

ST. OLAF HONOR COUNCIL

Bylaws

November 10, 2003

Amended April 19, 2010

1 Duties of Members

1. Members are expected to regularly attend scheduled hearings and meetings of the Honor Council. Failure to attend more than half of the hearings over the course of a semester may be considered dereliction of duty.
2. Members will accept a reasonable number of administrative assignments (investigations, letter revisions, outside contacts, etc.) as requested by the President.
3. Members will take care to preserve the confidentiality of student witnesses, implicating parties and implicated parties. Any willful violation of confidentiality may result in removal from the Honor Council.

2 Duties of Officers

1. President
 - (a) At the beginning of the fall and spring semesters, the President shall organize the Honor Council and provide for any training, which may seem advisable to new and continuing members of the Honor Council.
 - (b) Once each semester the President shall prepare a report of Honor Council activity for publication in the Manitou Messenger. This report shall include a tabulation of the number of hearings held, the number of implicated students, the number of students found responsible of honor code violations and a listing of the sanctions imposed since the last report. The report may also include other news of the council. If the tabulation defined above reveals the outcome of any particular case (e.g., there were no findings of responsibility or every implicated was found responsible) it shall not appear in the report.
 - (c) The President shall be reasonably available to students, faculty, administrators and other members of the Saint Olaf community to represent the Honor Council in any matter of concern.
 - (d) Once per semester, the President of the Council shall implement education efforts to inform the faculty and the student body about the parameters of the Honor System. Such efforts should focus on common misunderstandings including faculty responsibilities, confidentiality within the Honor System, the code of test etiquette, and the use of aids during exams.
2. Vice President
 - (a) The Vice President shall make arrangements for all regular and special elections for membership to the Honor Council.
 - (b) The Vice President shall assist the President in performing administrative and public relations duties.
 - (c) The Vice President shall identify, organize, train and coordinate a group of students, faculty and staff to act as neutral Ombudsmen.
3. Secretary

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- (a) The secretary shall maintain copies of the Honor Council Constitution and Bylaws, noting any changes to the documents that might occur from time to time.
- (b) The secretary shall maintain all written and audio records of hearings and meetings of the Honor Council. This will include the destruction of records when appropriate.
- (c) The secretary shall be responsible for bringing unsigned examinations to the attention of the Honor Council.
- (d) The secretary shall assign an investigator for each case.
- (e) The secretary shall relay all necessary materials to the appellant authority in the event of appeals.
- (f) The secretary shall maintain a collection of forms and form letters for use by others in Honor Council matters. Examples would include summonses to witnesses, letters to implicated students, letters to faculty regarding hearing results, etc.

3 Procedure for Investigations

- 1. Each case shall be assigned an investigator by the Honor Council secretary. The investigator shall immediately contact the professor for the course to acknowledge receipt of the case and the implicating student to ascertain the nature of the suspected violation and other potential witnesses.
- 2. Potential witnesses shall be interviewed, including, if appropriate, the course professor. Witnesses shall be asked to identify implicated students using resources including, but not limited to, Moodle class photos and seating charts; students shall be questioned in a way that avoids leading questions
- 3. If sufficient cause to hold a hearing is found, the investigator shall recommend to the president that a hearing be convened. If the evidence seems insufficient to hold a hearing, the investigator shall forward this recommendation to the president.
- 4. The faculty member whose exam is involved in the case shall be kept fully aware of the status of the case through email or telephone messages. In particular, the professor will be contacted at the following points:
 - (a) Immediately after the initial contact with the implicating student so the professor knows whether the unsigned pledge was an accident or intentional.
 - (b) When the decision to hold a hearing or not to hold a hearing is made. If no hearing is held, the exam should be returned to the professor at this point. If a hearing is to be held, the professor will be told when the hearing will take place.
 - (c) When the Honor Council has fully adjudicated the case. This contact should include the sanction if a sanction is imposed. The exam will be returned to the professor at this point. The professor should also be made aware of the appeal procedures in case the student should choose to appeal the decision of the Honor Council.

4 Hearing Procedures

- 1. The primary concern in the conducting of an Honor Council hearing is the preservation of the confidentiality of all students involved in the case; the implicating students, witnesses and the implicated students.
- 2. Order of Business

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- (a) Summonses announcing the hearing will be issued to all parties.
- (b) The investigator will present a synopsis of the case to the rest of the council before any outside parties are brought into the hearing room.
- (c) The implicating students will be heard first, followed by witnesses. The implicated student will be heard last.
- (d) Any student appearing at a hearing may be recalled to the hearing for additional testimony. The recalls may occur in any order. Students who might be recalled should be placed in a private room after their initial testimony.
- (e) All testimony will be recorded with a summary being provided in the written record.
- (f) After the testimony has been taken, the council will deliberate the matter of whether the implicated student should be held responsible for an honor code violation. This deliberation will not be recorded. When the council is ready to vote on this question, the tape recorder shall be started and the motion and subsequent vote will be recorded and entered into the written record.
- (g) If the student is found responsible for an honor code violation the council will next deliberate on the matter of a sanction. The deliberation will not be recorded. The motion to impose a sanction and the subsequent vote will be recorded.
- (h) Once the matter of responsibility and, if appropriate, the sanction, have been decided, the implicated student will rejoin the council and the investigator will share the result with the implicated student. If found responsible, the implicated student will be given a chance to speak and will be informed of the procedure for filing an appeal.

3. Summonses

- (a) All students summoned to an Honor Council hearing shall receive a written notification at least 30 hours before the hearing begins.
- (b) Days in which classes are not held shall not be counted in the 30 hours. It is the duty of the investigator to write and deliver summonses.
- (c) Summonses, whether addressed to implicating or implicated students or student witnesses, shall include a list of Ombudsmen. The summoned student may discuss any matter of concern with any Ombudsman. The summons should clearly state whether the recipient is a witness or is implicated in an honor code violation.
- (d) Each summons will include a precise time at which the student should arrive. The student will be cautioned to arrive neither early nor late to the hearing. The implicating student or students will be scheduled first, followed by any witnesses, followed by the implicated student or students. All students appearing before the Honor Council will be heard individually.
- (e) The summons received by an implicated student shall identify the class and exam under question.
- (f) The summons received should reference the Student Handbook policies about the Honor System and test code etiquette.

4. Implicating Students

- (a) Upon entering the hearing the implicating student will be introduced to the Honor Council members present.
- (b) It will be explained that the student is not under suspicion but rather is at the hearing as an implicating student in a possible honor code violation.

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(c) The principle of confidentiality and the roles of the audio and written records will be explained. It will be made clear that the implicating student will not learn the outcome of the case and that the implicated student will not learn the identity of the implicating student.

(d) The investigator will begin questioning by asking the implicating student why he or she feels a violation of the honor code may have taken place. Additional questioning by any member of the Honor Council may follow.

(e) The implicating student is then placed in a nearby room if additional testimony may be required, or allowed to leave if the testimony appears complete.

5. Witnesses

(a) Upon entering the hearing the witness will be introduced to the Honor Council members present.

(b) It will be explained that the student is not under suspicion but rather is at the hearing as a potential witness to a possible honor code violation.

(c) The principle of confidentiality and the roles of the audio and written records will be explained. It will be made clear that the witness will not learn the outcome of the case and that no one outside the Honor Council will learn the identity of the witness.

(d) Questioning of the witness will proceed.

(e) The witness is then placed in a nearby room if additional testimony may be required, or allowed to leave if the testimony appears complete.

(f) Members of the faculty may be called as witnesses at the discretion of the Honor Council President and the investigating Council member.

(g) Students shall be questioned in a way that avoids leading questions.

6. Implicated Student

(a) Upon entering the hearing the implicated student will be introduced to the Honor Council members present.

(b) It will be reiterated that the student has been implicated in a possible honor system violation and that the hearing has been called to adjudicate the matter.

(c) The principle of confidentiality and the roles of the audio and written records will be explained. It will be made clear that the implicated student will not learn the identity of any implicating students or other witnesses.

(d) The case information appearing on the implicated student's summons will be repeated.

(e) The implicated student will be given a chance to make a voluntary opening statement responding to the information from the summons before questioning begins.

(f) If necessary, a more detailed description of the possible honor code violation will be given to the implicated student by the investigator. All evidence that can be shared, without threatening the confidentiality of other students involved in the case, will be shared with the implicated student.

(g) Questioning of the implicated student will begin. Refusal to answer questions, or the dishonest answering of any question, may be referred to the Dean of Students as a possible violation of the Student Code of Conduct.

(h) When questioning is concluded, the implicated student will be removed to a room to await the findings of the Honor Council.

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7. Failure to Attend

- (a) If any witness or implicating student fails to attend the hearing, the Council may decide to either continue the hearing and act on the available evidence, or postpone some or all of the hearing to a later date.
- (b) If the implicated student fails to attend the hearing, the Council may either postpone some or all of the hearing or continue the hearing and render its findings and sanctions, if any, based on the available evidence.

5 Ombudsmen

1. Ombudsmen are trusted members of the student body, college staff and administration and faculty who are trained to offer students impartial information on the procedures and activities of the honor council and its hearings. Ombudsmen will not render opinions on the merits of any particular case.
2. The Vice President shall maintain a list of ombudsmen and arrange for the recruiting and training of additional ombudsmen as seems desirable.
3. Any student appearing before the honor council in any role will be given a copy of the current list of ombudsmen.
4. Any student is free to confidentially discuss Honor Council procedures with any ombudsman.
5. Conversations between students and ombudsmen will be treated as strictly confidential. No student will be asked to reveal the existence of a conversation with an ombudsman, nor will the substance of such a meeting ever become part of Honor Council proceeding.
6. Ombudsmen are not allowed to attend hearings.

6 Sanctions

1. Sanctions shall reflect the number and severity of the violations, the effect of the violation on the Saint Olaf community and any prior honor code violations committed by the same student. The recommendations below are guidelines and are not hard and fast rules. They are meant to help guide the judgment of the council, not substitute for it.
 - (a) The usual sanction for a first offense in a case with little or no direct impact on other students will be an F for the exam in question.
 - (b) The usual sanction for a first offense in which the work of other students is stolen or plagiarized shall be a zero on the exam, which is meant to be interpreted as a more severe sanction than an F.
 - (c) The usual sanction for an offense which adversely affects a significant number of other students shall be an F in the course.
 - (d) The usual sanction for an offense which seriously and adversely affects the bulk of the students in a class shall be a recommendation of suspension or expulsion, in addition to an F in the course.
 - (e) Deliberate attempts to mislead the honor council will result in harsher sanctions.
 - (f) Repeated violations of the honor code will result in much harsher sanctions.
2. The following is a list of sanctions that have been imposed in the past. This list should not be considered exhaustive and creative sanctioning, consistent with the constitution, is certainly encouraged.
 - (a) Write an anonymous letter to the Manitou Messenger describing the importance of the honor system.

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- (b) Receive a reduction of a specified number of grade levels for the exam under consideration.
- (c) Receive the lowest passing grade (D-) for the exam under consideration, unless a failing grade is earned.
- (d) Receive an F for the exam under consideration.
- (e) Receive a zero for the exam under consideration.
- (f) Receive a reduction of a specified number of grade levels for course in which the violation occurred.
- (g) Receive the lowest passing grade (D-) for the course in which the violation occurred, unless a failing grade is earned.
- (h) Receive an F for the course in which the violation occurred.
- (i) Recommend to the Dean of Students that the responsible party be temporarily suspended from the course in which the violation occurred.
- (j) Recommend to the Dean of Students that the responsible party be temporarily suspended from campus.
- (k) Recommend to the Dean of Students that the responsible party be expelled from the college for a full academic year.