



VALPARAISO
UNIVERSITY

**CONSTITUTION
OF THE
VALPARAISO UNIVERSITY HONOR
SYSTEM**

Revised Spring 2012



PREAMBLE

The student-initiated Honor System, administered by the Honor Council and its constituent bodies, is recognized and approved by Valparaiso University as an integral part of the regulations under which students in the undergraduate colleges become members of the university community. Manifestly, it is impossible for anyone to become a member of the university without both explicit and implicit adherence to the Honor System.

The basis upon which the Honor System at Valparaiso University is founded is in every way consistent with the highest principles of ethics and morality and presumes that students are able and willing to accept the duties and responsibilities for maintaining the principles of honorable conduct for the sake of the community and themselves. The provisions of this Constitution are also designed to protect the rights of those accused of Honor Code violations so that the Honor System will function with justice and fairness to all.

Under the Honor System all written examinations are taken in an atmosphere free from the surveillance of a proctor, unless requested by a student in the class using the form available in the offices of the deans. Every student has the responsibility to keep academics free of dishonesty, that is, to neither give nor receive unauthorized aid. Non-toleration of the use of unauthorized aid is a further responsibility that is inherent in the Honor System. Each student must report to the Honor Council any violation of the System of which the student becomes aware, free from the pressure of ensuing penalty.

The students reserve the right to review their Constitution at least every even year in the first half of the Spring semester by an appointed committee of student Honor Council members, who shall evaluate the Constitution and make recommendations to the Officers of the Honor Council by March for appropriate action to be taken.

ARTICLE I. THE HONOR SYSTEM

Section A. The Honor System at Valparaiso University was instituted by a resolution of the university faculty upon a petition of the student body. The faculty reserves the right to abrogate the system at any time.

Section B. All academic work completed and submitted for credit in any form by a student while enrolled at Valparaiso University shall be governed by the Honor System as it is defined in the Constitution. The Honor Code is: **"I have neither given or received, nor have I tolerated others' use of unauthorized aid."** Every student **must** write out the Honor Code **in full** and sign it for all work submitted for academic credit. **Authorized aid will be defined by the particular instructor for all academic work. It shall be the duty of the instructor to indicate as clearly and unambiguously as possible, both at the beginning and throughout the semester, the possibilities or limitations of authorized aid; however, it shall be the responsibility of the student, when in doubt, to ask the instructor what is or is not authorized aid.** Any student member of the university community who assists in the acquisition of unauthorized aid, uses unauthorized aid, or tolerates its use, shall be subject to punishment under the Honor System. It is also the

responsibility of the student to ask the instructor if academic files (e.g. Greek Files) are permitted in a particular class. Students providing academic files in a class where they are considered unauthorized aid shall be charged with toleration of unauthorized aid under the guidelines of Article III, Section M, providing they still attend the University.

Section C. The Honor System is administered by the Honor Council as an agent of the University Administration under the general approval and authority of the President of the University. The Honor System consists of four integrated bodies: the Honor Council, the Counselors, the Appeals Board and the Education Commission.

Clause 1. The Honor Council is an educational, remedial, and judicial body with the duty of maintaining the Honor System in the academic community. The Honor Council conducts hearings regarding alleged Honor Code violations, determines whether the accused is guilty or not guilty, and assigns penalties to those who are found guilty. All students are considered not guilty until determined guilty. Upon notification by the office of the Provost that the Honor Council has assigned such a penalty, the appropriate Officer of the University shall carry out any penalty requiring administrative action.

Clause 2. The Faculty Counselors of the Honor System shall be former Honor Council faculty members. The Counselors shall be responsible to the Honor Council coordinator and shall be available to advise the student Counselor.

Clause 3. The Appeals Board of the Honor System is the appellate body to which one convicted of an Honor Code violation may appeal regarding some deficiency, irregularity, or injustice that the student believes affected the adjudication of the case. The Appeals Board shall have the power to reverse or modify the original finding for just cause or to deny the appeal, all of which result in full closure of the student's case.

Clause 4. The Education Commission is responsible for a continuous program of campus education directed at both students and faculty. The Commission is charged with the duty of establishing and implementing an aggressive, on-going program of campus education, in the principles, responsibilities, and practices of the Honor System.

Section D. A licensed attorney shall be available to the members of the Honor Council, the Counselors, and the Appeals Board for advice and counsel. The General Counsel of Valparaiso University shall be the Honor Council's designated licensed attorney. In the event that the licensed attorney cannot serve at any hearing of the Honor Council or the Appeals Board, as requested by the Chair of the Honor Council or Chair of the Appeals Board, the President shall appoint a designated official.

ARTICLE II. THE HONOR COUNCIL

Section A. Purpose--The Honor Council shall investigate and adjudicate all alleged reports of Honor Code violations that are brought to its attention by the students, faculty, or administrative staff of the Valparaiso University community.

Section B. Student Membership

Clause 1. Honor Council Student Members shall:

- a. Maintain at least a 2.5 cumulative grade point average.
- b. Have not been convicted of an Honor Code violation.
- c. Not be on disciplinary probation.

Clause 2. Honor Council Student Members shall:

- a. Have a good moral character.
- b. Demonstrate strong analytical skills.
- c. Have an interest in the workings of the Honor System.
- d. Attend all full-body meetings.
- e. Reasonably and actively serve.
- f. Communicate when required with the appropriate officers of the Honor Council.
- g. Find a replacement member to discharge the member's duties if he or she cannot do so.

Clause 3. The size of the student membership shall be reviewed each year by the Honor Council to ensure sufficient members to accomplish the tasks assigned to the Honor Council, the Appeals Board, and the Education Commission.

Clause 4. Election of Members

- a. Deans of the appropriate colleges and all Resident Assistants will be notified by the Honor Council as vacancies arise. They will be asked to submit a list of potential candidates who meet the requirements set out in Article II, Section B, Clause 1. Publicity will also be extended to all members of the student body so that all interested students may apply.
- b. One letter of written recommendation from university faculty is required of the candidates. The faculty persons shall send the letters directly to the Recruitment Vice-Chair in order to provide for candid expression regarding the character of the candidate.
- c. The Honor Council will conduct interviews involving all interested candidates. The purpose of the interview shall be to inform candidates of the nature of the work and affirm that they are willing and able to participate. Candidates must be approved following the interview by a two-thirds vote of the student members present. The interview committee shall include all interested student Honor Council members.
- d. The Honor Council shall strive to have membership reflecting the diversity of the student body. This shall encompass, but not be limited to, majors, colleges, cultural affiliations, and social affiliations.

Clause 5. Honor Council members will serve until graduation, so long as they remain eligible and serve satisfactorily. Members or officers who become ineligible according to the criteria of Article II, Section B, Clause 1 shall be permanently removed from the council at the discretion of the Chair with the approval of the faculty advisor. Members who become ineligible according to Article II, Section B, Clause 2 shall be notified and given the opportunity to remedy the situation. If the situation continues, they shall be permanently removed by a majority vote of student Honor Council members. Any member in good standing may initiate removal proceedings by contacting the faculty advisor.

Section C. Officers

Clause 1. At the spring organizational meeting, nominations shall be taken from student members of the Honor Council for the following offices for the upcoming academic year: Chair of the Honor Council, Chair of the Appeals Board, Executive Vice-Chair, Administrative Vice-Chair, Recruitment Vice-Chair, Corresponding Secretary, Web Administrator, Counseling Chair, and Summer Session Investigative Chair. At the discretion of the council, nominations will be taken for supplementary offices. These may include a Records Keeper and an Appeals Vice-Chair, and assistants to the offices listed above. If the elected Chair will not be available

during the summer session, he or she must appoint a Chair Pro Tempore at the spring organizational meeting. Should the current Chair be a candidate for any office in the forthcoming term, the Chair shall appoint a director of elections to receive nominations and chair the voting procedure. The student members of the Honor Council will then vote on the candidates with the officers being elected by a simple majority. Quorum for elections shall be a simple majority of current student members of the Honor Council. The new officers will take office immediately with the advice and direction of the past officers.

Clause 2. The duties of Honor Council Officers shall be described in an addendum to this Constitution.

Clause 3. The Honor Council reserves the right to recall officers. Written notification, including detailed reasons for the recall, must be sent to the Chair (or the Executive Vice-Chair in the event that the officer under question is the Chair) and the faculty advisor. The student members of the Honor Council shall vote and the motion must pass with a two-thirds majority. The other officers shall oversee the duties of the recalled office until such time as an election can be held for a new officer. In the event that an officer loses his/her office, he/she shall still retain membership in the Honor Council.

Section D. Faculty Membership

Clause 1. The Honor Council shall be constituted so as to include a minimum of ten faculty members as voting members. The size of the faculty membership shall be reviewed each year by the Honor Council to ensure sufficient members to accomplish the tasks assigned to the Honor Council, the Appeals Board, and the Education Commission.

Clause 2. Faculty shall be appointed to membership on the Honor Council by the President of the University upon the recommendation of the Deans of the Colleges with the approval of the student members of the Honor Council. It shall be the goal of the Honor Council to have a fair distribution of faculty membership from each college; ideally: four from Arts and Sciences, two from Business Administration, two from Engineering, one from Christ College, and one from Nursing.

Clause 3. The length of office for voting faculty members of the Honor Council shall be at minimum a two-year renewable term.

Clause 4. Voting faculty members may not serve as investigators or as officers of the Honor Council, except in the case of service with the Education Commission.

Section E. All Member Meetings

Clause 1. At least twice a year, once in the Fall and once in the Spring, the Honor Council shall conduct all member meetings. The Chair of the Honor Council may call additional meetings.

Clause 2. All students and faculty members of the Honor Council are expected to attend each meeting of the Council. If a member should find it necessary to miss a meeting, that member should notify the Chair beforehand and submit an excuse for the absence. Three unexcused absences during an academic year will constitute unsatisfactory service and will result in dismissal from the Council, as set forth in Article II, Section B, Clause 5. The Honor Council Chair may establish a system of rotation or excuse members when appropriate.

Clause 3. New student and faculty members of the Honor Council *must attend two complete hearings* before participating in voting procedures.

Clause 4. In any session of the Honor Council, a minimum of six voting student members and three voting faculty members must be present for quorum, excluding the student investigator(s) and Hearing Chair. After a synopsis of the case by the investigator, quorum may be waived by a simple majority vote of present members. A motion to waive quorum requirements may be made by the Chair and voted on by the present council only if a minimum of four students and one faculty member are present, excluding the Chair and the student investigator(s).

Section F. Membership in the Honor Council is based on merit. The Honor Council does not discriminate on the basis of gender, race, color, national origin, disability, age, sexual orientation, or religious affiliation.

ARTICLE III. INVESTIGATION AND DISPOSITION OF CASES

Section A. Any suspected violation of the Honor Code shall be reported to the Honor Council by completing and submitting the violation report form found on the Honor Council's website. The Honor Council Chair shall then appoint an investigator to the case.

Clause 1. Students and faculty members who detect an alleged Honor Code violation while evaluating course work shall have *ten academic days* (an academic day is defined as a day on which classes are held and does not include school holidays, class cancellations due to inclement weather, reading day, or finals) to report the alleged violation to the Honor Council from the day of detection.

Section B. The accused shall be notified by the Chair of the Honor Council as to the alleged violation within five academic days of being reported. If contact has not been reciprocated, the Honor Council Chair shall follow up with registered mail immediately. In any circumstance, the name(s) of any student accuser(s) shall not be revealed to the accused. All other relevant evidence known to the investigator shall be made available to the accused. Once a case has been turned in, all activity regarding the course in question will be frozen. Only if the accused is found not guilty or if the charges are dismissed may the course be dropped. However, during the time of the investigation and pending hearing, the accused may, and is encouraged to, continue attending class.

Section C. The accused may plead Guilty, thereby acknowledging the violation, receiving the standard penalty and forgoing a hearing. He or she may also plead Guilty with Extenuating Circumstances, thereby acknowledging the violation but believing there are circumstances that would merit a deviation from standard penalty. A hearing is required. If the accused pleads Not Guilty, a hearing is required unless the accuser retracts the allegation. Once a decision has been made as to whether or not a case will go to hearing, the accused will be notified of the decision within forty-eight hours. This pertains to cases that are dismissed, as well as those that will go to hearing. If the case is to go to trial, the assigned investigator or if necessary, the Honor Council Chair must also notify the accused as to the date, time, and place of the hearing within forty-eight hours of the decision by phone or electronic mail.

Section D. All cases warranting a hearing by the Honor Council shall be scheduled within twenty-five academic days of receipt by the Chair of the Honor Council, excluding cases running into or occurring during the summer session, in which case, see Article VI. Cases not heard within this period may be dismissed, except in the case(s): of a) mutual agreement for delay, b) delays in the case caused or requested by the accused, or c) circumstances

beyond the Honor Council's control. The twenty-five day period shall be extended at the discretion of the Chair of the Honor Council. Cases shall be heard with all expediency.

Section E. Failure on the part of the accused to respond to attempted communications within the allotted twenty-five day investigation period shall result in a hearing as normal, with no time extensions. That is, when an accused fails to answer any letters, emails, telephone calls, etc. from the investigator(s) or Chair of the Honor Council, the case will be brought to hearing with all due expediency as with any other case. The accused does not necessarily give up the right to appear at the hearing to speak to his or her case. If the accused does neglect this right and fail to appear at the hearing, actions will be taken in accordance with Section F, Clause 1.

Section F. Without prior notification to the Chair of the Honor Council or assigned investigator, failure to report to the hearing will result in the following action:

Clause 1. Failure on the part of the accused: Decision is made based on the testimony given to the Honor Council investigator during the investigation process. The right to further speak to the alleged violation or answer additional questions is waived.

Clause 2. Failure on the part of the accuser: Dismissal of the case if the accused has pleaded not guilty prior to the hearing.

Section G. The only persons allowed in closed hearings of the Honor Council shall be the accused, the accuser(s), witnesses presenting evidence for or against the accused, character witnesses, the Honor Council members, and, subject to the discretion of the Chair of the Honor Council, the Honor Council Legal Consultant. The accused may be present in the hearing only while giving testimony. In order to preserve the anonymity of all parties, there will be absolutely no access to any taped proceedings of the Honor Council, except to the Chair of the Honor Council, the Chair of the Appeals Board, and deliberating members of the designated Appeals Hearing present for the discussing of the case in question.

Section H. The accused is entitled to a maximum of three character statements on their behalf. At least two of these must be in writing, and the third, or a maximum of one, may appear in person at the hearing and is limited to a five-minute, pre-constructed statement. They are to appear solely as a character witness and may not be told of any facts pertaining to the case. The council may question the character witness solely about the character of the accused. The appointed student investigator shall receive written statements directly addressing the Council's proceedings and bearing the signature of the author across the seal of the envelope, and notice of character witnesses appearing in person no less than twenty-four hours before the hearing. It is the responsibility of the accused that all character statements are secured by the appropriate time. Character statements not received prior to twenty-four (24) hours before a scheduled hearing may not be considered. Character witnesses not identified prior to twenty-four (24) hours before a scheduled hearing will not be heard.

Section I. A vote may be taken only after at least one member of the Honor Council speaks for the motion and one member of the Honor Council speaks against the motion. The accused shall be found not guilty when a majority of all present, eligible voting members vote in favor of the motion. The accused shall be found guilty when two-thirds of all present, eligible voting members vote in favor of the motion. The Chair of the Honor Council will not vote except in the case of a tie. Only those members of the Honor Council who have heard all testimony concerning the case in question shall vote. The investigator(s) shall not vote, nor may they make a motion to find the accused guilty or not guilty. When determining what number of votes is needed for a majority or two-thirds, the base number shall be determined by counting the total number of votes cast, excepting any abstentions from voting registered. If a motion to find the accused guilty or not guilty

fails, discussion must resume until the opposite motion is made or a second motion to find the accused guilty or not guilty passes.

Clause 1. Standard of Proof: All students accused of an Honor Code Violation shall be considered innocent unless clear and convincing evidence is presented to the contrary.

- a. Clear and convincing evidence shall be defined as “That measure of proof which reasonably produces in the minds of the council members a firm belief in the validity of the accusation.”
- b. Previous actions of the Honor Council regarding the accused are irrelevant during the finding of innocence or guilt.

Clause 2. If the Honor Council feels that it has violated grounds of appeal expressed in Article V, Section B, Clause 3, it may find the accused innocent.

Section J. If the accused is found guilty, regardless of their entered plea there shall be a motion to vote on whether or not there are grounds for deviation. Possible deviations include Deviation on the grounds of Extenuating Circumstances and Deviation on the grounds of Aggravating Circumstances. The vote on deviation shall be determined by a simple majority. In the event of a tie, the Chair shall cast the deciding vote. If no grounds for deviation are found, standard penalty shall be applied. If grounds for deviation are found, the council shall move on to the penalty phase. Penalties for cases with deviation are outlined in Article III, Section J, Clause 3 and Clause 4.

Clause 1. Deviation on the grounds of Extenuating Circumstances:

Extenuating Circumstances are defined as Conditions or Circumstances in the personal and/or academic life of the accused that are unexpected, beyond the control of the accused, and supernormal to what could reasonably be expected of or by a student of Valparaiso University. Extenuating circumstances do not include the length, difficulty, or weight of an assignment, nor the weight of an accused student's current coursework.

Clause 2. Deviation on the grounds of Aggravating Circumstances:

Aggravating Circumstances are defined as circumstance(s) that enhance the culpability of the accused student's action(s). In addition, if criminal circumstances are present, the council shall notify the proper authorities.

Clause 3. In the event where deviation on the grounds of Extenuating Circumstances is deemed appropriate, the voting members assembled at a hearing shall apply one or both of the following penalties.

- a. A penalty less than standard penalty as deemed appropriate by the Council.
- b. An educational component intended to provide formal assistance in rectifying past mistakes and to prevent future appearance before the Council. Educational components must be decided upon by the Council and completed by the accused by a reasonable date determined by the Council.

Failure of the accused to comply with penalties assigned due to Extenuating Circumstances will result in the assessment of standard penalty.

Clause 4. In the event where deviation on the grounds of Aggravating Circumstances is deemed appropriate, the voting members assembled at a hearing shall apply the following penalty.

- a. Standard penalty and an additional element deemed appropriate and defined by the Council.

Section K. There shall be a separate vote on the penalty. The penalty shall be determined by a majority

vote of those Honor Council members eligible to vote on the case. The Chair shall vote only in the case of a tie. The penalties given by the Council shall be set forth in Article III, Section L and Section M except where a deviation as outlined in Article III, Section J shall be deemed acceptable grounds for deviation by the Honor Council or the Appeals Board. Students who plead guilty may appear before the Honor Council for the purpose of requesting a deviation from standard penalty. Prior convictions or penalties are the only previous actions of the Honor Council regarding the accused that may be relevant during the penalty phase.

Section L. Standard Penalties for giving or receiving unauthorized aid

Clause 1. First Offense: Failure in the course in which the violation took place.

Clause 2. Second Offense: Failure in the course and suspension from Valparaiso University for the next semester.

Clause 3. Third Offense: Failure in the course and expulsion from Valparaiso University.

Section M. Standard Penalties for tolerating the use of unauthorized aid

Penalties for tolerating the use of unauthorized aid are the same for those under Article III, Section L, except that no grade change will take place. Consequently, a student found guilty of a first offense toleration will be recognized as having broken the Honor Code, but will not fail the course in which the violation took place. Subsequent violations, whether based on receiving, giving, or tolerating unauthorized aid, will result in the standard penalties for second or third offenses outlined in Article III, Section L.

Section N. If the Honor Council feels that it has violated grounds of appeal expressed in Article V, Section B, Clause 3, it may vote by simple majority, after conclusion of the normal hearing and finding of innocence or guilt and assignment of penalty, to send the case to the Appeals Chair for review and possible appeal.

Section O. In no case shall any other member of the University community make decisions regarding the facts of the case or the appropriateness of the penalty.

Section P. Members of the Honor Council shall not discuss cases with anyone not connected with the Honor Council. Breaches of confidentiality will result in immediate dismissal from the Honor Council.

Section Q. The Honor Council shall make known to the accused its judgment, as well as the penalty assessed. This shall normally be no longer than forty-eight hours from the conclusion of the hearing. Formal written notifications of the Honor Council's decision will be sent to the accused from the Office of the Provost expediently. In the event that an educational component is assigned in addition to standard penalty, the Administrative Vice-Chair shall determine if the educational component has been satisfactorily completed, and the Chair shall inform the Office of the Provost of this determination within forty-eight hours.

Section R. The decision of the Honor Council shall be considered final unless the accused files an appeal in accordance with Article V.

ARTICLE IV. FACULTY COUNSELORS

Section A. The purpose of the Faculty Counselors shall be to provide advice to the Counseling Chair. The Counselors shall not directly advise students accused of Honor Code violations except by

agreement from the Counseling Chair.

Section B. The Counselors shall consist of a minimum of two former Honor Council faculty members or advisors to the Honor Council, all appointed by the President of the University with the advice, consent, and recommendation of the Honor Council. Counselors shall have a minimum of one year of experience on the Honor Council.

Section C. The Counselors shall be independent of the Honor Council and shall be responsible to the Honor Council Coordinator.

ARTICLE V. APPEALS

Section A. Appeals Board

Clause 1. Five student members and two faculty members of the Honor Council shall be appointed on a case-by-case basis at the discretion of the Appeals Chair.

Clause 2. The Appeals Chair shall serve as appeals investigator and chair all appeals hearings, and shall be responsible for all communications and records of the appeal proceedings. The Chair is also responsible for granting information to the accused or professor (only if the professor has acted as accuser in the original case) if requested for a possible appeal. At no time shall such information contain personal identities.

Clause 3. No Appeals Board member shall hear an appeal arising from a case or any related case which that member has already heard as a member of the Honor Council, or from which the member feels it is necessary to withdraw.

Section B. Appeals Procedure

Clause 1. Appeals from the decisions of the Honor Council may be made to the Chair of the Appeals Board within ten academic days from the date of the notification of the Honor Council's decision provided by the Office of the Provost. A student convicted of an Honor Code violation may appeal either the finding of guilt, innocence, or the penalty. A professor who has acted as the accuser in a particular case may also appeal either the finding of guilt, innocence, or the penalty.

Clause 2. All appeals shall be heard by the Appeals Board within forty academic days of receipt of the written request for an appeal by the Chair of the Appeals Board, excluding appeals running into or occurring during the summer session, in which case, see Article VI. When delays in the appeal beyond forty academic days are caused or requested by the appellant, the appeal will be dropped except at the discretion of the Chair of the Appeals Board. When delays in the appeal beyond forty academic days are caused or requested by the Appeals Board, an automatic five academic day extension is granted.

Clause 3. Proper grounds for appeal are limited in that:

- a. a procedural error occurred.
- b. new evidence has arisen which has a direct bearing on the case within 10 academic days of notification of the hearing outcome by the Chair of said hearing.
- c. evidence was inaccurate or disregarded.
- d. a biased decision by the Honor Council was made.

Clause 4. After investigation, the Chair of the Appeals Board must decide if the grounds for

appeal are sustainable based on Article V, Section B, Clause 3. If not, the appeal is dropped.

Clause 5. An Appeals hearing shall proceed as follows:

- a. The following evidence is acceptable at an appeals hearing if relevant under Article V, Section B, Clause 3: the original paperwork and pleas, the tape of the original hearing, paperwork generated at the original hearing, the final outcome and official notice of the original hearing, grounds for appeal known and unknown to the appellant, old and new evidence, and material generated by the Chair of the Appeals Board during the investigation.
- b. The appellant speaks in defense of his/her appeal and if a Counselor has been designated, then the Counselor may also speak in defense of the appellant.
- c. In the case that the appellant is not the accused, the accused shall be allowed to speak at the Appeals Hearing in his or her own defense and if a Counselor has been designated, then the Counselor may also speak in defense of the accused.
- d. Relevant questions are asked.
- e. Discussion between the Appeals Board members.
- f. The Appeals Board may decide by a simple majority that the sufficient grounds for appeal do not warrant a change in the original decision of the Honor Council, and if so, the appeal is dropped with no change in the original decision. The Appeals Board may also decide by two-thirds majority that the sufficient grounds for appeal warrant a change in the original decision of the Honor Council. In this case, the Appeals Board must then pass by simple majority a new outcome to apply.

Clause 6. Decisions of the Appeals Board are final. There is no appeal from the decision of the Appeals Board.

ARTICLE VI. SUMMER SESSION HONOR COUNCIL

Section A. At the spring organizational meeting, it will be the responsibility of the Council to establish a summer roster of members who will be either on campus during the summer session, or reasonably able to return to campus in the event of a hearing. If the Chair of the Honor Council will not be on campus or reasonably able to return, it will be his or her responsibility to appoint a Chair Pro Tempore for the summer session. The Chair Pro Tempore executes all rights and responsibilities of the Chair of the Honor Council, but shall not retain the authority to appoint committees. The Chair Pro Tempore shall assume his/her duties on the last full academic day of the Spring Semester and will conclude his/her duties on the first full academic day of the Fall Semester.

Section B. The Chair of the Honor Council shall consult with the Chair Pro Tempore to determine the appointment of the Summer Session Investigative Chair. The Summer Session Investigative Chair conducts investigations of Honor Code violation reports identified during the summer session and is granted the authority to assign additional investigators as necessary and reasonably available. The Student Investigative Chair shall assume his/her duties on the last full academic day of the Spring Semester and will conclude his/her duties on the first full academic day of the Fall Semester.

Section C. Investigations warranting a hearing will be processed in accordance with the procedures previously defined in Article III, unless the Chair of the Honor Council in consultation with the Chair Pro Tempore and the Summer Session Investigative Chair determine that an expedited hearing is warranted.

Section D. The decision to expedite or not to expedite a hearing shall not be made on the basis of the evidence of the case, and this decision shall bear no relevance to the content of the

hearing. Expedited processing is granted where the student is participating in the upcoming graduation ceremony or if the course in question is a prerequisite for a course to be taken the following semester. If there is no need for an expedited hearing, the case will be relegated to the fall semester. The count of twenty-five academic days for violations reported within one and a half academic weeks prior to the end of the previous spring semester shall begin on the first full day of the fall academic semester. All identified reports reported at the close of the spring semester, which are not granted an expedited hearing will be processed with all due expediency at the beginning of the fall semester. At the discretion of the Chair Pro Tempore upon consultation with the Chair of the Honor Council, cases relegated to the fall semester may be turned over to other student investigators during the first five academic days of the fall semester.

ARTICLE VII. EDUCATION COMMISSION

Section A. The Honor Council Education Commission shall be composed of a minimum of eight voting members (a minimum of four faculty and four students) and Co-chaired by a faculty member and a student member. The student chair shall be the Executive Vice-Chair of the Honor Council. The student chair of the Education Commission and the Chair of the Honor Council shall appoint the Faculty Chair. The four faculty and four student members shall equally represent the four professional colleges of the University. The Chair of the Honor Council, Coordinator, and the Office of the Provost shall serve as ex-officio members.

Section B. The members of the Commission shall be appointed by Co-Chairs of the Education Commission. In making their appointments to the Education Commission, the Co-Chairs shall consider the expressed interest and the overall commitment of the members of the Commission to generate and disseminate the explanatory information about the Honor System widely enough to set the tone for making the Honor System work effectively.

Section C. Faculty members shall normally serve for two years and may also concurrently serve, but need not be members of the other bodies of the Honor System.

ARTICLE VIII. ADOPTION, AMENDMENTS, AND BY-LAWS

Section A. Adoption of the Constitution of the Honor System shall require a two-thirds vote of the student members of the Honor Council present, subject to the approval of the President of the University.

Section B. Amendments shall require a two-thirds vote of the student members of the Honor Council present, subject to the approval of the President of the University.

Section C. Quorum for amendment ratification shall be a simple majority of current student members of the Honor Council.

Section D. The Constitution of the Honor System is subject to revision as deemed appropriate by the Honor Council or at least each even year during the first half of the spring semester. Revisions to the Constitution will be advertised in an appropriate venue, for at least two weeks prior to the vote. This advertisement will seek to solicit input on the revisions by asking them to contact Honor Council members. Upon ratification the revised Constitution will be effective immediately upon receiving the authority of the President.

Section E. The Constitutional Review Committee is the standing committee of the Honor Council responsible for reviewing and providing recommendations on revisions to the Constitution. Members appointed to the committee represent a combination of the

students and faculty of the Honor System, whom are divested the duty by the various members of the community to carry out the Honor System at Valparaiso University.

Section F. Any addendum to this Constitution shall require a two-thirds vote of the student members of the Honor Council present.

Section G. The Constitution of the Honor System is the final source of authority on the Honor System and is supplemented by the policies outlined in the *Student Guide to University Living* and the *Faculty Handbook*. Specific questions relating to its policies, procedures of due process, and potential impact on various university functions should be directed to the Administrative Vice-Chair and/or Chair of the Honor Council. **Students and faculty are responsible for maintaining their individual compliance with the policies and provisions of the Honor System and this document.**

ADDENDUM I: LEADERSHIP POSITION DESCRIPTIONS

Section A. The duties of the *Chair of the Honor Council* include, but are not limited to: setting all meeting dates, chairing all meetings using Robert's Rules of Order at his or her own discretion, appointing any committees that might be needed, assigning investigators, and, in general, seeing that the Honor Council functions effectively. The Chair is reserved the right to issue directives and standard operating procedures on a need-be-basis to ensure efficient operations of the Honor Council and the Honor System. The Chair of the Honor Council shall liaise with University Administration to ensure that logistical operations of the Honor System are systematically aligned with University policy and current practices.

Section B. *Hearing Chairs* shall be appointed by the *Chair of the Honor Council* on a semester-by-semester basis based on their participation, analytical skills, and performance. The *Hearing Chair* is responsible for administering all Honor Code violation hearings in accordance with the aforementioned provisions of this Constitution, notifying appropriate individuals of results, maintaining a record of each hearing, filing all final records and recordings, and submitting outcome reports with appropriate offices.

Section C. The *Executive Vice-Chair* shall assist the Chair and assume the duties of the Chair in case of absence. In addition, the Executive Vice-Chair will be the student Co-chair of the Honor Council Education Commission. The *Executive Vice-Chair* is responsible for preparing and conducting all new student and faculty orientations as requested by the Office of Residential Life and the Office of the Provost. The Executive Vice-Chair has the authority to delegate additional requests for orientation seminars to individual Council members upon consultation with the *Chair of the Honor Council*.

Section D. The *Administrative Vice-Chair* shall attend Student Senate meetings on behalf of the Honor Council and develop and present budget requests. In addition, the Administrative Vice-Chair shall oversee all written policy revisions, including Constitutional revisions and changes made to the investigative procedures manual. The *Administrative Vice-Chair* shall be responsible for consulting with the *Chair of the Honor Council* to ensure the Honor System and its policies are in sync with university logistics operations.

Section E. The *Recruitment Vice-Chair* shall be responsible for sending membership request letters to the Deans and Resident Assistants, sending applications to interested students, and setting up interview dates and times. The Recruitment Vice-Chair shall be responsible for educating new members about and training them for investigations. The *Recruitment Vice-Chair* is responsible for securing faculty appointments and will liaise with the Office of the Provost and the Office of the President to ensure timely processing of appointments. This individual is responsible for maintaining member personnel files for record purposes, including contact information, original letters of recommendation, availability, etc.

Section F. The *Corresponding Secretary* shall notify members of meetings, secure a meeting place, take attendance, and handle correspondence. In addition, the *Corresponding Secretary* is responsible for scheduling all hearings.

Section G. The duties of the *Chair of the Appeals Board* include, but are not limited to: investigating all appeals cases, setting all Appeals hearings, chairing all Appeals hearings using Robert's Rules of Order at his/her own discretion, notifying the appellant of outcomes of all Appeals hearings, maintaining records of all appeals cases, and handling all correspondence dealing with Appeals cases.

Section H. The *Web Administrator* shall maintain the Honor Council website. This includes but is not limited to: updating the site as necessary, monitoring the site for accuracy, maintaining a working relationship with Information Technology, and notifying the Honor Council of changes as they are made. All changes made to the site are subject to the approval of the Chair. The *Web Administrator* is also responsible for brand management liaising with the Integrated Marketing Committee to ensure proper web management and brand compliance.

Section I. A Student Counselor shall be available to each accused student to provide advice and help the accused navigate the investigation and hearing processes upon request. A Counselor is a student member of the Honor Council appointed by the Chair of the Honor Council. The Counselor shall liaise with the Faculty Counselors, and shall use his or her discretion in seeking the advice of the Faculty Counselors. **The Student Counselor shall not serve as an advocate for an accused student, but rather in an advisory and educational capacity, therefore he or she must have a thorough understanding of the Honor Council process and the Honor Council Constitution, and must help the accused student gain a clear idea of the options, requirements, and penalties that he or she may face.** The Counselor Chair will not coordinate with or seek material information for the investigator and may not testify in a material capacity at a hearing; however, he or she shall not be prohibited from serving as a character witness. The Counselor Chair will be a non-voting member of the Honor Council for the duration of his or her service in this office.

Section J. The *Student Investigator* is a student member of the Honor Council appointed by the *Chair of the Honor Council*. It is the Student Investigator's responsibility to investigate reports of Honor Code violations in an unbiased and professional manner. In addition, each Student Investigator is responsible for ensuring that each report is investigated in accordance with the Student Investigator: Investigative Manual.

Section K. The *Faculty Advisor* is a member of the faculty community. He/she is responsible for ensuring the timely processing of: 1) all formal hearing outcomes through the Office of the Provost and 2) concurring with all Student Senate financing forms. In addition the Faculty Advisor is responsible for acting as a liaison between University Administration, Student Senate, Faculty Advisors, Faculty Senate, and members of the Faculty community. In addition the Faculty Advisor should be willing to answer community members and public citizens' questions on the due process of the Honor System. He/she should be responsive and be able to reasonably attend all organizational meetings and Executive Board meetings.