

# UNIVERSITY OF RICHMOND HONOR COUNCILS

## The Plain-English Guide to the University of Richmond Honor System

Members of the University Community:

Over the last several years, the Honor Councils of the University of Richmond have been working to become more accessible to students and faculty members. They have established several committees, including education and faculty relations committees, in order to reach out to members of the university community and foster understanding of the Honor Councils and their processes. Efforts toward this end have included the distribution of surveys to students and faculty members on topics such as integrity, self-scheduled exams, perceptions of and experiences with the Honor Councils, and whether the honor code's scope should be social or academic.

We have written an Honor Code for the university which affirms the community's dedication to integrity and trust. We require that Honor Council case information be released at least twice a semester to make the university community aware of the number and results of honor cases. In an effort to continually improve our processes, we also solicit feedback from faculty members who have been involved in honor cases.

We have added new provisions to protect accused students. Accused students whose cases are reported in one semester and heard in the next will not suffer financial penalty if suspended. Accused students may now discuss their honor cases with their parents and CAPS. They may also discuss their cases with faculty or staff members or potential character witnesses without having their cases open to the public, although they must seek the approval of the chair first. We have also added provisions to the definitions of our violations to protect students working in groups if a group member commits an honor violation.

Through all of these changes, we have sought to make the Honor Councils a more integral and understandable part of the university community. Like the university itself, the Honor Councils are continually evolving, seeking to respond to the demands of a constantly changing body of students, faculty, and staff.

Please utilize this guide to gain a better understanding of the Honor Councils' procedures. If you have any specific questions, please do not hesitate to contact one of us – we are here to serve you.

Sincerely,

Benjamin Kornegay III  
Chair  
Richmond College Honor Council  
benjamin.kornegay@richmond.edu

Alexandra Abreu  
Chair  
Westhampton College Honor Council  
alexandra.abreu@richmond.edu

2016-2017

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**2016-2017**

**Westhampton College**

Alexandra Abreu  
Alexis Fennel  
Sarah Abel  
Liz Nigro  
Marisa Manzi  
Emily Vogt

**Chair**  
**Secretary**  
**Marshal**  
**AC Education**  
**AC Faculty Relations**  
**AC Special Projects**  
**Treasurer**

**Richmond College**

Benjamin Kornegay III  
Robbie Lagan  
Ryan Foster  
Matt Isenberg  
Cam Larwood  
Mike Ray

**Seniors**

Molly Adamscheck  
Meghan Hines  
Jenny Kaplan  
Casey Koko  
Meghan Roberts  
Lindsay Schneider  
Samantha Sholes  
Natalie Swanson  
Jessica Westberry  
Anna Walker

AJ Accomando  
Iakavos Anastakis  
Max Bernstein  
Tyler Britt  
Brian Dowd  
Christopher Miller  
Duncan O'Connor  
Ken Rende  
Patrick Somers

**Juniors**

Naomi Allen  
Emily Baer  
Megan Barsella  
Lindsay Duignan  
Aheema Gazi  
Caitlin Greene  
Erin Kneeley  
Haley MacCormack  
Elizabeth Meyer  
Tess Munoz  
Madison Nguyen  
Nella Gray Schools  
Dalton Tuggle

Alexander Balsamo  
Nicholas Campbell  
Connor Flanagan  
Ian Gallagher  
Byonghou Lee  
Dylan McAuley  
Benjamin Schwartz

**Sophomores**

Alexis Blake  
Jesse Conway  
Hope Cummins  
Hannah Dunn  
Wallis Key  
Catharine McNamara  
Mariah Mowbray  
Marshea Robinson  
Sam Schwartzkopf  
Sonya Smith  
Emily Stubblefield  
Hannah Wolfe

Nick Algeo  
Christian Berardo  
David Brown  
Clay Campbell  
John Cavaliere  
Nick Duncan  
Andy Hunt  
Miller Joyce  
Mason Little  
Jacob Plott  
Thomas Vanderbeek

**Honor Council Contacts:**

Benjamin Kornegay, Chair, Richmond College Honor Council  
(benjamin.kornegay@richmond.edu)

Alexandra Abreu, Chair, Westhampton College Honor Council  
(alexandra.abreu@richmond.edu)

Dean. Joseph Boehman, Richmond College (jboehman@richmond.edu)

Dean Mia Genoni, Westhampton College (mgeoni@richmond.edu)

## COMPOSITION OF THE COUNCILS

**Numbers:** The Westhampton College Honor Council is comprised of between twenty-three (23) and twenty-seven (27) women. The Richmond College Honor Council is comprised of between twenty-three (23) and twenty-seven (27) men. Together, they combine to form the University of Richmond Honor Councils.

**Selection:** Honor Council members are selected by selection committees (one for RC, one for WC) comprised of the following people:

- a) Honor Council Chair
- b) Two Senior Honor Council Members
- c) RCSGA VP of Administration / WCGA Chair of the Academic Affairs Committee
- d) Two RCSGA Senators / Two WCGA Senators

The RCSGA VP of Administration / WCGA Chair of the Academic Affairs Committee chair the selection process. The committee selects the Honor Council members and presents the full selections to RCSGA and WCGA for ratification. The respective student government must approve all Honor Council members.

**Officers:** Each Honor Council has five officers who are elected by members of each Honor Council.

- a) Chair – Presides over half of the cases (trades off between the RC and WC Chair), directs all business of the Council.
- b) Secretary – Handles administrative duties related to casework.
- c) Marshal – Assigned to all cases on a rotating basis at the discretion of the chairs. Responsible for ensuring that the rights of the accused are upheld during all Council proceedings.
- d) Associate Chair for Education – Responsible for new student orientation, educating the community about the Honor System.
- e) Associate Chair for Special Projects – Responsible for Investiture/Proclamation Night, other duties as assigned.

**Timeframe of member selection:** Applications are advertised early in the spring semester. Each student government senate approves the slate of Honor Council members for the upcoming academic year two weeks before spring break. Council members serve immediately following commencement through the commencement of the subsequent academic year. Elected officers serve from the first day after spring break through the last day of spring break the subsequent year.

**What about faculty?** The UR Honor Councils are entirely student-run. However, we always welcome faculty input.

**Who are the Councils' advisors?** The Honor Councils' advisors are the Deans of Richmond and Westhampton College.

## PROCEDURES

**Who reports a possible Honor Code violation?** Anyone who witnesses a possible Honor Code violation may report. Students are bound to report violations that they witness. Professors are strongly encouraged to report possible Honor Code violations. All violations other than Plagiarism must be reported within five days. Plagiarism must be reported within ten days, because uncovering plagiarism sometimes requires more research and time.

**To whom are violations reported?** Violations may be reported to any of the following four individuals: the RC Dean, the WC Dean, the RC Honor Council Chair, or the WC Honor Council Chair. The RC & WC Chairs alternately preside over cases.

## What are the violations?

- A) Cheating
  - a. The submission or attempted submission of work that is not one's own (includes providing unauthorized aid).
  - b. Example: Revealing to a classmate the contents of a test that he or she has yet to take.
- B) Lying
  - a. The making of a statement that one knows is false with the intent to deceive. Example: Telling a professor that you missed class because you are sick, but really you just wanted to sleep in.
- C) Plagiarism
  - a. The use of words/facts/ideas that are not one's own without proper acknowledgement.
  - b. Example: Copying and pasting from an internet source without quoting or citing.
- D) Academic Theft
  - a. The theft or destruction of academic materials, which results in unequal opportunities for students.
  - b. Example: Taking pages out of a book in the library.
- E) Registration Irregularity
  - a. Any violation of registration procedures designed to gain an advantage relative to other students.
  - b. Example: An upperclassmen temporarily registering for a class in order to reserve the slot for an underclassman.
- F) Disclosure of Honor Council Information
  - a. Telling someone about an Honor Council hearing that was deemed Closed by the accused student.
  - b. Example: An Honor Council member talking with friends about the details of a Closed Hearing.
- G) Failure to Report an Honor Code Violation (Toleration)
  - a. Witnessing someone commit a possible Honor Code violation and not reporting it.

**What if I am working on a group project and someone in my group cheats or plagiarizes without my knowledge?** The Honor Councils recognize that you cannot control the actions of your peers. You are only responsible for the honesty of work that *you* contributed to the assignment. If you wrote the first five pages of a group paper, and someone else wrote the second five pages and plagiarized, then the other person would be in trouble, not you.

**What about lying in a non-academic context?** Non-academic lying is referred to the appropriate Dean's Office as a violation of University Policy.

**What is the jurisdiction of the Councils?** The Councils preside over all undergraduates in the School of Arts and Sciences, the E. Claiborne Robins School of Business, and the Jepson School of Leadership Studies.

**What happens after a violation is reported?** The Chair assigned to the case assembles a Pre-Hearing Review Board, comprised of the Chair, the Marshal, and two to four Honor Council members, and schedules separate meetings with the Accuser and the Accused.

**What is this Pre-Hearing Review Board meeting with the Accuser like?** It is a meeting during which the Accuser provides his/her side of the story. The Accuser usually brings some evidence such as the course syllabus, the paper (if the accusation is Plagiarism), and a written statement that we call an Affidavit. This meeting usually takes about an hour, but of course varies depending on case complexity. The Accuser is never on trial and is never "grilled." The Honor Council members are only looking to get all of the information they need to make a decision and will ask questions politely and professionally.

**Where does the Accused student come in?** After meeting with the Accuser, the Chair contacts the Accused student to first give him/her notice that he/she have been accused of a possible Honor Code violation. Then the same Pre-Hearing Review Board meets with the Accused student within a couple of days. We ask the Accused student to talk to us about what happened, and the student also writes an Affidavit of his/her account.

**What happens if the Accused knows someone on the Pre-Hearing Review Board?** The Chair releases the name of the Accused student to the members of the Pre-Hearing Review Board before they meet so that they may recuse themselves if they cannot make an objective decision in the case. If the Chair knows the Accused or cannot make an objective decision, the Chair may recuse himself or herself as well. The Accused student may also request that someone be removed from the Pre-Hearing Review Board.

**Then what happens?** The Pre-Hearing Review Board then sifts through all of the evidence to make a decision on whether or not there is enough evidence to move forward to a full investigation and Hearing.

**What standard does the Pre-Hearing Review Board use to make a decision?** The standard the Pre-Hearing Review Board uses to make their decision is that a violation “more likely than not” occurred. In percentage terms, we move forward if we feel that there is at least a 51 % chance that an Honor Code violation did occur. If it is less than 51 %, we vote to not move forward. If the Pre-Hearing Review Board decides not to move forward, we shred all of the evidence. The Chair contacts the Accuser, usually with a few details about why the Pre-Hearing Review Board decided not to move forward, and then contacts the Accused Student. No one ever discusses the incident ever again, and there are no records maintained of the occurrence of a Pre-Hearing.

**Why would a case not move forward?** There are many different reasons why a case would not move forward. Oftentimes cases do not move forward because there is not sufficient evidence. For example, maybe a professor thought a paper was plagiarized but no one could find the source that the student used.

**What happens when a case moves forward?** After the Pre-Hearing Review Board votes to move forward, the Chair notifies the Accused student as well as the Accuser. The Chair then assigns one or two Honor Advocates to the Accused student; these Advocates are Honor Council members who will present the Accused student’s side of the story during the Hearing. The Chair also assigns one or two Honor Advocates to the University to present the side of the Accuser and the University during the Hearing. The Honor Advocates are usually the same Honor Council members who sat on the Pre-Hearing Review Board. The Accused may also appoint any full-time undergraduate student as an Honor Advocate if he or she so desires.

**Then what happens?** The Chair schedules the Hearing for a mutually agreeable time, usually a weekday evening. The Hearing must occur within fifteen days of the Pre-Hearing Review Board’s decision, but no less than 72 hours after the decision. The Advocates all meet together to go over evidence. There are no surprise witnesses, because all evidence must be seen by both sides at least 72 hours before the Hearing. During this process, the Advocates usually determine more questions to ask the Accused and the Accuser as well as question additional witnesses if necessary.

**What is the difference between a closed Hearing and an open Hearing?** In a closed Hearing, only those involved in the Hearing may be present at the Hearing or have knowledge of any case related information. In an open Hearing, anyone may be present at the Hearing, and the Accused student may speak with anyone about the Hearing. Although the Councils handle information in an open Hearing with the same discretion as in a closed Hearing, the Accused may disclose case information to anyone, including media such as *The Collegian*.

**So is this going to be like Law and Order - the Advocate for the University trying to “string up” the Accused and the Advocate for the Accused trying to “get them off the hook?”** No; this is a non-

adversarial system. This means that both sides are working towards the truth, but presenting different sides of the truth. No one is trying to go for an “angle” to find the student either Guilty or Not Guilty.

**Do Accused students have any rights throughout this whole process?** Yes; Accused students’ rights can be summarized as the following:

- a. To have the written charge(s) presented to him/her personally at least 72 hours before the Hearing
- b. To choose an open or closed hearing
- c. To ask any full-time undergraduate student of the University to serve as Honor Advocate during the hearing and to assist in matters of rights and procedures
- d. To have a minimum of seventy-two (72) hours to prepare a defense before the beginning of the hearing
- e. To not be heard regarding two unrelated violations in the same hearing; to have all cases heard separately
- f. To be heard separately when the accused is one of two or more students involved in related violations
- g. To appeal the decisions of the Hearing Board
- h. To be allowed to attend classes and participate in University functions until a sanction of suspension or expulsion is approved by his or her Dean
- i. To be allowed to call witnesses, to be present during the hearing for the testimony of all witnesses, and to be allowed to question them at the hearing concerning their testimony
- j. To testify in his/her own behalf or to refuse to do so
- k. To not have any references to previous dealings with the Honor Councils presented during the Hearing
- l. To seek counsel with the Chair of the Honor Council or the Council's advisor regarding the status of the accused student's case
- m. To not suffer financial penalty if the hearing occurs after the class registration add/drop period in the full semester following that in which the violation occurred

## **THE HEARING**

At the Hearing, there are three officers who sit at the front of the room: the Chair, who presides over the case; the Secretary, who has a laptop computer to type a transcript of the hearing and who also makes an audio recording of the Hearing; and the Marshal, responsible for escorting witnesses and other parties in and out of the Hearing room and for securing the Hearing room. The Advocates and the Accused are in the room for the duration as well. In addition, there is the Hearing Board.

**Who is on the Hearing Board?** The Hearing Board is comprised of an even number of men and women. Usually there are four men and four women, but sometimes there are three men and three women. At least 72 hours before a Hearing takes place, the Secretary brings a list of potential Hearing Board members to the Accused student so the Accused may request that certain students not serve on their Hearing. These requests, when reasonable, are always honored. In addition, the Accused student may request to remove a Hearing Board member at the beginning of the Hearing. Only Honor Council members whom the Accused student did not remove from consideration will be asked to serve.

**Who can serve as a character witness?** The Accused student may ask anyone to serve as a character witness, including a fellow student or teammate, a friend, a coach, a professor, or a mentor. This list is not exclusive; it merely reflects the typical relationship between the Accused student and his/her character witness. Before the Accused may ask someone to serve as a character witness, he or she must notify the presiding Chair of his or her case.

**What happens during the Hearing?** The Advocates present opening statements, which summarize the story that is being presented for each side. Remember, though, that in this non-adversarial system all Advocates are working on behalf of the truth. First, the Accuser is called to the stand, or his or her affidavit is read into evidence. Then the Advocates for the University present the rest of their witnesses / evidence. The Accused student then presents his or her affidavit and testifies. The Advocates for the Accused present any other evidence, such as a character witness. Finally, the Advocates read their closing statements and the Hearing is recessed for the Hearing Board to begin deliberations.

**As an Accuser, what is my involvement during the Hearing itself?** The Accused has the right to confront his or her accuser, so your presence *may* be required at the hearing. However, often the Accused, through his or her Honor Advocates, simply asks questions of the Accuser before the hearing, and the Advocate reads the signed statement into evidence without the Accuser's presence. If the Accuser's presence is required, the process should take no longer than two hours.

**How long does this part of the Hearing usually take?** It depends on the amount of evidence. The first part of the Hearing usually ranges from one to two hours, though it may take longer if there is a large amount of evidence.

**What happens during the first phase of deliberations?** The Hearing Board, along with the Chair, Secretary, and Marshal of the case go to another room to discuss the case. The Hearing Board first discusses Guilt versus Non-Guilt for an extensive period of time. There must be no more than one dissenting vote for Guilt – meaning that the vote must be either 7-to-1 or 5-to-1. Only the eight members of the Hearing Board vote – the Chair, Secretary, and Marshal utilize their experience to guide the discussion, but do not vote. The Hearing Board votes by secret ballot. If the student is found Not Guilty, the Accused is called back in to the Hearing Room and the decision is read. If the student is found Guilty, the deliberations move on to the second phase, sanctioning.

**What is the standard of evidence for Guilt / Non-Guilt?** For an Accused Student to be found Guilty of an Honor Code violation, the evidence against the student must be “clear and convincing.” Translated to numbers, this means that the Hearing Board must be 80 % certain that the student committed the Honor Code violation.

**What happens during the sanctioning phase of deliberations?** Once the Accused has been found Guilty of violating the Honor Code, the Hearing Board considers sanctions. All findings of guilt automatically include the sanctions of a written letter of reprimand from the Dean of the student's residential college as well as Honor Probation through Graduation. The Hearing Board can expel the student, suspend the student for up to three years (on a per semester basis, including summers), make grade recommendations (such as failure in a course) to the professor, or assign other sanctions that it deems appropriate. It may also add no additional sanctions beyond the automatic sanctions. The voting standard for sanctioning is a majority of the Hearing Board members.

**For how long does the written letter of reprimand remain in a student's file?** It depends on the other sanctions assigned:

- *Expulsion:* The letter remains on file indefinitely.
- *Suspension:* The letter remains on file for four (4) years following the student's graduation from the University.

- *All others:* The letter remains on file for two (2) years after the student's graduation from the University.

**What exactly is Honor Probation?** Honor Probation means that, from the moment Honor Probation is assigned, any findings of Guilt for an Honor Code violation that occur after that date will automatically result in Expulsion.

**How long do deliberations usually take?** It depends on the complexity of the case. Sometimes the decision of whether or not a student is Guilty does not take long, while the decision on sanctions takes much more time, and sometimes vice versa. Usually, deliberations range from one and a half to three hours. Of course, given a large volume of evidence, the Hearing Board will take longer to consider the case.

**Is there any way to appeal a decision of a Hearing Board?** A student may appeal on the following grounds: A) New evidence that was not available at the first Hearing is now available (i.e., a new side of the story came to light). This cannot be evidence that was available and was simply not presented; B) That there was a perjured witness at the first Hearing; and C) that the Hearing Board acted unfairly in light of the evidence presented. A student may not appeal on the same ground more than once, unless there are multiple instances of new evidence and perjured witnesses. In addition, a student must present a written appeal within 72 hours of the decision in the case of the last type of appeal. The Chair of the Honor Council that did *not* hear the original case will assemble a small committee of Honor Council members who will decide whether the appeal has merit. If the appeal has merit, a full Appellate Hearing will be held in a fashion much similar to the original Hearing, but with all new Hearing Board members and Honor officers (Secretary, Marshal).

**Does any University administrator review the Honor Councils' decisions?** After a decision is made, a full transcript of the Hearing is typed by the Secretary. All evidence, the transcript, and an audio tape of the proceedings are delivered to the Dean of the Accused's Residential College. The Dean listens to portions of the Hearing and reads the transcript to ensure that the Hearing Board acted fairly. If the Dean disagrees with the Hearing Board's decision, he or she can remand the decision back to the Hearing Board for additional review. The Hearing Board could then change any part of their decisions based upon the Dean's recommendation. If the Hearing Board wishes to uphold the original decision, the University is bound by it.

## **IMPORTANT INFORMATION**

**Accused Students:** This guide summarizes the procedures of the University of Richmond Honor Councils. This guide is based upon the Statute of the Honor Code of the University of Richmond. At any time, you are entitled to request a paper copy of the Statute for your reference.

**A Note:** Most of the material in this guide has been adapted (for understanding) from the Statute of the Honor Code of the University of Richmond. This more than fifty-page document is the official delineation of the Honor Councils' guiding regulations. If this document conflicts with the Statutes, the Statutes override this document.