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Developmental Status: working draft submitted to the Faculty Senate, Student Ombudsman, and key staff from the Division of Student Affairs for information/comment.

## Student Honor Code: A Beginning Model

### Philosophical Statement

Each member of the academic community is expected to demonstrate good citizenship. The student Honor code addresses the expectations of good citizenship for the student members of the academic community.

Honorable students maintain high standards for their own conduct in all aspects of participation in the academic community. Honorable students do not provide passive support for dishonorable behavior by ignoring, encouraging, or supporting dishonorable acts of others.

Honorable students maintain high standards for participation in the academic process. They do their own work, maintain appropriate behavior during testing processes, and exercise care when helping others to facilitate the learning process rather than produce academic work for others. Standards for honorable academic conduct are defined in the Student Handbook.

Honorable students are considerate of other students, faculty, and staff. They avoid offensive behavior and contribute to the development and maintenance of a positive learning and social environment on campus and during university sponsored activities off campus. Standards for honorable conduct in service and social activities are defined in the Student Handbook, housing regulations, facility and program regulations, and actions of governing bodies such as the student government.

Honorable students are law abiding citizens of the broader community. They respect the rules and laws which regulate social interaction among citizens. Standards for honorable conduct when relating to the broader society are found in the laws and regulations enacted by councils and legislatures of the cities, counties, states, and governments of the United States and countries which students might visit in the pursuit of development of their potential as members of the University of Alabama academic community.

### The Student Court

Almost all students will be honorable members of the University community. On occasion, it may be suspected that a member of the academic community is or has engaged in behavior which is unacceptable to other members of the academic community. While a number of mechanisms presently review these allegations, it is appropriate for the student body to participate in the process of determining the truthfulness of allegations of inappropriate conduct and for assigning sanctions in cases in which the allegations are found to be true when students are involved. The Student Court is the mechanism through which the student body will participate in the disposition of allegations of inappropriate behavior by students.

### Structure of the Court

The court will be an independent entity reporting directly to the Vice President for Student Affairs. The court will be composed of five justices, a chief justice, and a recorder. Three of the Justices will be students elected by the student body in an open election; one justice will be a tenured member of the faculty appointed by the Faculty Senate; one justice will be a staff member appointed by the Vice President for Student Affairs; the chief justice will be a second or third year law student appointed by the Dean of the Law School. The recorder will be a student appointed by the student government. All appointments and elections will be for one academic year.

All student members of the court will be of sound character and academically proficient. A minimum grade point average of 2.5 will be required for participation in elections or for appointment.

The chief justice will be responsible for management of the hearing process. He or she will determine matters of procedure and maintain effective movement of the case through the hearing process. The chief justice will not vote unless his or her vote is needed to resolve a deadlock among the justices.

The justices will be responsible for reviewing the evidence and testimony provided by the student and his or her accusers. They will render appropriate decisions based on the facts of the case.

The recorder will be responsible for calling meetings of the court, preparing the docket, recording the decisions of the court, and notifying relevant parties of the decisions of the court.

### Sanctions

Sanctions available to the court include but are not limited to reprimand, fines, restitution, community service, social probation with restrictions, academic probation with restrictions, recommendations regarding grades, recommendations regarding suspension, and/or recommendations regarding expulsion.

### Decisions

The decisions rendered by the court will be determined by majority vote and will be presented in two forms. First, the court will find the allegations of misconduct to be true, probably true, or not true. A finding of true will be based on a beyond a reasonable doubt standard. A finding of probably true will be based on a preponderance of the evidence standard. Second, the court will determine a disposition. A recommendation for suspension or for expulsion can be made only in cases in which the court finds the allegations to be true.

### Jurisdiction

The student court will have appellate jurisdiction in all cases in which student misconduct is alleged. On occasion, jurisdiction may be deferred to the appropriate civilian court.

### Visibility

To be effective an honor code must be accepted by the students as a whole and be visible. Visibility will be achieved through a number of activities.

1. Students will be introduced to the honor code during new student orientation.

2. As a part of the registration process, each student will sign a statement agreeing to respect and uphold the honor code.
3. Agreement to respect and uphold the honor code will be incorporated in all requests for approval of social activities processed by the Office of Student Life.
4. Agreement to respect and uphold the honor code will be incorporated in all housing contracts.
5. Expectations for conformance to the honor code will be incorporated in all course syllabi, catalogs, and course schedules.
6. The faculty will be encouraged to incorporate signed agreements to respect and uphold the honor code in all test materials.

#### Process

When the conduct of a student is questioned, an attempt should be made to resolve the issue in as direct a manner as possible using the mechanisms in place in the various divisions of the University. Once a decision which is unacceptable to the student has been rendered by the last effective decision maker, the complaint is referred to the student court. A student may request referral of the complaint to the student court at any stage in the process. Decisions of the court may be appealed to the appropriate vice president. Recommendations for suspension or for expulsion are automatically appealed. Recommendations for assignments of specific grades must be approved by the responsible faculty member.

#### Commentary

If academic misconduct is suspected, the faculty member who is responsible for the course or project should discuss the issue with the student and resolve the issue if possible. If the matter can not be resolved, a formal complaint should be initiated by the faculty member through existing administrative channels. If the issue has not been satisfactorily resolved when the issue is reviewed by the appropriate dean, the complaint will be referred to the student court. The student will retain the right to move the process to the student court at any point in the process. The responsible faculty member should be a participant in the process of review and resolution at each stage. The findings of the court will be binding on the parties except in cases of suspension and expulsion and recommendations for assignment of specific grades. Assignment of grades remains the responsibility of the faculty member and any recommendation for assignment of a specific grade must be approved by the responsible faculty member. All recommendations for suspension or expulsion must be approved by the Vice President for Academic Affairs in cases in which academic misconduct is alleged.

Similar procedures would be followed for allegations of misconduct occurring in areas such as housing. In these cases, the resident assistant would attempt to resolve the issue and those issues which can not be resolved should move through the normal hearing process in place in Residential Life. All recommendations for suspension or expulsion must be approved by the Vice President for Student Affairs in cases in which social misconduct is alleged.

## Faculty concerns 1993-94

1. Delegation of faculty responsibility for grading to a student organization. Related issue: Number of students vs. number of faculty on the court.  
Proposed model -- faculty approval of grades, student majority, faculty and staff representation.
2. Grade Point requirement for court officers is high. Will this make the court elitist thus less acceptable to students?  
Proposed model -- 2.5 rather than 3.25.
3. Sanctions available are too severe. Related Issues: Why are the sanctions limited to suspension and expulsion? Lesser sanctions? Should suspension or expulsion be approved by the dean of the student's division, by a vice president, by some other administrative body?  
Proposed model -- range of sanctions, automatic appeal of suspension or expulsion to vice-president.

## Other Issues

1. Should an honor code be limited to academic misconduct or should it address the broader issue of good student citizenship on campus? Specifically, should the code have a general statement regarding consideration for other member of the academic community and compliance with regulations governing life on campus (the student Handbook, housing regulations, etc.)  
Proposed model -- yes.
2. Should the court be an appellate body rather than a body of original jurisdiction? That is, if academic misconduct occurs should the faculty member and the student have the right to deal with the issue themselves; with the chairs, with the deans before turning to the court? If so, by whom, how, and when should the case be referred to the court?  
Proposed model -- yes student referral at any time.
3. Should the court hear complaints against organizations?  
Proposed model -- not addressed.

## Comments about the 1994-95

1. Should a more positive term rather than misconduct be used so that the code emphasizes positive behavior rather than negative behavior?

2. Does the right to move the process directly to the court at any stage in the process circumvent the existing processes? If retained should this right be restricted to the accused?
3. Do the sanctions need to be rank ordered and/or more clearly specified?
4. Some elitism in the court may be appropriate.