

THE CONSTITUTION



The Council on Academic Integrity

The Office of Student Affairs
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The Honor Code

Preamble

The honor code at Richard Bland College is a democratic system of government that is upheld by students, whose efforts are actively supported by the administrative and teaching faculty. The voices retained in the governance of the honor system regard this method of protecting those who teach and/or learn as more than a pragmatic political consideration. The letter and the spirit of the College's honor code promote the virtues, which sustain a democratic society—such as integrity, social responsibility, and moral courage.

As a branch of The College of William and Mary, which introduced the honor system into American higher education, Richard Bland College commits itself to the perpetuation of high standards and expectations of its collegiate community. With an aim of educating individuals, this Council shall not discriminate in its membership or in its dealings with the accused on the basis of race, color, religion, national origin, gender, sexual orientation, economic status, and/or disability.

The Council on Academic Integrity Constitution

Article I. Name

The name of this organization shall be the Council on Academic Integrity or simply, the Honor Council. The branch of this organization, governed solely by students, shall be known as the Student Honor Board.

Article II: Organization

1. The Honor Code is administered through the Richard Bland College Council on Academic Integrity, which is composed of students as well as administrative and teaching faculty members. Alternates will represent each of the above positions listed. The Co-Chairs shall be elected or appointed from the Council's members.

2. The President, Vice-President, the Council Administrator (formerly the Secretary), Chairs and Co-Chairs of all committees in the Student Honor Board will be voted on by the club's participants or appointed by the president or advisor of the organization. At the beginning of the fall semester, faculty members will nominate qualified students who are truly interested and capable for election on the Council on Academic Integrity

and the Student Honor Board. A membership drive may be necessary if the Council feels the need. Before joining this organization, prospective members must be nominated by a teaching or administrative faculty member at Richard Bland College.

2. The freshman class member representatives shall be elected for a term of no more than two years. They become sophomore representatives provided they meet the eligibility requirements in Article V.

3. The freshman class alternate representatives shall be elected for a term of no more than two years. They may, however, become sophomore alternate representatives provided they meet the eligibility requirements in Article V.

Article III: The Jurisdiction of the Richard Bland College Council on Academic Integrity and the Student Honor Board

1. The Richard Bland College Council on Academic Integrity hears and determines the cases involving students who violated the Honor Code as outlined in all subsections of Article V. The Council shall deal specifically with all offenses concerning (1) cheating or attempted cheating, (2) plagiarism, (3) stealing with regard to academic matters, and (4) lying. The Council on Academic Integrity shall have jurisdiction over all cases involving the aforementioned offenses, but shall not have jurisdiction over violations of the College's disciplinary rules and Student Assembly rules and regulations.

Article IV: Pledge

All applicants to Richard Bland College must sign the following pledge:

I have read the Honor Code of Richard Bland College. I understand completely what is expected of me under this code. I know that any act of lying, cheating, plagiarism, or stealing of an academic nature is a violation of the Honor Code. I hereby pledge, without reservation my full support of the Honor Code.

2. Cheating and Plagiarism

a. All scholastic work, whether in the classroom or out, shall be the student's own and shall be completed in accordance with the requirements of the professor. Students may work together only if the professor permits it. Unauthorized collaboration on tests, quizzes, in or out of class assignments may be seen as cheating.

b. A student's signature on a paper shall be that student's pledge.

c. The student who gives illegal aid is as responsible as the student who receives it.

- d. The giving or receiving of aid on any work, and/or the presentation of another's words or ideas as one's own shall be an Honor Code violation.

3. *Stealing*

Deliberate appropriation of a person's property that would infringe upon that person's academic standing constitutes a violation of the Honor Code.

4. *Lying*

Any deliberate written or oral untruth shall be construed as an Honor Code violation. The Honor Code has been violated if a student fails to tell the truth when questioned by campus authorities, members of the faculty, or members of the Council on Academic Integrity during an investigation or hearing; the said student should be referred to the Council on Academic Integrity.

Article V: Membership

1. To be eligible for membership (member or alternate) on the Council on Academic Integrity or the Student Honor Board, each student must: (1) be a member of the representative class (a sophomore representative must have a minimum of 24 credit hours at the end of the spring semester), (2) have at least a 2.0 cumulative quality point average, (3) be a full-time student, and (4) have been recommended to the Council for Academic Integrity by a faculty member at Richard Bland College.

- a. A student must be in good standing with the College in order to be eligible for membership in the Council on Academic Integrity or the Student Honor Board. No student on academic or disciplinary probation will be eligible for membership in the Honor Council.
- b. In the event that a member is placed on probation, resigns, or withdraws from the College, the said member will no longer be a member of the Council on Academic Integrity and/or the Student Honor Board. Members in the organization will elect a replacement.

2. ***Removal from the Richard Bland College Council on Academic Integrity and The Student Honor Board***

The Council on Academic Integrity shall have the power to impose penalties on its own members. Any member of the Council may be placed on probation, suspended or removed from his or her position by a three-fourths (3/4) vote of the eligible voting members on the Council on Academic Integrity or the Student Honor Board.

A member may be removed for the following reasons:

- Violating any article, section, or subsection of the Honor Code or the Student Code of Conduct.
- Unexcused absence (s) for a meeting or hearing.
- Violating an oath of confidentiality and privacy.

- Failing to remain in good academic standing with the College.
- A verbal or written expression of the lack of confidence in the Honor System's Constitution, or the procedural operations of the Richard Bland College Council on Academic Integrity.

Article VI: The Position Descriptions and Duties of the Richard Bland College Council on Academic Integrity

1. The Co-Chairs shall be the chief officers of the Council and shall exercise the general duties of such office. A Co-Chair will serve in the absence of the other and assist in any way necessary and proper. In the event the office of the Chair becomes vacant, another Co-Chair will be elected by members of the Council on Academic Integrity. The Co-Chairs will also oversee the operations of the Student Honor Board.

2. Council Administrator (formally the Secretary) shall keep a record of all proceedings of the hearing; (2) keep the files of the Council on Academic Integrity up to date, in order, and in a secure location. (3) Inform the proper parties of any necessary matters or decisions of the Council and (4) be responsible for all correspondences of the Council on Academic Integrity.

3. Alternative Representatives shall be called upon by members on Council on Academic Integrity to hear remanded cases from the appeals Committee (Article XVIII). With the exception of the Co-Chairs and the investigator, no member on the Council on Academic Integrity may participate in a remanded case who participated in the original hearing.

5. *Duties of the Richard Bland College Council on Academic Integrity*

1. To investigate all suspected violations of the Honor Code and to impose any sanctions for the violation (s) thereof.
2. To determine if a case warrants an **academic trial** or an **educational hearing**. An academic trial occurs when the Council decides to formally hear a case then render a "guilty" or "not guilty" verdict with sanctions as appropriate prior to the adjournment of the trial. An educational hearing takes place when a professor has taken disciplinary actions against the student, but feels that the Council's mediation sessions will be advantageous. Although the accused *is not formally convicted* at an educational hearing, the Council may require the accused to receive supplemental instruction, which will address the student's academic deficits.
3. To see that the honor system is explained to all faculty and students, particularly to the incoming freshmen and transfer students.
4. To coordinate programs and activities that will educate the entire campus on the policies and due process procedures of the Council.

Article VII: The Student Honor Board

The Student Honor Board shall work with the Richard Bland College Council on Academic Integrity to educate the entire campus community on issues related to academic honesty. Each committee is assigned an advisor from the teaching faculty. The Chair and Vice-Chair of each committee shall be responsible for working with their committee's advisor to research, publish, and inform the campus on ways to prevent any and all forms of academic dishonesty in and outside of the classroom.

1. The Research Committee, which consists of a Chair, Vice-Chair and other committee members shall:

- assess the present climate at Richard Bland College on the academic honesty issues.
- research trends on academic dishonesty.
- research policies and laws pertaining to academic integrity.
- communicate all research findings to the Publications and the Public Relations Committee.

2. The Publications Committee, which is comprised of a Chair, Vice-Chair and other committee members shall:

- distribute and/or post materials and information regarding Richard Bland honor policies.
- design an informative website and display materials on bulletin boards located in the academic buildings on campus.
- be charged with publishing in the Bon Homme Richard, and advertising any workshops or forums held by the organization.
- promote the academic expectations of Richard Bland College.

3. The Public Relations Committee, which includes a Chair, Vice-Chair, and other committee members, shall be charged with:

- designing and making recommendations for implementing programs that will provide learning opportunities for the entire campus.
- serving as representatives at major student-related functions held on campus.
- educating students on issues academic integrity and ethics in the classrooms (with the permission of the instructors).
- representing the College at functions or activities held on and off-campus.

Article VIII: Student Honor Board Advisors

The Student Honor Board will choose faculty advisors whose function shall be purely advisory. The advisors shall have no power to vote or veto any decisions made by the Council on Academic Integrity or the Student Honor Board.

There shall be three (3) teaching faculty advisors:

1. The Research Advisor
2. The Publications Advisor
3. The Public Relations Advisor

Article IX: The Administrator faculty Advisor for the Richard College Council on Academic Integrity

The duties of the organizational advisor shall be the following:

- a. To attend the organization's meetings and hearings, participate in planning and activities related to communicating academic integrity issues the student and faculty bodies.
- b. To keep the Assistant Provost for Student Affairs informed of the programs and activities of the Council on Academic Integrity and the Student Honor Board.
- c. To assist in the general development of policies and procedures as well as with the general operations of the organization.
- d. To assist members of the Council on Academic Integrity and the Student Honor Board in the orientation and elections of new officers.
- e. Reserve rooms for meetings and hearings.
- f. Coordinate training programs for the Council on Academic Integrity and Student Honor Board that will educate all members on the policies and procedures of the organization, and on the basic duties of each position.
- g. The advisor has no voting power in meetings or hearings, but has the authority to veto a decision when it violates the club's objectives, bylaws, codes or any of the College's policies.

Article X: Procedures for Reporting Infractions

1. All members of the college community may report violations of the Honor Code. The honor system will not be effective unless each person takes this responsibility seriously. Any student, who has violated the Honor Code, should report himself or herself to a member (preferably the advisor or one of the co-chairs) of the Richard Bland College Council on Academic Integrity. By such action, the student shows courage, integrity, and reaffirms a personal commitment to honor. This action entitles the student special consideration by the Council particularly when the student makes a report before being turned in by a professor or a fellow student.
 - a. A student or professor who observes a violation of the Honor Code should solicit the aid of a witness to the act. If they feel that they have sufficient evidence, they must bring their concerns to the attention of a member of the Council on Academic Integrity. A student or professor must submit a written statement to the Advisor of the Council on Academic Integrity. The statement must describe the nature of the offense.

- b. If the explanation is unsatisfactory, the Council on Academic Integrity has the immediate right to proceed with a hearing of the violation as outlined in (XVI).
 - c. The accused shall have the privilege of voluntarily withdrawing from the College with no reference to the accusation being entered on his her permanent record.
 - d. Any person who observes a violation of the Honor Code must report the violation of the Council on Academic Integrity within five (5) days in order for a violation to be considered by the Council.
2. Any student who is requested to report or is reported to the Council on Academic Integrity shall have the right to a full and impartial hearing by the Council. The Council shall hold testimonies that are disclosed during the hearings in the strictest confidence.

Article XI: Pre-Hearing Procedures for Academic Trials and Educational Hearings

1. A Co-Chair of the Council on Academic Integrity will appoint a member to serve as investigator.
2. The appointee shall deliver, by hand or by mail, a written notice of the alleged violation to the accused. The notice shall state the nature of the violation and the date it was reported to the Council on Academic Integrity. The notice shall also set a date, time and place for the interview with the accused.
3. The investigator may subpoena any student (including the accused and accusers) concerning the alleged violation. A complete account of all proceedings shall be kept in a secure location.
4. Options
 - a. If the Council decides to hear the case, written notice shall be delivered to the accused by hand or mail. The notice shall include the charges against the accused and the date, time, and place of the hearing. The accused shall also be given a copy of the "Rights and Duties of the Accused." The accusers shall also be notified of the hearing and given a list of the "Rights of the Accusers." The investigator shall then present the case to the Council on Academic Integrity at the time and place designated by the Council.
 - b. If the Council decides not to try the case, a written notice that there will be no formal hearing shall be delivered to the accused and the accusers, by

hand or mail. If the Council decides that a case warrants an educational hearing, a written notice indicating the time, date, and location of the hearing will be sent to the accused and the accusers.

- c: The Council has the authority to determine if a trial or an educational hearing is warranted for any case. An educational hearing will not be granted to a student who has been accused more than once of the same or identical infraction.

Article XII: The Rights and Duties of the Accused

1. The accused shall have the following rights:

- a. The charge(s) against a student shall be rendered in writing. If the accused feels that the charge(s) is/are vague, a more precise statement may be requested.
- b. A written statement of the rights and duties of the accused with respect to the trial and the procedure thereof shall be given at the time of the notice of the charge(s) is/are served.
- c. The accused has the right to be represented by an advisor who may come from within the College.

The advisor shall:

- 1. Explain the rights and duties to the accused.
- 2. The advisor shall have no right to present or to argue the case of the accused before the Council on Academic Integrity, as the accused must present his/her case. The advisor may counsel the accused during a hearing. The advisor shall not disclose to anyone any matter relevant to the case unless expressly requested to do so by the accused.
- 3. The accused may summon witnesses, but the number of character witnesses, if any, may be reasonably limited by the Council.
- 4. The accused may confront adverse witnesses and question them.
- 5. The accused's husband or wife, mother, father, brother or sister of full blood or half blood or by legal adoption shall not testify against the accused.
- 6. The accused may request the Council on Academic Integrity Appeals Committee to review a finding of guilty and the sanction according to the guidelines for the appeals procedure. The request should be made in writing to the advisor of the Council on Academic Integrity.
- 7. The accused may request a separate hearing if two or more are accused of a joint violation.
- 8. In the event of acquittal, the name of the accused shall be deleted from all of the minutes within the expiration of two (2) weeks from the time of acquittal.
- 9. The accused may request that any member of the Council on Academic Integrity's Review Board be excused from the hearing whenever the accused can justify a plea of bias on the part of the member.

10. The accused has the right to remain silent, and such silence shall not be construed as an admission of guilt.
 11. The accused has the right to be assumed innocent until proven guilty.
2. The accused shall have the following duties:
 - a. Cooperate reasonably with the Council on Academic Integrity's Review Board in conducting hearing and bringing it to a close without delay.
 - b. If the accused chooses to waive their right to remain silent, then all relevant questions should be answered frankly, fully, and honestly.

Article XIII: Rights and Duties of the Accuser

1. The accuser shall have the following rights:
 - a. A right and duty to testify fully and honestly.
 - b. A right to seek protection from threat, harassment or damage to self or property resulting from participation in the hearing.
2. The accuser shall have the duty to preserve the confidentiality of all matters relating to the alleged violation.

Article XIV: Rights and Duties of the Witness

1. A witness has a right to seek protection from threat, harassment or damage to self or property resulting from the participation in a hearing.
2. Duties of a witness:
 - a. A witness has a duty to cooperate in the investigation and to appear before the Council on Academic Integrity's Review Board and answer all questions fully and truthfully, except when the answers to any questions would tend, directly or indirectly, to incriminate the witness and the witness asserts his/her rights under the Fifth Amendment to the U.S. Constitution. Lying during the investigation or hearing is a violation of the Honor Code.
 - b. A witness has a duty to maintain the confidentiality of the investigation and the hearing.

Article XV: Hearing Procedures of the Honor Council

1. At least five (5) members must be present to convene an official hearing.
2. All Council on Academic Integrity hearings shall be taped. If the accused is found innocent, the tapes shall be destroyed within two (2) weeks of notification of acquittal. If the accused is found guilty, the tapes shall be retained for an indefinite period. At the beginning of the trial, the Co-Chair of the Council shall begin the tape by saying...

“The following will be the proceedings of the Honor Court of Richard Bland College. On this day, the _____ (date), _____(name of the accused) is being tried for _____ (name the offense) under the Article _____, Section/ Sub-section _____ of the Honor Code of Richard Bland College. Will the accused enter the room.”

The accused enters.

3. The Co-Chair of the Council on Academic Integrity must ask the accused: “Do you understand the charges?”
4. The Co-Chair shall enforce and maintain the proper procedure throughout the duration of the hearing and
 - a. remind all involved of the Honor Code.
 - b. mention the penalties for perjury.
5. The Co-Chair will then hear any motions:
 - a. for dismissal, or
 - b. for postponement due to extenuating circumstances.
6. The Co-Chair will ask for a plea.
 - a. The accused may give opening remarks.
 - b. The investigator will outline the case.
7. Admissible evidence shall include:
 - a. Character witnesses with prior knowledge or the general character of the accused.
 - b. Materials related to the alleged violation.
 - c. Testimony by witness called by the accused or investigator.
 - d. Testimony by witnesses having personal knowledge directly related to the case.
 - e. Testimony given by the accused should the right to remain silent be waived.
8. The investigator then presents evidence and witnesses. The accused may cross-examine or challenge this evidence or witness.
9. The accused then presents supporting evidence and witnesses. Members on the Council on Academic Integrity Review Board may cross-examine or challenge this evidence or witnesses.
10. The summaries of the investigator and the accused are presented.
11. The Co-Chair may then ask questions to clarify points for information after the cases have been summarized. Then the rest of the council may ask questions for further clarification of points.
12. The accused and witnesses shall be excused.
13. The Council shall then retire to review the case and reach a decision.
14. The final decision of the Council shall be made by majority vote of those members present voting. All voting shall be done by secret ballot.
15. The Council shall reconvene once a decision has been reached, and the Co-Chair shall present the decision to the accused.

Article XVI: Penalties

1. In determining the penalties, the Council on Academic Integrity Review Board shall take into consideration whether the violation was:
 - a. reported by the accused without being spoken to or
 - b. reported by the accused after being spoken to, or
 - c. reported by others.

Level 1 Penalties: For students who have violated the Honor Code one time).

2. Penalties of the Council on Academic Integrity may consist of one or a combination of the following:
 - a. **Oral Reprimand and Warning:** An oral statement shall be made to the student by the student Co-Chair of the Council on Academic Integrity.
 - b. **Written Reprimand-** The student Co-Chair of the Council on Academic Integrity will give the accused a written notice stating that the continuation of the cited wrongful conduct may be cause for a more severe penalty.
 - c. **Failing Grade-**It shall be recommended in writing to the instructor that a grade of “F” be assigned for the work involved or for the entire course.
 - d. **Papers and Presentations-**The Council on Academic Integrity’s Review Board may require a student to write a paper on a topic relating to academic honesty, so that he/she can critically reflect and examine on his/her behavior and decisions. The Council will determine the format of the paper. The student will provide the Co-Chair of the council a copy of the paper, and present his/her findings to members of the organization at a later session. The Council will decide upon the date of the presentation.
 - e. **Probation-**The student must be attentive to his/her behavior in order to affirm his/her ability to abide by the Student Code of Conduct and other regulations of Richard Bland College. During the probation period, the student shall be excluded from holding an elected or appointed office in any student organization and from participating in any athletic or other activity representing the College. A notation shall be placed in the student’s file. If the student appears before the Council on Academic Integrity again, any previous penalty shall be considered and weighed in the final decision.

Level Two Penalties- For students who have violated the Honor Code repeatedly. These penalties may also be used for use for any infraction that may be deemed serious by the Council on Academic Integrity.

- f. **Definite Suspension-** A student shall be suspended from Richard Bland College for a specified length of time, after which return the College will be allowed.
- g. **Expulsion-** A student shall be expelled from Richard Bland College, never to return.

Level Three Penalties-

- h. **Other Penalties-** Other penalties may be imposed instead of or in addition to those specified above. For example workshops and/or research projects may be assigned.
 - i. If said student is found guilty and penalized, all professors shall be notified of the decision made by the Council on Academic Integrity.
3. When a student is suspended from Richard Bland College, the following notation shall be placed on the student's permanent records: ***"Suspension for Honor Code Violation."*** Upon readmission, this notation shall be removed from the permanent record.
 4. A second suspension will result in expulsion from the College. When a student is expelled, this notation shall remain on the permanent record, ***"Expelled for Honor Code Violation on _____ (date)."***

Article XVII: Post Hearing Procedures

1. After a decision has been reached, the accused, the advisor, and the Council on Academic Integrity shall be notified in writing of the decision within three (3) school days. This notice shall include a summary explaining the reasons for the decision.
2. Within three (3) school days a notice of the final decision and the penalty shall be placed in the Bon Homme Richard and on all bulletin boards. The notice shall read... "The Richard Bland College Council on Academic Integrity met on (date). The accused was found guilty of (violation) and received the penalty (ies) of (state the penalty (ies))." The name of the accused will not be published, but will remain a part of the Honor Council's records.
3. All investigative and hearing proceedings shall be kept in the Council on Academic Integrity's files, which shall be retained in the Office of Admissions and Student Development. No one shall have access to the council's files except the College's President, the Provost, and the Coordinator for Counseling and Diversity Programs.

Article XVIII: Appeals

1. A request for an appeal must be submitted to the Council on Academic Integrity's organizational advisor within three (3) school days following the council's decision.
2. There are three (3) grounds on which an appeal may be requested: (1) unfair penalty (2) new and significant evidence become available, and (3) violation of due process.

3. The Council on Academic Integrity Appeals Committee shall consist of an administrator, the Provost of the College and three (3) council members who did not participate in the original hearing. The Co-Chair of the Council on Academic Integrity and the organization's advisor may attend any meetings of the appeals committee.
4. The Council on Academic Integrity Appeals Committee shall have two (2) duties:
 - a. To review the decision of the Council on Academic Integrity Review Board in all cases involving suspension and expulsion.
 - b. To hear all appeals as requested by the accused.
5. The appeal shall be decided upon the record of the original hearing.
6. The Council on Academic Integrity Appeals Committee may:
 - a. decide that the accused does not have sufficient grounds for an appeal.
 - b. affirm the finding and penalty imposed by the council.
 - c. affirm the finding of the Council on Academic Integrity, but impose a new penalty not greater than that previously imposed by the council's review board.
 - d. remand the case to the Council for a new hearing, if (1) due process rights were violated, or (2) if new and significant evidence became available which could not have reasonably been discovered before or during the original hearing.
7. The new hearing shall be conducted as outlined in this constitution with the following exceptions:
 - a. The Chair of the original hearing shall conduct the remanded hearing, but shall have no vote.
 - b. The investigator of the original hearing shall present the case, but shall have no vote.
 - c. The case shall be heard and voted on by at least five (5) representatives (members and alternates) of the Council on Academic Integrity, who did not participate in the original hearing.
8. After a decision is reached by the Council on Academic Integrity Appeals Committee, the accused, the Provost, and the council shall be notified of the decision in writing within three (3) school days.
 - a. The accused may appeal the decision of the Appeals Committee to the Provost of the College, who shall make a decision within the next five (5) school days and notify the accused, the Council on Academic Integrity, the Appeals Committee and the advisor for the organization.

Article XIX: Summer School

1. The Council on Academic Integrity during the summer session shall consist of those members who served during the previous semester.

2. All procedures except Article II (Organization) shall remain the same as during the regular session.

Article XX: Extension of Time Limits

In unusual circumstances the co-chair may solicit the approval of the Council on Academic Integrity's Review Board to grant a reasonable extension of any time limit herein stated.

Article XXI: Exceptions to Procedures

Procedures outlined in this constitution must be carefully followed to protect the rights of the accused. Only in cases where rare and unusual circumstances exist should the accused, Chair, or Co-Chair of the Council request that exceptions to the procedures be made. Such requests shall be written and shall provide reasons for the exception(s). Any exceptions made to procedures must be approved in writing by the accused, the Council, and the organization's advisor.

Article XXII: Amendments

The constitution may be amended by two-thirds (2/3) of the Council on Academic Integrity, which includes the Student Honor Board voting by secret ballot. The proposed amendments shall be submitted to all council members three (3) days before being voted upon. Such amendments shall be posted on the bulletin boards and published in the next edition of the Bon Homme Richard.