeal and to remand the case to the Honor Council.

## C. Final Appeals

### SCENARIO A: APPEALS BOARD DENIES THE APPEAL

If the Appeals Board denies an appeal, the accused may make a formal appeal to the President of the College. The President has the authority to: (1) allow the outcome to stand, (2) remand the case to the Honor Council, or (3) set aside the verdict.

If the Appeals Board denies the appeal but the President remands the case, the subsequent decision of the Honor Council may be appealed only to the President

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who then has the option to (1) allow the outcome to stand or (2) set aside the verdict.

## **SCENARIO B: APPEALS BOARD REMANDS THE CASE**

If the Appeals Board remands the case to the Honor Council, the subsequent decision of the Honor Council may be appealed only to the President who then has the option to (1) allow the outcome to stand or (2) set aside the verdict.

## **GENERAL PRINCIPLES OF APPEAL**

When remanding a case or setting aside a verdict, the President would make the grounds for that decision known to the Honor Council and the Appeals Board. The decision of the President, or of the Honor Council in the case of a remand, is final and shall not be reconsidered in the absence of compelling new evidence.