

Constitution  
March 13, 2003  
Amended May 13, 2010  
Amended September 1, 2016

**I. Name** The student body charged with adjudicating allegations of academic dishonesty on examinations shall be called the Saint Olaf College Student Honor Council.

**II. Jurisdiction**

1. The Student Honor Council exists at the pleasure of both the Saint Olaf Student Body and the Faculty of the college.
2. The Student Honor Council shall have exclusive initial jurisdiction over all allegations of academic dishonesty arising from class examinations.
3. Academic dishonesty is any behavior at any time that results in, or is expected to result in, any unfair advantage in the taking or evaluation of an examination.
4. The Student Honor Council shall also have primary jurisdiction over potential violations of the Saint Olaf Code of Test Etiquette.
5. Sanctions for academic dishonesty and violations of the Code of Test Etiquette may include verbal reprimand from the Council, adjustments in the earned grade for the course in which dishonesty has been found and recommendations for suspension or expulsion from the College.
6. The final decision on the recommendations for suspension or expulsion shall be made by the administration of the college.
7. Students may also be required to meet with appropriate members of the college administration to discuss the Honor System and the role and importance of personal integrity.
8. Appeals of Honor Council decisions will be considered through an appeals process determined by the college.

**III. Membership**

1. **Roster**
  - a. With the exception of the 2018-2019 school year which will mark a transition from the previous membership structure, the Honor Council shall have thirteen members during the fall term; three sophomores, five juniors and five seniors.
  - b. A first year student shall join the Honor Council in January, bringing the interim and spring term membership to fourteen.
  - c. A Faculty Advisor, selected by the college Faculty, shall be a full member of the Honor Council except the Faculty Advisor will have no voting rights.
2. **Duties of Membership** Members of the Honor Council shall:
  - a. Regularly attend hearings and other meetings of the Council.
  - b. Perform investigatory and administrative duties as directed by the President of the Council.

- c. Conduct themselves in an impartial and professional manner whenever transacting Council business.
  - d. Recuse themselves from all Council matters in which a personal or professional conflict of interest may exist or appear to exist.
3. **Regular Elections**
- a. Regular elections for two rising sophomores and two rising juniors shall be held during the spring term each year, with winners taking office the following fall term. Only students who are members of the same class as a candidate may vote for that candidate. During the 2018-2019 academic year, a special election may be held to establish the new membership structure described in Article III, Sec I.
  - b. A regular election for a single first year student shall be held in November of each year, with the winner taking office at the beginning of the interim term. Only first year students may vote in this election.
  - c. All elections, regular or otherwise, are decided by a majority vote. Should three or more candidates run for the same position in the same race, the President or the appropriate officer will organize a primary election. The two candidates receiving the largest plurality vote in the primary election will compete in a subsequent general election.
4. **Special Elections**
- a. If any vacancies exist or presidential appointments are in effect at the time of a regular election, a special election shall be held, coincident with the regular election, to fill vacancies or positions held by presidential appointment.
  - b. Candidates in special elections must be from the class represented by the vacancy or temporary appointment.
  - c. Only students who are members of the same class as a candidate may vote for that candidate.
5. **Term of Office** Each member of the Honor Council shall serve until the commencement ceremonies of the class represented by the member.
6. **Leaves of Absence** Honor Council members who are temporarily unable to perform their duties may request a leave of absence, not to exceed one academic term plus an interim. The granting of such a leave shall be at the sole discretion of the Honor Council President. If such a leave is granted, the President will appoint a student from the same class as the person on leave to serve for the period of the leave.
7. **Resignation** In the event a member resigns from the Honor Council, the President of the Honor Council will appoint a replacement from the same class as the resigned. The appointment shall remain in effect until the next scheduled regular election.
8. **Removal** A member of the Honor Council may be removed only for failure to fulfill the duties of office. Upon the filing of a petition signed by three members of the Honor Council including a detailed description of the alleged failings, a meeting of the Honor Council shall be called for the sole purpose of acting upon the petition. With a two-thirds vote of the Honor Council members present the subject of the petition shall be considered to have resigned from the Honor Council.

**IV. Officers** All offices will be filled by majority vote of the entire Honor Council. An officer may be removed from office by a majority vote of the entire Honor Council.

1. The officers of the Honor Council shall be:
  - a. **The President** shall be the chief operating officer of the Council whose primary responsibilities are to assure the smooth operation of the Council and to represent the Council to the wider campus community.
  - b. **The Vice President** shall serve as acting President in the absence of the President.
  - c. **The Secretary** shall maintain all records of Honor Council proceedings.
2. Officers will serve a term of one year, beginning with the commencement ceremonies immediately following their election and ending with the next year's commencement ceremonies.
3. Officers will be elected in the spring proceeding the academic year in which they are to serve; all members of the Honor Council serving in the year of the election may vote, including graduating seniors.
4. The outgoing President will facilitate officer elections.

#### **V. The Faculty Advisor**

1. The College Faculty shall elect a Faculty Advisor to the Honor Council.
2. The Faculty Advisor is a full member of the Honor Council except the Faculty Advisor will not have a vote in any matter coming before the Council.
3. The Faculty Advisor shall receive notices of all meetings and hearings and may fully participate in all aspects hearings, including questioning witnesses and deliberating on findings and sanctions.
4. The Faculty Advisor shall act as a liaison between the Honor Council and the College Faculty.

**VI. The Pledge** Every examination given at Saint Olaf shall include the following pledge:

***"I pledge my honor that on this examination I have neither given nor received assistance not explicitly approved by the professor and that I have seen no dishonest work."***

Following this pledge a space for the student's signature will be provided. Nearby will appear a small box labeled with the words:

***"I have intentionally not signed the pledge."***

**VII. Hearings** Hearings of the Honor Council will be closed to the general community. Witnesses and the implicated student will be heard. If the implicated student is found to be responsible for an Honor System violation, the sanction will also be determined at this hearing.

1. **Initiation** An Honor Council hearing will be authorized by the President whenever the President determines that credible evidence exists that an Honor System violation may have occurred.
2. **Quorum** A quorum will be required at all hearings. A quorum will consist of five student members.
3. **Findings** A majority vote of those present and voting at a hearing is necessary to find responsibility for an Honor System violation. A second majority vote is required to impose a sanction.

4. **Level of Proof** In determining responsibility for an Honor System violation, a preponderance of the evidence shall be required.

## **VIII. Guaranteed Rights**

### **1. Rights of Implicated Students**

- a. Implicated students will receive a notification of a hearing sufficiently before the hearing to allow time for the preparation of a defense. If the implicated student does not attend the hearing, the Honor Council may proceed with its consideration of the matter.
- b. The notification of a hearing will contain sufficient information for the implicated student to have a general understanding of the nature of the possible Honor System violation.
- c. The implicated student may suggest witnesses to be heard at the hearing. The President, or a designee, will determine which, if any, of these witnesses will be heard.
- d. The implicated student may invite one person to attend those portions of the hearing at which the implicated student is present. This advocate may not address the Council or interfere with the hearing in any way.
- e. The implicated student will have access to an impartial Ombudsperson before the hearing to help in preparation for the hearing.
- f. The implicated student's identity will not be revealed to anyone outside the Honor Council except for those directly involved in implementing sanctions or handling appeals.
- g. Records of students found responsible of an Honor Code violation will be kept for use by the Honor Council and the Dean of Students. For each student, the records will include the student's name, the date and class of each implication, and the penalty assessed. The information in these records will be confidential and used only for the purposes of the Honor Council and the Dean of Students Office. These records will be kept for five years after the student's graduation date as a part of the student's file. The College releases information in student files to outside sources only with the prior written permission of that student.

### **2. Rights of Implicating Students**

- a. The implicating student will have access to an impartial Ombudsperson before the hearing to help in preparation for the hearing.
- b. All reasonable steps, as codified in the Honor Council bylaws, will be taken to maintain the confidentiality of the implicating student throughout the investigation process and hearing. With the exception of those college officials directly involved in hearing procedures, including in-house counsel, the identity of any implicating student will not be shared with anyone outside the Honor Council without the permission of the implicating student. However, the Honor Council has a dual duty to serve both the implicated and implicating parties. While the Honor Council fully commits to protecting the confidentiality of the implicating party, it is also responsible for providing implicated students sufficient information to present a

defense, which, depending on the circumstances of the potential violation, may provide the implicated student with adequate information to infer the identity of the implicating party. One example would be if the implicating and implicated students are the only people present in the testing environment at the time of a possible Honor Code violation. In any event, the Honor Council will never explicitly reveal or confirm the identity of the implicating party.

### **3. Rights of Witnesses**

- a. All witnesses will have access to an impartial Ombudsperson before the hearing to help in preparation for the hearing.
- b. All reasonable steps will be taken to maintain the confidentiality of the witness throughout the investigation process and hearing, should one be held. With the exception of those college officials directly involved in hearing procedures, including in-house counsel, the identity of any witness will not be shared with anyone outside the Honor Council without the permission of the witness.

**IX. Faculty Responsibilities:** All members of the faculty have the following responsibilities with respect to the St. Olaf Honor System. Failure to follow these responsibilities will not necessarily exempt a student in violation of the Honor code from penalties assessed by the Honor Council.

1. Include the pledge as described in Article VI of this Constitution on all exams, quizzes, and lab tests, regardless of length or means of administration.
2. Remind students of the pledge at the beginning of the examination period or when distributing exams.
3. Clarify that aids not expressly approved by the professor are prohibited.
4. Take measures to ensure that the Honor System is followed. The Honor Council suggests steps including, but not limited to, issuing multiple versions of the same exam, developing a seating chart system easily understood by students, requesting backpacks and other materials are put out of reach, and looking for possible signs of collaboration while grading exams.
5. To check for and report potential violations, whether student or professor implicated, to the Dean of Students Office.
6. Handle all information confidentially.
7. During an investigation, tests are to be graded and students may be informed of their scores. Copies of the exams may be handed back for educational purposes; original exams are not to be returned until the investigation has concluded.
8. Do not confront implicated students prior to the hearing. If approached, direct all questions towards the Honor Council or Ombudspersons until after the case is resolved.
9. Do not assess penalties while a case is pending; exams should be graded normally.
10. Make yourself available in a timely manner to the appropriate Honor Council members when a case is pending.
11. Assess penalties as directed by the appropriate Honor Council member.

**X. By-Laws** The Honor Council may establish and amend, by simple majority vote at any meeting, by-laws to govern Honor Council procedures and all matters not specifically addressed by this constitution. These by-laws must be consistent with this constitution in all respects.

**XI. Amendments** Amendments to this constitution must arise from the student body. The student senate must pass, by a two-thirds vote of all senators, a resolution approving the exact wording of the proposed change. The same resolution must then be presented to the student body for its approval within three months excluding the summer of the senate action. Approval by the student body will be by a majority of those voting. Once approved by the student body, the resolution must be passed by the Faculty at one of its regular meetings within six months excluding the summer by simple majority of those voting.