

I. ACADEMIC HONOR CODE

(Effective September 1, 2012, updated September 1, 2016)

Preamble

Union College recognizes the need to create an environment of mutual trust as part of its educational mission. Trust among students ensures that no student has an unfair advantage over another; trust between faculty and students ensures that the effort both parties put into preparation and evaluation of assigned work is not wasted, but can truly advance understanding and learning for students. Creation of this environment of trust is the responsibility of the entire academic community: faculty, staff and students. It requires that students submit work that is prepared in accordance with the course instructor's requirements and that faculty foster an environment of academic honesty. Toward this end, professors will uphold the high ethical standards of their discipline, provide to their students clear guidance on the policy and practice of academic integrity, and fairly evaluate students' work. To help establish mutual assurance of intellectual honesty, Union College expects students to sign the Honor Code Affirmation. Matriculation at the College is taken to signify implicit agreement with the Code.

Academic Integrity

Responsible participation in an academic community requires respect not only for oneself, but also for the thoughts and work of others, whether expressed in the present or in some distant time and place. If you owe an intellectual debt, the principles of academic honesty and integrity require that you acknowledge it. Academic dishonesty is a rejection of the very purposes and ideals for which the College stands: personal integrity, independence of thought, critical understanding, and responsibility for one's own work.

Academic dishonesty can take many forms, including, but not limited to:

- **Plagiarism**

One author describes plagiarism as "the false assumption of authorship: the wrongful act of taking the product of another's mind, and presenting it as one's own" (Alexander Lindey, *Plagiarism and Originality*. New York: Harper, 1952: 2). Plagiarism involves two elements: (1) taking something produced or created by someone else; (2) failing to give proper indication that you have done this. Examples include: using text or ideas without citation; citing a source, but adapting the source's text without using quotation marks; using a secondary source, including its citations of primary sources, without citing the secondary source. Further information and additional examples may be found in the Union College *Statement on Plagiarism*, available at honorcode.union.edu.

- **Cheating**

Cheating is the improper use of study aids (notes, study guides, and other outside information) in examinations or on other graded materials, or the taking of information from a source not specifically authorized. Collaboration, whether acknowledged or not, on work that is supposed to be one's own is also considered cheating. The amount of permissible collaboration will vary from class to class; students should consult with their instructors to find out how much collaboration is permitted. Students should indicate on any assignment who contributed to the work submitted, and how (e.g., in a footnote, "I am grateful to Chris Smith for extensive comments on this paper" or "Figure 2 produced in collaboration with Chris Smith").

- **Falsification of data or evidence**

Falsification of data or evidence is altering or fabricating any information, data, or citation that may mislead those reading an assignment.

- **Dual Submission: Submitting work you have done for another class as though it were new**

An assignment submitted for a particular course is assumed to be done solely for that course. Submitting the same or similar document previously completed for another course without the instructor's approval is considered to be misconduct.

- **Collusion: Helping someone else commit an act of academic dishonesty**

Collusion is assisting or attempting to assist another in the act of academic dishonesty. E.g., knowingly allowing someone to copy from one's paper during an examination or test; providing access to a lab report or a homework assignment without the permission of the instructor. If a student provides access to her or his work to another student, both the student who provides access and the student who receives access have a responsibility to notify the instructor.

Student Responsibility

By joining the Union College community, every student agrees to understand and abide by the Honor Code and Affirmation that is hereby set forth. It is the responsibility of the student to ensure that submitted work is his or her own and does not involve any form of academic misconduct. Students need to exercise common sense in making decisions regarding their academic conduct in and outside of the classroom. All students are expected and encouraged to ask their course instructor for any clarification regarding, but not limited to, collaboration, citations, and plagiarism.

Faculty Responsibility

At the beginning of each trimester, faculty members are requested to include in their syllabus the College's code regarding academic conduct, or at least a reference to it.

Every member of the faculty is responsible for explaining how the academic integrity code applies to his or her specific course. This includes examinations (which may be proctored or not), the degree to which students may collaborate in work submitted for a grade, and the expectations with respect to the use of outside sources in submitted work. Faculty members do not have authority to determine specific penalties for Honor Code violations: the determination of sanctions in specific cases is the purview of the Honor Council. Should a faculty member include specific sanction language in a syllabus or elsewhere, the Honor Council will disregard the specific sanction language.

Additional Questions

Additional questions concerning the Academic Honor Code may be addressed to the Chair of the Honor Council.

The Honor Code Affirmation

As a student at Union College, I am part of a community that values intellectual effort, curiosity and discovery. I understand that in order to truly claim my educational and academic achievements, I am obligated to act with academic integrity. Therefore, I affirm that I will carry out my academic endeavors with full academic honesty, and I rely on my fellow students to do the same.

Honor Council Procedural Guidelines

These guidelines are designed to provide participants in Honor Council proceedings with a guide to the rights enjoyed by participants and to what they may expect as normal procedure. Please note that the Honor Council is not a court of law and an Honor Council hearing is not a trial. These procedures constitute a guide to expected behavior, but the council and its officers are free to act flexibly in ways consistent with fairness, and minor variations should not be considered violations of procedure. The Family Educational Rights and Privacy Act (FERPA) confidentiality safeguards apply to all Honor Council procedures.

Composition of Honor Council

The Honor Council shall normally consist of at least 14 students, the Dean of Studies and 5 faculty members. New members of the Council will be selected and seated in the Spring Term of every year. Students serving on the Honor Council must be in good standing. The Dean of Studies may designate another academic administrator to participate in Honor Code proceedings; in the following procedural guidelines, "Dean of Studies" will refer to either the Dean of Studies or her or his designee.

Honor Council positions will include a student Chair and four student Vice-Chairs (one of whom will serve if the Chair is not present). Student representatives to the Honor Council will be nominated through the Committee on Committees. The application will include an essay explaining the relevance of the applicant's experience and why the applicant seeks a position on the Honor Council. As part of the application process, the President of Student Forum and the Chair of the Honor Council shall interview all candidates and make recommendations to the Committee on Committees, which shall decide which students to appoint to the Honor Council. The positions of Chair and Vice Chair are reserved for students who have had prior experience on an honor council. Students will serve one year terms with a possibility of renewal.

Faculty representatives to the Council will be elected following current faculty governance procedures for other elected positions. Faculty members will serve three-year terms. Among the faculty representatives, one will be from each division and one will be at-large.

Reporting of Violations/Screening Process

Any suspected violations of the Honor Code must be reported to the Honor Council and no other party; accusers must submit evidence in support of the allegation. Suspected violations of the Honor Code cannot be resolved outside of the Honor Council process. Alleged violations of the Honor Code will normally be reported to the student Chair of the Honor Council in writing through the secure mailbox in the Dean of Studies Office. Alternatively the accuser may report the violation to the Dean of Studies. The Chair and the Dean of Studies will review the allegation and its accompanying evidence. If both the Chair and the Dean of Studies agree that the evidence warrants a preliminary discussion, they may arrange a meeting with the accuser and/or the accused, or other parties. If both the Chair of the Honor Council and the Dean of Studies agree that the evidence does not indicate that a violation has occurred, the case will be dismissed. This decision is final. When a case is dismissed at this stage, the accused student will not be notified that an allegation of academic dishonesty was made against him or her and no official records will be kept.

If either the Chair of the Honor Council or the Dean of Studies believes that the evidence warrants a hearing to determine whether a violation of the Honor Code did occur, the case will be referred to the Honor Council. The Chair will then notify the accused student in writing, in the form of a “charge letter”, through the Dean of Studies Office. This notice will also inform the accused student that he/she may request a Chair-Dean Review of the case instead of an Honor Council hearing, if applicable.

Chair-Dean Review

The Chair-Dean Review provides an alternative resolution option to an Honor Council Hearing and involves a meeting with the Chair, Dean, instructor, and student. The Chair-Dean Review guidelines below set forth various conditions, including a requirement that the student must request the Chair-Dean Review. The Chair or Dean may determine that, based upon the charges, due to the egregious nature of the alleged violation a Chair-Dean Review is not appropriate (e.g., a violation, if found, may result in suspension or expulsion).

The accused student may request a Chair-Dean Review of the case upon receiving the evidence submitted by the instructor in support of the allegation under the following four conditions:

- the accused student admits a violation of the Honor Code as identified in the charge letter and the facts are not contested, and
- the accused student waives the right to an Honor Council hearing, and
- the Chair and Dean determine that the case does not require an Honor Council hearing, and
- the violation is the accused student’s first.

Normally, a student should request a Chair-Dean Review within one week of the date of the charge letter. The Chair and Dean of Studies will decide whether to approve the request for a Chair-Dean Review based on these four conditions. A decision by the Chair and the Dean of Studies to deny a Chair-Dean Review request cannot be appealed.

If the request is approved, the Chair-Dean Review must be held promptly. The accused student, the accuser, the Dean of Studies, and the Chair will be present at the Chair-Dean Review meeting.

In a Chair-Dean Review, the Chair and Dean at the conclusion of the Chair-Dean Review meeting may, at their discretion, record admitted academic misconduct as an Honor Code violation and determine a sanction in accordance with the Chair-Dean Review guidelines. Alternately, the Chair and Dean may refrain from recording admitted academic misconduct as an Honor Code violation and in that case will refrain from issuing an Honor Code sanction. In either case, the Chair and Dean will send the accused student a determination letter explaining the outcome of the Chair-Dean Review, and will send a copy to the instructor(s) for the course.

The following guidelines apply to Chair-Dean Review outcomes:

- The Chair and Dean may determine in a Chair-Dean Review that it is appropriate for the accused student not to receive a sanction, especially if the accused student has little experience with the type of assignment at issue, the actions in question are both limited and inadvertent, and the student is forthcoming in taking responsibility for her actions. If no sanction applies, a student may still face grade penalties imposed by the instructor for failing to follow the instructions for the assignment, consistent with the instructor's stated grading policies. When the Chair and Dean refrain from recording a student's actions as a violation and impose no sanction, the College has taken no "institutional action". If an instructor re-assesses submitted work based on new information from a Chair-Dean Review, in accordance with her or his stated grading policies, the instructor may submit the new grade to the registrar, with a copy to the Dean of Studies.
- The Chair and Dean may impose a grade sanction for the course or courses if the student's violation involved participation in a past or current course, including a course from which the student withdrew: course withdrawals and declarations to change from letter grading may be reversed. The student's parents will be provided a copy of the determination letter when the Chair and Dean impose a sanction.
- The Chair and Dean may place a student on probation (Academic Warning or Special Academic Warning) with parental notification. The Chair and Dean may impose this sanction in combination with grade penalties, including failure in a course or courses.
- The Chair and Dean will not impose sanctions of suspension or expulsion; the Chair and Dean will refer to Honor Council Hearings egregious cases of first violations of the Academic Honor Code.

The Chair and Dean will keep on file in the Dean of Studies office all of the case materials from the Chair-Dean Review: the evidence provided by the accuser, the charge letter sent by the Chair and Dean, any materials submitted by the accused student, and the determination letter. The case materials will be made available to the Honor Council hearing board should there be a subsequent charge and hearing, and should the Honor Council hearing board find the student to have violated the Honor Code. Previous case materials may be relevant to a hearing board's deliberations about sanctions for Honor Code violations, but

will only be made available to the hearing board once the board has deliberated on the case at hand and has determined that the student has violated the Honor Code.

Honor Council Hearing Procedures

Honor Council hearings must be held promptly. Each case will be heard by a panel. The hearing panel will consist of 5 members of the Honor Council. A hearing panel will include both faculty and students, at least 3 of which will be students. These 5 members will have a vote in the hearing. If the Vice-Chairs are not needed to serve in place of the Chair, as members of the Honor Council, they may serve on the hearing panel. Three non-voting members will also attend the hearing: the Chair, a secretary and the Dean of Studies. The Chair or Dean of Studies may serve as secretary if the available student members of the Honor Council are needed for the hearing panel. Up to two additional non-voting student members may participate in the hearing at the discretion of the Chair. The Chair will moderate the hearing and the secretary will take the minutes of the hearing. Members of the Honor Council shall disclose any prior connections or relationships with the accuser or the accused to the Chair and the Dean of Studies. If either believes that these relationships might impair, or appear to impair, the objectivity of a council member in this case, the council member shall be asked to recuse himself or herself.

The accused student is required to attend the hearing, but a hearing may proceed if the accused student fails to appear without an excuse approved by the Chair. The accuser must be present at the hearing. If the accuser is a student, the course instructor can be invited to attend the hearing, at the discretion of the Chair. If the accused student fails to appear on the date and at the time and place specified in the notice, the Council may take the testimony from the accuser and reach a decision on the basis of that information. In the unlikely event that the accuser does not appear, the hearing will be rescheduled. If the accused student is unable to appear on the date specified in the notice, he or she should notify the chair of the Council. If the Council determines that good cause exists for the absence of the accused student, it may set a new date for the hearing.

Witnesses to the alleged violation will also be present at the hearing only while they are testifying. It is the responsibility of the person desiring the presence of a witness to ensure that the witness appears. Only in situations where the witness cannot reasonably be expected to be present at the Honor Council hearing may a witness submit a written statement. A written statement must be dated, signed by the person making it, and the signature witnessed by a Union College employee. The work of the Honor Council will not, as a general practice, be delayed due to the unavailability of a witness.

The accused student may have an advisor at the hearing. The advisor must be a member of the Union College community (as student, faculty, or staff). It is the responsibility of the accused student to ensure that the advisor appears. The advisor may consult with the student during the hearing but may not make any statements during the proceedings.

The Chair will begin the hearing by presenting the charges. The Chair will then ask the accuser to offer information to substantiate the charges. The accused is responsible for presenting his or her own case and may make a written or verbal statement. The accused and the accuser have the right to present witnesses. The accused, the accuser, and the witnesses will be subject to questions from the Council. The accused may

question witnesses and the accuser in order to clarify statements during the hearing. The hearing will be recorded. Records will be housed in the Office of the Dean of Studies.

Honor Council Decisions and Sanctions

After the hearing ends, an accused student will have been found to have committed academic misconduct if at least 4 of the 5 members of the panel, having duly deliberated, vote that the preponderance of evidence makes it more likely than not that the accused has violated the Honor Code.

The hearing panel members will decide on the sanctions for all students found to have committed academic misconduct. Sanctions will be decided by majority of voting members.

The normal sanction for a first violation of the Honor Code in an Honor Council Hearing is failure in the course; however, given the circumstances of the case (e.g., the severity of the violation, the academic inexperience of the student) other sanctions might be levied. The possible sanctions include any combination of sanctions available in a Chair-Dean Review, as well as suspension or expulsion from Union. For all first offenses, a letter will be placed in the student's file in the Dean of Studies office.

For a second violation of the Honor Code, it is generally expected that the student will be suspended or expelled from Union. The student's parents will be notified of the sanction. When the sanction includes suspension or expulsion from Union, a notation will appear on the student's transcript specifying that academic dishonesty was the reason for the suspension or expulsion. For all second offenses a letter will be placed in the student's permanent file.

Written notification of the decision and, if applicable, sanction will be delivered to the accused student, and the faculty member(s) responsible for teaching the course involved. The accused student may request a meeting with the Chair and the Dean of Studies for further clarification of the decision and/or sanction.

If an accused student is found not responsible for a violation of the honor code, the student may petition the Dean of Studies to drop the course without a "W" on their transcript, even if the withdrawal deadline has passed.

Revocation of Degrees

The College reserves the right under this code to revoke an awarded degree for serious academic integrity violations committed by a student prior to the student's graduation.

Appeals Process

If a student has been found guilty of violating the Honor Code, the student may appeal the Council's decision. For cases decided under a Chair-Dean Review in which there is a sanction, the student may appeal the sanction. All appeals will be heard by the Vice President for Academic Affairs. The imposition of the sanction will remain in effect during the period of the appeal proceeding.

Appeals must be submitted in writing to the Vice President for Academic Affairs within ten days of written notification of the hearing results. When the appeal grounds include the availability of new evidence, the appeal must be submitted as soon as practicable after the new evidence has emerged. The grounds for appeal must be specified in the written statement, and evidence to support these grounds included. Appeals shall be considered based on the accused's ability to demonstrate that:

- The hearing was materially inconsistent with the established judicial procedure; or
- Information is available that was unavailable at the time of the hearing, and the new information is relevant to the Council's determination; or
- The sanction(s) is unreasonably harsh or inappropriate for the violation(s).

In addition to the letter of appeal, the Vice President will review the initial statement of accusation and accompanying evidence, and the letter to the accused student detailing the decision. The Vice President may, at her or his discretion, consult with the Chair of the Honor Council and/or the Dean of Studies or any other party and/or examine any other materials deemed relevant to the case.

The Vice President may affirm, reverse, or modify the decision and/or may eliminate, reduce, or increase the sanction, or may return the case to the Honor Council. Written notification of the decision of the Vice President will be delivered to the accused, the Chair of the Council, the Dean of Studies, and the faculty member(s) responsible for teaching the course involved.

The outcome of the appeal is final.

Reporting of Decisions

At the beginning of each term, the Council will report summaries of the cases they heard as well as cases decided through Chair-Dean Review in the immediately prior term. These summaries will include the outcome of each case, and, if applicable, the sanction and a brief rationale for the decision. Class year of students may be reported, and this may be especially useful when describing the rationale. The Dean of Studies will review these summaries before they are reported publicly to ensure accuracy and anonymity.

Upon their release by the Council, the summaries will be distributed to the entire campus community via email and will be published in campus publications, such as *Concordiensis*.

Records

The following records will be kept in the Dean of Studies office for all cases decided through a Chair-Dean review or heard by the Council, in accordance with the College's record retention policy:

- The case materials that are common to Chair-Dean Reviews and Honor Council hearings: the evidence provided by the accuser, the charge letter sent by the Chair and Dean, any materials submitted by the accused student, and the determination letter
- For hearings, the minutes and audio recording
- For cases that were appealed, the letter of appeal and the letter from the Vice President for Academic Affairs detailing his or her decision will also be kept.