



Honor System
Guidebook
2009-2010

College of Arts and Sciences

“The honor system
makes a lasting impression
upon all who have the privilege
of living under its influence.
Its implementation is the proof
that human conduct is responsive to
the noblest type of influence,
that of faith in our fellow man.
As the embodiment of this principle,
the honor system is indeed a
way of life.”

—Dr. Edward Alvey, Dean Emeritus

Disclaimer of Liability

The content within this University of Mary Washington Honor System Guidebook detailing procedures, explanations, and other information is provided by the University of Mary Washington Honor Council and its third-party content providers. The Honor System Guidebook is an interpretation of select articles and sections of the University of Mary Washington Honor Constitution and should be used for informational purposes only. In the event there is a conflict in the language between the two documents, the Honor Constitution shall prevail, and the student may not rely on the portion in the Honor System Guidebook that contains the conflict. All parties shall be held responsible for the adherence to the Honor Constitution.

The Honor System

The Honor System at the University of Mary Washington is a deeply cherished tradition founded upon the personal integrity of each individual member of the University community. It requires that all members of this community conduct themselves honorably at all times and in all dealings with others. This shared commitment to high ethical standards creates an atmosphere of trust and respect vital to the unique sense of community that characterizes the institution.

It is the students who are responsible for determining when a breach of honor has been committed, and it is they who are entrusted with enforcing the system. Accordingly, every member of the student body has the responsibility not only for understanding the provisions of the Honor Code, but also for maintaining at all times the highest possible degree of personal integrity. Moreover, every student must realize that acceptance of admission to Mary Washington includes the explicit agreement to abide by the provisions of the Honor Code as contained in the Honor Constitution.

This Guidebook is designed to assist students and faculty in understanding the Honor System at the University of Mary Washington. It contains the Honor Council Mission Statement, organizational guidelines, hearing procedures, a brief summary of student responsibilities, and an explanation of various terms. All members of the University community should read this material carefully. Questions regarding any aspect of the Guidebook should be directed to the Honor Council president, other Honor Council members, or to any of the Honor Council faculty advisors.

Mission Statement

The University of Mary Washington Honor Council ensures the integrity of the University's Honor System and operates on the basis that members of the University community take responsibility for their own actions. The Honor Council provides education concerning the Honor System for all members of the University, so that together we may develop a community in which honorable decision-making prevails. Facilitation of student enforcement and understanding of the Honor System, as defined in the Honor Constitution, is a key function of the Honor Council. As elected representatives of the student body, the University of Mary Washington Honor Council addresses student concerns regarding the Honor System and serves the entire University community.

Honor Council Members

2009–2010

President

Sarah L. Payne

Senior Class Representatives

Ashley Davis

Paul Dolan

Anna Greeley

Andrew Smith

Leigh Stanfield

Junior Class Representatives

Travis Bice

Mercy Furey

H. Gilmore McLean

Alexander Morris

Sarah Spangler

Sophomore Class Representatives

Matthew Baldwin

Caitlin Brady

Lea McLaughlin

Aaron McPherson

Stacey Whitehouse

Freshman Class Representatives

To be elected in fall 2009

Faculty Honor Advisors

2009-2010

Chandler Hall
Dr. David A. Rettinger

Combs Hall
Dr. Mara N. Scanlon

duPont Hall
Dr. Kevin P. Bartram

Goolrick Hall
Ms. Deborah A. Conway

Jepson Science Center
Dr. Judith A. Crissman

Monroe Hall
Dr. Joseph W. Nicholas

Simpson Library
Ms. Donna K. Hudgins

Trinkle Hall
Ms. Patricia M. Dean

Procedural Advisor
Dr. Carter L. Hudgins

Student Responsibilities Under the Honor System

Each student has the general obligation to act honorably in all dealings with other members of the University community, thereby not only developing one's own sense of personal integrity but also promoting a sense of honor within the entire community. Specific responsibilities include the following:

1. To understand the provisions of the Honor Constitution. In the event of an honor violation, a plea of ignorance will not be acceptable.
2. To understand all course requirements and other University regulations, violation of which might result in a breach of the Honor Code. If in doubt concerning any course requirement or University regulation, the student must consult the instructor or the appropriate University official for clarification.
3. To sign the Honor pledge card. New students must receive honor counseling by an Honor Council representative and sign the Honor pledge card. Honor counseling will normally occur during the freshman and transfer student orientation session. Pledge cards will be signed during the Honor Convocation ceremony. The ultimate responsibility for signing the Honor pledge card rests with each individual student.

Rights of the Accused:

1. To be considered "not responsible" unless proven otherwise
2. To be informed in writing of the exact charges being brought against him or her
3. To be free from testifying against him or herself
4. To plead responsible at any time prior to the convening of his or her jury hearing
5. To testify and present witnesses on his or her own behalf
6. To ask questions of testifying witnesses and of the accuser during a hearing, or to have questions asked on his or her own behalf
7. To be advised by any person during a hearing, with the exception of an Honor Council member, in addition to or instead of being assisted by his or her faculty and student honor advisors
8. To choose to have an individual hearing if charged along with one or more persons
9. To appeal his or her verdict or sanction in accordance with Appendix A, Article III, Section 3 of the Honor Constitution

10. To have the details of his or her case held in strict confidence by the Honor Council, by his or her accuser, and by any other persons involved in his or her case
11. To receive all physical evidence being presented against him or her at least 24 hours prior to the start of his or her hearing
12. To be given at least one week from the time that he or she enters a plea to prepare before the convening of his or her hearing
13. To have access to a record of the proceedings of his or her hearing

Responsibilities of the Accused:

1. To understand and accept the University of Mary Washington Honor System as set forth in the Honor System Guidebook
2. To understand the severity of the situation in which he or she is involved and the possible consequences that may result from his or her actions
3. To give prompt written notification to the Honor Council president if he or she chooses to change his or her plea from “not responsible” to “responsible”
4. To provide the Honor Council with all physical evidence necessary for his or her hearing no later than 24 hours prior to the start of the hearing
5. To cooperate with all Honor System proceedings

Reporting an Honor Violation

The Honor tradition at Mary Washington is a shared commitment. Ultimately, it is the participation of the student body that determines if the Honor System will continue to work. All members of the Mary Washington community should report any suspected violation of the Honor Code to the Honor Council. Only by abiding by the tradition of Honor is the University community able to preserve the Honor System as a way of life. If concerned about the existence of an Honor violation, please read and follow the outlined steps carefully.

1. If a member of the University community believes that an Honor violation has occurred, he or she should follow the procedure outlined in Appendix A, Article III, Section 1B of the Honor Constitution. Specifically, he or she should quickly and discreetly investigate the alleged violation; this includes approaching the suspected violator with a request for an explanation of said violation.
2. If the University community member, after completing the initial investigation, continues to believe that an Honor violation has occurred, he or she should fill out an Honor Accusation form and

submit it to the Honor Council. These forms can be obtained online at the UMW Honor Council website, <http://students.umw.edu/~honor>, or from a residence hall Honor Contact.

3. The completed form must be sent via campus mail to the Honor Council President within five academic days of the determination that a possible violation has occurred. The form may simply be addressed to "Honor Council." Please note that the accusation must be made within 21 days of the date of the incident.

Explanation of Honor Violations

Violations of the Honor Code, as set forth in the Honor Constitution, are – lying, stealing, and cheating. The following information is designed to explain certain infractions that are included within these categories:

1. Forgery – falsely and fraudulently making, altering, or causing to be altered, a document.
2. Copying – the use during a test or examination of illicit notes or of any of the following unless expressly authorized by the instructor:
 - a. One's own material
 - b. Another's material
 - c. Textbook
 - d. Class notes
3. Collaboration – without authorization working with another person or persons in the execution of a test, report, paper, laboratory work, or assignment. Except where joint effort is permitted or special allowances are made by the instructor, all work for which credit is sought must be performed by the individual student.
4. Plagiarism – copying or imitating the language, ideas, and/or thoughts of another and presenting this material as one's original work. Exemplary references for citation and plagiarism may be found at <http://owl.english.purdue.edu/> and <http://tlt.its.psu.edu/plagiarism>. The following standards shall apply in determining whether a document has been plagiarized in violation of the Honor Code:
 - a. Common knowledge – information quickly accessible to the reader of a given document. The reader need not actually know the information but must be able to check its accuracy quickly in any good library without citations from the author of the paper. Usually, the reader should also be able to check or pursue the

information in a variety of published sources. Such common or readily available information does not require documentation. But if the reader does need to use a particular source to follow up or verify the information, a reference to that source is necessary.

- b. Paraphrasing – complete rewording, using one’s own sentence structure. Any paraphrased facts or ideas that are not common knowledge must also be footnoted.
 - c. Quoted matter – the direct use of written material of another writer. Whenever this is done, the source must be indicated appropriately by internal reference or by footnote. The writer must enclose another’s words, phrases, or ideas in direct quotations. All direct quotations of more than three consecutive significant words should be indicated by quotation marks. It is the student’s responsibility to use a recognized source (e.g., Seeber’s *A Style Manual for Students*, Turabian’s *A Manual for Writers*, or the MLA Style Sheet) as a guide for making footnotes and bibliographic entries unless otherwise directed by the instructor. Moreover, it is the student’s responsibility to find out all the requirements of any course from the instructor and to consult the instructor for clarification if there is any doubt concerning such matters as paraphrasing and common knowledge.
5. Fabrication – a form of cheating that involves the false construction of work (e.g., data, laboratory work, graphs, statistics, bibliographies, etc.).
6. Divulging information – a form of cheating that involves revealing or disclosing information relating to academic work without authorization to do so.

NOTE: It is the obligation of the instructor to explain clearly the conditions under which all assigned work is to be completed, and it is the obligation of the student to be familiar with and accept such conditions. If in doubt, the student must consult the instructor for clarification.

University of Mary Washington

The Honor Constitution

Introduction

The Honor System applies to every student who is enrolled at the University of Mary Washington. Accordingly, every student shall be required to verify acceptance of the Honor System by signing the following Honor Pledge:

“I, as a student at the University of Mary Washington, do hereby accept the Honor System. I have read the Honor Constitution, understand it, and agree to abide by its provisions. Accordingly, I resolve to refrain from giving or receiving academic material in a manner not authorized by the instructor, from illegally appropriating the property of others, and from deliberately falsifying facts. I acknowledge that, in support of the Honor System, it is my responsibility to report any violations of the Honor Code of which I am aware. I realize that, in the event of a violation of the Honor Code, a plea of ignorance will not be acceptable, and that such a violation could result in my permanent dismissal from the University. I further pledge that I shall endeavor at all times to create a spirit of honor, both by upholding the Honor System myself and helping others to do so.”

Registration as a student at the University of Mary Washington obliges a student to abide by the Honor Constitution. Each student will sign the Honor Pledge before classes begin, in accordance with each College’s procedure. This is a symbol of each student’s willingness to accept the Honor System as a way of life at the University of Mary Washington. The ultimate responsibility for signing the Honor Pledge rests with the student.

Article I: Scope of the Honor Code

Section 1. The violations of the Honor Code are lying, cheating, and stealing in all their various forms. These terms are briefly explained as follows:

- A.** Lying: a deliberate misrepresentation of the truth. This violation includes, but is not limited to, forgery and the falsification or misuse of the student identification card by using another’s card or by allowing another to use one’s own card.
- B.** Cheating: an intentional misrepresentation of another’s word as one’s own, or a misrepresentation of the circumstances under which the

work was done. This violation includes, but is not limited to, copying, plagiarism, unauthorized collaboration, and unauthorized divulging of information.

- C. Stealing: the taking of the property of another person, the University, or any other organization or entity, without authorization or consent. This violation includes, but is not limited to, the theft or mutilation of library materials and the unauthorized duplication of a University key.

Section 2. In order to reaffirm commitment to the Honor System, the student shall write out in full and sign the following pledge on all quizzes, examinations, papers, and other assignments, as appropriate: *“I hereby declare upon my word of honor that I have neither given nor received unauthorized help on this work.”* By writing and signing this statement, the student affirms his or her promise to uphold the Honor Pledge. This pledge verifies that the work submitted is the student’s own and has been done in accordance with the requirements set forth by the instructor.

Section 3. Each College’s Organizational and Procedural Appendix is attached to this Constitution. The Appendices provide organizational and procedural requirements for the effective operation of the Honor System within the Colleges. These requirements are tailored uniquely and specifically to the Colleges, their student bodies, and their missions.

Article II: Organization

Section 1. The Honor Council is a judicial body designed to try specific cases brought to it regarding possible violations of the Honor Code. Each College shall have its own Honor Council, with its detailed organization outlined in the appropriate Appendix.

Article III: Procedure

Section 1. Investigation

- A. The Honor Councils operate on the premise that every person is deemed not responsible until proven responsible. Each College of the University of Mary Washington shall develop its own procedures for resolving suspected Honor Code violations. The procedures are outlined in the appropriate Appendix.

Article IV: Notation on Academic Record

Section 1. Record of Honor Hearing

- A. In the case of acquittal, all records of the hearing shall be destroyed expeditiously.

- B. In the case of a conviction, one or more of the following entries shall be made on the student's official academic record, as appropriate:
1. ***Sanctioned by the Honor Council on [date] to perform [number] hours of community service for the Honor Code offense of [name of violation].*** At the time of graduation from the University, this notation shall be removed from the official academic record.
 2. ***Sanctioned loss of credit in [insert course name] for the Honor Code violation of [insert violation].*** Three years after graduation from the University, this notation shall be removed from the official academic record
 3. ***Suspended for [period of time] by the Honor Council on [date] for the Honor Code offense of [name of violation]. Entitled to enroll no earlier than [date].*** This is a permanent notation.
 4. ***Permanently dismissed from the University by the Honor Council on [date] for the Honor Code offense of [name of violation].*** This is a permanent notation.

Article V. Amendments to the Constitution

Section 1. Amendments to this Constitution may be initiated either by the Honor Council itself or by the student body.

- A. Each Honor Council may initiate an amendment by an affirmative vote of at least three-fourths of its members. For approval, the amendment must then receive an affirmative vote from the University's additional Honor Council(s) of at least three-fourths of their members, and an affirmative vote of the majority of the votes cast in a student body referendum from both campuses.
- B. The student body may initiate an amendment by presenting to each Honor Council a petition signed by at least 10 percent of the currently enrolled student body from each campus. For approval, the amendment must then receive an affirmative vote of at least three-fourths of each Honor Council's members. It must then receive an affirmative vote of a majority of the votes cast in a student body referendum from both campuses.
- C. In the event that an Honor Council does not approve an amendment initiated by the student body, such action can be overridden if a petition signed by at least 25 percent of the currently enrolled student body is presented to each Honor Council requesting a referendum on the amendment. For approval, the amendment must then receive an affirmative vote of a majority of the votes cast in a student body referendum from both campuses.

Section 2. Amendments to an Appendix may be initiated by the appropriate Honor Council or by the student body of the appropriate campus.

- A. An Honor Council may initiate an amendment to its Appendix by an affirmative vote of at least three-fourths of its members. For approval, the amendment must then receive an affirmative vote of the majority of the votes cast in a student body referendum of the appropriate campus.
- B. The student body may initiate an amendment to its Appendix by presenting to its Honor Council a petition signed by at least 10 percent of the currently enrolled student body. For approval, the amendment must then receive an affirmative vote of at least three-fourths of the Honor Council's members. It must then receive an affirmative vote of a majority of the votes cast in a student body referendum of the appropriate campus.
- C. In the event that an Honor Council does not approve an amendment to an Appendix initiated by the student body, such action can be overridden if a petition signed by at least 25 percent of the currently enrolled student body of the appropriate campus is presented to its Honor Council requesting a referendum on the amendment. For approval, the amendment must then receive an affirmative vote of a majority of the votes cast in a student body referendum of the appropriate campus.

Section 3. Any amendments to the Constitution or Appendices must be approved by the Board of Visitors of the University before the amendments can become operative.

Appendix A

College of Arts and Sciences

Honor Constitution

Organizational and Procedural Appendix

Article I: Scope of the Honor Code

Section 1. The violations of the Honor Code are lying, cheating, and stealing in all their various forms.

Article II: Organization

Section 2. The Honor Council consists of a president and 20 other members.

- A. The Honor Council president is elected at large by the entire student body from among currently enrolled students. The president must have at least one academic year's experience as an Honor Council representative. In the event that no eligible candidates are nominated to run for the Honor Council presidency, an appropriate decision will be made by the President of the University. Any concerns of eligibility that arise will be handled by the President of the University.
- B. The 20 other members consist of five representatives each from the freshman, sophomore, junior, and senior classes. They are elected by currently enrolled students in the respective classes.
- C. One Honor Council representative shall be elected by the Council to serve as vice president. That person shall assume the duties of the president in the president's absence, and shall perform such other duties as may be assigned by the president.
- D. The terms of office of Honor Council members shall begin in the spring semester of the year in which elected, and shall continue until the installation of the succeeding members the following year. Members of the Honor Council may be reelected.
- E. Attendance Policy per Semester. When an Honor Council representative has two unexcused absences, he or she will meet with the Honor Council president. After a third unexcused absence, the member will be removed from the Council, and a Special Election will be held to fill the position. [Unexcused absences are determined by the President.]
- F. Any member of the Honor Council who fails to perform the duties or uphold the standards of office may be removed by action of his or her constituency or by the Honor Council itself, as follows:

1. Upon presentation to the Honor Council of a petition signed by at least 20 percent of the member's currently enrolled class (in the case of an honor representative), or at least 20 percent of the entire currently enrolled student body (in the case of the president), the question of recall shall be considered. At least three-fourths of the Honor Council must vote in favor of removal in order for the motion to be carried. If upon petition the Honor Council fails to remove the member in question, such action may be overridden upon petition of at least 40 percent of the appropriate constituency followed by a majority of the votes cast by that constituency.
2. Alternatively, the Honor Council itself may initiate the recall of a member by a vote of at least three-fourths of its members in favor of removal.
3. Whenever a member is removed or resigns from office, an election shall be held as soon as practicable by the appropriate constituent group to fill the vacancy thus created.

Section 3. There shall be an Honor Advisory Board consisting of the president of the Honor Council, who will act as chair, and two Honor Council representatives. The other two Honor Council representatives will be appointed by the president, and they must be either junior or senior members who have at least one year experience on the Council. It is the responsibility of this body to receive information from the accuser's statement and the statement received from the accused. It is on that basis that the Honor Advisory Board determines the appropriate dispensation of the alleged violation.

Section 4. There shall be student honor advisors appointed by the Student Advisor Coordinator from among the Honor Council representatives.

- A. An Honor Council representative, who is elected vice president of the Honor Council and who shall serve as Student Advisor Coordinator, will appoint two student honor advisors to each hearing.
- B. At each hearing, one student honor advisor will serve as advisor for the accuser and one will serve as advisor for the accused.

Section 5. There shall be eight nonvoting faculty advisors to the Honor Council, two of whom shall be present at each hearing.

- A. Faculty advisors shall be appointed for staggered three-year terms by the President of the University in consultation with the president of the Honor Council.

- B. Faculty advisors shall be selected in such a manner that there is at least one representative from each of the classroom buildings and the library.
- C. Prior to each honor hearing, one faculty advisor shall be available to assist the accuser and one to assist the accused, but neither shall participate in the conduct of the hearing itself.
- D. Faculty advisors should meet with the Honor Council president and/or vice president at least once per semester to review matters of function and practice, and to review sanctions imposed by the Honor Council.
- E. The president of the Honor Council, or the vice president of the Honor Council, shall report to the Faculty Senate at least once per semester concerning Council matters.

Section 6. In order to take into account the existence of more than one Honor Council (one on each campus), a student suspected of an honor violation will be referred directly to their “home campus” Honor Council for investigation. “Home campus” shall be determined by the Registrar’s office.

Section 7. Procedural Advisor: there shall be one nonvoting Procedural Advisor to the Honor Council, who shall be appointed by the President of the University in consultation with the president of the Honor Council. It shall be the role of the Procedural Advisor to aid the Honor Council president in providing clarification concerning Honor System procedures. The Procedural Advisor shall be present at each Honor Hearing Panel and Honor Council deliberation during said hearings.

Article III: Procedure

Section I. Investigation

- A. The Honor Council operates on the premise that every person is deemed not responsible until proved responsible.
- B. All members of the University community should feel obligated to investigate as quickly and discreetly as possible any suspected violation of the Honor Code. If it is apparent that no honor violation has in fact occurred, there shall be no further proceedings. If, however, it is believed that a violation has occurred, the alleged honor violation will be reported to the Honor Council president, who will notify the accused. The accused is required to turn in a written statement within five business days from the date on the accusation notification, and he or she will be asked to provide his or her contact information to answer any additional questions. If notification is not received within

five business days, the Council will proceed as if the student had pled responsible. If the explanation is deemed satisfactory, there shall be no further proceedings. If the explanation is not satisfactory, an accusation should be made, and the accuser must notify the president of the Honor Council in writing. All accusations must be made within 10 business days from the date of discovery of the alleged violation. This 10-day period within which an accusation must be made excludes all breaks. The accused must be a member of the University community.

- C. The Honor Council president will notify the accused that he or she has five business days to turn in a written statement. The statement from the accuser is already available in the letter of accusation.
- D. The Honor Council president as well as two Honor Council representatives will meet as the Honor Advisory Board to discuss the two written statements and any other evidence submitted. Such meetings will be organized within five business days after receiving the written statements and other evidence. All evidence considered by the Honor Advisory Board shall be assembled as a packet and copies made available to the accuser and the accused following the Honor Advisory Board hearing.
- E. On the basis of the information packet and the Honor Investigator's report, the Honor Advisory Board shall make one of the following determinations:
 - 1. If there is no evidence that a violation has occurred, the process shall end.
 - 2. If the evidence presented is insufficient, or the grounds inappropriate to warrant further adjudication, there shall be no further proceedings.
 - 3. If there is evidence of a violation, but not one that involves an infraction of the Honor Code per se, the matter shall be referred to the appropriate body for adjudication (e.g., Judicial Review Board).
 - 4. If there is evidence of an Honor Code violation, the accused student shall be given the option of withdrawing from the University or being heard by the Honor Council.
 - 5. If either determination number 1 or 2 is made by the Honor Advisory Board, then the information packet that was prepared by the Honor Investigator is destroyed. If either determination number 3 or 4 is made, then the packet shall be given to the accuser and the accused.

F. Voluntary Withdrawal

- 1.** An accuser cannot withdraw a charge of an honor violation upon agreement of the accused to withdraw from the University.
- 2.** If the accused elects to discontinue enrollment:
 - a.** The Honor Council shall take appropriate action to record the facts as they were presented.
 - b.** The Honor Council president shall notify the President of the University and other appropriate administrative officers of such action, and the following entry shall be made on the student's official academic record: "Withdrew from the University on [date] under accusation of an Honor Code violation of [name of violation]."

G. No hearing shall be scheduled between the beginning of the Reading Period and the end of the Examination Period. Cases that arise within this time frame shall be tried as soon as possible but ordinarily no later than the end of the second week of classes during the subsequent semester (summer sessions excluded). In the event of extenuating circumstances, the president of the Honor Council may grant a postponement.

H. Admission of Responsibility

- 1.** The accused student may plead responsible at any point prior to convening the actual honor hearing. When doing so, the accused shall appear before an Honor Hearing Panel. The purpose of the hearing shall be to determine an appropriate sanction based on the honor violation.
- 2.** When pleading responsible, the accused student must send a signed, written statement to the Honor Council president acknowledging a plea of responsible.
- 3.** Upon receipt of the accused student's statement, the Honor Council president shall arrange for an Honor Hearing Panel. At the hearing, the Honor Council shall be represented by six of its members: the Honor Council president, who is the presiding officer for the hearing, plus five unbiased Honor Council representatives. Both parties shall be entitled to have present at the hearings a student honor advisor appointed by the Student Advisor Coordinator and a faculty advisor. Both parties shall be entitled to present a statement at the time of the hearing.

I. Plea of Not Responsible

1. The accused student may plea not responsible at any point prior to convening the actual honor hearing. When doing so, the accused shall appear before a hearing panel. The purpose of the hearing shall be to determine whether the accused is responsible or not. If the accused is found responsible, then the panel will also determine an appropriate sanction based on the honor violation.
2. When pleading not responsible, the accused student must send a signed, written statement to the Honor Council president acknowledging a plea of not responsible.
3. Upon receipt of the accused student's statement, the Honor Council president shall arrange for a panel. At the hearing, the Honor Council shall be represented by six of its unbiased members: the Honor Council president, who is the presiding officer for the hearing, plus five unbiased Honor Council representatives. Both parties shall be entitled to have present at the hearings a student honor advisor, appointed by the Student Advisor Coordinator, and a faculty advisor. Both parties shall be entitled to present a statement at the time of the hearing.

J. Evidence and Witnesses

1. The accuser and accused may use anything contained in the Honor Investigator's report during an honor hearing. Any additional information presented at the hearing that is not contained in the Investigator's report, or the use of oral or written testimony from third parties, must be exchanged among the accuser, accused, and the Honor Council president at least 48 hours prior to the convening of the hearing.

Section 2. Hearing

A. Composition

1. At a hearing, the Honor Council shall be represented by six of its unbiased members: the Honor Council president, who is the presiding officer for the hearing, plus five Honor Council representatives.
2. Two faculty advisors appointed by the vice president of the Honor Council (see Article II, Section 5 C) shall be present, but shall not participate in the conduct of the hearing itself.
3. Two student honor advisors shall be present. The Student Advisor Coordinator shall designate one to serve as advisor to the accused and one as advisor to the accuser.

4. The accuser and the accused may engage any person of his or her own choice to act as counsel (see Article III, Section 2 B 3).
5. The hearing will proceed in the absence of the accused, unless granted a postponement by the Honor Council president.

B. Format

1. Attendance at the hearing shall normally be restricted to those persons described above (Article III, Section 2 A). However, the accused may request an open hearing, in which case additional members of the University community or other persons designated by the accused may also attend as permitted by room capacity.
2. The Honor Council, with the president serving as the presiding officer, shall direct the hearing process. The vice president shall serve as the presiding officer over hearings if the president for any reason is unable to be present.
3. Rules of Testimony
 - a. The accused is not required to testify on his or her behalf and cannot be compelled to answer questions during the hearing.
 - b. Failure of the accused to testify shall not be mentioned by the accuser during the hearing, nor shall it be a consideration in determining either a verdict or, in the event of conviction, a sanction.
 - c. If the accused chooses to respond to questions from the Honor Council, such responses must be made personally by the accused, not by counsel or by any other representative of the accused.
4. Upon conclusion of all testimony, the hearing panel, which shall consist of five Honor Council members, shall deliberate and deliver to the Honor Council president a verdict of responsible or not responsible. A verdict of responsible shall be rendered only upon the concurrence of at least three-fifths of the hearing panel.
 - a. If a verdict of responsible is rendered, the five Honor Council panel members who are present shall decide the appropriate sanction, which shall be announced by the president of the Honor Council.

C. Sanctions

1. Following a verdict of responsible or an admission of responsibility, the Honor Council must impose one or more of the following sanctions:

- a. **Community Service.** Where appropriate, the sanction of community service may be rendered.
 - b. **Loss of Credit for the course.** In cases involving academic credit through the assignment of a failing grade in the course(s) involved.
 - c. **Honor Suspension.** Honor suspension is the loss of all academic credit for the semester in which the violation occurred. The period of suspension may be made longer at the discretion of the Honor Council.
 - d. **Permanent Dismissal.** A student receiving the sanction of permanent dismissal is not eligible to return to the University.
2. Any record of previous honor offenses shall not be taken into account in determining the verdict in a hearing. However, the Honor Council shall consider such record in determining the sanction to be imposed in the event of subsequent conviction, as follows:
 - a. If a student, having been previously convicted and given the sanction of loss of credit for course or community service, shall be found responsible of a second violation, the sanction for the latter violation must be either suspension or permanent dismissal.
 - b. If a student, having been previously convicted and suspended, shall be found responsible of a subsequent violation, the sanction for the latter violation must be permanent dismissal.
3. All sanctions imposed shall be entered into the student's official academic record (see Article III, Section 4 B).

Section 3. Appeal

A. Appeal of verdict

1. A student convicted of an honor offense may appeal the verdict on procedural grounds or upon the presentation of relevant new evidence that was unavailable at the time of the original hearing. Such appeal must be made in writing and may, in addition, be presented orally to the Honor Advisory Board, which shall consist of three Honor Council representatives, within five business days after the initial verdict is rendered; the Board shall then determine whether sufficient grounds exist for granting the appeal.
2. If the appeal is granted, a new hearing is ordered. Such a hearing shall be conducted in accordance with established honor hearing procedures (see Article III, Section 2), but it shall include no Honor Council member or juror who participated in the initial hearing.

3. If the appeal is not granted, the original verdict shall stand as rendered.

B. Appeal of Sanction

1. A student convicted of an honor offense has the right to appeal the sanction on the grounds that the penalty is too harsh for the violation committed. Such appeal must be made in writing and may, in addition, be presented orally to the president of the Honor Council within five business days after the initial verdict is rendered.
2. The president of the Honor Council shall appoint an Honor Appellate Panel to consider such appeal. The Panel shall consist of five unbiased Honor Council members who did not participate in the initial hearing.
3. During an appeal, the Honor Appellate Panel shall review records of the initial hearing. The president or vice president of the Honor Council may read a personal statement submitted by the appealing student to the Honor Appellate Panel. The Panel shall determine whether to sustain, decrease, or increase the sanction imposed at the initial hearing based upon the records and statements presented to them.
4. The decision of the Honor Appellate Panel shall be final, and the convicted student shall have no further right of appeal.

- C.** In the event that an insufficient number of current Honor Council members are available to consider an appeal, the Honor Council president shall have the right to authorize previous Honor Council members to serve at an appeal hearing.

Section 4. Notation on Academic Record

- A.** In the case of acquittal, all records of the hearing shall be destroyed expeditiously.
- B.** In the case of conviction, an entry shall be made on a student's academic record as described in Article IV of the Constitution.

Section 5. Violations of Conditions of Previously Imposed Sanctions

- A.** The Honor Council may re-sanction a student who has violated the conditions of a previously imposed sanction even if the violation itself does not constitute an honor offense.

B. Hearing

1. The president of the Honor Council shall arrange for a hearing to consider whether the conditions of a previously imposed sanction have been violated. At this hearing, the Honor Council shall be

composed of six of its members: the Honor Council president, who is the presiding officer for the hearing, plus five unbiased Honor Council representatives. The accused shall be entitled to have present at the hearing an Honor Council member, who will serve as a student honor advisor, and a faculty advisor appointed by the vice president, who will serve as the Student Advisor Coordinator. The Honor Council will bring a charge of violation of conditions of a previously imposed sanction. The accused shall be entitled to present any evidence at the hearing that is relevant to the charge that the previously imposed sanction has been violated. No evidence may be presented at the hearing that is otherwise excluded by the procedures of the Honor Council of the Honor Constitution.

2. The hearing will proceed in the absence of the accused.
 3. Upon conclusion of all testimony, the five Honor Council representatives who are present at the hearing shall determine what sanction, if any, will be imposed.
 4. The sanction imposed pursuant to this procedure may supersede, or be in addition to, the sanction previously imposed for the honor offense.
- C. In the event that an insufficient number of current Honor Council members are available to attend this type of hearing, the Honor Council president shall have the right to authorize previous Honor Council members to participate.

Section 6. A brief summary of every case heard by the Honor Council whether resulting in acquittal or conviction, shall be published in an appropriate venue. Such summary shall include the verdict and the sanction (if any), but shall not include the names of the accuser or accused. Case information may be found at: <http://students.umw.edu/~honor/>. There will be a folder on the homepage of this web site titled "Case Summaries" that will contain and sort the cases by semester.

Article IV: Amendments to Appendix A

Section 1. Amendments to this Appendix may be initiated either by the Honor Council itself or by the student body of the College of Arts and Sciences.

- A. The Honor Council may initiate an amendment by an affirmative vote of at least three-fourths of its members. For approval, the amendment must then receive an affirmative vote of the majority of the votes cast in a student body referendum.

- B. The student body may initiate an amendment to Appendix A by presenting to the Honor Council a petition signed by at least 10 percent of the currently enrolled student body. For approval, the amendment must then receive an affirmative vote of at least three-fourths of the Honor Council members. It must then receive an affirmative vote of the majority of the votes cast in a student body referendum.
- C. In the event that the Honor Council does not approve an amendment to Appendix A initiated by the student body, such action can be overridden if a petition, signed by at least 25 percent of the currently enrolled student body, is presented to the Honor Council requesting a referendum on the amendment. For approval, the amendment must then receive an affirmative vote of the majority of the votes cast in a student body referendum.

Section 2. Any amendment must be approved by the Board of Visitors of the University before it can become operative.

Approved by student body, March 1, 1990
Approved by Board of Visitors, April 7, 1990

Amended by student body referendum, March 28, 1991
Amendment approved by Board of Visitors, April 19, 1991

Amended by student body referendum, March 22, 1994
Amendment approved by Board of Visitors, April 16, 1994

Amendments approved by Board of Visitors, November 11, 1995
Amended by student body referencdum, December 4, 1995

Amendments approved by Board of Visitors, February 10, 1996
Amended by student body referendum, February 28, 1996

Amended by student body referendum, April 12, 2001
Amendments approved by Board of Visitors, April 21, 2001

Amended by student body referendum, April 2, 2002
Amendments approved by Board of Visitors, April 20, 2002

Amended by student body referendum, April 2, 2003
Amendments approved by Board of Visitors, April 11, 2003

Amended by student body referendum, March 10, 2005
Amendments approved by Board of Visitors, April 16, 2005

Amended by the Board of Visitors, September 8, 2006

Amended by student body referendum, February 11, 2009
Amendments to Appendix A approved by Board of Visitors, February 20, 2009
Amendments to Constitution approved by Board of Visitors, May 8, 2009

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