

Young Harris College Academic Honor Code

Article 1 - Statement of Purpose

Young Harris College is dedicated to the development of personal and communal growth, intellectual development, and responsible citizenship. As an institution affiliated with the United Methodist Church, Young Harris College is committed to the Wesleyan tradition of a trained mind and a warm heart. In accordance with this tradition, the Young Harris College Academic Honor Code seeks to foster a community of scholars that acts with honesty and integrity in all facets of academic and campus life. To this end, students and faculty will pledge to adhere to the code of honor adopted and published by the College. This academic honor code will lay out the expectations placed on Young Harris College students and faculty, will outline measures for the upkeep and maintenance of the code, and will provide a process to resolve matters of academic honor in a fair, impartial, and confidential manner.

Article 2 - The Honor Pledge

The responsibility to uphold the Honor Code goes beyond passive compliance to include active guardianship. Incoming Young Harris College community members will participate in a formal ceremony (which may or may not be part of a larger on-boarding ceremony) where they will accept the following Pledge of Honor:

As a member of the student body of Young Harris College I understand that integrity is vital to the mission of the College, which is to foster the spiritual, ethical, and intellectual growth of every student. I pledge to adhere rigorously to honesty in all facets of academic and campus life and to abide unconditionally by the provisions of the Honor Code. If I violate this Code, I will accept the penalty that is duly imposed.

Students who are enrolled in online courses or who are part of the Early College will accept this Pledge of Honor as part of their orientation and on-boarding process. In addition to this public and formal pledge, all submissions for academic credit by a student reaffirm this commitment and attests that the submission has not been compromised by an Honor Code violation. Activities that may violate the Honor Code will be handled according to the procedures outlined in article 6.

Article 3 – Honor Code Scope and Violations

Section 3.1 Types of Violations

Student conduct or submissions that are academically dishonest, display a lack of academic integrity, or unfairly impinge upon the intellectual property of others is prohibited. The honor code applies to all works that are submitted for an academic course or in relation to an academic grade. The following list provides the most common types of prohibited conduct, but it is not exhaustive and other conduct that violates the principles outlined may be grounds for a violation:

- (a) ***Cheating***– Attempting to use or using unauthorized material or information as study aids in any academic exercise. Receiving or giving information by any means before, during, or after graded activities when not specifically allowed by the instructor is a form of unauthorized assistance and is, therefore, cheating. Specific examples include, but are not limited to, the following:
 - i. copying an answer from another student’s test
 - ii. using unauthorized notes of any kind during a test
 - iii. using any signals or codes to share information during a test
 - iv. use of electronic devices with accessible data, notes, programs, or any other unauthorized information. This includes, but is not limited to, programmable calculators, cell phones, computers, tablets, or headphones.
 - v. unauthorized collaboration on a take home exam
 - vi. use of unauthorized material, including text and notes, during take home exams or homework assignments
 - vii. failure to observe time limits or any other conditions imposed by the professor on take home exams
 - viii. unauthorized sharing of tests, quizzes, or other class materials.
- (b) ***Counterfeit work*** – Includes work submitted as one’s own that was created, researched, or produced by someone else. Examples of counterfeit work include, but are not limited to:
 - i. turning in a report based on another’s research
 - ii. submitting a paper researched or written by someone else
 - iii. having someone else take a test
 - iv. submitting joint projects as solely one’s own work
 - v. copying someone’s computer file and making changes to it.

In the case of the last item, it is recommended that students refrain from emailing or providing someone with an editable computer file to compare to as this may lead to the work being counterfeited. Non-editable formats are encouraged when possible.

- (c) ***Destroying evidence*** – Destroying evidence related to an ongoing investigation of an alleged academic honor code violation.
- (d) ***Engaging in, conspiring to engage in, or being complicit in actions resulting in Academic Dishonesty*** – Intentionally helping, attempting to help, or being complicit in the presence of others committing or conspiring to commit an act of academic dishonesty. Examples include, but are not limited to the following:

- i. turning in the same work to more than one class without consent of the instructors involved
 - ii. communicating all or any part of tests or answer sheets specifically prepared for a given course and as yet not used or publicly released by the instructor of a course, and the theft of completed tests
 - iii. knowingly and improperly changing grades on transcripts, grade sheets, electronic data sheets, related documents, academic reports, tests, and projects, altering medical excuses, or submitting false information on any official College document
 - iv. using copyrighted material without proper authorization. This includes, but is not limited to musical scores, plays, books, and articles.
- (e) ***Lying*** – Intentionally giving false information to professors or instructors for the purpose of gaining academic advantage. Examples of which will include, but are not limited to, the following:
- i. attempting to deceive professors to reschedule tests or assignments
 - ii. lying about absences
 - iii. lying about one's own involvement in plagiarism or cheating; lying about another student's involvement in plagiarism or cheating.
- (f) ***Plagiarism***– Intentionally or unintentionally using the ideas or works of another and presenting them as a significant portion of one's own work without acknowledgment, no matter whether those ideas are copied or paraphrased. Plagiarism may be understood as the theft of another's intellectual property when the use of another's words, ideas, or designs substantially misrepresents the ownership of the submitted work. Plagiarism was traditionally applied to written works, but in the modern era, plagiarism also applies to the theft of any intellectual property such as artwork, designs, melodies, or other media. Submitting work that contains uncited words of others does not, in itself, necessarily constitute a deceptive act or theft; however, uncited and/or insufficiently cited words can be evidence of plagiarism.
- (g) ***Using False Citations*** – False citation occurs when a student gives credit for an idea or information (any intellectual property) to an incorrect or made-up source with the intention to deceive. False attribution seriously damages the integrity of academic work by breaking a chain of ideas, which should be traceable link by link.

Section 3.2 Overlap with Other Codes of Conduct

Acting with honor and integrity is a part of life and encompasses more than behavior within a classroom or activities directly related to academic performance. An honorable person will conduct themselves appropriately in all facets of campus life both in and out of the classroom. The [YHC Guide to Student Life](#) describes the Student Code of Conduct adopted by the college and it provides standards of conduct as well as the procedures by which allegations of violations of those standards are resolved. That code covers many areas of conduct that may also be related to honor including acts of dishonesty, intimidation, bribery,

and cheating. The academic honor code laid out in this document focuses on academic dishonesty and the academic consequences thereof. Dishonorable actions that are not directly tied to a course or grade will be handled according to the Student Code of Conduct. Moreover, if during the process of looking into an academic honesty violation, it is discovered that it encompasses a student group, then while the individual academic consequences will be handled under the academic honor code herein, the consequences to the group as a whole will be handled by the student or athletic code of conduct described in the [*Guide to Student Life*](#).

Article 4 – Standards of Evidence, Rights, and Responsibilities

Section 4.1 Standards of Evidence

The Academic Honor Code is inherently administrative in nature, is internal to the College, and is not a court of law. It is not bound by the rules of evidence in a court of law nor does the process attempt or intend to mimic court processes and procedures. Decisions reached under the Academic Honor Code are based on a preponderance of evidence. A preponderance of evidence means that a reasonable person, after evaluating all credible information at the time of deciding on the allegations, would conclude that it is more likely than not that a violation has occurred according to the guidelines laid out in section 3.1. Technical or stylistic mistakes, while incorrect, do not automatically constitute a breach of honor. The burden of proof is on the complainant to show that a breach of academic honor has occurred.

As stated in the student rights in section 4.2 below, an accused student may consult an advisor from the college community, but this person may not participate in the hearing or any step of the disciplinary process, although they may be present as a silent observer and quietly advise the student or pass notes. Attorneys and/or legal advisors, parents and/or legal guardians are not permitted in the YHC Academic Honor Code process because it is an internal administrative process.

Section 4.2 Student Rights

Students alleged to have committed a violation of the academic honor code are entitled to the following rights and associated responsibilities:

1. The right to be treated respectfully throughout the process and the responsibility to be respectful to others.
2. Written notice of the charges and an account of the alleged misconduct involving the accused student. This may come from the instructor of record during the informal process or the honor council in the case of a formal process.
3. The right to a hearing before an Honor Council Hearing Board (hereafter referred to as the Hearing Board) or by an academic administrator. An Academic Administrator will serve as the Hearing Officer during times when the Honor Council cannot be convened such as semester breaks or during the summer term, or at times deemed necessary by the Honor Council Chairperson.
4. Written notice of a hearing for the accused student.

5. Written notice of the maximum allowable consequences or sanctions. (See comments below)
6. The right to a hearing closed to the public.
7. The right to have an advisor from the full-time faculty, staff, or student body at Young Harris College. The advisor may not participate directly in the hearing but may provide advice to the student. An advisor who does not adhere to the expectation of no direct participation will be removed from any meeting or hearing related to the process. Attorneys and/or legal advisors, parents and/or legal guardians are not permitted in the honor code process.
8. The right to present evidence on their own behalf or remain silent in a Hearing Board meeting.
9. The right to participate or not participate in the honor code process. However, when a student chooses not to participate, the case will continue without the input of the student.
10. The right to be presumed not responsible for the honor code violation. Evidence must be provided of the allegations against a student sufficient to satisfy a preponderance of the evidence standard.
11. A written decision specifying the outcome and the right to appeal.
12. The right to challenge the participation of any Hearing Board member for bias or conflict. In this case the student must specify the specific reasons to the Hearing Board Chairperson and may request to do so in private. The dismissal of a challenged Hearing Board member shall be at the sole discretion of the chair of the Hearing Board unless the conflict is with the chair themselves in which case the decision will go to the chair of the Honor Council. The decisions of the chair of the Hearing Board and the council are not subject to appeal.
13. The right to have their case heard only on the misconduct specified in the notice. The notice may include the current accusation as well as any prior honor code violations that may factor into the case.
14. The right to review evidence pertaining to the individual accused student, but not evidence pertaining to other students involved.
15. The right to challenge the admissibility of evidence.
16. The right to cross-examine all available witnesses (cross examination questions must be addressed through the Hearing Board chair).
17. The right to appeal the decision of the Honor Council Hearing Board according to the appeals process described in Article 6.4

Comments on these Rights and Responsibilities

The rights and responsibilities explained above closely match those a student is entitled to for a Student Conduct Code violation. The key differences are as follows:

1. All violations of the Honor Code are those of an individual student and not an organization. Even if a student worked or colluded with others, each student's case and circumstances are considered individually. The conduct of the whole group and the consequences to that group may be handled by the Student Conduct Code.
2. The role of the Student Conduct Board is replaced by the Honor Council Hearing Board whose membership is discussed herein in Section 6.3.2.

3. When it comes to maximum penalties, the Hearing Board only hears the case and makes recommendations. In the case of a single, isolated violation the Hearing Board will provide a statement on if a violation occurred or not and make a recommendation on any penalties imposed. The Hearing Board does not have the authority to tell an instructor how to grade an assignment or the course and the imposed penalty is ultimately up to the instructor. The maximum penalty an instructor can impose is failure in the course. For multiple violations, the Hearing Board may recommend to the Office of Academic Affairs that it consider probation, suspension, or expulsion of a student and that office will handle that recommendation accordingly.

Article 5 - The Honor Council

The honor council consists of a Council Chairperson, an Advisory Committee, a Faculty Honor Pool, and a Student Honor Pool.

- a) **The Honor Council Chairperson (Council Chairperson)** will be the current chair of the Academic Standards and Policy (ASP) committee of the Faculty Senate. The Council Chairperson must be a full-time, tenured or tenure-tracked faculty member. If the chair of the ASP committee does not meet this criterion, then another member of the ASP committee will be chosen to serve. The chairperson will have the following responsibilities:
 1. **Serving as a Point of Contact:** The council chairperson serves as one of the main contacts on campus for issues related to honor and the Honor Code. As such the chairperson may address incoming students prior to when they pledge to uphold the YHC Honor Code each year and may serve as the point of contact for questions or concerns regarding the Honor Code. When a report of a violation is filed with the Office of Academic Affairs, the student will be referred to the council chairperson as a point of contact for any questions or concerns they may have.
 2. **Arranging Hearings:** Students who file an appeal to begin the formal process or who meet the criteria for appealing a prior formal process will be granted a hearing. At this point the council chairperson is responsible for:
 - i. Confirming the desire for a hearing with the requesting party.
 - ii. Arranging the selection of a Hearing Board Chair and two members each from the Faculty and Student Honor Pools.
 - iii. Scheduling a time and location for the Hearing Board members, the complainant, and the respondent to meet. The complainant must attend the meeting; however, the respondent's presence is optional (but highly recommended). If necessary, this meeting may take place online through the college's video conferencing software.
 - iv. Scheduling a location that provides confidentiality and removes outside distractions.
 - v. Making all members aware of the selected time, place, and role in the hearing.
 - vi. Answering any questions about the schedule, procedures, and the Honor Code.

3. **Screening Appeals after the Formal Process:** Students who wish to appeal against the recommendation of a prior Hearing Board must submit a new appeal and must provide a substantial reason for the appeal (described under section 6.4). The chairperson along with the Office of Academic Affairs will examine the request and if sufficient cause exists, a new Hearing Board will be convened to hear the evidence.
- b) **The Advisory Committee:** The advisory committee of the Honor Council will consist of the other members of the ASP committee and as such will represent each of the academic divisions along with one member selected at-large. The advisory committee members may fill in for the chairperson should it be necessary due to circumstances. In addition, as members of the ASP committee, these faculty will participate in the faculty senate and be responsible for accepting suggestions regarding the honor code, deliberating on suggested changes to the code, and making recommendations to the faculty senate for consideration. Lastly, the members of the advisory committee serve as the first pool of faculty considered to chair a Hearing Board.
 - c) **The Faculty Honor Pool**
The Faculty Honor Pool consists of all full-time faculty members above the rank of Adjunct or Lecturer. Members of the Jury Pool will be selected randomly from different academic divisions to serve on a Hearing Board. Faculty members who have served in the last year are exempt from having to serve again for that year. Faculty members in the pool must be willing to serve and may only decline under extraordinary circumstances communicated to the Council Chairperson.
 - d) **The Student Honor Pool**
The Student Honor Pool consists of all full-time, degree-seeking, students at Young Harris College. When needed, the Council chairperson will reach out for volunteers from the Student Jury Pool to serve on a Hearing Board.

Article 6 – Procedures

Section 6.1 – Reporting

Observation or discovery of a possible honor code violation may come through many different sources and the procedure for reporting that incident will be as follows depending on the source:

(a) **By the Instructor of Record**

If the instructor of record of a course believes that a student has violated the Honor Code in a course related activity, the faculty member will notify the student regarding the possible violation and move onto the steps of the informal process outlined in section 6.2 below. If the instructor of record directly observes cheating during a test or exam, they can intervene immediately to stop the possible cheating, document the occurrence, and then move into the steps of the informal process.

(b) By a Proctor

If an individual serving as a proctor observes academic dishonesty during an exam, they should intervene to stop the alleged cheating. Then the proctor should report the incident to the instructor of record as soon as possible. The instructor of record can then move on to the steps of the informal process. The proctor must be available to serve as a witness and to give statements.

(c) By another Faculty

If a faculty member other than the instructor of record for a course observes a possible incident of academic dishonesty, they should document the incident and report it to the instructor of record as soon as possible. The instructor of record can then proceed to the steps of the informal process. The other faculty member should be available to serve as a witness and to give statements. If the faculty member cannot determine the instructor of record or no such instructor exists, they may document the incident, arrange to meet with the student to discuss the issue, and move on to the steps of the informal process. While there will be no grade penalty associated with this situation as the student is not in their course, the incident will be reported and may count toward multiple violations. An example of where this situation could occur is if a student who is not currently enrolled in a course writes papers or does assignments for other students in that course or obtains confidential information such as tests.

(d) By a Staff Member

If a member of the YHC staff observes a possible incident of academic dishonesty, they should do their best to document the incident and report it to the instructor of record as soon as possible. The instructor of record may then begin the steps of the informal process. The staff member should be available to serve as a witness and to give statements.

(e) By a Student

If a student observes a possible incident of academic dishonesty, they should do their best to document the incident and report it to the instructor of record for the course as soon as possible. The instructor of record may then begin the steps of the informal process. The student must be available to serve as a witness and to give statements.

The reporting of the incident begins the honor process with the instructor of record or reporting faculty serving as the complainant and the student as the respondent as things move into the informal and then formal process below. In all cases, the student will be considered innocent until a preponderance of the evidence has indicated otherwise.

Section 6.2 – The Informal Process

Once an Honor Code violation has been reported through one of the channels described in section 6.1, the complainant will arrange a meeting with the respondent to discuss the situation within a period of no more than 10 days from the reporting of the violation. During this time, the respondent will continue to attend class and will not be allowed to drop the class while the formal or informal parts of this process are being pursued. The process of handling this meeting is as follows:

- a) The complainant and respondent will meet and discuss the details of the incident and present any available evidence. This meeting may take place through any means of communication such as an in-person meeting or through the college's video conferencing software (Microsoft Teams at present). If the respondent refuses to respond in a reasonable time frame or comply in arranging such a meeting, the complainant may proceed to step (b) without the respondent's input.
- b) The complainant will consider the student's issue and decide according to the standards of evidence given in Article 4.1 if it is probable that an offense occurred. Once the complainant has made this decision there are three possible results:
 1. **The complainant finds that the honor code was not violated.** In this case, the issue will be dismissed, and no permanent record of the violation will be made. The instructor will then grade any related assignment appropriately and the situation will be resolved.
 2. **The complainant decides that they would like an impartial party to consider the case.** In this instance the complainant may file an appeal for an Honor Code Hearing with the Office of Academic affairs as laid out in section 6.3 below.
 3. **The complainant finds that the honor code was violated.** In this case, the complainant will inform the respondent of their decision and let them know that an Honor Code Violation Report will be filed. If the complainant is the instructor of record for the course, they will also inform the student about any sanctions that will be imposed. Examples of appropriate sanctions include, but are not limited to,
 - Awarding a grade of zero for any relevant assignments. This zero cannot be dropped or otherwise omitted from the complainant's final course average.
 - Awarding a grade of "F" for the course.

The complainant is encouraged to include an educational component to their sanction in order to help the student understand the nature of their violation and ways that they can avoid this situation in the future. For example, a student who cheated on an exam due to stress and fear could complete an exercise to help them improve their study habits and better manage their studies.

- c) If the complainant decided that the Honor Code was violated, they will fill out an Honor Code Violation Report and submit it to the Office of Academic Affairs. Upon receipt of the Violation Report, the Office of Academic Affairs will respond with a message that the report has been received and detail the respondent's rights to appeal and how the report will be kept. If the Office of Academic Affairs notices that this submission results in the respondent having multiple violations, then they will contact the Honor Council Chairperson, who will begin the formal process detailed in Article 6.3.
- d) If the respondent disagrees with the judgment of the complainant and wishes to dispute the violation or the sanction imposed, the student may request that a Hearing Board consider their case according to the formal process described in Article 6.3. They may also contact the Honor Council Chairperson at any point to discuss their rights and responsibilities under the code.

Section 6.3 – The Formal Process

The formal process involves the calling of an Honor Council Hearing to listen to the statements of the complainant and respondent and make a judgment on the situation. The procedures for handling the formal process will be laid out in this section beginning with how the process may be started in section 6.3.1.

Section 6.3.1 - Initiation

An Honor Council hearing may be initiated in the following ways:

- (a) By a complainant who decides that they would like a Hearing Board to consider the possible violation and make a recommendation on if a violation occurred and what a recommended penalty would be.
- (b) By a respondent that is unsatisfied with the resolution of the informal process and would like to have their case heard and have an impartial Hearing Board make a recommendation on either the occurrence of the violation or the penalty imposed.
- (c) By the Council Chairperson when the Office of Academic affairs has informed them that a case of multiple violations has occurred. In this case, a formal procedure is required, and a hearing board will be convened to hear the case. The hearing will begin as an appeal of the most recent violation, but if the Hearing Board concludes that a violation occurred in that case, discussion of the prior violations will occur and may impact any sanctions recommend (see 6.3.2 f).
- (d) By a former respondent that was not satisfied with the results of a prior run through the formal process and that meets the criteria described in section 6.4. The method of initiating the appeals process is also described in section 6.4.

In situations (a) and (b), the party wishing to request an Honor Council Hearing will reach out to the Office of Academic Affairs and be directed to an appropriate request form. This may be a written or online form that the party will submit stating the circumstances behind the request for a hearing. This form will be returned to the Office of Academic Affairs where it will be documented and then passed on to the Council Chairperson. The remaining 2 ways will result in the Council Chairperson also being made aware of the request through them being the one to initiate it (situation c) or through the appeals process laid out in section 6.4.

Once the Council Chairperson has been made aware of the request for a hearing, they will email both the complainants and respondent that the formal process has been started and what that will entail. The Council Chairperson will also begin to form a Hearing Board and schedule the time and place for the hearing. As these details are interdependent, they will occur according to the details in sections 6.3.2 and 6.3.3.

Section 6.3.2 - The Hearing Board

The Hearing Board for handling the formal process is created by the Council Chairperson upon receiving and acknowledging a request to begin the formal process. This process may be delayed if the violation occurs during the Summer semester (see Section 6.3.3). The Hearing Board consists of the following members:

(a) **Hearing Board Chairperson**

The chairperson of the Hearing Board is selected by the Council Chairperson from among the other members of the ASP committee. If members of the ASP committee are unable to serve, the Council Chairperson may solicit a volunteer from among the Faculty Honor Pool. When selecting an HB Chairperson, the Council Chairperson will check with the Office of Academic affairs to ensure that the chosen faculty has not had the respondent in one of their classes. This is to ensure impartiality as much as possible without revealing the identity of the respondent to parties outside the formal process. During the formal process the HB Chairperson has the following duties:

1. **Facilitating the Hearing:** The Hearing Board Chairperson is responsible for informing all participants in a hearing of their rights as well as the procedural protocol that will be followed during the hearing. The Hearing Board Chairperson is then responsible for maintaining and enforcing those guidelines during the hearing. The guidelines for this procedure are found in Section 6.3.3.
2. **Managing the Vote and Recommendations:** After both sides of the case have been presented, the HB Chairperson will recess with the committee and facilitate the voting and discussion. After discussion, the board will vote on if a violation occurred according to the standards of evidence in Article 4.1. The Hearing Board chairperson will abstain from voting unless the votes of the other members result in a tie. In this case, the Hearing Board Chairperson may vote to break the tie. Next the Hearing Board Chairperson will discuss any other recommendations the Hearing Board would like to make concerning imposed penalties or other issues and record those upon which a consensus is reached.
3. **Reporting and Record Keeping:** The HB Chairperson will work with the Council Chairperson and the Office of Academic Affairs to ensure that records of the hearing and any recommendations made are reported to the Complainant, Respondent, and the Office of Academic Affairs according to the policy in Section 6.3.5.

(b) **Three Faculty from the Faculty Honor Pool:** Three members of the Faculty Honor Pool will be selected at random by the Council Chairperson. The Council Chairperson will then check with the Office of Academic Affairs to verify that none of the chosen members has had the respondent as a student in one of their classes. If one or more members has had the respondent as a student, new members will be chosen until all members meet this criterion. This is done to try and remove bias as much as possible without breaking confidentiality. Once chosen, members of the Faculty Honor pool are required to serve unless they can provide documentation of a problem; in which case, a new member will be selected. At the hearing, the selected faculty will listen to both sides, vote, and make recommendations based on the Standards of Evidence in Article 4.1 Once a faculty member has served on an Honor Council Hearing Board, they are exempt from serving for the remainder of the academic year.

(c) **Three Students from the Student Honor Pool:** Three students from the Student Honor pool will be chosen by the Office of Student Development and will be referred to the Council Chairperson who will then contact them and request their involvement in the Hearing Board. If any student refuses to serve or wishes to recuse themselves from participation, then replacements will be sought from Office of Student Development until

three members of the Student Honor Pool have agreed.

- (d) **A representative from the Office of Academic Affairs:** A single non-voting representative will be appointed by the Office of Academic Affairs. This representative will be present to keep records of the hearing, to answer questions regarding YHC policies or procedures, to assist the Hearing Board Chairperson, and to provide information about multiple violations when appropriate.

Section 6.3.3 – Scheduling

Once the formal process has been initiated, the Council Chairperson will also handle the scheduling of the hearing according to the following guidelines:

- (a) Hearing Boards will only meet during the Fall and Spring semesters. Requests made at the end of the Fall semester will receive notice on the scheduling of their hearing within the first week of the Spring semester and should have a hearing within 10 business days from the first day of classes. However, if the request involves multiple violations or could impact the student's financial aid or enrollment at the college, the hearing will be scheduled as soon as possible with an Academic Administrator serving as the hearing officer and serving in place of the Hearing Board. Likewise, requests made at the end of the Spring semester or during the Summer session will have their hearing scheduled with an Academic Administrator serving as the Hearing Officer. If necessary due to timing or other considerations such as the student being enrolled online or in the Early College, hearings, and meetings in both the formal and informal process may occur through the College's video conference software.
- (b) The Council Chairperson will schedule the meeting during college business hours (8:00 am-5:00pm) on business days. Meetings will not be held on holidays or on other days when classes are not in session such as Fall or Spring breaks. The Council chairperson will schedule the meeting at a time where the complainants, respondent, and Hearing Board can meet. It is the responsibility of the complainants and respondent to make sure that any witnesses can attend the hearing. Witnesses who cannot attend may make a written and signed statement that will be entered into consideration. The respondent must also make sure that their advisor can attend.
- (c) The respondent has the right to refuse to attend the hearing and to refuse to participate in its scheduling. If a respondent refuses to participate, the process will continue without their input. However, regardless of their decision to participate, the respondent will be informed via their YHC email of the time and place where the hearing will occur. This email will be sent no less than 48 hours before the scheduled start time. The respondent is strongly encouraged to attend and may change their mind up until the start of the hearing. However, the hearing will not be rescheduled barring unforeseen issues and nobody other than the respondent and their advisor will be admitted to the room once the hearing has been called to order.

Section 6.3.4 -The Hearing

The hearing will take place at the arranged time and place according to the following procedure:

- (a) The Hearing Board Chairperson will call the meeting to order and explain the procedure by which the hearing will occur. The Hearing Board Chairperson will make clear that the hearing and any details heard during the hearing are confidential and may not be repeated outside the hearing and the process laid out here. Those who break the confidentiality of the hearing may be held accountable through the student conduct code or the faculty disciplinary process. The Hearing Board Chairperson will then open the hearing to questions about the procedure and provide answers based on the policy and best judgment given the circumstances.
- (b) The Hearing Board Chairperson will read aloud any relevant Honor Code Violation reports from the current violation and any hearing or appeals request forms made by the complainant or the respondent.
- (c) The Hearing Board Chairperson will explain the exact nature of the violations of the Honor Code and will read off the relevant sections of Article 3.1 covering types of violations.
- (d) The Hearing Board Chairperson will read off the first paragraph of Article 4.1 stating the standards of evidence that the Board is to consider.
- (e) Now that the identities of the claimants and respondents have been revealed and the situation explained, the Hearing Board Chairperson will ask if any members of the Hearing Board would like to recuse themselves from the hearing due to possible bias or prior knowledge of the situation. If a member recuses themselves, then the number of members from the Faculty and Student Honor pools will be balanced so that they remain equal. If this results in the Hearing Board shrinking below 4 members plus the Hearing Board Chairperson, then the hearing will need to be rescheduled and additional members of the Hearing Board will be sought. This will be handled by the Council Chairperson. Any member who recuses themselves is still bound to keep the details of the meeting confidential and to not communicate anything they learned at the hearing.
- (f) The Board will begin by hearing statements from the complainant. The complainant may choose to make a statement and present their claim along with any physical, written, or oral evidence. The complainant may also call witnesses. Once the complainant has made their claim, the Board may ask questions of the complainant followed by questions from the respondent. Then the respondent may make a statement on those claims, present evidence and witnesses of their own, and then answer questions from the Board and the complainant.

Witnesses: In general, questions will be held until after the complainant or respondent has made their claim. However, when a witness is called, they will appear, make a brief statement, and then be questioned by the one that called them, the Board, and then the remaining party. Witnesses may be recalled as necessary.

- (g) After the complainant has presented their claims and the respondent has been allowed to respond to each, the hearing will be opened to questions by the complainant, the respondent, and then the Board.
- (h) Upon completion of questioning, the complainant and then the respondent will be allowed to make a closing statement.
- (i) At this point the Hearing Board may request an intermission to allow for private deliberation and to give an opportunity to determine if any additional questions need to be asked. Upon conclusion of this intermission, the Hearing Board may ask any additional questions or may move onto its deliberation.
- (j) After the conclusion of any closing statements and final questions, the Hearing Board Chairperson will dismiss the complainant, witnesses, and any other non-Board members present except for the respondent and their advisor. The respondent and their advisor will be asked to wait while the board deliberates. The Board will then meet and discuss their opinions on if a violation or violations took place. The Hearing Board Chairperson will then call for an oral vote on this issue and each member must vote or abstain. The Hearing Board Chairperson will tabulate the votes and if necessary, vote to break a tie. The representative from the Office of Academic Affairs will record the result.
- (k) In the case that it is found that no violation has occurred, the respondent and their advisor will be recalled, informed of the decision, and then dismissed. The respondent will then receive written notice of the results as described in point (m) below.
- (l) In the case that it is determined that a violation has occurred, the following steps will be taken:
 - The respondent and their advisor will be called back into the room and informed of the Board's decision. They will be asked if they have any comments before the Board considers further recommendations. They will then be asked to wait along with their advisor. The representative from Academic Affairs will follow them from the room and if the respondent has no additional violations, they will be fully dismissed, but if they have additional violations then the representative from academic affairs will ask them to wait. The representative from Academic Affairs needs to escort them from the room in both cases to keep the hearing board members from knowing if multiple violations exist until after they have made their decision on the current case. The Board will then open the hearing to discussion on other recommendations such as imposed sanctions and possible educational opportunities. The Hearing Board cannot tell an instructor of record how they may grade their course but may make recommendations. Common recommendations may include one or more of the following:
 - Agreeing with the instructor's sanction.
 - Awarding a grade of 0 on the assignment.
 - Awarding a grade of "F" in the course.
 - Recommending an educational task related to the nature of the offense (e.g., revise and resubmit, coursework on avoiding plagiarism, a similar assignment, etc.)

- Once the recommendation for the current case has been established, If the respondent **has prior violations**, they will be called back into the room along with their advisor and informed that because multiple violations exist this must now be addressed. Then the representative from the Office of Academic Affairs will read aloud any prior Honor Code Violation reports. After each report read, the respondent will be given the opportunity to make a statement and the Board allowed to ask questions. Once all the reports have been read and statements heard, the respondent and their advisor will be dismissed to allow the board to deliberate on recommendations for sanctions or possible educational opportunities. Common recommendations include penalties such as probation, suspension, or expulsion. These penalties are above and beyond what was imposed for the most recent violation and are communicated to the Office of Academic affairs and not the respondent or complainant. The Office of Academic affairs will then take this and any other factors into consideration and inform the respondent of its decision.
- (m) At the conclusion of the hearing, the Hearing Board Chairperson will work with the representative from the Office of Academic Affairs to compile a written notice of the findings and recommendations of the Hearing Board and send it to the complainant, respondent, and the Office of Academic Affairs for entry into the record.

Section 6.3.5- Reporting and Records

During the handling of a possible violation of the Honor Code, all documents and records related to the matter will be retained in a confidential file within the Office of Academic affairs. In the case of the informal process, the Honor Code Violation Report and any submitted evidence will be held by the Office of Academic Affairs as part of its records on the student. In the case of the formal procedure, any Honor Code Violation Reports, Hearing Requests, submitted evidence, and notice of the Hearing Board's recommendation will be held by the Office of Academic Affairs and become part of the student's record in that office. These records will be held in accordance with that office's policy for maintaining educational records. In the case of a formal hearing, any notes made by the Hearing Board members will be collected by the Hearing Board Chair at the conclusion of the hearing and then destroyed. All participants in the hearing will maintain confidentiality on the matters discussed and the results of the hearing.

Once each year, Honor Council proceedings will be reported in general terms to the College community. Such reporting will be done in a way that ensures the confidentiality of the proceedings and does not reveal the identities of the involved individuals. A record of these annual reports will be maintained in the Office of Academic Affairs and may be used by the community to help inform decisions about the Honor Code and trends.

Section 6.4 – Appeals After the Formal Process

The recommendations of a Hearing Board are final and can only be appealed provided that one of the following circumstances can be shown to exist:

1. Substantial new evidence has become available that was not available at the time of the hearing.
2. The respondent was denied a right in the process or errors were made during the process. In the case of procedural errors, it must be demonstrated that those errors were significant enough to impact the outcome of the process.
3. There was bias on the part of one or more of the Hearing Board members or the chairperson that was discovered after the opportunity to object to their participation.

If it is believed by a claimant or respondent that one or more of these grounds for an appeal apply, then they may contact the Office of Academic Affairs and submit an appeals form. This must be done within a period of 10 business days after the recommendation of the Hearing Board has been reported. Requests made after this period may be denied and the recommendation will stand. It should also be stated that appeals related to the severity of the sanction imposed by the instructor of record, are not handled by this process. If the respondent wishes to challenge the sanction itself and not the recommendation on if a violation occurred, then the respondent may make a grade appeal through the Office of Academic affairs following that procedure and including the recommendation of the Hearing Board as part of that appeal.

Upon receipt of a completed appeals form, a representative of the Office of Academic Affairs and the Honor Council Chairperson will discuss the appeal and make a judgment on if the appeal should proceed based on the evidence given. If the appeal is denied, the requesting party will be informed by email about that decision along with the rationale behind it. If it is decided that the appeal has merit, the requesting party will get an email from the Honor Council Chairperson and the process of convening a new formal process will begin. This process will occur following the same rules and procedure laid out in section 6.3 with the additional restriction that none of the Hearing Board members present in the original hearing will be selected again. Thus, the Hearing Board will consist of new members with no prior knowledge of the case. From this point forward, the appeal will proceed as if it was a novel one and the new recommendation will be submitted to the Office of Academic affairs. This recommendation will be considered final and no further appeals to the Honor Council will be accepted. If either party still disputes the recommendations at this point, they may take their appeal directly to the Office of Academic Affairs or the President of the College.

Article 7 – Honor Code Amendments and Maintenance

The Honor Code shall be maintained by the Office of Academic Affairs in coordination with the Academic Standards and Policy (ASP) committee of the faculty senate. The ASP committee exists to review and make recommendations on behalf of the faculty concerning matters of academic policy such as the Honor Code. The membership and duties of the ASP committee are described in the committee bylaws as approved by the faculty senate. As part of its duties in helping to maintain the honor code, the ASP committee will work to adjust the code to fit current practices and to help clarify language within the code. The ASP committee may make minor edits to the code for clarity and recommend them directly to the Office of Academic Affairs, but any significant changes will be

brought to the faculty senate for consideration. As the ASP committee is a subcommittee of the faculty senate, any faculty senate member may propose amendments to the Honor Code, and these will be considered according to the policies of the faculty senate and the ASP committee. If approved these amendments will be passed on as recommendation to the Office of Academic Affairs which has final say over the Honor Code. Both the Office of Academic affairs and the ASP committee welcome input into the honor code from other parties in the YHC community. Any questions, suggestions, or concerns may be communicated to the Office of Academic Affairs or to the current chair of the ASP committee.