



UNIVERSITY OF RICHMOND
HONOR CODE STATUTES
(Effective August 22, 2016)



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A change in any of these documents is to be coordinated with the Dean of Richmond College.

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**STATUTE OF THE HONOR CODE
OF THE
UNIVERSITY OF RICHMOND**

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**STATUTE OF THE HONOR CODE
OF THE
UNIVERSITY OF RICHMOND**

PREAMBLE

Realizing the coordinate college nature of the University of Richmond, the students of the University have elected to be governed by a coordinate Honor System. Each student of the University shall be subject to the same Honor Code provisions at all times; however, separate Honor Councils shall exist for Richmond College and Westhampton College. Students of the School of Arts and Sciences, the Jepson School of Leadership Studies, and the E. Claiborne Robins School of Business shall fall under the jurisdiction of the Honor Council of their respective residential colleges. Hereafter in this document, The University of Richmond will be referred to as the University, The E. Claiborne Robins school of Business will be referred to as the business School, and the Jepson School of Leadership Studies will be referred to as the Leadership School.

Each undergraduate Honor Council of the University, established by the constitution of the student government association of its respective residential college of the University, shall be constituted by and shall function in accordance with the provisions of the present Statute, which shall supersede all previous statutes.

The purpose of the Honor Council of each college is to promote and maintain a standard of honorable conduct among the students of the University, to educate the students of the University to the provisions of this Honor Code, and to hear alleged violations of the provisions of this Statute.

The most fundamental aspect of the Honor System is the integrity of the individual and that individual's responsibility toward himself/herself and the University. This integrity is upheld by maintaining a personal sense of honor and encouraging others to assume similar ideals.

This statute originates from and belongs to the students of the University. It is not a system of laws created and enforced by the Administration but a way of life wanted and accepted by each individual.

**CHAPTER I
THE HONOR CODE**

We, the students of the University of Richmond, shall promote and uphold a community of integrity and trust.

**CHAPTER II
STATEMENT OF PURPOSE**

The purpose of the University Honor System is threefold:

1. To create an environment that encourages students to behave in an honorable way in all that they do and to expect the same behavior of others in the University community.
2. To unite students, faculty, staff and administrators in the pursuit of academic integrity as an expectation for all members of the University community.
3. To resolve possible violation of the Honor Code through the Honor Councils. The goal of the Honor Councils in all proceedings is to establish the truth. The Honor Councils are to select sanctions to penalize students found in violations of the Honor Code and to remind these students of the University's expectations regarding honor.

**CHAPTER III
ORGANIZATION OF THE COUNCILS**

**ARTICLE 1
COMPOSITION OF THE COUNCIL**

1. The Honor council for each college shall be composed of members of the student body with the number, qualifications, and method of selection to be determined by the appendices to this document and the constitution of the student government association of each undergraduate residential college of the University.

**ARTICLE 2
OFFICERS**

1. The officers of the Councils and their duties are set forth in the appendices to this document.

ARTICLE 3
APPENDICES

1. The appendices of this document more fully describe the organization of each Honor Council.
2. In the event of conflict, the provisions of this text will supersede the provisions of the appendices.

**CHAPTER IV
JURISDICTION OF THE COUNCILS**

ARTICLE 4
JURISDICTION

1. The Richmond College and Westhampton College Honor Councils jointly share the responsibility of resolving cases involving students currently enrolled in the School of Arts and Sciences, the Leadership School, and the Business School. The Hearing Boards are composed of students from both colleges. The Chair for hearings alternates between the Chairs of the two Councils at the discretion of the Chairs.

**CHAPTER V
INITIATION OF PROCEEDINGS**

ARTICLE 5
REPORTING A VIOLATION

1. It shall be the responsibility of every member of the student body of the University who violates the Honor Code to report himself/herself within five (5) days* to the Chair of either Honor Council, or to the faculty member involved, or to the Dean of either residential college.

* In this document the specified number of days means class days and excludes Saturday, Sunday, University holidays, University closings, vacations, and summer.

2. All faculty members are strongly encouraged to report all violations of the Honor Code within five (5) days, to the appropriate Dean or Honor Council Chair.

3. It shall be the responsibility of every member of the student body of the University, having knowledge of or being witness to a possible violation of the Honor Code, to report the possible violation, or ensure that the student in question makes a self-report, within five (5) days to the Chair of either Honor Council, or to the faculty member involved, or to the Dean of either residential college of the University (subject to Section 5 below).
4. It shall be the responsibility of every student of the University who is a witness to a possible violation of the Honor Code to assist the Honor Council to the fullest extent.
5. In any case involving plagiarism, the timeline of reporting shall be ten (10) days rather than five (5) days. The ten (10) day period is to allow an accuser to research the possible violation.
6. Failure to comply with these provisions will be considered a violation of the Honor Code under article 22, section 1(g).
7. For the purposes of reporting a violation, the timeline shall begin when a potential accuser first has knowledge of a possible violation. After this point, involved individuals have the responsibilities outlined above.
8. If a violation is reported after the allotted time has passed, the Honor Council may not pursue the case.

ARTICLE 6
THE PRE-HEARING REVIEW BOARD

1. The Chair or the Dean to whom a possible violation is reported shall compile the charge(s) and a list of witnesses to present to the Chair of the Pre-Hearing Review Board as designated in Chapter V, Article 6, Section 2.
2. A Pre-Hearing Review Board consisting of (1) a Chair, determined on a rotating basis between the Chairs of the Richmond and Westhampton Honor Councils, at their discretion, (2) a Marshal, determined on a rotating basis, at the discretion of the Chairs, and (3) between two and four members of the Councils as chosen by the Chair, shall be established within five (5) days; the Board shall make a decision within ten (10) days thereafter.
 - a. The accused may ask that an Honor Council member be removed from the Pre-Hearing Review Board if he or she feels that the individual cannot render an objective decision. Such requests are subject to approval by the Chair. If the Chair

determines that, for any reason, one of the members of the Council should not sit on a particular case, the Chair shall inform that member accordingly. If too few members remain to meet quorum for a Pre-Hearing Review Board, the case shall be referred to the appropriate Dean.

- b. If the majority of this Board finds that sufficient evidence does exist to warrant further proceedings, the Chair shall place the case on the docket, notify the members of the Council, and ensure that the hearing occurs within fifteen (15) days of the Board's decision.
- c. If this Board finds that sufficient evidence does not exist to warrant further proceedings, the matter shall be concluded. The Chair shall ensure that no mention or record of the matter is disclosed, except to inform the individual who reported the possible violation of the decision of the Board.
- d. The following shall be exceptions to Chapter V, Article 6, Section 2 and associated subsections:
 - (1) Should extenuating circumstances exist that prevent a Pre-Hearing Review Board from being established within five (5) days, this period may be extended by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College and the Dean of Westhampton College voting in a special session. This committee shall promptly notify the accused student of any such extension and the circumstances surrounding such extension.
 - (2) Should extenuating circumstances exist that prevent the Pre-Hearing Review Board from making a decision within ten (10) days, this period may be extended by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session. This committee shall promptly notify the accused student of any such extension and the circumstances surrounding such extension.
 - (3) Should extenuating circumstances exist that prevent a hearing from being scheduled within fifteen (15) days of the Board's decision, this period may be extended by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session. This committee shall promptly notify the accused student of any such extension and the circumstances surrounding such extension.

- (4) Should extenuating circumstances exist that prevent both Honor Council Chairs from serving as a member of the Pre-Hearing Review Board, and *ad hoc* Chair shall be appointed for the case from the membership of the Honor Councils by majority vote of a committee composed of the two Honor Council chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session.
3. Evidence of or reference to any previous findings of guild shall be made after the Pre-Hearing Review Board has decided that sufficient evidence does exist to warrant further proceedings. In cases where the student has been accused of Chapter X, Article 22, Section 1c4, any evidence of or reference to a previous hearing shall be admissible, with the exceptions of the plea, finding, and sanctions of a previous hearing.
4. In the case of Chapter X, Article 22, Section 1c4, any evidence of or reference to pre-hearing proceedings shall be admissible.
5. If the accuser believes that the prehearing review board did not make the correct decision, the Chair and Marshal on the original prehearing review board shall decide if the new and/or additional evidence provided by the accuser warrants the formation of a new prehearing review board.
6. The Honor Councils shall determine their own procedures beyond the provisions in this document relating to the pre-Hearing Review Board. This procedure shall be modified only by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College and the Dean of Westhampton College voting in a special session.
7. The Pre-Hearing Review Board may convene at the discretion of the Chair and the Dean of the accused's residential college in dependent of the student's presence.

CHAPTER VI PROCEDURE

ARTICLE 7 THE HEARING

1. The Honor Councils shall determine their own procedures beyond the provisions in this document. This procedure shall be modified only by a majority vote of a committee

composed of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session.

2. It is the responsibility of the Secretary assigned to each case to notify the accused in writing of the hearing date, the charges against the student, and the names of the potential Hearing Board members, and the Open Hearing Request Form. These documents shall become part of the official record of the case. The Secretary may appoint a representative to discharge the aforementioned duties.
3. The Honor Councils shall make all arrangements, other than those specified in this document, regarding the taking of evidence.
4. The Honor Advocate(s) for the University and for the accused shall be appointed by the Chair from the members of the Richmond and Westhampton College Honor Councils. Alternatively, the accused may serve as his or her own advocate, or choose another student for the same task. If the accused student chooses to forego the Honor Advocate(s) appointed by the Chair, the accused must indicate this choice with a signed statement.
5. Every Honor Advocate should be present for the interview of each witness.
6. The Honor Advocate(s) for the University for each case will inform the Honor Advocate(s) for the accused and vice versa of all evidence and all witness to be presented at the hearing at least seventy-two (72) hours before the hearing. Both the Honor Advocate(s) for the accused and the Honor Advocate(s) for the University for each case shall have the right to waive this procedure with respect only to his/her own receipt of such materials. The Honor Advocate(s) for the accused may waive this procedure only with the written agreement of the accused student.
7. Voting on all matters other than guilt shall be by a majority rule.
8. Honor Council hearings shall be closed to all except witnesses and the Council members involved in the case, unless the Open Hearing Request Form is approved. For the open Hearing Request Form to be approved, it must be signed at least twenty-four (24) hours before the hearing in the presence of both the Chair and the Marshal. In order for the parent(s) or legal guardian(s) of the accused to be in attendance, the hearing must be open.
9. In the case of a closed hearing, revelation of any details beyond those specified by Chapter VII, Article 18, Section 1, shall be considered an Honor Code violation under Article 22, Section 1(e).

10. If the accused feels that a procedure in this Statute has not been followed, the following procedures shall be used:
 - a. When a procedural defect occurs, and such failure to observe that procedure prevents the accused from receiving a fair hearing through normal council procedures, the case shall be referred to the Dean of the accused's residential college.
 - b. When a procedural defect occurs, and such failure to observe that procedure does not prevent the accused from receiving a fair hearing through normal Council procedures, the accused may choose to either:
 - (1) Waive that procedure, or
 - (2) Be granted new proceedings in accordance with this statute, beginning with the formation of a new Pre-Hearing Review Board within five (5) days.
 - c. The Chair in consultation with the secretary and the Marshal of the case, shall determine whether the failure to observe a procedure prevents the accused from receiving a fair hearing.
11. The hearing may convene at the discretion of the chair and the dean of the accused's residential college independent of the student's presence.

ARTICLE 8 HEARING BOARD COMPOSITION

1. The Hearing Boards shall consist of four (4) members from each of the Richmond and Westhampton College Honor Councils, as well as a non-voting Secretary, Marshal, and presiding Chair. At the Chair's discretion, Hearing Board composition may be altered, but must adhere to the quorum requirements in Chapter VII, Article 15, Section 3. There must always be an even number of voting members serving on the Hearing Board.
2. The accused may ask that Honor Council members be removed from consideration as potential Hearing Board members if he/she feels that they cannot render an objective decision. Such requests are subject to approval by the presiding Chair. If too few potential Hearing Board members remain to meet quorum for a hearing after such requests have been approved, the case shall be referred to the appropriate Dean.

3. In the case of separate hearings regarding related violations, Honor Council members removed from consideration as the potential Hearing Board members for one hearing shall also be removed from consideration as potential Hearing Board members for other hearings regarding the related violation.

ARTICLE 9 ORDER OF PROCEEDINGS

1. The regular order of proceedings in a hearing shall be the following:
 - a. Presentation of the charge.
 - b. Request for the plea.
 - c. Opening statements (for the University, then for the accused).
 - d. Presentation of evidence (for the University, then for the accused).
 - e. Closing statements (for the University, then for the accused).
 - f. Closed deliberations by the Hearing Board
 - g. Presentation of the findings and sanctions.

ARTICLE 10 TESTIMONY AND WITNESS

1. For the purposes of this document, a witness shall be defined as any person, other than the accused, providing testimony of any sort.
2. A witness may be present during the course of his/her testimony only. However, in the case of an open hearing, witnesses may be present after deliberations.
3. An accused student may call a character witness, in accordance with Chapter VII, Article 18, Section 3b. In order for a character witness to be submitted, the accused must submit, in writing, the contact information (name, email address, relationship to the accused, etc.) of the witness to the Marshal by the second prehearing. The Marshal will sign and date this document to signify that he/she has been notified of the witness(es).
4. The testimony of no student witness shall be accepted unless the student witness has been informed that knowingly providing false testimony is a violation of the Honor Code. For Honor Council proceedings, written affidavits shall be considered testimony as per Chapter VI, Article 11, Section 1 below.

5. Any student witness asked to attend the hearing for purpose of providing testimony must attend the proceedings or submit in writing the reason for not attending. If the Chair determines that the reason was not valid, such refusal to attend will be considered a breach of the Policy Statement.
6. All witnesses in attendance are required to answer questions put to them. If the witness does not wish to answer a question he/she may make a request to the Chair to be excused from answering the question. If the Chair determines that the reason is not valid, such refusal to answer will be considered a breach of the Policy Statement.
7. The Pre-Hearing Review Board may request expert testimony in cases that it deems appropriate. Expert testimony must be presented in the form of a written affidavit. The accused student will be informed if expert testimony is requested.

ARTICLE 11 OTHER EVIDENCE

1. The Honor Councils may allow the introduction of evidence other than the testimony of witnesses. A written statement provided in absentia can be accepted as evidence. The statement must be signed by the person making the statement, the Honor Advocate(s) for the University, and the Honor Advocate(s) for the accused prior to being accepted. The signatures of the Honor Advocate(s) for the University and the Honor Advocate(s) for the accused indicate that they both have had the opportunity to ask questions of the witness and the written statement has been prepared to their satisfaction.
2. In a case where two or more students are accused of related violations and choose separate hearings, all testimony in the previous hearing(s), regardless of decision, may be submitted by any Honor Advocate as evidence, unless the Chair determines there is reason not to present the evidence.
3. Lie detector test results will not be admissible as evidence.
4. Accused students are required to cooperate with the Honor Councils including but not limited to providing evidence to the Councils, attending required meetings, and responding to inquiries from Honor Advocates or officers of the Councils. Failure to cooperate will be considered a breach of the Policy Statement.

ARTICLE 12 RECORD OF THE HEARING

1. A tape recording and/or hearing notes and a case summary prepared by the Secretary shall be the authentic record of the case.
2. In cases in which the accused is found not guilty, the records of the proceedings shall be destroyed immediately. In cases of guilt, the record retention policy shall be as follows:
 - a. For all findings of guilt with sanctions other than suspension or expulsion, case records shall remain on file for a period of two years after the student graduates.
 - b. For all findings of guilt with a sanction of suspension, case records shall remain on file for a period of four years after the student graduates.
 - c. For all findings of guilt with a sanction of expulsion, case records shall remain on file indefinitely.
 - d. For findings of guilt with any sanction other than expulsion, the hearing board may elect to alter the time period that case records will remain on file after the accused student graduates. This condition shall only be employed when the Hearing Board is otherwise unable to reach a decision regarding sanctioning.
3. A case summary which will be retained in the closed files of the appropriate Dean's Office, must consist of the following items and shall be prepared by the Secretary for the hearing:
 - a. Date of the decision
 - b. Number of the case
 - c. Violation and material(s) used
 - d. Plea
 - e. Decision
 - f. Sanction(s)
 - g. Status of Accuser (student, faculty, or staff)
 - h. Department, course number, and professor (if applicable)
 - i. Name and class of the Accused
 - j. Names of Witnesses
 - k. Name of the Presiding Chair
 - l. Name of the Secretary for the hearing
 - m. Name of the Marshal for the hearing
 - n. Names of Hearing Board Members for the hearing
4. Hearing notes shall consist of a detailed account of the proceedings of the hearing, including the main points of the opening and closing statements and of the testimony and questioning by the Hearing Board.

5. The case summary and hearing notes shall be prepared and submitted by the Secretary for the hearing to the Chair for the hearing. The Chair shall review the summary and, in the event that revisions are necessary, shall return it to the Secretary for those revisions. Should no revisions be necessary, the Chair shall submit the summary to the Dean of the College of the accused for final review and acceptance assuming the Dean concurs with the decision of the Council. Revisions shall be based on, but not limited to, the following:
 - 1) grammatical errors, 2) extensive details which may reveal the identity of a party involved, 3) extraneous details included which are not necessary to the understanding of the violation, or 4) incorrect information.

ARTICLE 13 HOLDOVER CASES

1. Cases that have been reported after the last day of classes in either the Fall or Spring term shall be referred to the Dean of the accused student's residential college in the following circumstances:
 - a. Cases in which the accused student is graduating at the semester's end.
 - b. Cases in which the violation occurs in classes taught by professors no longer in contact with the University.
 - c. Cases in which the student is studying abroad during the following semester.
2. All cases that are reported after the last day of classes in either the Fall or Spring term that do not fall into the above categories will be heard by the council the semester after which the violation was reported. The accused student may request to have their case heard expeditiously by the Dean of their residential college. Requests will be approved by majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session.
3. Pre-Hearing Review Boards for cases held over from the last day of classes in either the Fall or Spring term shall convene within the first thirty (30) days after the start of classes in the following term. In the event that the number of cases held over exceeds twelve (12), the Pre-Hearing Review Boards shall convene at the rate of no less than two (2) per week until all are completed.
4. Cases in which an accused student withdraws prior to the completion of Honor Council proceedings shall be resumed upon the student's reenrollment in the University.

5. In all cases referred to the Dean of the accused student's residential college, the accused shall retained the right to appeal the original decision. Such appeals shall be made to the Dean who did not decide the original case.
6. In cases when an accused student is an honor council member, procedure shall remain normal unless decided otherwise by the Chair and Marshal presiding over the case, and/or Dean of the student's residential college.

CHAPTER VII JUDGMENTS

ARTICLE 14 DELIBERATIONS

1. The deliberations of the Hearing Board shall take place in private and remain confidential. All voting shall be done by secret ballot.
2. The accused student may not be found guilty except on a finding of clear and convincing evidence.
3. Only evidence officially presented in the hearing and open to the examination of the accused may be considered by the Hearing Board.
4. The relevant course catalog shall be made available during deliberations.

ARTICLE 15 VOTE ON GUILT/NOT GUILT

1. The accused shall be determined guilty if no more than one dissenting vote exists among the members of the Hearing Board.
2. If two or more members dissent, the accused shall be determined not guilty and the case closed at once. All records of the proceedings shall then be destroyed.
3. Quorum for hearings of the Richmond and Westhampton College Honor Councils shall be six voting Council members serving on the Hearing Board, plus the non-voting Secretary, Marshal, and the presiding Chair.

ARTICLE 16
DETERMINATION OF SANCTION

1. If a decision of guilt is reached, voting members of the Hearing Board shall render, by majority vote, (an) appropriate sanction(s) from those listed in Article 23.

ARTICLE 17
CERTIFICATION OF JUDGMENTS

1. In cases of guilt, the judgment and sanction(s) shall be signed by the Chair of the case.

ARTICLE 18
RELEASE OF CASE INFORMATION

1. In regards to a closed Honor Council Hearing, the following information may be disclosed without being in violation of Chapter X, Article 22, Section 1(e).
 - a. Date of the decision
 - b. Number of the case
 - c. Description of the nature of the violation
 - d. Decision
 - e. Sanction
 - f. Plea
 - g. Status of the Accuser (student, faculty or staff)
 - h. Class of the Accused
 - i. Department

The information pertaining to a case under appeal shall not be released.

2. Accused students, at their discretion, may disclose further details pertaining to their case to the following individuals:
 - a. Immediate family
 - b. A counselor at the University's Counseling and Psychological Services (CAPS)
 - c. A lawyer

3. Accused students, at the discretion of the Chair, may disclose further details pertaining to their case to the following individuals:
 - a. A faculty or staff member at the University
 - b. A character witness

The Chair shall be notified of all such disclosures. For individuals beyond the aforementioned list, the definition of Disclosure shall apply in all closed hearings.

ARTICLE 19 APPROVAL OF JUDGMENTS

1. No finding of guilt or sanction shall be considered final until approved by the appropriate Dean. In the event of a second possible violation for the same student, a hearing board shall not convene until the finding and sanctions from the first case are approved by the appropriate Dean. If the appropriate Dean fails to approve the finding, the Dean shall refer the case to the original Hearing Board along with his/her objections to reconsider the finding and/or sanction. Reconsideration shall consist of:
 - a. The Chair, Secretary, Marshal, and voting Hearing Board members involved in the original decision shall reconvene.
 - b. The Dean shall present his/her objections and/or comments to the presiding Chair and the Hearing Board members.
 - c. The presiding Chair and the Hearing Board members shall, without the Dean present, discuss the case in light of the information presented by the Dean.
 - d. In light of the information presented by the Dean, the voting Hearing Board members shall decide, by secret ballot, whether to uphold the original decision, or to set aside the original decision and re-vote on guilt/not guilt and sanction. A re-vote on guilt/not guilt and sanction shall occur only if half or more of the voting Hearing Board members vote in favor of setting aside the original decision.
 - e. Should the Hearing Board elect to uphold the original decision, the Chair shall inform the appropriate Dean.

- f. Should the Hearing board elect to set aside the original decision, the Hearing Board shall deliberate the guilt/not guilt of the accused student and, if applicable, a sanction to apply. In such deliberations, the standard for Hearing Board deliberations on guilt/not guilt and sanction, as described in Chapter VII, Articles 14, 15 and 16 of this Statute, shall apply.
2. In no case shall the appropriate Dean alter the decision of a Hearing Board without the agreement of the Hearing Board.
3. In cases of guilt, a letter shall be sent by the Dean of the student's college to the guilty student(s) involved setting forth the sanction and other pertinent facts in the case.
4. All findings of guilt shall become part of the student's disciplinary record. In the case of a revocation at a later date, the record of the finding of guilt shall be expunged.

**CHAPTER VIII
RIGHTS OF THE ACCUSED**

**ARTICLE 20
RIGHTS OF THE ACCUSED**

1. The accused shall have the following rights:
 - a. To have the written charge(s) presented to him/her personally at least seventy-two (72) hours before the hearing by the Secretary or the Secretary's appointed representative.
 - b. To choose an open or closed hearing subject to Chapter VI, Article 7, Section 8. If the accused is one of two or more students accused of related violations and any of the accused desire a closed hearing, all hearings regarding the related violations shall be closed. The Chair shall determine whether or not cases are related. Should the accused choose an open hearing, any appellate hearing arising from the original hearing shall automatically be open.
 - 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. If the student does not choose an Honor Advocate, the Chair shall appoint an Honor Advocate for the accused as described in Chapter VI, Article 7, Section 4 of this document. The Honor Advocate shall have access to records of the case being heard, and shall be allowed to question witnesses during the hearing. An accused

student may secure the advice of an attorney, but the student may not have the attorney present at any hearing, including an appeal.

- d. To have a minimum of seventy-two (72) hours to prepare a defense before the beginning of the hearing. The accused has the option to waive this right. The accused may request an extension of this period. The request must be approved by the Chair.
- e. To not be heard regarding two unrelated violations in the same hearing, and not be heard regarding one violation, and found guilty of another, without the same opportunity to defend himself/herself against any other charge.
- f. To be heard separately when the accused is one of two or more students involved in related violations.
- g. If found guilty, to be allowed to present a written request for appeal to the University Honor Appellate Review Committee.
- h. To be allowed to attend classes and participate in any University function until a sanction of suspension or expulsion is approved by his or her Dean. A student shall retain this right of access as long as the appeal is pending.
- 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 on his/her own behalf.
- k. To not have evidence of or reference to any previous charge(s) against the accused, of which he/she was found not guilty, made at the hearing. Evidence of or reference to any previous findings of guilt shall be made during deliberations after the accused is found guilty of the charge under consideration. In cases where the student has been accused of Chapter X, Article 22, Section 1c3, any evidence of or reference to a previous hearing shall be admissible, with the exceptions of the plea, finding, and sanctions of a previous hearing.
- l. To seek counsel with the Chair of the Honor Council or the Honor 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.

- n. To request the assistance of a translating device to be provided by the Honor Council to aid in case related matters.
2. If the accused feels that a right in this Statute has not been upheld, the following procedures shall be used:
 - a. When a right has not been upheld, and such failure to uphold that right prevents the accused from receiving a fair hearing through normal Council procedures, the case shall be referred to the Dean of the accused's residential college.
 - b. When a right has not been upheld, and such failure to uphold that right does not prevent the accused from receiving a fair hearing through normal Council procedures, the accused may choose to either:
 - (1) Waive that right, or
 - (2) Be granted new proceedings in accordance with this statute, beginning with the formation of a new Pre-Hearing Review Board within five (5) days.
 - c. The Chair, in consultation with the Secretary and the Marshal of the case, shall determine whether the failure to uphold a right prevents the accused from receiving a fair hearing.

CHAPTER IX HONOR PLEDGE

ARTICLE 21 SIGNING THE HONOR PLEDGE

1. A student's signature on the following pledge, to be signed at the Investiture Ceremony for Richmond College and Proclamation Night for Westhampton College, is a binding contract throughout his or her years of enrollment at the University of Richmond:

I, Full Name, having a clear understanding of the basis, spirit, and interpretation of the Honor System whereby our college community is governed, pledge my personal honor that I will uphold the standards of honesty and responsibility in all areas of college life, both academic and social. I will do all in my power to make the ideal of honor, in its highest sense, prevail among my fellow students. If at any time I should violate either the letter or spirit of this pledge, I shall accept the full responsibility for myself. Full Signature.

This contract allows those involved with the University - students, faculty, and administrators - to assume honorable behavior and a sense of integrity from students at all times.

2. To reinforce the permanent and pervasive nature of the Honor Code, from the date of the ratification of this document forward, every student will be expected to provide and sign the following pledge on every assignment that the student submits to an instructor for a grade:

I pledge that I have neither received nor given unauthorized assistance during the completion of this work. Full Signature.

3. In cases where a student does not sign the Honor Pledge or is unable to enter into a contract, enrollment at the University of Richmond shall bind the student to the Honor System throughout his or her years of enrollment.
4. A student's signature indicates the student's adherence to the basis, spirit, and interpretation of the honor system. The student pledges to uphold this system and its standards in all areas of academic work. If at any time the student should violate either the letter or the spirit of this pledge, the student shall accept full responsibility for those actions.

CHAPTER X VIOLATIONS

ARTICLE 22 DEFINITIONS FOR VIOLATIONS

1. The following shall be deemed Honor Code violations and shall be the sole basis for reporting cases to any Council and for a finding of guilt by any Council:
 - a. Cheating – Cheating is the use or attempted use of assistance not expressly authorized by the professor or other responsible authority in order to gain an unfair academic advantage. Cheating includes the providing of assistance not expressly authorized by the professor or other responsible authority.

Cheating may occur without one's understanding that one's actions constitute cheating.

In collaborative assignments "work shall be defined as each individual's contribution to the assignment.

Cheating includes, but is not limited to, such actions as:

- (1) The giving of unauthorized aid.
 - a.) In regards to cases involving unauthorized aid received by a student (student A), the student giving unauthorized aid (Student B) can be exempt from an honor code violation if and only if:
 - 1.) He/She is neither in the same class as Student A nor has taken this class in a previous semester.
 - 2.) Student A failed to tell or lied to Student B that the aid was authorized.
 - (2) Unauthorized use of knowledge of the contents of present tests. “Knowledge of the contents” is defined as communication about the test with students who already have completed it or examination of the test paper itself.
 - (3) Use of or attempted use of unauthorized notes or tapes before submission of a test.
 - (4) Unauthorized use of an electronic resource beyond the use expressly permitted by the professor or other responsible authority.
 - (5) Use of testing materials from past testing periods not specifically distributed by the professor for use in the current testing period. This includes, but is not limited to, scoop tests and/or tests from test banks.
 - a.) A scoop test shall be defined as a graded or ungraded test form a previous testing period.
 - b.) A test bank shall be defined as an unauthorized collection of scoop tests and testing materials from previous testing periods.
- b. Plagiarism – Plagiarism is the presentation, oral and/or written, of words, facts, or ideas belonging to another source without proper acknowledgement. In collaborative work, “presentation” constitutes each individual’s contribution to the assignment.

Plagiarism may occur without one’s understanding that one’s actions constitute plagiarism.

c. Lying – Lying is the making of a statement that one knows is false.

I: Lying that occurs outside of the hearing process

II: Lying that occurs within the hearing process

It includes but is not limited to, such actions as:

- (1) Lying to faculty, administration, or staff of the University community in order to gain an unfair academic advantage.
- (2) Falsifying any university paper or electronic record by mutilation, addition, deletion or forgery.
- (3) Purposeful omission or misrepresentation of relevant information with the intent to deceive.
- (4) Lying to any Honor Council member in case-related matters. In the event that this occurs, a Lying II charge may be added, in addition to any existing charges of the accused student.

d. Academic Theft – Academic theft is the unauthorized removal or mutilation of academic materials, which may deprive or prevent others from having equal learning opportunities. Such materials may include, but are not limited to print, film, tape, and electronic databases.

e. Disclosing Honor Council Information – Disclosure is the release of any information about Honor Council cases beyond that specified by Article 18, Section 1, unless the information pertains to an open hearing. Honor council cases are to include all interactions with the Honor Council that occur after receiving an email from the Chair or from the Dean of the accused student's residential college.

f. Registration Irregularity – Registration irregularity is any violation of registration procedures designed to gain an advantage relative to other students.

g. Failure to Report an Honor Code Violation (Toleration) – Toleration occurs when a student has knowledge of or is witness to an act of another student thought to be in violation of the Honor Code and does not report it.

**CHAPTER XI
SANCTIONS**

ARTICLE 23
SANCTIONS

1. Any student who is found guilty of an Honor Code violation shall be placed on Honor Probation. Upon a finding of guilt for an unrelated violation committed after one has been placed on Honor Probation, the student shall be expelled from the University. Honor Probation remains in effect until graduation.
2. Any student who is found guilty of an Honor Code violation shall have a written letter of reprimand placed in his or her permanent file in the Dean's Office of his or her respective residential college that censures the unacceptable and/or inappropriate action in writing. This record shall be held in accordance with the Record Retention Policy as per Chapter VI, Article 12, Section 2 of this document.
3. Upon a finding of guilt, a Hearing Board may assign any of the following sanctions or a combination thereof:
 - a. Loss of Academic Credit – Recommendation of any grade including, but not limited to, a failing grade on the assignment, in the course to which the violation relates, or in all courses in which the student is enrolled at the time of the violation.
 - b. Suspension – Suspension may be any period of time through three (3) years. The Councils may recommend that the student receive failing grades in any or all of the courses in which the student is enrolled at the time of violation. The Hearing Board will specify the time period for which the suspension will be in effect.
 - c. Expulsion – Permanent separation of a student from the University of Richmond.
4. A Hearing Board may elect to set aside part of a sanction or to substitute another sanction that it feels is more appropriate to the offense.

**CHAPTER XII
IMPEACHMENT**

ARTICLE 24
IMPEACHMENT PROCEDURES

1. Any officer or member of either Honor Council accused of failure to discharge the duties of the office shall have his or her case heard by his or her Honor Council, sitting as a board of impeachment. If the council chooses to impeach an officer from his or her office, the Council may also choose to concurrently impeach him or her from the Council.
2. Proceedings in such cases shall be initiated by a petition from three members of the accused's residential college Honor Council or by a petition signed by five members of the student body of the accused's residential college.
3. The Honor Councils shall determine their own impeachment procedures. These procedures shall only be approved or modified by a majority vote of a committee comprised of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College, voting in a special session. Should one of the Chairs be the accused, the remaining members of the committee shall appoint a member of the same residential college to serve.
4. In order to vote in impeachment proceedings, Honor Council members must be attending classes at the University at the time the vote for impeachment is held. The accused shall neither vote nor be counted as a voting member.
5. The accused shall be impeached upon the concurrence of three-fourths (3/4) of the voting Honor Council members of the accused's residential college. Voting shall be conducted by secret ballot. In the absence of said concurrence, the accused shall not be impeached. In determinations involving impeachment from both an office and the Council, each of the two issues shall be voted upon separately.
6. Upon a decision to impeach an officer, the Council shall dismiss the member from office and bar him or her from holding any office on the Council in the future. Upon a decision to impeach a Council member, the Council shall dismiss the member from the Council and bar him or her from serving on the Council in the future.
7. All dismissals arising out of an impeachment proceeding shall become effective immediately and shall not require the approval of the Dean of the accused's residential college.

**CHAPTER XIII
MISCELLANEOUS**

**ARTICLE 25
QUORUM FOR COUNCIL MATTERS**

1. Quorum for votes by a Council on matters other than those regarding a hearing, an amendment, or an impeachment shall consist of fifty (50) percent of the members of the Council plus one. If a quorum is attained, the matter shall be passed by a majority of those present.
2. Section 1 of the quorum provisions shall apply to matters of constitutional appeals originating in either the Senate of the Richmond College Student Government Association or the Senate of the Westhampton College Government Association. The procedure for handling such a constitutional appeal shall be described in a separate document to be mutually agreed upon by each Honor Council and each Student Government Senate.

ARTICLE 26
THE EXECUTIVE COMMITTEE

1. The voting members of the Executive Committee shall be the five elected officers of each Honor Council. These members shall each hold one vote. All matters decided upon by the Committee shall be by majority vote of the voting members.
2. Additional Executive Committee members shall be appointed by the chairs and shall serve as non-voting members of the Committee, unless they are concurrently serving as voting members.
3. The voting and non-voting members of the Executive Committee shall have the following responsibilities:
 - a. Preside over budgetary matters of the Councils.
 - b. Define method and frequency of the release of case information as described in Chapter VII, Article 18, Section 3.
4. The duties outlined in Chapter XIII, Article 26, Section 3 should be discussed by all members of the Executive Committee, but shall be voted upon only by the voting members.

ARTICLE 27
TREASURER

1. The Chairs shall appoint a Treasurer.
2. The duties of the Treasurer shall be:

- a. Keep a true and accurate record of the Councils' finances.
- b. Issue a bi-weekly budget report to the Executive Committee.
- c. Process all paperwork and perform other duties associated with University policies and procedures regarding student organization accounting practices.
- d. Serve as a non-voting member of the Executive Committee, unless he or she is concurrently serving as a voting member.

ARTICLE 28 AMENDMENTS

1. Amendments to the main body of this statute may be proposed by any Honor council member or by petition of one-fifth (1/5) of the members of any college. Such proposals shall become effective as Amendments to this statute when ratified by three-fourths (3/4) of the members of the Richmond College Honor Council voting in a special session, three-fourths (3/4) of the members of the Westhampton College Honor Council voting in a special session, three-fourths (3/4) of the members of the Richmond College Student Government Association Senate, and three-fourths (3/4) of the members of Westhampton College Government Association Senate, and the Deans of Richmond College and Westhampton College.

ARTICLE 29 RELATIONSHIP OF UNIVERSITY HONOR CODE STATUTE TO PREVIOUS STATUTES

1. All previous constitutional or legislative documents of each Honor Council are hereby declared void and of no effect. Each Honor Council recognizes the validity of judgments and authority of the previous Honor Councils executed before the adoption of the present statute.
2. Ratification of this statute shall in no way affect the composition of any presently sitting Council, but its members shall recognize the provisions of this statute as binding upon them.

ARTICLE 30
RELATIONSHIP OF UNIVERSITY HONOR CODE STATUTE
TO STUDENT GOVERNMENT ASSOCIATIONS

1. Adoption of other constitutions for the Student Government Associations shall not affect this Statute.

2. If all the Student Government Associations of the University be totally dissolved, the Deans of all the colleges/schools and the students thereof may conclude agreements for the continued effectiveness of this Statute.

APPENDIX A

**STATUTE OF THE HONOR COUNCIL
OF RICHMOND COLLEGE
OF THE UNIVERSITY OF RICHMOND**

**CHAPTER I
PURPOSE OF THIS APPENDIX**

**ARTICLE I
PURPOSE**

1. This appendix further details the operating procedures of the Richmond College Honor Council. In the event of a conflict between this appendix and the Statute of the Honor Code to which it is attached, the latter shall prevail.

**CHAPTER II
MEMBERSHIP**

**ARTICLE 2
MEMBER SELECTION**

1. Honor Council member selection shall be made during the two (2) weeks prior to spring vacation. The Richmond College Honor Council Selection Committee, under the direction of the Richmond College Honor Council Chair, shall publicize in a manner it deems appropriate that selections will be made. The Honor Council Chair may delegate the responsibility regarding this publicity.
2. Any Richmond College student may apply for these positions to the Honor Council Chair. The number of applicants is unrestricted.
3. The Selection Committee shall consist of the following members:
 - a. The Honor Council Chair
 - b. Two additional senior members of the Honor Council to be selected by the Chair
 - c. The RCSGA Vice President of Administration

- d. Two RCSGA senators to be selected by the RCSGA Vice President of Administration

In addition, the RCSGA Vice President of Administration shall serve as Chair and hold privileges in the event of a tie.

4. A special selection committee shall be formed to select a maximum of 3 first-year and/or transfer students to join the council in the fall semester. This section shall be completed no later than November 1st. It shall consist of:
 - a. The Richmond College Honor Council Chair
 - b. The Richmond College Secretary or Marshal
 - c. Two current Richmond College Honor Council members.
 - d. The RCSGA Vice President of Administration
 - e. Two RCSGA senators to be selected by the RCSGA Vice President of Administration

In addition, the RCSGA Vice President of Administration shall serve as Chair and hold privileges in the event of a tie.

5. The Selection Committee shall choose between twenty-three (23) and twenty-seven (27) members of the Richmond College student body to serve on the Council. The Selection Committee shall choose a minimum of five (5) seniors, five (5) juniors, and five (5) sophomores. The remaining members may be chosen without regard to class standing. Additionally, the Selection Committee may choose a maximum of two alternate members per class.
6. In the event of the need for a replacement of one of the Council members, the following procedure shall apply:
 - a. The first alternate chosen for that class during the selection process will take his place on the Council.
 - b. If the membership of the Council, including officers, falls to below twenty (20) members, the Honor Council Selection Committee shall, through the set application and selection process, restore Council membership to between twenty-three (23) and twenty-seven (27) members, at the discretion of the Selection Committee. If

further clarification of this special selection process is needed, the Dean of Richmond College shall interpret this policy.

7. All students selected to serve on the Honor Council shall have a 2.0 cumulative grade point average at the time of selection. Members of the Honor Council must maintain a minimum cumulative grade point average of 2.0 to remain eligible for membership on the Honor Council.
8. The current non-graduating members of the Council shall be considered for re-selection by the Selection Committee or by a process and body of its choosing. Appropriate paperwork and procedures are to be completed at the instruction of the Selection Committee.
9. The Senate shall review, at its discretion and upon consultation with and advice from the RCSGA President, the selection at its next regularly scheduled meeting, following the completion of all procedural matters by the Committee. Once the composition of the Council is confirmed by the Senate, the names of the new members shall be publicized.
10. All committee proceedings shall remain confidential.

ARTICLE 3 PROHIBITIONS ON MEMBERSHIP

1. No member of the Honor Council shall simultaneously serve as a member of RCSGA Senate or the Richmond College Student Conduct Council.
2. No Richmond College student who has been found guilty of an Honor Code violation shall be a member of the Honor Council. This provision shall be enforceable by the Chair of the Council.

ARTICLE 4 TERM OF OFFICE

1. The term of office for all Honor Council members shall be from the Commencement ceremony in May to the Commencement ceremony conducted in the following May.

CHAPTER III DUTIES AND ROLES

ARTICLE 5
DUTIES OF HONOR COUNCIL MEMBERS AND ALTERNATE MEMBERS

1. Members shall:
 - a. Serve as voting members of the Honor Council.
 - b. Know and uphold the Honor Code Statutes
 - c. Serve on the Pre-Hearing Review Board, as Honor Advocates, when called upon by the Chair.
 - d. Serve as Hearing Board members in order to render decisions and sanctions for Honor Code violations.
 - e. Attend all meetings of the Honor Council in accordance with the attendance policy.
 - f. Return early to campus in the fall for an participate in New Student Orientation and remain on campus through the entire final examination period at the conclusion fo the spring semester.

2. Honor Council Alternates shall:
 - a. Serve as non-voting members of the Honor Council.
 - b. Know and uphold the Honor Code Statutes.
 - c. In extraordinary cases, where four members of the Richmond College Honor Council are not available to sit on a Hearing Board, the Chair may select an alternate to sit as a voting member for that particular Hearing Board.
 - d. Attend all meetings of the Honor Council in accordance with the attendance policy.
 - e. Return early to campus in the fall for and participate in New Student Orientation and remain on campus through the entire final examination period at the conclusion of the spring semester.

3. Honor Council Members-In-Training shall:
 - a. Serve as non-voting members of the Honor Council.

- b. Know and uphold the Honor Code Statutes
 - c. Attend all meetings of the Honor Council in accordance with the attendance policy.
 - d. Serve on an Honor Council committee.
4. Honor Council Members-In-Training shall not:
- a. Serve on a Pre-Hearing Review Board, as Honor Advocates.
 - b. Serve as Hearing Board members.

ARTICLE 6
DUTIES OF HONOR COUNCIL OFFICERS

1. The officers of the Council shall consist of a Chair, a Secretary, a Marshal, an Associate Chair for Education, and an Associate Chair for Special Projects. The Council shall elect these officers as outlined in Chapter IV, Article 8 of this appendix. These officers shall be voting members of the Richmond College Honor Council Executive Committee, with such privileges as outlined in this document.
2. The duties of the Chair shall be to:
- a. Be responsible for the resolution of all Honor Council cases over which he presides.
 - (1) Form a Pre-Hearing Review Board to investigate possible violations of the Honor Code unless the Westhampton College Honor Council Chair is designated to do so.
 - (2) Preside at all Honor Council hearings unless the Westhampton College Honor Council Chair is designated to preside.
 - b. Inform accused students of Honor Council processes and maintain contact with the students throughout such a process.
 - c. Represent the Council in an official capacity and serve as the spokesperson of the Council.
 - d. Serve as the interpreter of the Honor Code Statutes.

- e. Participate in the creation of programs to educate and inform the faculty and students about and Honor Council and the Honor code.
 - f. Create programs designated to educate and train members of the Honor Council.
 - g. Participate in the planning of the Investiture Ceremony.
 - h. Preside over all meetings of the Honor Council.
 - i. Serve as a voting member of and preside over meetings of the Honor Council Executive Committee.
 - j. Form special committees of the Honor Council as he should deem necessary.
 - k. Serve as member of the Honor Council Selection Committee and select additional Honor Council members to serve on the Selection Committee.
 - l. Provide status reports as appropriate to the Richmond College Student Government Association Senate and Executive Committee.
 - m. Serve as the interpreter of the Richmond College Student Government Association Constitution when called upon by the President of the Senate.
3. The duties of the Secretary shall be to:
- a. Keep a true and accurate record of all proceedings of the Honor Council as described in Chapter VI, Article 12, of the main body of this document.
 - b. At least seventy-two (72) hours before the hearing, present the accused with the charge letter and a list of members of the Richmond College and Westhampton College Honor Councils for review subject to Chapter VI, Article 8, Section 2, in the main body of this document. The Secretary shall subsequently obtain eligible members for the Hearing Board. The Secretary may appoint a representative to discharge the aforementioned duty.
 - c. Arrange for taping equipment for a hearing.
 - d. Collect all evidence from the hearing and destroy it if the accused is found not guilty.
 - e. Type the case notes and summary of the hearing for the Dean.

- f. Perform other duties that the Chair may assign.
 - g. Serve as a voting member of the Honor Council Executive Committee.
 - h. Perform duties outlined in Article 9 in the absence of the Chair.
 - i. Serve as a non-voting member of the Hearing Board.
 - j. Record attendance of members at all required Honor Council functions outside of hearings and, in the case of attendance infractions, notify the member in question and the Chair.
4. The duties of the Marshal shall be to:
- a. Be present at all Honor Council Pre-Hearing Review Boards as called upon by the Chairs, as a voting member of the body.
 - b. Be present at all meetings with the accused student that take place after the pre-hearing and before the hearing.
 - c. Be present at all Honor Council hearings as called upon by the Chairs.
 - d. Escort all witnesses and supervise all movement in and out of the Honor Council hearings.
 - e. Serve as a non-voting member of the Hearing Board.
 - f. Serve as a voting member of the Honor Council Executive Committee.
 - g. Perform duties outlined in Article 9 in the absence of the Chair.
5. The duties of the Associate Chair for Education shall be to:
- a. Create programs designed to educate the student body and faculty about the Honor Council and the Honor Code.
 - b. Participate in the planning of New Student Orientation to the Honor System.
 - c. Be responsible for the creation and/or maintenance of informative materials addressing the Honor System including, but not limited to, the following:
 - (1) Admission materials

- (2) New Student Honor booklet
 - (3) University of Richmond Student Handbook (Honor System portions)
 - (4) Orientation materials
 - (5) Honor Council web page
- d. Be responsible for the upkeep of the Honor Council bulletin board.
 - e. Make appropriate information available to the public as described in Chapter VII, Article 18 of the main body of this document.
 - f. Serve as a voting member of the Honor Council Executive Committee.
6. The duties of the Associate Chair for Special Projects shall be to:
- a. Be responsible for the planning and coordination of the following Honor Council events:
 - (1) Investiture Ceremony
 - (2) Other projects as he and the Council should see fit
 - b. Chair special projects committees as approved by the Chair
 - c. Serve as a voting member of the Honor Council Executive Committee.

**ARTICLE 7
DUTIES OF THE DEAN**

- 1. The Dean of the College shall serve as advisor to the Honor Council Chair and the Honor Council. The Dean shall have the right to interpret the Statute when called upon to do so by the Chair or when the Chair is not readily available.
- 2. The Richmond College Dean shall notify any accused Richmond College student of the sanctions taken against him based upon the recommendations of the Hearing Board.

**CHAPTER IV
ELECTIONS**

ARTICLE 8
OFFICER ELECTIONS

1. To be eligible to run for any executive office, a student must be a member of the Honor Council, be approved by the RCSGA Senate as a Council member for the next academic year, and meet with the current Chair and the member currently holding the position for which the student is a candidate during the semester preceding the election. Other requirements for candidacy may be set by the Richmond College Honor Council Executive Committee.
2. The term of office for the executive officers shall be from the second Monday following elections, at midnight, until the same time the next academic year. The outgoing officers shall assist the new officers in the orientation to their duties and shall be considered members of the Honor Council with all the privileges and duties of such until the end of the academic year.
3. Elections for Officer positions of the Honor Councils shall begin with nominations made by the current members of the Honor Councils in the three (3) weeks prior to spring vacations.
 - a. Members of the Richmond College Honor council may be nominated to positions by both the Richmond College and Westhampton College Honor Council members.
 - b. To be approved by the Chairs, nominations must be seconded by an additional member of the Councils and accepted by the nominated member.
 - c. In order to accept a nomination, a council member must plan to be on campus for the entirety of his potential term of office as outlined in Appendix A, Chapter III, Article 5, Section 3.
4. Elections shall be held with the Westhampton College Honor Council during the week prior to spring vacation.
5. A quorum of fifty (50) percent of the members of the Richmond College Honor Council plus one must be present before election proceedings can begin.
6. Elections for each office shall be conducted separately, in the order of the position's appearance in Appendix A, Chapter III, Article 6. For each position, the Richmond College officer shall be elected first, followed by the Westhampton College officer. The order of the elections may be amended by the unanimous agreement of all candidates.

7. Each candidate will deliver a speech to the members of both Councils. Candidates running for the same position shall remain outside the election room for the duration of the speeches of the other candidates. The order of speaking may be decided by the unanimous agreement of all candidates.
8. Following the speeches for the position, the members of the Councils shall deliberate. Candidates running for the same position shall remain outside the election room. The deliberations shall be confidential.
9. Voting shall be conducted by secret ballot. Candidates shall remain outside the election room.
10. Members of both residential college Honor Councils will vote for a Richmond College position. Both Chairs shall abstain from voting, except in the event of a tie.
11. A majority vote is required to elect a candidate into office.
 - a. In the event that no candidate receives a majority of votes, the voting Council shall conduct a second vote with a ballot consisting of the two (2) candidates who received the most votes in the first round.
 - b. In the event of a tie, where each candidate receives the same number of votes, the voting Council shall conduct a second vote with the participation of the Chair.
 - c. If no officer is elected in a second round vote, the position shall be left vacant and administered in accordance with this document.
11. The Members-In-Training will distribute, collect, and tally ballots under the supervision of the Chairs. After verifying the vote totals, the Chairs will announce the results to the candidates for the position and escort them back into the election room. The Chairs will then announce the results to the rest of the Councils.

ARTICLE 9 ABSENCE OF THE CHAIR

1. In the absence of the Chair, all casework shall be suspended until a new Chair can be elected. The Marshal will be charged with declaring the official absence of the Chair.

The Marshal shall represent the Council in informing accused students of the suspension of the casework timeline.

2. The Secretary of the Council shall serve as the chief administrator of the Council in the Chair's absence. He shall:
 - a. Represent the Council to the RCSGA, assuming the Chair's powers of Constitutional interpretation.
 - b. Perform other administrative duties regularly performed by the Chair, including budgetary and membership management.
 - c. Assume the Chair's place on any extra-Council boards or committees on which he may serve.
3. An election shall be organized by the Secretary within ten (10) days of the absence of the Chair being declared by the Marshal. The Secretary shall call an emergency meeting of the Council for this purpose, where regular election and quorum rules shall apply. Should the Secretary desire to run for the position of Chair, he shall appoint a senior member of the Council to direct the election. At this emergency meeting, a new Chair shall be elected. The new Chair shall assume his duties immediately.

**ARTICLE 10
ABSENCE OF OTHER OFFICERS**

1. In the absence of an officer other than the Chair, the Chair shall be charged with declaring the official absence of that officer.
2. The Chair shall organize an election within ten (10) days of the declaration of the absence of the officer. The Chair shall call an emergency meeting of the Council for this purpose, where regular election and quorum rules apply. At this emergency meeting, the new officer shall be elected, and shall assume his duties immediately thereafter.

**CHAPTER V
PROCEEDINGS OF THE COUNCIL**

**ARTICLE 11
ATTENDANCE**

1. Members of the Council, except those with adequate excuses, are expected to attend all meetings of the Council in accordance with the attendance policy and all hearings to which

they have been assigned and to discharge all their duties. Failure to do so shall be considered neglect of office.

2. Members of the Council shall be excused from all classes to attend meetings of the Council.
3. The Chair has the ability, upon notification by the Secretary and with the Dean's approval, to remove any member deemed to be in neglect of office per the guidelines of the attendance system in place.

ARTICLE 12
PARTICIPATION OF MEMBERS IN CASES

1. If, for any reason, a member of the Honor Council considers that he should not take part in the decision of a particular case, he shall report the fact to the Chair of the Council.
2. If the Chair considers that for any reason one of the members of the Council should not sit on a particular case, he shall inform him accordingly.

ARTICLE 13
AMENDMENTS

1. Amendments to this section of the statute may be proposed by the Honor Council or by petition of one-fifth (1/5) of the members of the college. Such proposals shall become effective as Amendments to this statute when ratified by three-fourths (3/4) of the members of the Richmond College Honor Council voting in a special session, three-fourths (3/4) of the members of the Richmond College Student Government Association Senate, and the Dean of Richmond College.

APPENDIX B

**STATUTE OF THE HONOR COUNCIL
OF WESTHAMPTON COLLEGE
OF THE UNIVERSITY OF RICHMOND**

**CHAPTER I
PURPOSE OF THIS APPENDIX**

**ARTICLE 1
PURPOSE**

1. This appendix further details the operating procedures of the Westhampton College Honor Council. In the event of a conflict between this appendix and the Statute of the Honor council to which it is attached, the latter shall prevail.

**CHAPTER II
MEMBERSHIP**

**ARTICLE 2
MEMBER SELECTION**

1. Honor Council member selection shall be made during the two (2) weeks prior to spring vacation. The Westhampton College Honor Council Selection Committee, under the direction of the Westhampton College Honor Council Chair, shall publicize in a manner it deems appropriate that selections will be made. The Honor Council Chair may delegate the responsibilities regarding this publicity.
2. Any Westhampton College student may apply for these positions to the Honor council Chair. The number of applicants is unrestricted.
3. The Selection Committee shall consist of the following members:
 - a. The Honor Council Chair
 - b. Two additional Honor Council Executive Committee members (elected or appointed) to be selected by the Chair and approved by a majority vote of both Honor Council Executive Committees

- c. One Honor Council member, who is not a member of the Executive Committee, to be selected by the Chair and approved by a majority vote of both Honor Council Executive Committees
- d. The WCGA Chair of Elections and Appointments, serving as a non-voting member

In addition, the Honor Council Chair shall serve as Chair of the Selection Committee.

- 4. A special selection committee shall be formed to select members-in-training (MIT). It shall consist of the Honor Council Chair and four other current Honor Council members. A maximum of three (3) members-in-training shall be selected each year.
- 5. The Selection Committee shall choose between twenty-three (23) and twenty-seven (27) members of the Westhampton College student body to serve on the Council. The Selection Committee shall choose a minimum of five (5) seniors, five (5) juniors, and five (5) sophomores. The remaining members shall be chosen without regard to class standing. Additionally, the Selection Committee may choose a maximum of two alternate members per class.
- 6. In the event of the need for a replacement of one of the Council members, the following procedure shall apply:
 - a. The first alternate chosen for that class during the selection process will take her place on the Council.
 - b. If the membership of the Council, including officers, falls to below twenty (20) members, the Honor Council Selection Committee will, through the set application and selection process, restore the Council membership to between twenty-three (23) and twenty-seven (27) members at the discretion of the Selection Committee. If further clarification of this special selection process is needed, the Dean of Westhampton College shall interpret this policy.
- 7. All students selected to serve on the Honor Council shall have a 2.0 cumulative grade point average at the time of selection. Members of the Honor Council must maintain a minimum cumulative grade point average of 2.0 to remain eligible for membership on the Honor Council.
- 8. The current non-graduating members of the Council shall be considered for re-selection by the Selection Committee or by a process and body of its choosing. Appropriate paperwork and procedures are to be completed at the instruction of the Selection Committee.

9. The Senate shall review, at its discretion and upon consultation with and advice from the WCGA President, the selection at its next regularly scheduled meeting, following the completion of all procedural matters by the Committee. Once the composition of the Council is confirmed by the Senate, the names of the new members shall be publicized.
10. All committee proceedings shall remain confidential.

**ARTICLE 3
PROHIBITIONS ON MEMBERSHIP**

1. No member of the Honor Council shall simultaneously serve as a member of WCGA Senate or the Westhampton College Student Conduct Council.
2. No Westhampton College student who has been found guilty of an Honor Code violation shall be a member of the Honor Council. This provision shall be enforceable by the Chair of the Council.

**ARTICLE 4
TERM OF OFFICE**

1. The term of office for all Honor Council members shall be from the Commencement ceremony in May to the Commencement ceremony conducted in the following May.

**CHAPTER III
DUTIES AND ROLES**

**ARTICLE 5
DUTIES OF HONOR COUNCIL MEMBERS AND ALTERNATE MEMBERS**

1. Members shall:
 - a. Serve as voting members of the Honor Council.
 - b. Know and uphold the Honor Code Statutes.
 - c. Serve on the Pre-Hearing Review Board, as Honor Advocates, when called upon by the Chair.

- d. Serve as Hearing Board members in order to render decisions and sanctions for Honor Code violations.
 - e. Attend all meetings of the Honor Council in accordance with the attendance policy.
 - f. Return early to campus in the fall for and participate in New Student Orientation and remain on campus through the entire final examination period in the conclusion of the spring semester.
2. Honor Council Alternates shall:
- a. Serve as non-voting members of the Honor Council.
 - b. Know and uphold the Honor Code Statutes.
 - c. In extraordinary cases, where four members of the Westhampton College Honor Council are not available to sit on a Hearing Board, the Chair may select an alternate to sit as a voting member for that particular Hearing Board.
 - d. Attend all meetings of the Honor Council in accordance with the attendance policy.
 - e. Return early to campus in the fall for and participate in New Student Orientation and remain on campus through the entire final examination period at the conclusion of the spring semester.
3. Honor Council Members-In-Training shall:
- a. Serve as non-voting members of the Honor Council.
 - b. Know and uphold the Honor Code Statutes.
 - c. Attend all meetings of the Honor Council in accordance with the attendance policy.
 - d. Serve on an Honor Council committee.
4. Honor Council Members-In-Training shall not:
- a. Serve on a Pre-Hearing Review Board, as Honor Advocates.
 - b. Serve as Hearing Board members.

ARTICLE 6
DUTIES OF HONOR COUNCIL OFFICERS

1. The officers of the Council shall consist of a Chair, a Secretary, a Marshal, an Associate Chair for Education, and an Associate Chair for Special Projects. The Council shall elect these officers as outlined in Chapter IV, Article 8 of this appendix. These officers shall be the voting members of the Westhampton College Honor Council Executive Committee, with such privileges as outlined in this document.

2. The duties of the Chair shall be to:
 - a. Be responsible for the resolution of all Honor Council cases over which she presides.
 - (1) Form a Pre-Hearing Review Board to investigate possible violations of the Honor Code unless the Richmond College Honor Council Chair is designated to do so.
 - (2) Preside at all Honor Council hearings unless the Richmond College Honor Council Chair is designated to preside.
 - b. Inform accused students of Honor Council processes and maintain contact with the students throughout such a process.
 - c. Represent the Council in an official capacity and serve as the spokesperson of the Council.
 - d. Serve as the interpreter of the Honor Code Statutes.
 - e. Participate in the creation of programs to educate and inform the faculty and students about the Honor Council and the Honor Code.
 - f. Create programs designed to educate and train members of the Honor Council.
 - g. Participate in the planning of the Proclamation Night.
 - h. Preside over all meetings of the Honor Council.
 - i. Serve as a voting member of and preside over meetings of the Honor Council Executive Committee.

- j. Form special committees of the Honor Council as she should deem necessary.
 - k. Serve as a member of the Honor Council Selection Committee and select additional Honor Council members to serve on the Selection Committee.
 - l. Provide status reports as appropriate to the Westhampton College Government Association Executive Council.
 - m. Serve as the interpreter of the Westhampton College Student Government Association Constitution when called upon by the President of the Senate.
 - n. Serve as a member of the Westhampton College Government Association Executive Council.
3. The duties of the Secretary shall be to:
- a. Keep a true and accurate record of all proceedings of the Honor Council as described in Chapter VI, Article 12, of the main body of this document.
 - b. At least seventy-two (72) hours before the hearing, present the accused with the charge letter and a list of members of the Richmond College and Westhampton College Honor Councils for review subject to Chapter VI, Article 8, Section 2, in the main body of this document. The Secretary shall subsequently obtain eligible members for the Hearing Board. The Secretary may appoint a representative to discharge the aforementioned duty.
 - c. Arrange for taping equipment for a hearing.
 - d. Collect all evidence from the hearing and destroy it if the accused is found not guilty.
 - e. Type the case notes and summary of the hearing for the Dean.
 - f. Perform other duties that the Chair may assign.
 - g. Serve as a voting member of the Honor Council Executive Committee.
 - h. Perform duties outlined in Article 9 in the absence of the Chair.
 - i. Serve as a non-voting member of the Hearing Board.

- j. Record attendance of members at all required Honor Council functions outside of hearings and, in the case of attendance infractions, notify the member in question and the Chair.
4. The duties of the Marshal shall be to:
- a. Be present at all Honor Council Pre-Hearing Review Boards as called upon by the Chairs, as a voting member of the body.
 - b. Be present at all meetings with the accused student that take place after the pre-hearing and before the hearing.
 - c. Be present at all Honor Council hearings as called upon by the Chairs.
 - d. Escort all witnesses and supervise all movement in and out of Honor Council hearings.
 - e. Serve as a non-voting member of the Hearing Board.
 - f. Serve as a voting member of the Honor Council Executive Committee.
 - g. Perform duties outlined in Article 9 in the absence of the Chair.
5. The duties of the Associate Chair of Education shall be to:
- a. Create programs designed to educate the student body and faculty about the Honor Council and the Honor Code.
 - b. Participate in the planning of New Student Orientation to the Honor System.
 - c. Be responsible for the creation and/or maintenance of informative materials addressing the Honor System including, but not limited to, the following:
 - (1) Admission materials
 - (2) New Student Honor booklet
 - (3) University of Richmond Student Handbook (Honor System portions)
 - (4) Orientation materials
 - (5) Honor Council web page
 - d. Be responsible for the upkeep of the Honor Council bulletin board.

- e. Make appropriate information available to the public as described in Chapter VII, Article 18, of the main body of this document.
 - f. Serve as a voting member of the Honor Council Executive Committee.
6. The duties of the Associate Chair for Special Projects shall be to:
- a. Be responsible for the planning and coordination of the following Honor Council events:
 - (1) Proclamation Night
 - (2) Other projects as she and the Council should see fit.
 - b. Chair special projects committees as approved by the Chair.
 - c. Serve as a voting member of the Honor Council Executive Committee.

**ARTICLE 7
DUTIES OF THE DEAN**

- 1. The Dean of the College shall serve as an advisor to the Honor Council Chair and the Honor Council. The Dean shall have the right to interpret the Statute when called upon to do so by the Chair or when the Chair is not readily available.
- 2. The Westhampton College Dean shall notify any accused Westhampton College student of the sanctions taken against her based upon the recommendations of the Hearing Board.

**CHAPTER IV
ELECTIONS**

**ARTICLE 8
OFFICER ELECTIONS**

- 1. To be eligible to run for any executive office, a student must be a current member of the Honor Council, be approved by the WCGA Senate as a Council member for the next academic year, and meet with the current Chair and the member currently holding the position for which the student is a candidate during the semester preceding the election.

Other requirements for candidacy may be set by the Westhampton College Honor Council Executive Committee.

2. The term of office for the executive officers shall be from the second Monday following elections, at midnight, until the same time the next academic year. The outgoing officers shall assist the new officers in the orientation to their duties and shall be considered members of the Honor council with all the privileges and duties of such until the end of the academic year.
3. Elections for Officer positions of the Honor Councils shall begin with nominations made by the current members of the Honor Councils in the three (3) weeks prior to spring vacations.
 - a. Members of the Westhampton College Honor council may be nominated to positions by both Richmond College and Westhampton College Honor Council members.
 - b. To be approved by the Chairs, nominations must be seconded by an an additional member of the Councils and accepted by the nominated member.
 - c. In order to accept a nomination, a council member must plan to be on campus for the entirety of her potential term of office, as outlined in Appendix A, Chapter III, Article 5, Section 3.
4. Elections shall be held with the Richmond College Honor Council during the week prior to spring vacation.
5. A quorum of fifty (50) percent of the members of the Westhampton College Honor Council plus one must be present before election proceedings can begin.
6. Elections for each office shall be conducted separately, in the order of the position's appearance in Appendix B, Chapter III, Article 6. For each position, the Richmond College officer shall be elected first, followed by the Westhampton College officer. The order of the elections may be amended by the unanimous agreement of all candidates.
7. Each candidate will deliver a speech to the members of both Councils. Candidates running for the same position shall remain outside the election room for the duration of the speeches of the other candidates. The order of speaking may be decided by the unanimous agreement of all candidates.

8. Following the speeches for the position, the members of the Councils shall deliberate. Candidates running for the same position shall remain outside the election room. The deliberations shall be confidential.
9. Voting shall be conducted by secret ballot. Candidates shall remain outside the election room.
10. Members of both residential colleges will vote for a Westhampton College position. Both Chairs shall abstain from voting, except in the event of a tie.
11. A majority vote is required to elect a candidate into office.
 - a. In the event that no candidate receives a majority of votes, the voting Council shall conduct a second vote with a ballot consisting of the two (2) candidates who received the most votes in the first round.
 - b. In the event of a tie, where each candidate receives the same number of votes, the voting Council shall conduct a second vote with the participation of the Chair.
 - c. If no officer is elected in a second round vote, the position shall be left vacant and administered in accordance with this document.
12. The Members-in-Training will distribute, collect, and tally ballots under the supervision of the Chairs. After verifying the vote totals, the Chairs will announce the results to the candidates for the position and escort them back into the election room. The Chairs will then announce the results to the rest of the Councils.

ARTICLE 9 ABSENCE OF THE CHAIR

1. In the absence of the Chair, all casework shall be suspended until a new Chair can be elected. The Marshal will be charged with declaring the official absence of the Chair. The Marshal shall represent the Council in informing accused students of the suspension of the casework timeline.
2. The Secretary of the Council shall serve as the chief administrator of the Council in the Chair's absence. She shall:
 - a. Represent the Council to WCGA, assuming the Chair's powers of Constitutional interpretation.

- b. Perform other administrative duties regularly performed by the Chair, including budgetary and membership management.
 - c. Assume the Chair's place on any extra-Council boards or committees on which she may serve.
3. An election shall be organized by the Secretary within ten (10) days of the absence of the Chair being declared by the Marshal. The Secretary shall call an emergency meeting of the Council for this purpose, where regular election and quorum rules shall apply. Should the Secretary desire to run for the position of Chair, she shall appoint a senior member of the Council to direct the election. At this emergency meeting, a new Chair shall be elected. The new Chair shall assume her duties immediately.

**ARTICLE 10
ABSENCE OF OTHER OFFICERS**

1. In the absence of an officer other than the Chair, the Chair shall be charged with declaring the official absence of that office.
2. The Chair shall organize an election within ten (10) days of the declaration of the absence of the officer. The Chair shall call an emergency meeting of the Council for this purpose, where regular election and quorum rules shall apply. At this emergency meeting, the new officer shall be elected. The officer shall assume her duties immediately.
3. The Chair has the ability, upon notification by the Secretary and with the Dean's approval, to remove any member deemed to be in neglect of office per the guidelines of the attendance system in place.

**CHAPTER V
PROCEEDINGS OF THE COUNCIL**

**ARTICLE 11
ATTENDANCE**

1. Members of the Council, except those with adequate excuses, are expected to attend all meetings of the Council in accordance with the attendance policy and all hearings to which they have been assigned and discharge all their duties. Failure to do so shall be considered neglect of office.

2. Members of the Council shall be excused from all classes to attend meetings of the Council.

ARTICLE 12
PARTICIPATION OF MEMBERS IN CASES

1. If, for any reason, a member of the Honor Council considers that she should not take part in the decision of a particular case, she shall report the fact to the Chair of the Council.
2. If the Chair considers that for any reason one of the members of the Council should not sit on a particular case, she shall inform her accordingly.

ARTICLE 13
AMENDMENTS

1. Amendments to this section of the statute may be proposed by the Honor Council or by petition of one-fifth (1/5) of the members of the college. Such proposals shall become effective as Amendments to this statute when ratified by three-fourths (3/4) of the members of the Westhampton College Honor Council voting in a special session, three-fourths (3/4) of the members of Westhampton College Government Association Senate, and the Dean of Westhampton College

APPENDIX C
STATUTE OF THE APPELLATE PROCESS

CHAPTER I
PURPOSE OF THIS APPENDIX

ARTICLE 1
INTRODUCTION

1. This appendix shall outline the procedures to receive request for appeal of the decision of a Hearing Board by the student involved, determine if the request for an appeal should be granted and, if so, conduct said appeal. In the event of a conflict between this appendix and the Statute of the Honor Council to which it is attached, the latter shall prevail.

CHAPTER II
INITIATION OF PROCEEDINGS

ARTICLE 2
GROUND FOR APPEAL

1. Any person found guilty and sanctioned by a Hearing Board may make application at any time for revision of this decision, provided that said application is based on one of the following criteria:
 - a. That there was a perjured witness at the first hearing.
 - b. That new evidence is available that was not available at the time of the first hearing. If this evidence was available but not presented at the first hearing, a new hearing will not be granted on this ground.
 - c. That the person's right to a fair hearing was violated at the first hearing or that the Hearing Board acted unfairly in light of the evidence and charges presented.
2. A person who desires a new hearing based on these criteria must give written notice of that desire and the reasons for that desire to both the appropriate Dean and the Chair of the Honor Council involved. To appeal on the grounds outlined in Appendix C, Chapter II, Article 2, Section 1, c, a person must have their written request submitted within seventy-two (72) hours of the original Hearing Board's decision.

ARTICLE 3
COMPOSITION OF THE APPELLATE REVIEW COMMITTEE

1. The Chair of the Honor Council to whom the petition for an appeal is made shall promptly contact the other Honor Council Chair to form an Appellate Review Committee. The Appellate Review Committee shall be composed of four individuals: the *ad hoc* Chair, *ad hoc* Secretary, *ad hoc* Marshal, and one appointed member of the Honor councils not involved in the original case.
2. The *ad hoc* Chair of the Appellate Review Committee shall be the Chair of the residential college Honor Council who did not chair the original hearing. The *ad hoc* Secretary of the Appellate Review Committee shall be the Secretary of the Honor Council who was not involved in the original hearing. The *ad hoc* Marshal of the Appellate Review Committee shall be the Marshal of the Honor Council who did not administrate the original hearing.
3. In the event that a Chair of a residential college Honor Council is unable to participate in the Appellate Review Committee due to a conflict of interest or involvement in the original hearing or its investigation, he or she shall appoint an *ad hoc* Chair from the membership of the Honor Councils. In the event that the Secretary or Marshal of a sitting Honor Council is unable to serve on the Appellate Review Committee, the *ad hoc* Chair shall appoint these officers.

ARTICLE 4
ACTIONS OF THE APPELLATE REVIEW COMMITTEE

1. The Appellate Review Committee shall meet as soon as is practical, but within (5) days of the time the petition for an appeal is made.
2. Should extenuating circumstances exist that prevent an Appellate Review Committee from being established within five (5) days, this period may be extended by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session. This committee shall notify the accused student of any such extension and the circumstances surrounding such extension.
3. The Appellate Review Committee shall review the written request for an appeal. The Appellate Review Committee shall have full access to the records of the original hearing, and may speak with the Chair, Secretary, Marshal, and the Honor Advocates involved in the original case proceedings regarding their responses to:

- a. The appellant's basis of appeal as required by Chapter II, Article 2 of this Appendix.
 - b. The process and procedures of the hearing and deliberations. The details of deliberations shall be kept private and confidential in accordance with Chapter VII, Article 14, Section 1 of the main body of these Statutes.
4. The Committee then shall determine by a vote if an appeal shall be granted within ten (10) days of forming. An appeal shall be granted if two or more of the four members of the Committee vote in favor of the appeal.
 5. Should extenuating circumstances exist that prevent an Appellate Review Committee from making a decision within ten (10) days, this period may be extended by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session. This committee shall notify the accused student of any such extension and the circumstances surrounding such extension.

ARTICLE 5
DECISION OF THE APPELLATE REVIEW COMMITTEE

1. If the Appellate Review Committee determines that the petition for an appeal shall be denied, the decision of the original body shall be final, subject to administration approval. No further appeal proceedings shall occur.
2. If the Appellate Review Committee determines that the petition for an appeal shall be accepted, an Appellate Hearing shall be formed as soon as is practical, but within ten (10) days of the time the decision on the appeal is made.
3. Should extenuating circumstances exist that prevent an Appellate Hearing from being held within ten (10) days, this period may be extended by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College, and the Dean of Westhampton College voting in a special session. This committee shall notify the accused student of any such extension and the circumstances surrounding such extension.

CHAPTER III
COMPOSITION OF THE APPELLATE HEARING BOARD

ARTICLE 6
MEMBERS OF THE APPELLATE HEARING BOARD

1. The Appellate Hearing Board shall consist of four (4) Council members from each of the residential college Honor Councils. None of the Council members chosen should have been involved with the original hearing or the investigation giving rise to it. At the Chair's discretion, Appellate Hearing Board composition may be altered but must adhere to the quorum requirements in Chapter V, Article 10. There must always be an even number of members serving on the Hearing Board.

CHAPTER IV
OFFICERS OF THE APPELLATE HEARING BOARD

ARTICLE 7
OFFICERS

1. The *ad hoc* officers of the Appellate Hearing Board shall be the officers of the Appellate Review Committee.

ARTICLE 8
DUTIES OF OFFICERS

1. The duties of the *ad hoc* Chair shall be to coordinate the entire appeal process, to represent the Appellate Hearing Board in any official capacity demanded by the case, and to ensure that all members of the Appellate Hearing Board are fully cognizant of the provisions of this Statute.
2. The duties of the *ad hoc* Secretary shall be to keep a true and accurate record of all proceedings of the case appealed as described in Chapter VI, Article 12 of the main body of this document, to ensure that the aforementioned records are forwarded to the *ad hoc* Chair, and to perform such duties as the *ad hoc* Chair may assign. In addition to the information required by the main body of this document, the record maintained by the *ad hoc* Secretary shall also include
 - a. Date of original decision and date of decision of Appellate Council
 - b. Case numbers of the original decision and of the appellate decision
 - c. Violation and the description of the nature of the violation
 - d. Original decision and the decision of the University Appellate Council

- e. Original decision and the sanction of the University Appellate Council
- f. Original plea and basis for appeal

**CHAPTER V
PROCEEDINGS OF THE APPELLATE HEARING**

**ARTICLE 9
MEMBERSHIP RESTRICTIONS**

1. If, for any reason, a member of the Honor Councils feels that he/she should not take part in the decision of a particular case, the member shall report the fact to the *ad hoc* Chair of the Council.
2. Members of the Honor Councils who have been removed from consideration as potential Hearing Board members by the accused student under Chapter VI, Article 8, Section 2 of the main body of this Statute shall be ineligible to serve on the Appellate Hearing Board.
3. If the *ad hoc* Chair considers that for any reason one of the members of the Councils should not sit on another particular case, the *ad hoc* Chair shall inform that member and the *ad hoc* Secretary accordingly. If too few potential Hearing Board members remain to meet quorum, the case shall be referred to the appropriate Dean.

**ARTICLE 10
QUORUM FOR APPELLATE HEARING**

1. A quorum for an Appellate Hearing shall consist of six voting members serving on the Hearing Board plus the non-voting Secretary, Marshal, and the presiding Chair.

**ARTICLE 11
HONOR ADVOCATES AND THE BURDEN OF PROOF**

1. The *ad hoc* Chair of the Appellate Hearing Board shall act as advisor to the Honor Advocates.
2. The *ad hoc* Chair shall appoint an Honor Advocate(s) for the case, who in most cases should be the original Honor Advocate(s) for the case. If unable to do so, the Honor Advocate(s) shall give reasons for being unable to do so to the *ad hoc* Chair. The *ad hoc*

Chair shall decide whether the Honor Advocate's objections merit the appointment of another Honor Advocate.

3. It shall be the function of the Honor Advocate(s) for the University to present the evidence against the appellant/accused.
4. In cases heard by an Appellate Hearing Board the burden of proof shall be upon the appellant, who must demonstrate the error in the original decision of the Hearing Board.

ARTICLE 12 ORDER OF PROCEEDINGS

1. In light of Article 11, Section 4 of this appendix, the following shall serve as the normal proceedings for the University Appellate Council:
 - a. Presentation by Honor Advocate for the University of the original charge, plea, decision, and sanction
 - b. Presentation by appellant's Honor Advocate of the petition for an appeal
 - c. Opening statements (for the appellant, then for the University)
 - d. Presentation of evidence (for the University, then for the appellant)
 - e. Closing statements (for the University, then for the appellant)
 - f. Closed deliberations by the Appellate Hearing Board
2. Any proceedings not specifically detailed in this Appendix shall follow those outlined in the main body of this document.

CHAPTER VI APPELLATE HEARING BOARD DELIBERATIONS

ARTICLE 13 APPELLATE HEARING BOARD DELIBERATIONS

1. The Appellate Hearing Board shall consider all evidence that is relevant to the original case and the petition for appeal.
2. The Appellate Hearing Board may sustain the decision of the Honor Councils or it may alter the decision and/or the sanction in any manner including dismissal of the charge, based on the grounds for appeal.

3. A simple majority vote is needed to alter the original decision and/or the sanctions in any manner.

**CHAPTER VII
APPELLATE HEARING BOARD DECISIONS**

**ARTICLE 14
APPELLATE HEARING BOARD DECISIONS**

1. Decisions of the Appellate Hearing Board shall be considered final, upon the approval of the appropriate Dean. If the Dean fails to approve the decision of the Appellate Hearing Board, the Dean shall refer the case to the same Appellate Hearing Board along with his or her objections, to reconsider the sanction and/or the decision, as described in Chapter VII, Article 19 of the main body of this document.
2. In no case shall the Dean of the college/school alter the decision of the Appellate Hearing Board.
3. In all cases, the Chair of the Appellate Hearing Board shall notify the appellant of the decision of the Appellate Hearing Board.
4. The accused may only appeal once based on the same criterion. The accused may request a review of the decision if additional new evidence or additional perjury is discovered.

**CHAPTER VIII
MISCELLANOUS**

**ARTICLE 15
AMENDMENTS**

1. Amendments to this section of the statute may be proposed by any Honor Council or by petition of one-fifth (1/5) of the members of any college. Such proposals shall become effective as Amendments to this statute when ratified by three-fourths (3/4) of the members of the Richmond College Honor Council voting in a special session, three-fourths (3/4) of the members of the Westhampton College Honor Council voting in a special session, three-fourths (3/4) of the members of the Richmond College student Government Association Senate, and three fourths (3/4) of the members of the Westhampton College Government Association Senate and the Deans of Richmond College and Westhampton College.

**APPENDIX D
STATUTE OF THE
UNIVERSITY HONOR NON-COMPLIANCE REVIEW COMMITTEE**

**CHAPTER I
PURPOSE OF THIS APPENDIX**

**ARTICLE 1
INTRODUCTION**

1. This appendix details the operating procedures of the University Honor Non-Compliance Review Committee. This body shall receive complaints from members of the University Community regarding the failure to comply with Hearing Board sanctions, determine the facts regarding any sanctioned student's non-compliance, and issue appropriate recommendations for the administration to approve in the regards to the sanctioned student's non-compliance. In the event of a conflict between this appendix and the Statute of the Honor code to which it is attached, the latter shall prevail.

**CHAPTER II
COMPOSITION OF THE COMMITTEE**

**ARTICLE 2
MEMBERS OF THE COMMITTEE**

1. The Committee shall be composed of four members of the Honor Councils. None of the Council members chosen shall have been involved with the original hearing or the investigation giving rise to it, have been removed from consideration as potential Hearing Board members by the accused as defined in Chapter VI, Article 8, Section 2 in the main body of the Statute, or any appeal proceeding arising from the original case. If too few members of the Honor Councils remain to form the Committee, the case shall be referred to the appropriate Dean.
2. The members of the Committee are appointed on a case-by-case basis. The Committee comes into existence only when the Chair of one of the residential college Honor Councils receives a complaint regarding non-compliance.

**ARTICLE 3
THE CHAIR**

1. The Chair of the University Honor Non-compliance Review Committee shall be the Chair of the residential college Honor council who did not chair the original hearing.
2. In the event that a Chair of a residential college Honor Council is unable to participate in a hearing of the Non-Compliance Review Committee due to a conflict of interest, involvement in the original hearing, its investigation, or subsequent appeals, he or she shall appoint an *ad hoc* Chair from the membership of the Honor Councils.
3. The duties of the Chair of the Non-Compliance Review Committee shall be to select the members of the Committee, to be fully responsible for coordinating the entire review process, to represent the Committee in any official capacity demanded by the case, and to ensure that all *ad hoc* members of the Committee are fully cognizant of the provisions of this statute.

CHAPTER III INITIATION OF PROCEEDINGS

ARTICLE 4 FILING OF COMPLAINT

1. Any person found guilty and sanctioned by a Hearing Board may be brought before the University Honor Non-Compliance Review Committee under complaint for failure to comply with approved Hearing Board sanction by any person involved in the original or appellate case.

ARTICLE 5 RECEIPT OF COMPLAINT & FORMATION OF THE COMMITTEE

1. The Chair of the Honor Council to whom the petition for a non-compliance review is made shall promptly contact the other Honor Council Chair to form the Non-Compliance Review Committee.
2. The Non-Compliance Review Committee shall be composed of four individuals: the Chair of the Committee, the Secretary not involved in the original case, the Marshal not involved in the original case, and one appointed member from the residential college Honor Councils.

3. Should any of the persons named in Section 2 be unavailable or unable to serve on the Committee, the Chair shall appoint members of the residential College Honor Councils to serve in their place, as appropriate.

**ARTICLE 6
INITIAL PROCEEDINGS**

1. The Non-Compliance Review Committee shall meet as soon as is practical, but within five (5) days of the time the complaint is received. Should extenuating circumstances exist that prevent a Committee meeting being scheduled within five (5) days, this period may be extended by a majority vote of a committee composed of the two Honor Council Chairs, the Dean of Richmond College and the Dean of Westhampton College voting in a special session. This committee will promptly notify the sanctioned student of any such extension.
2. The Non-Compliance Review Committee shall review the written complaint. The Committee shall have full access to all case records and may speak to any person involved in any case proceedings regarding their reactions to the request for review and information regarding the case.

**CHAPTER IV
PROCEEDINGS OF THE COMMITTEE**

**ARTICLE 7
RECOMMENDATIONS OF THE COMMITTEE**

1. The University Honor Non-Compliance Review Committee may issue any of the following recommendations, subject to administration approval:
 - a. A recommendation ordering the dismissal of the complaint, stating that no further proceedings regarding the instance of non-compliance are necessary.
 - b. A recommendation ordering the sanctioned student to complete his or her Hearing Board-issued sanction within a given timeframe, or with given conditions to be specified by the Committee, subject to Section 3.
 - c. A recommendation for an additional sanction(s) to be added to that already issued by the Hearing Board, subject to Section 3.

2. A three-quarters majority (3/4) vote will be needed to establish the sanctioned student's non-compliance and to take any action outlined in Section 1.
3. All recommendations from the Committee shall include language stating the consequences for the sanctioned student upon a second finding of an instance of non-compliance.

**ARTICLE 8
APPROVAL OF DECISIONS**

1. Recommendations of the University Honor Non-Compliance Review Committee shall be considered final, upon the approval of the appropriate Dean. If the Dean fails to approve the recommendations of the Non-Compliance Review Committee, the Dean shall refer the case to the Committee along with the Dean's objections, to reconsider recommendations, as described in Chapter VII, Article 19 of the main body of this document.
2. In no case shall the Dean of the college/school alter the decision of the Non-Compliance Review Committee.
3. In all cases, the Chair of the Non-Compliance Review Committee shall notify the Dean of the sanctioned student's residential college of the decision of the Council and arrange for any follow-up actions if necessary.

**CHAPTER V
MISCELLANEOUS**

**ARTICLE 9
AMENDMENTS**

1. Amendments to this section of the statute may be proposed by any Honor Council or by petition of one-fifth (1/5) of the members of any college. Such proposals shall become effective as Amendments to this statute when ratified by three-fourths (3/4) of the members of the Richmond College Honor council voting in a special session, three fourths (3/4) of the members of the Westhampton College Honor Council voting in a special session, three-fourths (3/4) of the members of the Richmond College Student Government Association Senate, and three fourths (3/4) of the members of Westhampton College Government Association Senate, and the Deans of Richmond College and Westhampton College.
