

Bylaws

November 10, 2003

Amended April 19, 2010

Amended February 15, 2016

Amended July 7, 2020

Amended February 13, 2021

Amended June 13, 2021

Amended June 03, 2022

I. Duties of Members

1. Members will abide by all duties as outlined in the Honor Council Constitution.
2. Missing more than three weekly meetings in a semester without prior notification and approval may be considered grounds for removal from the Honor Council.
3. Any willful or wanton violation of confidentiality may be considered grounds for removal from the Honor Council.

II. Duties of Officers

1. President
 - a. The President will organize the Honor Council at the beginning of the Fall and Spring Semesters and provide training to new and returning members of the Honor Council as necessary.
 - b. The President will prepare periodic reports of Honor Council activity and disperse them to the Student Body.
 - i. Methods of dispersal may include, but are not limited to, publication in the St. Olaf Messenger, presentation to the Student Senate, or public postings or pamphlets.
 - ii. Reports may include, but will not be limited to, a general tabulation of the number of Honor Council cases, the number of hearings held, and general numbers for responsibility and sanction determinations.
 - iii. Reports will neither specifically reveal the outcome of any particular case nor provide data that would reveal the outcome of any particular case, either explicitly or implicitly.
 - c. The President will be reasonably available to students, faculty, administrators, and other members of the St. Olaf community to represent the Honor Council in any matter of concern.
 - d. The President will implement periodic education efforts to inform the Faculty and Student Body of the various aspects of the Honor System, including, but not limited to: common misunderstandings, faculty responsibilities, confidentiality considerations, and test etiquette.
 - e. The President (or their designee) will relay all necessary materials to the appellate authority in the event of an appeal.
 - f. The President will be responsible for authorizing all interviews with Implicated Students in consideration of the evidence collected during Honor Council investigations.

2. Vice President
 - a. The Vice President will assist the President in performing administrative and public relations duties.
 - b. The Vice President will, in association with the Faculty Advisor, act as liaison between the Honor Council and the Faculty and Staff.
 - c. The Vice President will identify, organize, train, and coordinate a group of faculty and staff to act as neutral Honor Code Guides.
3. Secretary
 - a. The Secretary will maintain copies of the Honor Council Constitution and Bylaws, noting any changes to these documents that may occur.
 - b. The Secretary will 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 will be responsible for bringing unsigned examinations and other exam concerns reported by the Faculty to the attention of the Honor Council.
 - d. The Secretary will be responsible for maintaining, updating, and ensuring completion of the Honor Council Case Log each year.
 - e. The Secretary will assign an Investigator for each case.
 - f. The Secretary will maintain a collection of form and letter templates for use by others in Honor Council matters, including, but not limited to: investigative reports, summonses, letters, etc.

III. Honor Council Process

1. *Discussion Phase* (prior to formal reporting to the Honor Council)
 - a. For faculty-implicated cases only, faculty members will have the option to privately meet with the Implicated Student prior to officially sending their concern to the Honor Council in order to clarify the veracity of the case and to ensure understanding at a pedagogical level of the perceived wrongdoing.
 - i. In the event that faculty members wish to forego this step, the matter can be sent directly to the Honor Council.
 - b. If the matter is not resolved, or if the faculty member wishes to pursue a grade-bearing sanction for the implication, the case must be submitted to the Honor Council for formal investigation. Examples which would require the case be sent to the Honor Council include, but are not limited to situations where:
 - i. the discussion does not clear up the uncertainty surrounding the student's actions that led to the initial implication
 - ii. the student does not attend the discussion, or attends but declines to proceed with the discussion at any point
 - iii. the professor wishes for the student to be heard by a council of their peers, regardless of their own opinions about the case
 - iv. the professor wishes to pursue a grade-bearing sanction to be considered for the Implicated Student.

- c. If the matter is resolved in accordance with the aforementioned policy, faculty members need only report this action (and outcome determined) to the Honor Council for internal record-keeping purposes.
2. *Assignment Phase* (usually within 48 hours of case receipt)
 - a. Faculty members are mandated to report potential Honor Code violations that occur in their classes using the appropriate form, whether professor- or student-implicated.
 - b. The Honor Council Secretary will assign cases to a representative of the Honor Council who will act as the primary Case Investigator for their duration.
3. *Investigation Phase* (usually within three days of case acceptance)
 - a. The Case Investigator will notify the Implicated Student by email that an investigation into the potential Honor Code violation has begun, providing additional resources for support and preparation.
 - b. The Case Investigator will additionally reach out to the professor of the course and/or other parties involved other than the Implicated Student to further ascertain the extent and context of the potential implication, as necessary or requested.
 - i. A minimum of two members of the Honor Council must be present when speaking in person with necessary parties.
 - c. The Case Investigator will compile all information, documentation, and other resources in a standardized, deidentified case report to be used during subsequent phases.
4. *Interview Phase* (usually within 48 hours of investigation completion)
 - a. The Case Investigator will obtain authorization from the Honor Council President for an interview to be conducted, providing the deidentified case report for review and/or further redaction.
 - b. The Case Investigator will schedule an interview with the Implicated Student.
 - i. Interviews will be conducted between the Implicated Student and a three-member Interview Quorum composed of the Case Investigator and two other Honor Council members.
 - ii. The Implicated Student will have the option to attend their interview virtually or in-person.
 - iii. In the event the Implicated Student does not attend their interview, in the absence of special circumstances, the quorum will continue with subsequent determinations without their input.
 - c. The Implicated Student will have an opportunity to respond to all evidence as able to be discussed during the interview.
 - i. Testimony will be recorded in two forms: audio/video recording and deidentified summary notes. Notification of these methods will occur at the start of the interview.
 - ii. The Implicated Student will receive a briefing regarding interview procedure and confidentiality prior to any questioning.

- iii. The Implicated Student will have the opportunity to make an opening statement prior to any questioning; whether an opening statement is delivered will have no role in the outcome of a case.
 - iv. The Implicated Student will be questioned in a manner that avoids leading questions.
 - d. The Interview Quorum will determine whether additional interviews need to be conducted and will conduct any as necessary.
 - i. The Implicated Student will have the opportunity to request that the Interview Quorum interview specific individuals associated with the matter; interviews merely for the purpose of character development will not be conducted.
 - ii. If applicable, the Interview Quorum will engage in a conversation with the associated faculty member regarding preferred responsibility and sanction determinations in light of evidence and testimony collected.
 - e. After all interviews have been conducted, the Interview Quorum will deliberate on all testimony and evidence, making a preliminary recommendation regarding the responsibility of the Implicated Student and any sanctions, as necessary, on the basis of a simple majority.
 - i. The Implicated Student will not be notified of any decision until after the confirmation phase ends.
 - ii. While Quorum deliberations will not be recorded, voting results and individual case opinions will be included in the cumulative report.
- 5. *Confirmation Phase* (usually at the next weekly Honor Council meeting)
 - a. The Quorum, headed by the Case Investigator, will bring the results of the interview phase in addition to all case documentation before the entire Honor Council for final confirmation or refutation at a weekly meeting.
 - b. The Honor Council at large will vote to confirm or refute the preliminary recommendation by a simple majority. In the event the recommendation is refuted, the Honor Council at large will reconsider responsibility and/or sanction determinations by a simple majority vote.
 - i. Ties during this confirmation vote will result in the upholding of the quorum's preliminary recommendation.
 - ii. While Quorum deliberations will not be recorded, any voting results and individual or composite case opinions will be included in the cumulative report.
 - c. The Implicated Student will be notified of the final decision made by the Honor Council, in addition to supplemental information regarding recordkeeping, appeals, and support resources.

6. *Appeals Phase*

- a. Within five business days after the end of the confirmation phase, either the Implicated Student or the faculty member involved (in faculty-implicated cases only), will have the opportunity to appeal to the Honor Council Appellate Committee on the following grounds only:
 - i. A procedural error was made that can be proven to have illegitimately affected the responsibility or sanction outcome of the case, or
 - ii. New evidence is provided that would change the outcome of the case.
- b. Parties wishing to appeal should contact the Chair of the Honor Council Appellate Committee, including their reason for appealing and Honor Council case number.
- c. Upon notification of an appeal request in consideration, the Honor Council will grant the Honor Council Appellate Committee access to the student appellant's case file and offer any testimony as requested.
- d. The Honor Council Appellate Committee will conduct an investigation into the matter, determining whether an appeal is granted.
 - i. In the event an appeal request is granted, it is the responsibility of the Honor Council Appellate Committee to communicate exactly what information and/or sanctions should be removed from an appellant's record to the Honor Council Secretary.
 - ii. If an appeal request is denied, the requesting party is prohibited from appealing again and the matter will be considered resolved.

V. **Honor Code Guides**

1. Honor Code Guides are trusted members of the college staff, administration, and faculty who are trained to offer students and members of the faculty impartial information on the procedures and activities of the Honor Council and its hearings. Honor Code Guides will not render opinions on the merits of any particular case.
2. The Vice President will maintain a list of Honor Code Guides and arrange for the recruiting and training of additional Honor Code Guides as desired. The Vice President will work to ensure that the list of Honor Code Guides arises from the following constituencies of the College:
 - a. Fine Arts
 - b. Humanities
 - c. Interdisciplinary and General Studies (IGS)
 - d. Natural Sciences and Mathematics (NSM)
 - e. Social Sciences
 - f. General Faculty (3)
 - g. Staff Member (2)
3. Any party involved in an Honor Council case in any role will receive a copy of the current list of Honor Code Guides.
4. Any party is free to confidentially discuss Honor Council procedures with any Honor Code Guide. Faculty and staff are additionally encouraged to discuss any question with the Faculty Advisor to the Honor Council.

5. Conversations between any party and Honor Code Guides will be treated as strictly confidential. No party will be asked to reveal the existence of a conversation with an Honor Code Guide. Honor Code Guides are not permitted to attend hearings.

VII. Sanction Guidelines

1. The Honor Council retains full discretion in assessing all sanctions in all circumstances.
2. Sanctions will reflect a variety of mitigating and aggravating circumstances and may change on a case-by-case basis for similar situations of academic dishonesty as a result.
 - a. Aggravating factors may include, but are not limited to: failure to appear at a hearing without prior notification; intentionally deceiving the Case Investigator, Council, or course professor during the investigation and adjudication processes; evidence of premeditation with regard to the act of academic dishonesty; repeated violations of the Honor Code; plagiarism of any form, and unwillingness to cooperate with the Council at any point during the investigation and or adjudication.
 - b. Mitigating factors may include, but are not limited to, willingness to cooperate with the Council during the investigation and hearing, extenuating life circumstances or events, and candor displayed.
3. The following is a non-exhaustive list of potential sanctions. Creative sanctioning in line with the Constitution is certainly encouraged.
 - a. Formal warning with or without a written reflection.
 - b. Grade on assignment of implication is reduced by a certain number of points.
 - c. Grade on assignment of implication is reduced by a certain percentage.
 - d. Grade on assignment of implication is reduced to a zero.
 - e. Grade in the entire course is reduced by a certain percentage.
 - f. Grade in the entire course is reduced by a number of grade levels.
 - g. Grade in the entire course is reduced to the lowest possible passing grade for their major.
 - h. Grade in the entire course is reduced to the lowest possible passing grade for a non-major.
 - i. Grade in the entire course is reduced to an F.
 - j. Recommendation for interim, semester, or year-long suspension from the College.
 - k. Recommendation for expulsion from the College.

IX. Policies

1. The Honor Council Officers may unanimously pass internal policies that govern the minutiae of Honor Council proceedings at a level more specific than is offered by the Constitution or Bylaws.
2. All Honor Council policies must adhere to the entirety of the Constitution and Bylaws.
3. All Honor Council members will be expected to follow all Honor Council policies.
4. Honor Council policies may be overturned or renegotiated upon the filing of a counter-petition signed by two members of the Honor Council and a subsequent majority vote of the entire Honor Council in favor of the counter-petition at any meeting.

XI. Honor Council Constitutional Amendment Committee

1. When necessary, the Honor Council Constitution grants the Honor Council President authority to form a joint committee of faculty, staff, and students with the goal of discussing and determining a proposal to be submitted through the formal constitutional amendment process.
2. The voting franchise of the Honor Council Constitutional Amendment Committee will consist of the following members of the St. Olaf Community:
 - a. Honor Council Officers
 - i. Honor Council President (*ex officio* Chair)
 - ii. Honor Council Vice President
 - iii. Honor Council Secretary
 - b. Student Senate Representatives
 - i. Student Government Association Vice President
 - ii. Student Government Association Student Life Committee Senator
 - c. Faculty and Staff Representatives
 - i. Dean of Students
 - ii. Faculty Advisor to the Honor Council
 - iii. Chair of the Student Life Committee
 - iv. Chair of the Faculty Governance Committee
 - v. General Counsel
3. At a minimum, the Honor Council Constitutional Amendment Committee will be required to hold at least one Town Hall meeting at which students and faculty members may come and voice their opinions regarding any potential proposal.
4. Proposals developed by the Honor Council Constitutional Amendment Committee must first be approved by a two-thirds majority vote of voting members of the committee in order to enter the formal constitutional amendment process as outlined in the Honor Council Constitution.

XIII. Proctoring

1. The Honor Council acknowledges the history and culture surrounding the lack of proctoring during examinations as a fundamental component of the Honor Code. However, the Honor Council also acknowledges the ever-changing nature of the manifestation of academic dishonesty and the challenges associated with navigating these conversations.
2. The Honor Council permits faculty members to utilize their discretion in determining whether proctoring examinations best serves the pedagogical needs of their students. Proctoring is permitted per this faculty-choice model with complete adherence to the Honor Council Process and its associated policies.
3. The Honor Council encourages that best practices are utilized in the event faculty members decide to proctor examinations. Some common points to consider with respect to proctoring include:
 - a. The effect of proctoring on the speed at which questions are answered during examinations.
 - b. The effect of proctoring on exam-associated anxiety and stress.
 - c. The effect of proctoring on the potential increase of implicit bias.
 - d. The effect of proctoring on the culture of the Honor Council at St. Olaf College.