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Investigation Handbook

Note: This Investigation Handbook supersedes all provisions in the existing Honor Council By-Laws concerning investigations of honor violations.

This Handbook details how the Honor Council investigates potential violations of the Honor Code. The process involves up to seven steps:

- 1) Initial reports and preliminary investigations
- 2) Formal investigations
- 3) Panels
- 4) Panel deliberations
- 5) Sanctions
- 6) Appeals
- 7) Recordkeeping

The Honor Council makes every effort to act in a manner consistent with the procedures outlined here. If these procedures do not account for the circumstances of exceptional cases, the Honor Council investigates such cases in a manner consistent with the Honor Code and the spirit of fairness these procedures embody.

Article I: Reports of Suspected Violations and Preliminary Investigations

Investigations begin with reports alleging a violation of the Honor Code. Any member of the College community may report an alleged Honor Code violation or may question whether the actions of a student or a group of students violate the academic integrity standards outlined in the Honor Code.

Section 1: Reporting

Reports of possible violations of the Honor Code are delivered to the Co-Chairs of the Honor Council or to other members of the Honor Council or the Council's Faculty Advisor or Advisors, who then refer the reports to the Co-Chairs. Information on possible violations can be sent to HonorCouncil@ColoradoCollege.edu.

Section 2: Preliminary Investigations

Upon receiving a report, the Co-Chairs decide which Co-Chair serves as the Supervising Co-Chair. The Supervising Co-Chair conducts the preliminary investigation, interviewing the person who reported the possible violation or raised questions about whether student actions may have violated the Honor Code, in order to determine whether the case warrants a formal investigation. When the report warrants a formal investigation, the Supervising Co-Chair initiates and oversees the investigation.

If, as a result of the initial interview and any related follow-up, the Supervising Co-Chair determines that the report suggests the reasonable possibility of an Honor Code violation, a formal investigation begins.

If the Supervising Co-Chair concludes that no violation occurred or that a violation may have

occurred but there is no likelihood of being able to collect reliable evidence documenting the violation, then a formal investigation is not opened. The Supervising Co-Chair explains to the reporting party why their report has not resulted in a formal investigation.

Any Co-Chair who has a conflict of interest must recuse themselves from the case. If both Co-Chairs have conflicts of interest, the Co-Chairs appoints a replacement Supervising Co-Chair for the duration of the case. See Article IX, "Definitions," for a definition of "conflict of interest."

Article II: Flagrancy

Any violation that exhibits contempt for or blatant disregard of the Honor Code leads to an elevated charge of flagrancy. Examples of flagrant violations include but are not limited to:

Falsifying Information: Students pledge never to falsify their work or to deceive instructors or peers about their work. Examples of violations include, but are not limited to:

- Fabricating or altering data, or making up sources
- Lying in order to gain extensions or inappropriately favorable work circumstances.
- Lying to Honor Council investigators or panels, throughout the duration of the investigation
- Plagiarism of more than 50% of the words in the assignment
- Conspiracies to give or receive aid
- Lying during an Honor Council investigation or panel, or otherwise impeding or obstructing an investigation or panel.
- The exchange of money or the offer to exchange money for acts that violate the Honor Code;
- The payment for services or the offer to pay for services that violate the Honor Code;
- Theft of property (for example, tests or answer sheets; notes, tests, or papers of other students; or the answer keys of an instructor);
- Downloading or copying materials from essay mills, distributors, or student collections of past exams or paper;

When the investigators believe that the potential violation or violations are flagrant, they confer with the Supervising Co-Chair. If all three agree that the violation(s) appear flagrant, the Supervising Co-Chair convenes a panel to determine if a flagrant charge is appropriate. Potential violations may automatically qualify as flagrant if they align with the standards outlined in Article VI, Section 3 of this document.

The panel is composed of four Honor Council members and one faculty advisor. The investigators compile an evidence packet and present the case to the panel. The student does not testify before the flagrancy panel. The panel's decision is determined by a unanimous vote on the basis that it is more likely than not that the violation in question is flagrant (exhibits blatant disregard for the Honor Code). The investigators and Supervising Co-Chair do not vote during this panel. The committee's decision is final and cannot be reversed by a later panel.

Article III: Formal Investigations

Formal investigations have four stages:

1. Appointing investigators
2. Explaining the investigative process and related rights and obligations
3. Gathering evidence
4. Determining charges

Section 1: Appointing Investigators

When opening a formal investigation, the Supervising Co-Chair appoints two Honor Council investigators (per student involved in the case) that minimize conflicts of interest. The Supervising Co-Chair remains involved in the investigation, overseeing the work of the investigators.

Section 2: Support for Students during Investigations and Panels

The Supervising Co-Chair and the investigators offer support for students in the following three ways:

- 1) Explaining the Honor Code and the investigation process to suspected students.
- 2) Directing students to appropriate resources, such as to the Honor Council Faculty Advisors or to the Associate Dean of the College for academic advice; to professionals at Boettcher Health Center for medical or emotional assistance; or to the Chaplain's Office for other forms of confidential support. A list of confidential and non-confidential resources is provided and the difference between these resources is explained.
- 3) Keeping confidential all information about cases they investigate and treating all suspects and witnesses in a fair, unbiased manner.

Section 3: Explaining the Process

At the beginning of the initial interview with a student suspected of violating the Honor Code, the investigators explain the investigation and panel processes to the student, directing the student to copies of the Honor Code and this Investigation Handbook.

Section 4: Student Rights during Investigations and Panels

Students have the right to decline to speak in interviews or testify if they believe their statements may be self-incriminating. Evoking the right to avoid self-incrimination cannot be considered as evidence in any Honor Council proceeding and cannot be discussed in any deliberations. It also does not constitute a failure to cooperate with the Honor Council during investigations.

Consequently, investigators highlight three points in their initial contacts with students suspected

of violating the Honor Code:

1. They are presumed innocent until they have admitted to an Honor Code violation or a panel confirms a suspected violation.
2. They may decline to speak in interviews or to give testimony at panels if they believe their statements may be self-incriminating.
3. The fact of declining to speak in interviews or to testify cannot be used as evidence against them in panels.

Section 5: Responsibilities during Investigations and Panels

Members of the College community appearing before the Honor Council pledge to keep confidential information about the cases they are involved in. Suspected or charged students may choose to disclose information about their own investigations once the investigations are concluded. In addition, supporters of a charged student, as well as witnesses, may reveal information about the case after it is over only if the charged student gives them explicit written permission to do so.

Members of the College community also pledge to be truthful when interacting with investigators, Co-Chairs, and panel members.

Spouses or members of the family of a suspected student have the right to decline to give evidence or testimony to investigators or panels, though investigators and panels may request their cooperation. Asserting the right to decline to give evidence or testimony in investigations or panels cannot be considered as evidence in any Honor Council investigation and cannot be discussed in any deliberations. Declining to give evidence or testimony in such cases does not constitute a failure to cooperate with the Honor Council during investigations.

Breaking confidentiality without explicit written permission of suspected or charged students or failing to be truthful during Honor Council investigations is a violation of the Honor Code that may merit an investigation.

Consequently, before interviewing all witnesses (including suspected students), the investigators inform any witnesses that:

- As members of the College community, they are obligated to cooperate with the Honor Council (apart from doing so in a manner that involves self-incrimination or that requires participating in the investigation of a spouse or family member).
- They are obligated to be truthful in all investigations and panels.
- Failing to meet these obligations violates the academic integrity standards outlined in the Honor Code.

If faculty or staff members fail to cooperate with the Honor Council or otherwise obstruct investigations or panels, the Supervising Co-Chair forwards a complaint to the appropriate administrative unit (in the case of faculty members, the Associate Dean of the Faculty; in the case

of staff members, the Director of Human Resources).

Section 6: Gathering Evidence

The two investigators gather evidence relevant to determining whether the suspected student or students violated the Honor Code. Together, the investigators conduct interviews with all individuals likely to shed light on the questioned event or events, including but not limited to suspected students, teaching faculty, and witnesses identified by the suspected student or identified during the investigation

Section 7: Determination of Charges

Having made reasonable efforts to collect evidence relevant to the case and having given the suspected student an opportunity to provide evidence, the investigators meet to determine whether sufficient evidence exists to charge the suspected student or students with a violation of the Honor Code. The evidence is also examined to see if the potential violation may be flagrant. The investigators may also involve the Supervising Co-Chair in the discussion.

If both the investigators and Supervising Co-Chair agree the potential violation may be flagrant, a Flagrancy panel is conducted (Article II) prior to issuing a letter of accusation. Potential violations may automatically qualify as flagrant if they align with the standards outlined in Article VI, Section 3 of this document.

To issue a letter of accusation, the investigators and the Supervising Co-Chair determine that the following standard has been met: the evidence indicates that it is more likely than not that the student or students violated the Honor Code. A charge will not be filed if the evidence fails to indicate that it is more likely than not that the student or students violated the Honor Code. Once the investigators come to an agreement, they report their decision to the Supervising Co-Chair. If the investigators cannot agree whether the standard has been met, no charge is filed.

Section 8: Dropping Cases

If the investigators and Supervising Co-Chair decide not to file a charge, the case is dropped. Cases are dropped when the evidence collected does not indicate it is more likely than not that a violation has occurred. Copies of collected evidence are uploaded to the Maxient virtual case file for the investigation.

Students are always presumed innocent; however, a dropped case is not a verdict of innocence. If new evidence appears within up to one full semester (four blocks) after the investigation has been closed, a case can be reopened.

Section 9: Letter of Accusation

If the investigators and Supervising Co-Chair decide a violation is likely to have occurred, the investigators issue a formal letter of accusation. Accused students are required to respond, acknowledging receipt of this letter.

The letter itself specifies which section or sections of the Honor Code the charged student is alleged to have violated, quoting the relevant passages. The letter lists the range of possible relevant

sanctions.

Prior to issuing the letter of accusation, the Supervising Co-Chair and the investigators will discuss what sanction recommendation they would present to the appropriate parties (the professor(s) and/or the President) for the potential violation based on the case details. This sanction recommendation will be recorded to ensure that regardless of the accused student's decision to submit an admission of violation or an assertion of no violation, the same sanction recommendation will be given barring new evidence disclosed during a panel.

Section 10: Student's Response

Upon acknowledging receipt of a letter of accusation of an Honor Code violation, a student has 48 hours to respond with an admission of violation or an assertion of no violation. If a block break begins within the 48-hour period, the deadline to respond is extended by four days (96 hours). Failure to respond within the allotted time leads to an automatic scheduling of a panel to confirm if a violation occurred. Extensions are granted in the case of extraordinary circumstances, with approval of the Supervising Co-Chair or the Faculty Advisor(s).

Within 48 hours after a student admits to a violation the investigators and Supervising Co-Chair send a letter to the course instructor recommending the appropriate sanction, as outlined in Article VI.

Article IV: Panels

When an accused student asserts they did not violate the Code, a panel is scheduled as soon as possible. The Supervising Co-Chair arranges the exact date and time, negotiating with the relevant parties: the accused student or students, the professor or professors, any witnesses, and the participating members of the Honor Council. If the accused student does not cooperate in making the arrangements or does not wish to testify, the panel will proceed without the student's participation.

Section 1: Panels

Panels typically consist of seven Honor Council members: six members with no conflicts of interest who have not been involved in the investigation and the Supervising Co-Chair, who acts as panel chair. However, at the discretion of the Co-Chairs and Faculty Advisor(s), panels may proceed with fewer than six Honor Council members.

If conflicts of interest emerge at any point in the panel process, the members with conflicts of interest recuse themselves. No more than two members can be recused from a panel. If conflicts of interest emerge with a third panel member, the panel is halted, the Supervising Co-Chair arranges another panel as soon as possible, and the panel process begins again.

Section 2: Panel Scheduling

The investigators and the Supervising Co-Chair together arrange the schedule of witnesses, taking

care that no two witnesses encounter each other entering or leaving the panel.

Section 3: Responsibilities of the Supervising Co-Chair

The Supervising Co-Chair records all testimony and deliberations, using an appropriate recording device. The Co-Chair begins recordings by stating the date of the panel, the case number, the name of the charged student or students, the names of all panel members, the names of the investigators, and the names of all witnesses in order of their scheduled appearances. After confirming the recording is working properly, the Supervising Co-Chair introduces each party in sequence, pausing the recording between parties. When the recording is paused, panel members refrain from conversation about the case.

In addition to managing the recording of the panel, the Supervising Co-Chair assures that the panel follows the procedures outlined in this Handbook. Section 4: Responsibilities of the Investigators

The investigators prepare packets containing copies of all relevant evidence collected for each panel member.

The investigators are the first to testify, explaining to the panel their understanding of the case and the reasons they issued a letter of accusation.

After completing their presentation of the investigation, the investigators greet the witnesses outside of the panel room and escort them into the panel. They remain outside of the panel room for the duration of the meetings, available to be called upon by the panel to manage the panel schedule or to clarify their presentation of the investigation.

Section 5: Support for Charged Students

Because panels are often stressful for students accused of Honor Code violations, those students can bring one member of the College community to attend their testimony for the purpose of offering support. These supporters can neither speak on the record nor to the panel. However, they may be available to give the accused student support and advice. The charged student may, at any time during their testimony, request that the panel to pause for a short break so they can confer with their supporter.

Any student, faculty member, or staff member, except for faculty or staff family members, may serve as a supporter for a charged student at a panel.

No one outside of the College community, including legal counsel and family members, can attend Honor Council panels.

The charged student may reveal details about the case to the supporter, but the supporter must not disclose any information about the charged student or the panel during the investigation and panel process. After the completion of the process, the supporter may reveal details about the case only if the charged student grants explicit written permission.

Section 6: Rights and Obligations of Supporters

If the suspected student is accompanied by a supporter, the Supervising Co-Chair explains to the

supporter her or his rights and obligations by reading to the supporter the following statement:

It is the practice of the Honor Council to allow students charged with an Honor Code violation to bring to the panel one member of the College community to attend their testimony for the purpose of offering them support. Supporters cannot speak on the record or to the panel. However, supporters may be available to give the accused student support and advice. The accused student may, at any time in their testimony, ask the panel to take a short break so they can confer with their supporter. Supporters agree to keep confidential their knowledge about the case, except in situations in which an accused student has given explicit written permission to discuss their case after its completion.

The Supervising Co-Chair then gives a written version of the above statement to the supporter to sign, acknowledging its receipt.

Section 7: Witnesses

All relevant witnesses, beginning with the course instructor, are called to provide testimony. In general, witnesses include accused students, course instructors, and other relevant parties, including any witnesses that the accused student believes may be able to offer pertinent evidence.

If the accused student fails to appear, after making reasonable efforts to contact the student for an explanation, the panel proceeds without the student's participation.

Section 8: Rights and Obligations of Witnesses

The Supervising Co-Chair explains to witnesses their rights and obligations by reading to each witness the following statement:

It is the practice of the Honor Council to consider any student suspected of an Honor Code violation innocent until the accused violation is confirmed by clear and convincing evidence. When appearing before this panel, all witnesses, including any students accused of violations, confirm that their testimony is the whole truth to the best of their knowledge and recognizing that lying constitutes a violation of the Honor Code. Both witnesses and the charged student may decline to answer specific questions on the grounds of self-incrimination. Such refusals cannot be considered when confirming whether a violation occurred in this case nor stand as the basis for a new Honor Council investigation. In addition, witnesses agree to keep confidential their knowledge about the case, except in situations in which an accused student has given explicit written permission to discuss their case after its completion.

The Supervising Co-Chair then gives a written version of the above statement to each witness to sign, acknowledging its receipt and further pledging specifically that their testimony is the whole truth to the best of their knowledge.

Section 9: Charges

The violations in question must be explained to each accused student, including the evidence indicating the violation(s).

Section 10: Testimony

Whenever possible, testimony is taken in person. When testimony in person is not possible, it may

be taken by other appropriate means.

Each witness is allotted ample time to give full testimony. Before each witness gives testimony, each panel member introduces themselves, and the witness introduces themselves. The witness is reminded that false testimony constitutes a violation of the Honor Code's academic integrity standards. The witness is then invited to give her or his understanding of the events under investigation.

Section 11: Questioning

Panel members ask any questions they believe pertinent to the case in an effort to reconstruct and understand the facts. Panel members should respect witnesses and remember that accused students are presumed innocent until a violation has been confirmed by clear and convincing evidence.

Section 12: Call-Backs

Witnesses may be called back to the panel in order to cross-check or corroborate testimony, particularly in cases in which new evidence emerges during testimony. After their initial testimony, witnesses are made aware of this possibility and are asked to provide a phone number at which they can be reached. When necessary, the investigators plan for witnesses to return.

Section 13: Collaboration Panels

When two or more students are charged with collaborating in a violation, typically a single panel is held. Each witness gives testimony about each student in sequence (e.g., "Explain what charged student 1 did. Explain what charged student 2 did." And so on.). Deliberation for each student is then similarly held in sequence, with verdicts not dependent on one another. For confidentiality purposes, accused students are not asked specifically about the other party or parties involved by name and instead are questioned about potential instances of unauthorized collaboration with any peers. If a student implicates one of their peers during their testimony, this information can be used as evidence.

Students charged with collaborative violations may request separate panels if it appears that a joint panel may compromise their rights. Requests for separate panels are granted at the discretion of the Supervising Co-Chair, with the concurrence of the Faculty Advisor(s).

Article V: Panel Deliberations

After the conclusion of testimony, the members of the panel begin deliberation in private.

Section 1: Supervising Co-Chair

The Supervising Co-Chair structures the deliberations, guiding the panel's systematic discussion of the case by asking the panel to explain the facts in the case and to offer their individual opinions as

outlined below. When offering opinions, the Supervising Co-Chairs goes last.

Section 2: Reviewing the Evidence and Testimony

Deliberation begins with a systematic review of facts in the case:

- The violation(s) and the investigators' perspectives.
- The physical evidence (including course syllabi, assignment instructions, the work of the charged student or students, and any other relevant evidence)
- The testimony of instructors and other witnesses
- The testimony of the charged student or students

Upon completing the review, the panel identifies the facts that are not in dispute and those that are in dispute.

Section 3: New Evidence Discovered during Testimony or Deliberation

If substantive new evidence, including evidence of flagrancy, is discovered during testimony or deliberation, it may be considered. If such substantive evidence is discovered, however, the accused student must be notified and given the opportunity to respond. Other witnesses may also be recalled.

Section 4: Initial Opinions

Following the review of evidence, each member of the panel offers comments on the facts in the case. Panel members indicate a sense of their view of any facts that appear in dispute.

Section 5: Open Discussion

Once each panel member has both reviewed the facts and offered an initial opinion about the facts, the Supervising Co-Chair invites open discussion. This discussion will continue until all panel members declare themselves ready for a vote.

Section 6: Criteria for Judgment

Regardless of any member's opinion about the accused student, all students are considered formally to be innocent until a violation has been confirmed by the panel or until they admit to the violation. The panel considers only evidence given in the panel. Confirmation requires a majority vote of the panel.

The standard to confirm a violation is that clear and convincing evidence exists, indicating the violation occurred.

Section 7: Emergent Conflict of Interest

If a conflict of interest impacting any panel member emerges during the panel or the deliberations,

the panel member recuses themselves before the voting begins.

Section 8: Voting

Voting occurs by anonymous ballot, with all members of the panel voting. Abstentions are not allowed. Any member who thinks a violation has been confirmed by clear and convincing evidence votes “In Violation of” all other members vote "Not In Violation,” remembering that “Not In Violation” does not mean “innocent” – it is shorthand for “not confirmed by clear and convincing evidence.”

Section 9: Not In Violation Verdicts

If the panel votes to dismiss the accusation of a violation, the case is closed. Evidence is stored in the Maxient database, only accessible by active co-chairs. A student can neither be investigated nor charged again with the same violation.

Article VI: Sanctions

The Honor Code empowers the Honor Council to recommend sanctions for students who have violated the Honor Code. Two types of recommendations may be made: 1) to the course instructor; and 2) to the President of the College.

Course instructors retain final authority over grades. Only the President has the right to suspend or dismiss students for a violation of the Honor Code.

Section 1: Recommendations to Course Instructors

Any violation of the Honor Code leads to a formal notification to the course instructor, including the specific violation that the student committed. The faculty member is notified that they have discretion to apply a range of sanctions up to and including no credit in the course.

Section 2: Recommendations to the President of the College - Second Violations

Conviction of a second violation of the Honor Code leads to an automatic recommendation to the President that the student be dismissed from the College with or without the right to reapply, though the President may choose to impose a lesser penalty, if appropriate.

Section 3: Recommendations to the President of the College - Flagrant Violations

Any violation that exhibits contempt for or blatant disregard of the Honor Code also leads to a standard recommendation that the President impose a sanction ranging from suspension to dismissal from the College without the right to reapply. The President may apply this recommendation or choose to impose a lesser penalty, if appropriate.

In addition to the recommendation to the President, a recommendation to the course instructor is also issued for a flagrant violation, if applicable.

When a violation occurs involving one or more of the following actions, the violation is

AUTOMATICALLY considered flagrant:

- Falsifying Information: Students pledge never to falsify their work or to deceive instructors or peers about their work. Examples of violations include, but are not limited to:
 - Fabricating or altering data, or making up sources
 - Lying to gain extensions or inappropriately favorable work circumstances.
 - Lying to Honor Council investigators or panels, throughout the duration of the investigation
 - Plagiarism of more than 50% of the words in the assignment
 - Conspiracies to give or receive aid.
 - Lying during an Honor Council investigation or panel, or otherwise impeding or obstructing an investigation or panel.
- The exchange of money or the offer to exchange money for acts that violate the Honor Code.
- The payment for services or the offer to pay for services that violate the Honor Code.
- Theft of property (for example, tests or answer sheets; notes, tests, or papers of other students; or the answer keys of an instructor).
- Downloading or copying materials from essay mills, distributors, or student collections of past exams or paper.

The following examples of flagrancy receive a minimum sanction of suspension for a block to a maximum sanction of expulsion with the option to reapply to the College:

- Plagiarism of more than 50% of the words in the assignment; or
- Conspiracies to give or receive aid; or
- Lying during an Honor Council investigation or panel, or otherwise impeding or obstructing an investigation or panel. The following examples of flagrancy receive a sanction ranging from expulsion with the option to reapply to expulsion without the option to reapply:
 - The exchange of money or the offer to exchange money for acts that violate the Honor Code.
 - The payment for services or the offer to pay for services that violate the Honor Code.
 - Theft of property (for example, tests or answer sheets; notes, tests, or papers of other students; or the answer keys of an instructor).
 - Downloading or copying materials from essay mills, distributors, or student collections of past exams or paper.

Article VII: Notifications

Section 1: Dropped Charges or Panel Dismissal

If a case is dropped or a panel dismisses the case, the accused students and any instructors are notified immediately by email.

Section 2: Admission

When a student admits to a violation, relevant instructors are notified by email and are given the Honor Council's sanction recommendation within 48 hours. If the violation is flagrant, the Supervising Co-Chair will notify the President of the College and complete the procedures for issuing a case report and sanction recommendation to their office.

Section 3: Confirmation - Not Flagrant

When a panel confirms a non-flagrant violation, students are notified by email from the

Supervising Co-Chair.

Notification to instructors is delayed by 48 to allow for an appeal. If no appeal is filed, instructors are notified of the finding of the investigation and the sanction recommendation by email as soon as possible.

Section 4: Confirmation - Flagrant

When a panel confirms a flagrant violation, students are notified by a telephone call from one of the Faculty Advisors, followed up by email as soon as possible.

Notification to the President is delayed by 48 to allow for an appeal. If no appeal is filed, the Faculty Advisor notifies the President by email immediately. A complete case file, including letters from the Supervising Co-Chair, on behalf of the panel, and from the Faculty Advisor(s), is then forwarded to the President as soon as possible. The letter from the Supervising Co-Chair may be also be signed by panel members, the investigators, or both.

Article VIII: Appeals

Section 1: Grounds for Appeal

Convicted students may appeal their convictions on one or both of the following grounds:

- If the Honor Council investigators, Supervising Co-Chair, or panel members violated the procedures outlined here and those errors might be thought to have altered the outcome of the investigation and panel.
- If relevant evidence that might be thought to alter the verdict was not considered, including evidence that emerged after the investigation and panel.

Section 2: Appeals Process

To initiate an appeal, the convicted student informs the Faculty Advisor and Supervising Co-Chair of their intention to file an appeal within 48 hours of being notified about the judgment. Once that intention is made clear, any recommendations to the instructor or administrators are withheld, pending the filing of a formal appeal letter and any re-hearing of the case.

The appeal begins formally when the convicted student submits a letter to the Faculty Advisor or Advisors appealing the conviction and detailing the grounds for the appeal. Formal letters of appeal detailing the grounds for appeal and rationale are due no later than one week after the initial judgment.

Appeals are granted at the discretion of the Faculty Advisor or Advisors, in consultation with the Honor Council as needed.

Section 3: New Panel

If an appeal is granted, a new panel is scheduled with seven new members of the Honor Council

without conflicts of interest.

The panel elects one of its members to act as the Supervising Co-Chair for the duration of the panel.

New panels are conducted in the same manner as outlined above for the original panel. Records from the original panel are not available to members of the new panel.

Section 4: Withdrawal and Termination

The accused student may withdraw the appeal and terminate the panel at any time.

Section 5: Administrative Judgment

If the Council is unable to stage a new panel for any reason, with the concurrence of the Faculty Advisor or Advisors, the case will be turned over to the Dean's Office for administrative adjudication.

Article IX: Recordkeeping

Section 1: Case Logs

The Co-Chairs maintain permanent logs of all cases, including cases that do not lead to formal investigations. The name and demographic information of any student who has been under investigation by the Honor Council is recorded in Maxient for internal review purposes. Only the acting Co-Chairs will have access to the Maxient case file

Section 2: Suspension/Dismissal Records

In the case of dismissals, the student's record in the Registrar's Office has the notation "Academic suspension/Dismissal – Honor Violation" added, with either the additional notation "No Right to Reapply" or "Right to Reapply after [Date]." In the case of readmitted students, all notations concerning the dismissal and honor violation are expunged from the Registrar's Records upon graduation from the College. However, the names of students permanently dismissed from the College are maintained in the Honor Council's case logs.

Article X: Definitions

Section 1: Conflict of Interest

Co-Chairs, investigators, and panel members must recuse themselves from investigations and panels in cases of conflicts of interest. Conflicts of interest arise in any of the following circumstances:

- Close personal relationships with a suspected student or with the person reporting the suspected violation.
- Enrollment in the class in which the violation is said to have taken place.
- Any other reason the Honor Council member believes they would not be able to act

impartially.

Section 2: Supervising Co-Chair

The Supervising Co-Chair is the one of the two co-chairs who oversees the investigation of a suspected honor violation, including conducting the preliminary investigation, appointing investigators and supervising their work, organizing and chairing panels, and maintaining case records.

Section 3: Evidentiary Standards

Issuing a Letter of Accusation: When issuing a letter of accusation, the evidence must indicate that it is more likely than not that a violation occurred.

Confirmation of a Violation: When confirming any Honor Code violation, the evidentiary standard is “clear and convincing evidence” – that is, the evidence indicates that it is substantially more likely than not that a violation occurred.

Reasonable Doubt: The highest evidentiary standard, that of “guilt beyond a reasonable doubt,” does not apply in Honor Code cases.

If discrepancies arise between the checklists and these procedures, these procedures are followed. Approved by a vote of the Honor Council, on February 3rd, 2021.