



CONSTITUTION
of the
VALPARAISO UNIVERSITY
HONOR SYSTEM
EST. 1943

Latest Amendments Ratified: April, 2021
Effective Date: August 25, 2021

Article 1: Honor System

Section 1: Purpose. This document establishes the Honor System and its governing bodies as an independent system made up of students, faculty, and staff in the furtherance of integrity and education at Valparaiso University.

Section 2: Academic Work. Academic work submitted for assessment by a student enrolled at Valparaiso University is governed by the Honor System. Students must write out the Honor Code in full and sign on all submitted academic work. The Honor Code will be written, without variation, as follows:

“I have neither given or received, nor have I tolerated others’ use of unauthorized aid.”

Section 3: Authorized Aid. Authorized aid will be defined by the instructor for all academic work. Authorized aid should be defined in written form (e.g. syllabus, assignment instructions, etc.). It is the responsibility of the student to request clarification of authorized aid by the instructor. Violators are subject to punishment under the Honor System.

Section 4: Organizational Structure. The Honor System is administered by the Honor Council under the authority of the President of Valparaiso University. The Honor System consists of three integrated bodies: Honor Council, Appeals Panel, and Executive Board.

Section 5: Authority. The Honor System Constitution is the final source of authority on the Honor Code and is supplemented by the policies outlined in the Honor System Policies and Procedures, 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 Executive Chair of the Honor Council. Students and faculty are responsible for maintaining their individual compliance with the Honor System Policies and Procedures and the Honor System Constitution.

Article 2: Honor Council

Section 1: Student Membership. Student members may be admitted annually into the Honor Council. Invitation to the Honor Council is at the discretion of the Honor Council.

1. **Attendance.** Student members are required to be present at hearings they are assigned. If they are unable to attend, students must find a replacement and serve on a subsequent hearing. Failure to meet these requirements will result in removal from the Honor Council.
2. **New Members.** New student members of the Honor Council must attend two complete hearings and observe an investigation before participating in voting procedures at Honor Council meetings.

3. **Period of Service.** Honor Council members serve until graduation, with exceptions of ineligibility, dereliction of duty, or extenuating circumstances as determined by the Executive Board.
4. **Removal Proceedings.** Members who become ineligible will be notified and given the opportunity to remedy the situation. Lack of action will result in permanent removal from the Honor Council by a 2/3 majority vote of the Executive Board. Current Honor Council members in good standing may initiate removal proceedings of another Honor Council member by filing a complaint with the Executive Board.

Section 2: Officers. Honor Council officer positions will be solicited at the fall organizational meeting. Executive Chair and Appeals Chair positions are mandatory appointments.

1. **Elections.** Quorum for elections will be a majority of current student members. Honor Council student members will vote on the officers by a simple majority. New officers will begin a transition period with current officers. New officers will take office in the spring semester after the transition period.
2. **Removal.** The Honor Council reserves the right to recall its officers. Written notification will be presented to the Executive Board. An Honor Council meeting may be set by the Executive Board, who will be present at the meeting. Honor Council student members will be presented with a motion for dismissal. The motion must pass with a 2/3 majority. A new officer may be appointed immediately by a 2/3 majority vote of the student membership of the Honor Council.
3. **Intervention.** In emergency instances, the Executive Board reserves the right to privately remove Honor Council officers. Circumstances permit the removal without a meeting of the Honor Council. Executive Board members will be presented with a motion for dismissal. The motion must pass with a 2/3 majority. Notification of removal must be presented to the Honor Council within 24 hours of removal. The Executive Board will call a meeting of the Honor Council to elect a new student to leadership. A new officer may be appointed immediately by a 2/3 majority vote of the student membership of the Honor Council.

Section 3: Faculty Membership. Faculty membership on the Honor Council is determined by the Valparaiso University Faculty Senate Bylaws. Honor Council faculty members are responsible to the Honor Council Executive Chair and act as liaisons between the Honor Council and the Faculty Senate.

1. **New Members.** New faculty members of the Honor Council must attend two complete hearings before participating in voting procedures at Honor Council meetings.

Section 4: Honor Council Meetings. The Honor Council conducts all-member meetings twice annually; one each academic semester. The Executive Chair has authority to call additional all-member meetings.

1. **Attendance.** All student and faculty members of the Honor Council are required to attend each meeting. If a member misses a meeting, that member should notify the Executive Chair before the meeting. Two unexcused absences, during an academic year will constitute unsatisfactory service and will result in dismissal. (An unexcused absence is defined as one without prior notification and approval of the Executive Chair.)
2. **Quorum.** In any meeting of the Honor Council, a 30% minimum of voting student members and faculty members must be present for quorum. The quorum does not include the Executive Chair. A motion to waive quorum requirements may be made by the Executive Chair and voted on by the present members, requiring a majority.

Article 3: Appeals Panel

Section 1: Membership. The Appeals Panel is appointed by the Honor Council Coordinator. Five student members and three faculty members who have attended at least two Honor Council hearings may be appointed to the Appeals Panel on a case-by-case basis.

1. **Appeals Chair.** The Appeals Chair serves as appeals investigator, chair for all appeals hearings, and is responsible for all communications of the appeal proceedings. The Appeals Chair is responsible for granting information to the accused, accuser, and appropriate professor if requested for an appeal.

Section 2: Recusal. No Appeals Panel member will hear an appeal arising from a case or any related case which that member has already heard as an Honor Council member, or if the member feels it is necessary to recuse themselves.

Article 4: Executive Board

Section 1: Membership. The Executive Board will be comprised of the Executive Chair, Appeals Chair, Honor Council Coordinator, and three advisors: Advisor for Hearings and Appeals, Advisor for Education, and Advisor for Operations.

1. **Advisors.** Advisors will be designated members of faculty or staff from the Valparaiso University Community appointed by the University President. Advisors should be responsive to the actions of the Honor Council and attend all Honor Council meetings.

Section 2: Authority. The Executive Board reports to the Executive Chair of the Honor Council. The Executive Board has authority over the budget of the Honor System. In addition to the governing bodies of the Honor System, the Executive Board may appoint advisory committees on a regular or ad hoc basis to assist in various areas.

Section 3: Action. Necessary circumstances may require intervention by the Executive Board without the discretion of the Honor Council. Members of the Executive Board will be presented with a motion for said designated intervention. The motion must pass with a 2/3 majority. Decisions of the Executive Board are final.

Article 5: Hearing Procedures

Section 1: Reporting a Violation. Accusers have five (5) academic days to file a violation report from the day of detection of an alleged violation. An academic day is defined as a day classes are held. The accused will receive notification by the Honor Council Coordinator within five (5) academic days of the report. A case investigator will be assigned to the matter. Any party contacted by a case investigator will have five (5) academic days to respond via their official campus email address. If the accuser does not respond, the case will be dropped. If any other party does not respond, the case will proceed without that party's input.

Upon notification of an alleged violation, a grade of "NR" will be automatically assigned for the course in question. A student may not withdraw from a course to avoid the Honor System process, including any resulting assessed penalty. If a student is found "Not Guilty" of a violation, a withdrawal request will be processed accordingly based on the date of the request. If found "Guilty" of a violation, a student may not withdraw from the course as a penalty is assessed at the end of the course term.

Section 2: Confidentiality. All parties are required to adhere to strict confidentiality. The name of accuser(s) will not be revealed to the accused. If criminal circumstances are present, the council may notify the appropriate authorities. The Honor System's process is separate from a criminal investigation or other criminal proceedings.

Section 3: Statute of Limitations. Accusations of alleged violations may be rejected if the accused is no longer an enrolled student at Valparaiso University. Students that withdraw from Valparaiso University may not re-enroll at the University until the Honor Code allegation has been resolved. Accusations of alleged violations may be rejected at the discretion of the Executive Board if the alleged violation occurred six (6) months prior to reporting of the alleged violation.

Section 4: Evidence. The assigned case investigator will provide the accused with all evidence. Once the case investigator has concluded their investigation, the individual will contact the accused to present evidence to the accused. If the accused does not respond to the case investigator within five (5) academic days, the accused individual forfeits their right to see evidence collected by the case investigator prior to the hearing. Evidence collected by the Honor Council Coordinator and the assigned investigator will be provided to the Honor Council hearing members.

Section 5: Pleas. The accused may enter one of the following pleas:

1. **Guilty.** Acknowledge the violation. This will result in the standard penalty and forgo an Honor Council hearing.
2. **Not Guilty.** Refute the violation. This will result in an Honor Council hearing. The accused will be notified of the date, time, place of the hearing, and alleged violation in conjunction with evidence provided by the case investigator.

Section 6: Hearing. Only the accused, the accuser, and Honor Council members are allowed in closed hearings. Parties involved in the case may be present in the hearing only while giving testimony. A quorum, as stated in the Honor System Policies and Procedures is required for the hearing to commence. Only the Honor Council Executive Chair, the Executive Board, and the Appeals Panel will receive access to the recorded proceedings.

Section 7: Appearance. Failure to appear for assigned hearings will result in the following:

1. **Failure of the Accused.** Decision is made based on evidence and testimony at the hearing received by the Honor Council, waiving further testimony. The accused is barred from appeal based on failure to report.
2. **Failure of the Accuser.** Dismissal of the case.

Section 8: Decision. Upon completion of deliberation, a member of the hearing panel will make a motion of not guilty. Another hearing panel member must second the motion to proceed. Hearing panel members may vote guilty, not guilty, or abstain. The Hearing Chair will not vote except in the case of a tie. The case investigator may not vote, nor make a motion. A minimum of 2/3 of the hearing panel members must submit a vote of guilty or not guilty; otherwise the motion fails and deliberation resumes. A simple majority vote in favor or opposition of the not guilty motion is required for a successful decision. Individuals not on the Honor Council are strictly prohibited from interfering regarding the decision of the Honor Council. Electronic notification of the decision will be provided to the accused by the Honor Council Coordinator.

Section 9: Penalties. Students found guilty of violating the Valparaiso University Honor Code will receive the penalty after the appeal submission window has expired. An education component may be assigned in conjunction with a penalty.

1. **First Offense.** Zero percentage on the assignment in which the violation took place, and a further penalty of 1/3 letter of the final course grade. If course is taken for S/U credit, applied penalties may alter satisfactory/unsatisfactory course determinations.
2. **Second Offense.** Failure or unsatisfactory in the course in which the violation took place and suspension from Valparaiso University for the following fall or spring academic semester.
3. **Third Offense.** Failure or unsatisfactory in the course in which the violation took place and immediate expulsion from Valparaiso University.

Section 10: Deviation on the Grounds of Aggravating Circumstances. If the accused is found guilty, the Honor Council members present at the hearing may move to vote on whether or not there are grounds for deviation. Circumstances may permit a greater penalty than the standard penalty. A successful motion for deviation on the grounds of aggravating circumstances will result in a petition to the Executive Board by the Hearing Chair. Electronic notification of the decision will be provided to the accused by the Honor Council Coordinator.

Article 6: Appeal Procedures

Section 1: Circumstances for an Appeal. An appeal made by the accused or accuser from a hearing decision is made to the Appeals Chair. Appeals must occur within ten (10) days following electronic notification of the hearing decision by submitting an appeal request. The following instances may grant an appeal:

1. A procedural error occurred;
2. New evidence was found relevant to the hearing;
3. Evidence was inaccurate or disregarded; or
4. Bias was found in the decision process.

Section 2: Appeal Approval. The Appeals Chair and the Executive Board decide by a vote of majority for an appeal. If there are no grounds for an appeal, the appeal is rejected. At least 2/3 of Executive Board members must be present.

Section 3: Evidence. Evidence collected by the Honor Council Coordinator and the assigned investigator will be provided to the Honor Council hearing members. If the appeal is associated with new evidence that has been found relevant to the completed hearing, the new evidence will also be provided.

Section 4: Hearing. The appellant, either the accused or accuser, may testify in defense of their appeal. The appellee may testify in defense of the original hearing decision. The Appeals Panel may ask relevant questions of the appellant and the accused or accuser. A quorum, as stated in the Honor System Policies and Procedures is required for the hearing to commence.

Section 5: Decision. Upon completion of deliberation, a member of the hearing panel will make a motion of not guilty. Another hearing panel member must second the motion to proceed. Hearing panel members may vote guilty, not guilty, or abstain. The Appeals Chair will not vote except in the case of a tie. The case investigator may not vote, nor make a motion. A minimum of 2/3 of the hearing panel members must submit a vote of guilty or not guilty; otherwise the motion fails and deliberation resumes. A simple majority vote in favor or opposition of the not guilty motion is required for a successful decision. The Appeals Panel may choose to amend the penalty; however, it may never be increased. Electronic notification of the decision will be provided to the accused by the Honor Council Coordinator. Decisions of the Appeals Panel are final.

Article 7: Adoption and Amendments

Section 1: Adoption. Adoption of the Honor System Constitution requires a 2/3 vote of the student members of the Honor Council present at the vote, subject to the approval of the President of the University.

Section 2: Abrogation. 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. Abrogation may occur at the discretion of the Valparaiso University Faculty Senate.

Section 3: Amendments. Amendments must be approved by three governing bodies: Faculty Senate, Student Senate and the Honor Council. Faculty Senate and Student Senate must vote to approve by a simple majority. The Honor Council must vote to approve by a 2/3 vote of the student and faculty members present, subject to the approval of the President of the University.

1. **Proposals.** Proposals for amendments must be submitted to the Executive Board by the fall academic semester Honor Council meeting for deliberation. The Executive Board will present proposed amendments to the governing bodies. The Faculty Senate votes first, then the Student Senate, and then the Honor Council votes at its all member spring academic semester meeting. All governing bodies must approve amendments prior to implementation. If voting fails in the Faculty Senate or Student Senate, the Honor Council will not vote to implement the amendment.
2. **Schedule.** Proposals for amendments to the Honor System Constitution must be submitted the fall academic semester in an even year (e.g. Fall 2018). Proposals are voted on by the three governing bodies the spring academic semester in an odd year (e.g. Spring 2019). Implementation occurs the following academic year beginning with the Fall semester.

Section 4: Penalties. Penalties will be enforced by the Valparaiso University Office of the Registrar and Office of the Provost. Final grade adjustments will be completed by the Office of the Registrar upon completion of term. Suspension or expulsion from Valparaiso University will be enforced by the Office of the Provost. Neither Office of the Registrar nor Office of the Provost has authority to alter, amend, or overturn decisions of the Honor System.