

**Table of Contents**

<b>Article I: Statement of Purpose</b>	<b>1</b>
<b>Article II: Definitions</b>	<b>2</b>
<b>Article III: Honor Code Authority and Jurisdiction</b>	<b>3</b>
<b>Article IV: Rights and Responsibilities</b>	<b>3</b>
<b>Article V: Honor Code Violations</b>	<b>4</b>
<b>Article VI: Sanctions</b>	<b>5</b>
<b>Article VII: Reporting, Holdover Cases, and Administrative Hearings</b>	<b>7</b>
<b>Article VIII: Investigation and Determination of Charges</b>	<b>8</b>
<b>Article IX: Hearing Processes</b>	<b>10</b>
<b>Article X: Appeals</b>	<b>12</b>
<b>Article XI: Review and Certification</b>	<b>14</b>
<b>Article XII: Organization and Responsibilities of the Honor Councils</b>	<b>14</b>
<b>Article XIII: Amendments and Revision</b>	<b>17</b>

**Article I: Statement of Purpose**

The mission of the University of Richmond is to educate in an academically challenging, intellectually vibrant, and collaborative community dedicated to the holistic development of students and the production of scholarly and creative work. A Richmond education prepares students for lives of purpose, thoughtful inquiry, and responsible leadership in a diverse world.

To that end, the Honor Councils of the University of Richmond were established by the Richmond College Student Government Association and the Westhampton College Government Association in 1933 to foster an environment of academic integrity and honor in all aspects of University life.

The purpose of the Honor Councils is to unite students, faculty, and staff in the pursuit of academic integrity as an expectation for all members of the University community, to educate students to the provisions of this Honor Code, and to investigate and resolve possible violations of the Honor Code.

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

This Code 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.

## Article II: Definitions

- A. *Accused.* The term "accused" or "accused student" means any student charged with violating the Honor Code.
- B. *Board.* The term "board" or "Honor Councils board" means a specific board comprised of members of the Honor Councils selected to hear a specific case.
- C. *Business Days.* The term "business days" means class or business days and excludes Saturday, Sunday, University holidays, and University closings. If a timeframe is presented in hours, they are contiguous hours, regardless of whether or not they include business and/or non-business days (e.g. 72 hours).
- D. *College.* The term "College" means either "Richmond College" or "Westhampton College."
- E. *Deans.* The Deans of Richmond and Westhampton Colleges serve as advisors to the Honor Councils and oversee the administration of the Honor Code. The Deans are authorized to hold administrative hearings in certain circumstances described herein.
- F. *Faculty, Professor, or Instructor.* The terms "faculty," "professor," and "instructor" mean any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of the faculty.
- G. *Hearing.* The term "hearing" may refer to a preliminary, expedited, full board, or administrative hearing. All hearings shall be closed hearings, meaning that only the accused, their Liaison, and the members of the board shall be present. In an administrative hearing, only the accused and the dean shall be present.
- H. *Honor Councils Executive Officers.* The term "Honor Councils Executive Officers" refers to the Chairs, Associate Chairs, Investigators, Secretaries, and Treasurer, as defined herein.
- I. *Honor Councils Member.* The terms "Honor Councils member" and "member of the Honor Councils" refer to any member of the University of Richmond Honor Councils, as defined herein.
- J. *Honor Liaison or Liaison.* The terms "Honor Liaison" and "Liaison" refer to any member of the Honor Councils who is selected or appointed to assist an accused student throughout the Honor proceedings. A Liaison cannot serve in any other capacity during the Honor proceedings, including providing a written witness statement or serving as a member of a hearing board or appellate review committee.
- K. *May.* The term "may" is used in the permissive sense.
- L. *School.* The term "School" means the School of Arts & Sciences, the Robins School of Business, or the Jepson School of Leadership Studies.
- M. *Shall.* The term "shall" is used in the mandatory sense.
- N. *Staff.* The term "staff" means any person employed by the University to conduct administrative, professional, or trade assignments, including student staff such as a Teaching Assistant or Writing Center Consultant.
- O. *Student.* The term "student" includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate studies in the Schools listed in this document. Persons who withdraw during an investigation or with a pending Honor charge or proceeding are considered "students" for the purposes of the Honor Code.
- P. *University.* The term "University" means the "University of Richmond".
- Q. *University Policy.* The term "University policy" means any policy, rule, or regulation of the University.
- R. *University of Richmond Honor Councils.* The term "University of Richmond Honor Councils" refers to the combined bodies of the Richmond College Honor Council and the Westhampton College Honor Council.

## Article III: Honor Code Authority and Jurisdiction

- A. **Honor Code Authority.** The University of Richmond Honor Councils have the responsibility of resolving cases involving students enrolled at the University, in the School of Arts and Sciences, the Robins School of Business, and the Jepson School of Leadership. The hearing boards are composed of students from Westhampton and Richmond Colleges. The Chair for hearings alternates between the Chairs of the Richmond College and Westhampton College Councils at the discretion of the Chairs. The College Deans have the authority to hold administrative hearings in certain circumstances.
- B. **Jurisdiction of the Honor Code.** The Honor Code applies to alleged acts of academic dishonesty, as defined in this Code, that adversely affect the university community, whether committed by a student on campus or elsewhere. The Honor Code applies to visiting students enrolled at the University and University students studying elsewhere. For reported behavior that alleges possible violations of either the Honor Code or the Standards of Student Conduct or both, the Vice President of Student Development or their designee will determine which process, Honor or Student Conduct, is appropriate to resolve the matter.

#### **Article IV: Rights and Responsibilities**

##### **A. The Honor Pledge.**

- 1. Enrollment in the University shall bind the student to the Honor System throughout their years of enrollment. 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.
- 2. A student's signature on the following pledge, at Investiture for Richmond College or Proclamation for Westhampton College, is a reinforcement of the student's dedication to the University Honor Code:

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.

- 3. To reinforce a student's continual dedication to the Honor Code, a student may be expected to provide and sign the following pledge on every assignment that the student submits to an instructor for a grade at the instructor's discretion:

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

##### **B. Rights of the Accused. A student accused of an Honor violation shall have the following rights:**

- 1. To receive written notification of the charge(s) and their rights at least three (3) business days prior to the preliminary hearing. The accused has the option to waive this right or to request an extension of this period. Only the Chair, or the Dean, in the case of an administrative hearing may approve the request, at their reasonable discretion.
- 2. To affirm with their signature at the commencement of the hearing that they have been provided a copy of, read, and understand their rights.
- 3. To have their confidentiality preserved throughout the process.
- 4. To have a hearing, and to choose whether to have an expedited hearing or a full hearing in front of a Board, as specified in this Honor Code.

5. To have any current member of the Honor Councils serve as Honor Liaison during the hearing and assist in matters of rights and procedures. The student shall be given a list of members in order to indicate a preference or strike a member from consideration. If the student does not choose an Honor Liaison themselves, the Secretary shall appoint one. The Honor Liaison shall have access to records of the case being heard.
6. To seek counsel with the Chair of their board or their College Dean regarding the status of their case.
7. To seek support from their family, a dean, and confidential resources such as a counselor, doctor, or confidential advocate.
8. To seek the advice of an attorney, but the attorney may not be present at any hearing or meeting, including an appeal.
9. To have a minimum of three (3) business days to prepare a defense before the beginning of a full board hearing. The accused has the option to waive this right or to request an extension of this period. Only the Chair, or the Dean, in the case of an administrative hearing, may approve the request, at their reasonable discretion.
10. To request separate hearings when the accused is one (1) of two (2) or more students involved in related violations. The request must be approved by a majority vote of both the Chairs and the College Deans (3/4), and they must provide an explanation of the rationale to grant or deny the request.
11. To testify on their own behalf.
12. To be allowed to present written witness statements, including no more than two (2) character witness statements. Witnesses are not permitted to attend preliminary, expedited, or full board hearings.
13. Not to have evidence presented or reference made related to any previous charge(s) against the accused of which they were found not responsible.
14. Not to have evidence presented or reference made related to any previous charge(s) against the accused of which they were found responsible during the determination of responsibility phase of the current hearing. Such information is presented as part of the determination of sanctions. The accused may request that information regarding previous finding(s) of responsibility be introduced during the determination of responsibility phase. The request must be approved by the Chair. In cases where the student has been accused of purposeful omission or misrepresentation with intent to deceive, any evidence of or reference to a previous hearing shall be admissible, at the reasonable discretion of the Chair.
15. To submit an appeal of a finding of responsibility on the grounds specified in Article X.
16. To be allowed to attend classes and participate in any University function until a sanction of suspension or expulsion is approved by their College Dean. A student shall retain this right of access as long as an appeal is pending.

## Article V: Honor Code Violations

The following shall be deemed Honor Code violations and shall be the sole basis for reporting cases and for a finding of responsibility:

- 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. 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:

The giving of unauthorized aid. The student giving unauthorized aid (Student B) may be exempt from an Honor Code violation if and only if Student A deceived Student B or otherwise obtained the work without Student B's knowledge, so that Student B unintentionally provided unauthorized aid.

1. 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.
  2. Use of or attempted use of unauthorized materials before submission of a test.
  3. Unauthorized use of an electronic resource, including artificial intelligence software, beyond the use expressly permitted by the professor or other responsible authority.
  4. 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 from 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. This includes the submission of one's own work (identical or substantially similar), twice or more, in two or more different classes, without explicit and express permission of any and all instructors. 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.
1. Lying I - Lying that occurs independent of or prior to an Honor charge.
  2. Lying II - Lying that occurs after notification of an Honor charge and as part of the Honor Councils process.
  3. Lying includes, but is not limited to, such actions as:
    - a. Lying to faculty, administration, or staff of the University community in order to gain an unfair academic advantage.
    - b. Falsifying any university document or record maintained in any format (e.g. electronic, hard copy) by mutilation, alteration, addition, deletion, or forgery.
    - c. Purposeful omission or misrepresentation of relevant information with the intent to deceive.
    - d. Lying to any member of the Honor Councils or advisor 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 and resources.
- E. **Interference with Honor Councils Matters** – Interference is the act of attempting to influence or intimidate individuals involved with Honor Councils cases (including but not limited to: members of the Honor Councils, other students, instructors, administrators, or staff) or

disclosure of Honor Councils information with the intent or consequence of altering Honor Councils decisions.

1. Honor Councils matters are to include all interactions related to the investigation and charge(s) that occur after receiving notification of the alleged violation(s) from a member of the Honor Councils or a College Dean.
2. During any hearing, the Accused may not disclose information about other hearings, including but not limited to outcome(s) and/or sanction(s), whether the information is in regards to a hearing involving the Accused or another student(s).
  - a. Should the Accused do so, the hearing will be brought to an immediate close, and a new hearing, with new voting members, will convene at a later date.
  - b. This disclosure will likely result in an additional charge of Interference.
3. In certain instances, the College Dean in their role as advisor may determine that issues of Interference may result in charges from the Standards of Student Conduct.

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

## **Article VI: Standard of Proof and Sanctions**

The cornerstone of the Honor Code is the opportunity to educate students as to the importance of academic integrity. The Honor Process, including the determination of responsibility and assignment of appropriate and commensurate sanctions, is an integral part of this educational opportunity, helping to ensure that all students have the chance to learn from the experience and understand better the tenets of academic integrity. Extenuating circumstances shall not be considered in determination of responsibility, but may be considered in determination of sanction(s).

A. **Standard of Proof.** An accused student may not be found responsible except on a finding of clear and convincing evidence. For purposes of Honor proceedings, "clear and convincing evidence" is defined as "the measure or degree of proof that will produce in the mind of the trier of facts a firm belief or conviction upon the allegations sought to be established."<sup>1</sup> A clear and convincing standard is a higher standard of proof than a preponderance standard, but is not as high as a beyond a reasonable doubt standard. Only evidence officially presented during the Honor proceedings and open to examination by the accused may be considered in determining responsibility.

## **B. Sanctions**

1. Upon a finding of responsibility for a first violation of the Honor Code, a student will typically receive the following sanctions:
  - a. Honor probation through graduation.
  - b. An official notation in their academic file in the form of a letter from their College Dean.
  - c. A grade sanction that is determined by the primary instructor involved, and communicated to the Investigator. The primary instructor involved, at their discretion, may consult with the accused student's College Dean to determine an appropriate grade sanction. These sanctions include, but are not limited to, the following:
    - i. Failure in the class (an "F" grade);
    - ii. Grade cap in the class on a numerical scale from 0-100;
    - iii. Failure on the assignment ranging from a grade of 0 to 59; or
    - iv. Grade cap on the assignment on a numerical scale from 0-100.

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<sup>1</sup> *Bottoms v. Bottoms*, 457 S.E.2d 102 (1995).

- d. Educational sanctions may include, but are not limited to: meeting with a librarian or a writing consultant.
- e. Community resolutions (as appropriate) may include, but are not limited to: a letter of apology or, in some instances, community service.
- 2. In certain cases, usually involving multiple, unrelated but concurrent reports, the cases will be heard together and upon determination of responsibility, sanctions will be determined. Possible sanctions include items listed above, as well as suspension from the University for no less than one (1) semester and no more than two (2) semesters.
- 3. In certain cases, usually involving multiple or compounded violations, or a first violation of a particularly egregious nature, a student may be suspended from the University for no less than one (1) semester and no more than two (2) semesters. Compounded violations may include charges of Lying (I and II) and Interference with Honor Council Matters. Any decision to impose an enhanced sanction requires a majority vote of both Chairs and both College Deans (3/4).
- 4. Upon a finding of responsibility for an Honor Code violation occurring while a student is on Honor Probation, the typical sanction is expulsion from the University.
- 5. If a student fails to comply with any portion of their sanction, it will be considered a violation of the Standards of Student Conduct and will be referred to a University Conduct Officer for further action.
- 6. Record Retention Policies.
  - a. A student's honor record shall consist of an honor file and a sanction record.
  - b. In situations in which the case is dismissed or the accused is found Not Responsible, all case materials and evidence presented are destroyed. The official certification letters to the student and the faculty/staff member(s) who reported the alleged violation(s) shall be maintained for a period of seven (7) years after the student graduates, after which time the letters are purged from the University's records in accordance with the University's record retention policy.
  - c. For all findings of Responsibility with sanctions other than suspension or expulsion, the honor file and the sanction(s) shall be maintained for a period of seven (7) years after the student graduates, after which time both the honor file and the sanction(s) are purged from the University's records in accordance with the University's record retention policy.
  - d. For all findings of Responsibility with a sanction of suspension or expulsion, the honor file and the sanction shall be maintained for a period of seven (7) years after the student graduates, after which time the honor file is purged from the University's records but the record of the sanction is retained, in accordance with the University's record retention policy.
  - e. A student's honor file is subject to disclosure to any University department with an educational need to know or outside agency with written permission from the student.

## **Article VII: Reporting, Holdover Cases, and Administrative Hearings**

- A. **Reporting a Violation.** It shall be the responsibility of every member of the University community who is a witness to a possible violation of the Honor Code to assist the Honor Councils to the fullest extent.
  - 1. Timeline for Reporting
    - a. For the purposes of reporting a violation, the timeline shall begin when a member of the University community first has knowledge of a possible violation.
    - b. It shall be the responsibility of every member of the University community, having knowledge of or being witness to a possible violation of the Honor Code, to report the

possible violation, or to ensure that the student in question makes a self-report, within five (5) days to a Chair of the Honor Councils, or to the faculty or staff member involved, or to a College Dean.

- i. Faculty or staff who are designated as a confidential resource as defined in the University's Policy Prohibiting Sexual Misconduct are not obligated to report an Honor offense if and only if the entirety of that person's knowledge of the alleged Honor offense is derived from conversations undertaken within the scope and capacity of their role as a confidential resource.
- ii. A Peer Sexual Misconduct Advisor (PSMA), who is certified by the Center for Awareness, Response, and Education (CARE), is not obligated to report an Honor offense to the Honor Councils if and only if the entirety of that PSMA's knowledge of the alleged Honor offense is derived from conversations undertaken within the scope and capacity of the duty of that PSMA to the advisee.
- c. 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.
- d. If a violation is reported after the allotted time has passed, the Chairs and College Deans, in consultation, shall use their reasonable discretion to determine if the case will be pursued, by a majority (3/4) vote.
- e. Whenever possible, cases are resolved during the semester in which they are reported in accordance with the timelines outlined below.
  - i. Should a situation arise in which either the accused or the Honor Councils require an extension of any individual deadline, all decisions to extend will be made by a majority vote of the two Chairs and two College Deans (3/4). All decisions regarding extensions will be communicated in writing to the accused.
  - f. Should a student be accused of an Honor violation that occurred during a fall or spring semester, and should that student be unable to attend a hearing in person, the opportunity to conduct that student's hearing via Skype, Zoom, or a similar online video chat program will be made available while a fall or spring semester is in session, including a term abroad, except in the following circumstances:
    - i. The student has already been found guilty of a prior violation.
    - ii. The student faces substantial risk of suspension or expulsion (as determined by the Chairs in consultation with the College Deans).
    - iii. If the Chairs, in consultation with the College Deans, determine that there is a valid reason(s) that a video conference-centered hearing would be to the detriment of a student's right to a fair hearing.
  - g. In some situations, should a student be accused of an Honor violation that occurred during a summer semester, and at the reasonable discretion of the College Dean, the matter should be heard before the start of the fall semester. Should that student be unable to attend a hearing in person, the opportunity to conduct that student's hearing via Skype, Zoom, or a similar online video chat program will be made available, unless the College Dean determines that there is a valid reason(s) that a video conference-centered hearing would be to the detriment of a student's right to a fair hearing.
2. Holdover Cases  
The Chairs, in consultation with the College Deans, shall determine the date upon which the Honor Councils will cease operations for the semester. This date shall be no earlier than the last day of exams for that semester. If a case cannot be finished by the date selected, it will

typically be held over until the following semester. In that scenario, the following steps will occur:

- a. The Secretary will notify the accused student that their case will be held over.
  - b. The relevant faculty or staff involved will be notified that a case will be held over as soon as possible after the determination.
  - c. The College Deans will inform the Registrar's Office to assign a mark of "X" in lieu of a grade, pending the resolution of the case.
  - d. The investigation process for holdover cases must begin within fifteen (15) days after the start of the semester. In the event the number of cases exceeds twelve (12), the investigations will be conducted in the order in which the reports were received. The College Deans and Chairs will vote to determine a timeline for completion of the investigations.
  - e. The Secretary has the responsibility to inform the accused of the status of the investigation within ten (10) days after the start of the semester.
  - f. Cases in which an accused student withdraws prior to the completion of Honor proceedings shall be resumed upon the student's reenrollment in the University.
3. Administrative Hearings
    - a. Cases that cannot be heard by an Honor Councils board within the semester in which they are reported shall be referred to the accused student's College Dean in the following circumstances:
      - i. The accused student is graduating.
      - ii. The violation occurs in classes taught by professors no longer in contact with the University.
      - iii. The student may be suspended or dismissed from the University for a charge not pertaining to the Honor Code.
      - iv. The student will be studying abroad and the reported violation would constitute their second Honor Code violation if found responsible.
      - v. Extenuating sensitive circumstances necessitate that the accused's College Dean hear the case.
      - vi. Other potential circumstances not listed above, in which case the decision to have an administrative hearing will be determined a majority (3/4) vote of the two Chairs and College Deans.
    - b. The accused student may request to have their case heard by their College Dean. Requests will be approved by a majority vote (3/4) of the two Chairs and College Deans.
    - c. If there is an unusual case load at any point during a term, the Chairs may request administrative hearing(s) at their reasonable discretion.
    - d. The College Deans are responsible for investigation and the determination of charges for administrative hearings.
    - e. If a student wishes to appeal the finding of responsibility, such appeals shall be made in writing to the College Dean who did not hear the case within three (3) business days of the decision.

## **Article VIII: Investigation and Determination of Charges**

### **A. Investigation**

1. Upon receipt of a report of an alleged violation(s) of the Honor Code, the Chair will first determine that the Councils have jurisdiction.
2. If the Chair determines that the Councils have jurisdiction, they will assign an Investigator to the case and will instruct the Secretary to notify the accused in writing of the allegation

and provide information regarding their rights and responsibilities, including the process for selecting a Liaison.

3. The Investigator's responsibilities include interviewing the reporting party, the accused, relevant witnesses and parties (potentially including, but not limited to, instructors, staff, students, and experts), and collecting and preserving other necessary and relevant information. Investigators are expected to demonstrate empathy and neutrality throughout their investigation. There is no presumption of a finding of responsibility during the investigation process, but rather the investigator carefully listens to all parties' statements and presentation of evidence and reflects that in the report.
4. The Investigator will prepare a report detailing the significant facts and information gathered in the investigation. The report must maintain a neutral tone and will not contain opinions regarding whether the student has violated the Honor Code, or regarding the reliability of any information provided, although the report may point out consistencies and inconsistencies.
5. Both the reporting party and the accused will be provided the opportunity to submit the following to the investigation report prior to its completion:
  - a. Any relevant documentation or evidence.
  - b. Written statements to be included in the investigation report.
    - i. The accused may ask that no more than two written character witness statements be submitted to the Investigator.
      - a. The student must notify the Investigator of the request within two (2) business days of meeting with the Investigator.
      - b. The statements must be sent to the Investigator within two (2) business days of meeting with the Investigator.
      - c. The accused student may submit a written request to the Chair for an extension of either deadline.
    - c. The accused student may request for a party with material knowledge of the matter to be interviewed by the Investigator.
    - d. The accused may seek the guidance of their Liaison in completing their statement.
6. Lie detector test results are not admissible and will not be considered by the Investigator.
7. Accused students are required to cooperate with the Honor Councils, including but not limited to: providing evidence, attending required meetings, and responding to inquiries. A student shall only be exempt from an Honor Councils meeting or hearing when they have a class, work, religious, or varsity athletic conflict. If a student fails to cooperate with the Honor Councils, it will be considered a violation of the Standards of Student Conduct and may be referred to a University Conduct Officer for further action. Ordinarily, the proceedings will also continue in absentia.
8. In general, the Investigator's report should be completed within seventy-two (72) hours of the receipt of all evidence and the conclusion of all interviews, unless the Chair grants an extension in writing for good cause shown. The Chair must notify the reporting party and the accused of any extension and deadline for completion of the investigation. Documentary evidence and witness statements considered by the Investigator in the course of completing their report shall be attached at the end of the report. Once the Investigator's report is complete, no additional evidence shall be considered in the course of the Honor proceedings unless such evidence was not available during the investigation.

## B. Charges

Upon receipt of the Investigator's report, the Chair will determine if there is sufficient evidence to warrant an Honor charge(s). The Chair has the reasonable discretion to request additional

investigation and/or consultation with experts. In some circumstances, both College Deans and both Chairs will meet to determine appropriate next steps.

1. If there is not sufficient evidence to move forward with any charge, the Chair will recommend that the matter is dismissed. The Chair forwards the Investigator's report along with a rationale for the recommendation to the College Dean. The College Dean will review the Investigator's report and rationale of the Chair.
  - a. The Dean, upon reviewing the materials, may certify the decision of the Chair and dismiss the case, informing the accused student as well as the primary faculty or staff involved.
  - b. The Dean, upon reviewing the materials, may determine that the case should not be dismissed for one of the following reasons:
    - i. There is sufficient evidence to move forward with a charge(s). In such cases, the Dean will confer with the Chair and the Investigator to discuss how to move forward.
    - ii. Additional investigation is warranted. In such cases, the Dean will send the materials back to the Chair with specific recommendations for further action.
    - iii. Upon final determination of whether to dismiss or move forward, the procedures outlined in Article IX of this Honor Code will apply.
2. If there is sufficient evidence to move forward with a charge(s), the Chair will assign charge(s), instruct the Secretary to inform the accused and the Liaison of the charge(s) and processes, including providing a copy of Article IX of the Honor Code, and convene a preliminary hearing.
  - a. The Secretary will inform the accused within twenty-four (24) hours.
  - b. The Liaison will meet with the accused student to answer any questions and to discuss options for resolving the matter, including the accused student's options for an expedited hearing or a full board hearing. The Liaison will also present the accused with a list of all members of the Honor Councils so that the accused may ask to strike any member for a potential conflict of interest.
  - c. The Secretary will schedule the preliminary hearing. The preliminary hearing will include:
    - i. The Chair
    - ii. Two members of the Honor Councils
      - a. Reasonable effort should be made to include one member from each College.
      - b. The Secretary will take into consideration the strike list from the accused and/or any self-reported conflicts from members of the Honor Councils.
    - iii. The accused student
    - iv. The Liaison
3. The preliminary hearing will be held no sooner than three (3) and no later than five (5) business days after the notification of the charge(s).

### **Article IX: Hearing Processes**

The accused student has two (2) options for resolution. The accused student has the option to accept responsibility and have the matter resolved through an expedited hearing, or the accused student has the option not to accept responsibility, in which case the matter will be resolved through a full board hearing. An accused student who accepts responsibility and chooses an expedited hearing waives their right to appeal. The accused student has the responsibility to attend all scheduled hearings of the Honor proceedings. If the accused student, without valid excuse or authorization from their College Dean, fails to attend any hearing as scheduled, the board may proceed in the accused's absence to a determination of the matter, and if appropriate, impose sanctions.

**A. Preliminary Hearing**

The preliminary hearing is the formal charging of the accused student. In the hearing, the Chair will review the Investigator's report, and the accused student will decide how they would like to resolve the matter.

1. There shall be a single verbatim record, typically an audio recording, of all hearings with the exception of deliberations. The recording shall be the responsibility of the Chair.
2. If the accused student chooses to accept responsibility, the expedited hearing will commence immediately.
3. If the accused student chooses not to accept responsibility, the preliminary hearing will come to a close and the Chair will instruct the Secretary to convene a full board hearing. The full board hearing should convene within five (5) business days, but no sooner than three (3) business days, unless the accused requests an expedited timeline and waives their right to the three-business-day preparation period.

**B. Expedited Hearing**

1. Once the accused student accepts responsibility, the accused student and Liaison will leave the room so that the expedited hearing board can deliberate on and determine an appropriate sanction(s).
  - a. All voting must be done by secret ballot. Deliberations and voting shall remain confidential.
  - b. A minimum of two (2) members of the expedited hearing board must agree on any or all sanction(s).
    - i. If there is no consensus on sanction(s), the Chair, at their reasonable discretion, may suspend the hearing for a period of no more than twenty-four (24) hours in order to consult with the College Dean regarding final determination on any or all sanction(s).
2. Upon determination, the Chair will call the accused student and Liaison back into the room, and communicate the sanction(s) to the accused student.
3. There shall be a single verbatim record, typically an audio recording, of all hearings, with the exception of deliberations.
  - a. The recording shall be the responsibility of the Chair.
  - b. The Chair is also responsible for all documents related to the hearing, including but not limited to: copies of the Investigator's report, any checklists needed for the preliminary procedures of the hearing, and any documents to be signed.
    - i. At the conclusion of the hearing, the Chair shall produce a summary of the key components of the case (e.g. charge, plea, etc.) and the findings.
    - ii. At the conclusion of the hearing, the Chair shall assemble a case file that includes the summary and all documents, including communications, the Investigator's report, any checklists or procedural documents from the hearing, and the recording of the hearing.
    - iii. At the request of the College Dean, a transcript of the hearing shall be provided by the Chair.
4. The Chair will forward all materials related to the case to the appropriate College Dean for review and certification. See Article XI for further explanation.

**C. Full Board Hearing**

1. The composition of a full board hearing is as follows:
  - a. The Chair [non-voting]
  - b. The Secretary [non-voting]

- c. The Liaison [non-voting]
- d. Six (6) members of the Honor Councils serve as voting members of the board
  - i. Reasonable effort should be made to include three (3) members from each College.
  - ii. The Secretary will take into consideration the strike list from the accused and/or any self-reported conflicts from members of the Honor Councils.
  - iii. There must always be an even number of voting members (e.g., if six (6) members are not available, the board can operate with four (4) voting members).
- 2. The Investigator shall appear at the hearing to present the Investigator's report, but is not part of the board and cannot serve as a voting member of that board.
- 3. There shall be a single verbatim record, typically an audio recording, of all hearings with the exception of deliberations.
  - a. The recording shall be the responsibility of the Secretary.
  - b. The Secretary is also responsible for all documents related to the hearing, including but not limited to: copies of the Investigator's report, any checklists needed for the preliminary procedures of the hearing, and any documents to be signed.
    - i. At the conclusion of the hearing, the Secretary shall produce a summary of the key components of the case (e.g. charge, plea, etc.) and the findings.
    - ii. At the conclusion of the hearing, the Secretary shall assemble a case file that includes the summary and all documents, including but not limited to: communications, the Investigator's report, any checklists, statements, testimony, and procedural documents from the hearing, and the recording of the hearing.
    - iii. At the request of the Chair or the College Dean, a transcript of the hearing shall be provided by the Secretary.
- 4. Order of the Hearing
  - a. Preliminary procedures and presentation of the charge(s)
  - b. Swearing in of the accused and confirmation of plea
  - c. Opening statement of the accused
  - d. Investigator's presentation of their report
  - e. Opportunity for the accused to respond
  - f. Questioning of the accused
  - g. Closing statement of the accused
  - h. Reminder of the standard of evidence
    - i. Deliberation of responsibility
    - j. If found responsible, determination of sanction(s)
    - k. Announcement of decision and certification process
    - l. If found responsible, review of appeal standards and process
- 5. Deliberations
  - a. Once the accused student finishes or declines to make their closing statement, the Chair will remind all parties that the standard of proof for determination of responsibility is clear and convincing evidence, as defined in this Honor Code. The accused student and Liaison will leave the room so that the hearing board can deliberate in private.
  - b. All voting must be done by secret ballot. Deliberations and voting shall remain confidential.
  - c. The accused shall be determined responsible if no more than one dissenting vote exists among the voting members of the hearing board. If two or more members dissent, the accused student shall be found not responsible and the case will be closed at once.
    - i. Upon determination of no responsibility, the Chair will call the accused student and Liaison back into the room, and communicate the decision. The hearing is then concluded.

- ii. The decision will be reviewed by the respective College Dean. If and when the decision is certified, all records of the proceedings shall then be destroyed. See Article XI on certification procedures.
- d. If the accused student is found responsible, the voting members of the hearing board shall render, by majority vote, an appropriate sanction(s). See Article VI for information regarding sanctions.
  - i. Upon determination of responsibility and sanction(s), the Chair will call the accused student and Liaison back into the room, and communicate the decision and sanction(s). The hearing is then closed.
  - ii. The decision will be reviewed by the respective College Dean. See Article XI on certification procedures.

## **Article X: Hearing Board Appeals**

### **A. Grounds for Appeal**

- 1. Any person found responsible by a hearing board may appeal that decision on the following grounds:
  - a. That a witness lied during the investigation.
  - b. That new evidence is available that was not available at the time of the hearing. If this evidence was available but not presented at the hearing, a new hearing will not be granted on this ground.
  - c. That the person's right to a fair hearing was violated due to a material procedural defect during the hearing process.
- 2. To submit an appeal based on the criteria above, the accused student must give written notice, including the reasons for appeal, to the appropriate College Dean and the Chair of the hearing board.
  - a. For an appeal of Article X (A)(1)(a) and (b), an appeal may be submitted at any time as long as the file is considered active. Please see Article VI(B)(6).
  - b. For an appeal of Article X(A)(1)(c), an appeal must be submitted within five (5) business days of the original hearing board's decision.
- 3. The accused may only appeal once based on the same criterion(a). The accused may request a review of the decision if and only if additional new evidence or additional perjury is discovered.

### **B. Appeal Process**

- 1. Composition of the Appellate Review Committee
  - a. The Chair who was not involved in the hearing (non-voting)
  - b. The Secretary assigned to the original case (non-voting)
  - c. Three (3) members of the Honor Councils who were not involved in the hearing
    - i. Reasonable effort should be made to include at least one (1) member from each College.
    - ii. The strike list from the accused student and/or any self-reported conflicts from the members of the Honor Councils will be taken into consideration in selecting members of the appellate review committee.
- 2. Timeline. The appellate review will be held no later than five (5) days after the receipt of the appeal.
- 3. Review of Appeal
  - a. The appellate review committee will determine if the criteria for appeal has been met.
    - i. The burden of proof shall be upon the appellant, who must demonstrate that the criterion(a) for appeal has been met by clear and convincing evidence.

- ii. A minimum of two (2) members of the committee must agree that criterion(a) for appeal has been met.
    - a. If there is no consensus on the sanction(s), the Chair, at their reasonable discretion, may suspend the review for a period of no more than twenty-four (24) hours in order to consult with the College Dean regarding final determination of the appeal.
  - iii. If the committee finds that the appellant has failed to demonstrate by clear and convincing evidence that any of the criteria have been met, the committee will deny the appeal and the decision of the original hearing board will stand.
- b. If criterion(a) for appeal has been met, the committee has four (4) options for resolution:
- i. If a finding of responsibility is to be reconsidered, the case shall be remanded to a new hearing board to hear the case, following procedures outlined in Article IX (C).
  - ii. If a sanction is to be reconsidered, the committee may remand the case back to the original hearing board to determine appropriate sanctions. The original hearing board may: modify a sanction in favor of the accused student; impose a different sanction; or make no change to a sanction. Reconsideration of any sanction must occur within 120 hours (five consecutive days).
  - iii. At the Chair's reasonable discretion, the committee may amend the sanction of the original hearing board. The committee may only modify the sanction in favor of the accused student. The decision must be made by majority vote of the committee.
  - iv. At the Chair's reasonable discretion, the case may be forwarded to the two Chairs and College Deans to determine appropriate disposition of either the finding of responsibility or the sanction(s), by majority vote (3/4).
  - v. In the event that the committee remands the case, the committee must provide a summary explaining why the case is being remanded.
  - vi. Upon resolution of the appeal as outlined in subsections (i), (ii), and (iv) above, the decision will be communicated to the Chair of the committee.
- c. Upon resolution of the appeal as outlined in subsection 3(a) and (b) above, the Chair of the committee will notify the accused student of the decision, and forward the case file to the appropriate College Dean for review and certification. See Article XI for certification procedures.
- d. Decisions of the appellate review committee shall be considered final upon the review and certification of the appropriate College Dean.

## **Article XI: Review and Certification**

No finding or sanction shall be considered final until it is reviewed and certified by the appropriate College Dean. Review and certification shall commence after all hearing and appellate processes have concluded, typically within ten (10) business days of receipt of the case file from the Secretary. In the event of a second possible violation for the same student, a hearing board shall not convene until the review and certification process for the first case is completed.

- A. **Review Process.** Upon receipt of the case file from the Secretary, the appropriate College Dean will undertake a review of the case.
1. The review will consist of three (3) components:
    - a. A review of the written procedural record;
    - b. A review of the decision in relation to the evidence presented; and
    - c. A review of the sanction (if applicable), considering precedent and appropriateness for the violation(s).

2. If the Dean concurs with the decision and sanction(s), they will proceed to the certification of the case.
  3. If the Dean does not concur with the decision or sanction(s), the Dean has three (3) options for resolution:
    - a. The Dean may remand the case back to the original hearing board or appellate review committee. The board or committee may: modify the decision and/or sanction(s) or make no changes. Reconsideration must occur within 120 hours (five consecutive days).
    - b. The accused student's College Dean, in consultation with the other College Dean, may hold an administrative hearing. This option is typically chosen in the event of a serious procedural defect (e.g. an accused student's rights were violated), or matter of similar import. The decision of the administrative hearing shall be final.
    - c. If the accused student's College Dean determines that the sanction(s) are disproportionate or not in keeping with precedent, the College Dean may, in consultation with the other College Dean, modify the sanction in favor of the accused student. This decision shall be final.
- B. **Certification.** Upon completion of the review, the Dean will certify the case.
1. The certification will consist of two (2) components:
    - a. The Dean will compose and send certification letters to the student and to the relevant faculty and/or staff, summarizing the determination and sanctions (if applicable).
    - b. The Dean will take final action for the case file as specified in Article VI (B)(6).

## **Article XII: Organization and Responsibilities of the Honor Councils**

- A. **Membership of the Honor Councils.** The University of Richmond Honor Councils shall be composed of the members of the Richmond College and the Westhampton College Honor Councils.
1. The minimum number of members of the Honor Councils shall be forty (40), with reasonable effort made for equal representation from each College and a minimum of ten (10) representatives from each of the Sophomore, Junior, and Senior classes.
    - a. The term of office for all members of the Honor Councils shall be an academic year (e.g. the beginning of the fall semester until the end of the spring semester).
    - b. This term is renewable upon mutual agreement of the member and the Executive Committee as long as the student continues to meet membership criteria.
  2. Membership criteria:
    - a. Students must have a minimum 2.5 cumulative grade point average at the time of selection and must maintain this GPA to remain eligible for membership. It is the duty of each member to report to the Chairs and the College Deans if their cumulative GPA falls below 2.5.
    - b. Students may not have been found responsible for an Honor Code violation. If a member is found responsible during their time on the Councils, they shall be removed from the Councils.
    - c. Members may not simultaneously serve on multiple branches of the student government, e.g. the Richmond or Westhampton College Senate (RCSGA or WCGA), or the University of Richmond Student Conduct Council.
  3. New member selection.
    - a. The selection committee shall be comprised of:
      1. Both Chairs
      2. One (1) additional member of the Executive Committee, chosen by the Chairs.

3. One (1) member of the Honor Councils who are not members of the Executive Committee, chosen by the Chairs and approved by a majority vote of the Executive Committee.
4. Reasonable effort to represent both Colleges in the selection of fill #2 and #3 above.
- b. Selection of members will be by majority vote of the selection committee.
- c. Selection of members from the First-Year and Sophomore classes occurs during the fall semester.
- d. If at any time the number of members falls below forty (40), there shall be a special selection of new members.

**B. Duties and Responsibilities of Members of the Honor Councils**

1. Members shall:

- a. Know and uphold the Honor Code.
- b. Perform all duties and responsibilities appropriately, including, but not limited to, maintaining confidentiality regarding all Honor proceedings and internal matters of the Honor Councils.
- c. Serve as voting members of the Honor Councils.
- d. Serve on boards for preliminary, expedited, and full hearings as assigned in order to render decisions and sanctions for Honor Code violations.
- e. Serve as a Liaison for the accused when appointed by a Secretary.
- f. Attend all meetings of the Honor Councils. Any absences must be approved in advance by the Chairs.
- g. If called upon, return early to campus in the fall for and participate in New Spider Orientation.
- h. Remain available, either on campus or virtually, to participate in Honor matters through the entire final examination period at the conclusion of both semesters. At the discretion of the Chairs, hearings may be held in May if enough General Council members are available to volunteer to serve as hearing board members.

2. Neglect of office. Any Honor Councils member, including those on the Executive Committee or in additional leadership positions, who fails to meet these obligations shall be considered to be in neglect of office.

- a. The Chairs have the ability, in consultation with both College Deans, to remove any member deemed to be in neglect of office, by a majority (3/4) vote. In some situations, a member who holds a role on the Executive Committee or in additional leadership positions, may be removed from their leadership office, but be allowed to remain a member of the Honor Councils, by a majority (3/4) vote of both College Deans and Chairs. If found to be in neglect of office, the accused is barred from holding executive office in the future.
- b. A charge of neglect of office against a Chair may be brought forth by any member of the Honor Councils, provided it is supported by two (2) additional members of the Honor Councils. The charge should be brought to the Chair of the other College Honor Council. Any member can seek the advice of the College Deans in such matters.
- a. Upon receiving a charge of neglect, the Chair who is not the accused convenes an impeachment board, which shall be comprised of:
  1. The Chair that is not the accused.
  2. Two (2) additional members of the executive committee, chosen by the Chair who is not the accused, with reasonable effort made to select one (1) from each College Honor Council.

3. Two (2) members of the Honor Councils who are not members of the executive committee, chosen by the Chair who is not the accused and approved by a majority vote of the executive committee, with reasonable effort made to select one (1) from each College Honor Council.
  4. The impeachment board shall determine, by a simple majority vote, whether the accused should be removed from office. If removed from office, the board will also determine if the accused should be removed from the Honor Councils permanently or be allowed to continue to serve as a member. If found to be in neglect of office, the accused is barred from holding executive office in the future.
- C. **The Executive Committee.** The Executive Committee shall be comprised of the officers of both the Richmond College and the Westhampton College Honor Councils.
1. Membership includes the following:
    - a. Elected officers, who serve as voting members, with reasonable effort made for equal representation from each College Honor Council:
      - i. Two (2) Chairs
      - ii. Four (4) Investigators
      - iii. Two (2) Secretaries
    - b. A Treasurer, appointed by the Chairs, who serves as a non-voting member.
  2. Criteria for elected office.
    - a. Candidates must meet criteria for membership as outlined in Article XII (A)(3).
    - b. Candidates can nominate themselves or be nominated by a member of the Honor Councils. This nomination must be seconded by an additional member of the Honor Councils and accepted by the nominee.
    - c. In order to accept a nomination, a candidate must be on campus for the entirety of their potential term of office.
      - i. A candidate for Chair must be able to serve two consecutive semesters, i.e. spring and fall.
      - ii. A candidate for any other office may serve a single semester, in appropriate circumstances, ordinarily if going abroad, at the reasonable discretion of the Chairs and College Deans.
    - d. Candidates may meet with the current Chairs and a member currently holding the position for which they wish to run.
  3. Officer elections.
    - a. The Chairs preside over elections, and do not vote unless there is a tie.
    - b. For an election to take place, a quorum (50% plus one (1)) must be present. Election shall be by simple majority vote of those present (excluding the Chairs) via secret ballot.
      - i. If a simple majority is not achieved in the first vote, a second vote shall be taken between the top two candidates receiving votes.
      - ii. Should any situation arise that cannot be resolved utilizing these procedures, the two Chairs will consult with both College Deans.
    - c. The term of office for elected officers shall be a calendar year (e.g. January 1 through December 31). Officers are elected by the members of the Honor Councils in the fall semester prior to their term of office. Outgoing officers shall assist new officers in the orientation of their duties, and shall be considered members of the Honor Councils until the end of the academic year.
  4. In the event of a sudden or unexpected vacancy, the remaining executive officers shall appoint a replacement by majority vote, in consultation with the College Deans.

**D. Duties and Responsibilities of the Executive Committee**

1. The duties of the executive committee shall be to:
  - a. Develop and approve a budget.
  - b. Oversee the routine business of the Councils.
  - c. Execute the duties of their individual offices.

When a vote is necessary, it shall be determined by a simple majority.
2. The specific duties of the Chairs shall be to:
  - a. Preside over the Honor process as outlined in Articles VII through XI.
  - b. Preside over all meetings of the Honor Councils.
  - c. Serve as voting members of and preside over all meetings of the Honor Councils executive committee.
  - d. Meet regularly with the College Deans.
  - e. Represent the Councils in an official capacity and serve as the spokespeople of the Councils as needed.
  - f. Serve as members of the Honor Councils selection committee.
  - g. Participate in Investiture and Proclamation or assign a designee to do so.
  - h. Remove members for neglect of office in consultation with the College Deans.
  - i. Oversee impeachment proceedings for executive committee members.
3. The specific duties of the Investigators shall be to execute their role in the Honor process as outlined in Articles VII through XI.
4. The specific duties of the Secretaries shall be to execute their role in the Honor process as outlined in Articles VII through XI.
5. The Treasurer shall perform duties associated with University policies and procedures regarding student organization accounting practices.
6. Serve in the process for impeachment due to neglect of office of a Chair, as per Article XII, B, 2, b.

**E. Additional Leadership Positions**

1. Positions include the following:
  - a. Ad-hoc Special Project Chair(s)
  - b. One (1) Chair of Education
2. Selection Process – Special Project Chair(s)
  - a. An Honor Councils member proposes a special project. If both Chairs approve the special project, the selection process shall begin. If the Chairs approve a project proposed by a General Councils member, that member shall serve as Chair of the project, if they wish to do so.
  - b. If the member who proposed the project does not wish to serve as Chair of the project, the Chairs shall communicate the proposal to the Honor Councils accept nominations for Chair of the project. The Executive Committee, by majority vote (5/8), shall approve the candidate. Once approved, the newly appointed Chair shall serve in that role until the project is complete.
3. Criteria for Office - Chairs of Special Projects
  - a. Candidate must meet criteria for membership as outlined in Article XII (A)(3).
  - b. Candidate must not hold any position on the Executive Committee during any part of their term as a Special Project Chair.
  - c. Candidates can nominate themselves or be nominated by a member of the Honor Councils. This nomination must be seconded by an additional member of the Honor Councils and accepted by the nominee.

- d. To accept a nomination, a candidate must be on campus for the duration of their project.
- 4. Election Process - Chair of Education
  - a. The Honor Councils Chairs preside over elections and do not vote unless there is a tie.
  - b. For an election to take place, a quorum (50% plus one (1)) must be present. Election shall be by simple majority vote of those present (excluding the Chairs) via secret ballot.
    - i. If a simple majority is not achieved in the first vote, and there are more than two candidates, a second vote shall be taken between the top two candidates receiving votes.
    - ii. Should any situation arise that cannot be resolved utilizing these procedures, the two Chairs will consult with both College Deans.
  - c. The Chair of Education shall be elected in the spring semester each year. They shall take office upon election and remain in office until New Spider Orientation and any additional educational efforts are complete.
- 5. Criteria for Office - Chair of Education
  - a. Candidates must meet criteria for membership as outlined in Article XII (A)(3).
  - b. Candidate must not hold any position on the Executive Committee during any part of their term as Chair of Education.
  - c. Candidates can nominate themselves or be nominated by a member of the Honor Councils. This nomination must be seconded by an additional member of the Honor Councils and accepted by the nominee.
  - d. To accept a nomination, a candidate must be on campus for the entirety of their potential term of office.

#### **F. Duties and Responsibilities of the Additional Leadership Positions**

- 1. The Ad-hoc Chair(s) of Special Projects shall oversee the planning and implementation of their project.
- 2. The Duties of the Chair of Education shall be to:
  - a. Assist the Chairs in the creation of materials for orientation.
  - b. Assist the Chairs in planning and hosting training for Honor Councils members in August.
  - c. Assist in planning any additional educational efforts.

#### **Article XIII: Amendments and Revisions**

- A. The College Deans shall initiate a bi-annual review of the Honor Code with the Chairs, in consultation with the Undergraduate Academic Integrity Committee.
- B. Non-substantive and formatting errors may be corrected at any time at the reasonable discretion of the College Deans.
- C. Substantive or material changes or additions to the Honor Code must be made within the Code itself; there shall be no appendices. If necessary, current articles may be amended. New articles may be created if the material is not already addressed in a current article. Reasonable effort should be made to maintain the continuity and structure of the Honor Code.
- D. Substantive or material changes or additions to the Honor Code may be proposed by any member of the Honor Councils, the College Deans, the Undergraduate Academic Integrity Committee, or by petition of one-fifth (1/5) of the members of the traditional undergraduate

student body (members of Richmond and Westhampton Colleges). Proposals must be accompanied by an explanation or rationale.

- E. Proposals for substantive or material changes or additions to the Honor Code shall be submitted to the College Deans and the Chairs for consideration. Such proposals cannot conflict with University policies or procedures.
- F. If the College Deans and Chairs approve the proposal for further consideration, the Chairs or their designees within the Honor Councils will prepare a draft for incorporation of the proposal into the Honor Code. This draft is shared with the College Deans and the Undergraduate Academic Integrity Committee for their feedback.
- G. Once the draft is complete, it shall be voted on by the membership of the Honor Councils voting in a special session. For a vote to take place, a quorum (50% plus one (1)) must be present. The proposal shall become effective upon ratification by a three-fourths (3/4) majority of the members present.