



VIRGINIA  
WESLEYAN  
UNIVERSITY

# Honor Code

2018-2019



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WESLEYAN  
UNIVERSITY

*Office of the Provost and Vice President*

Dear Virginia Wesleyan University Community:

Virginia Wesleyan University is committed to the vigorous pursuit of truth, a quest that, in itself, depends upon the nurturing of community among people who are true to themselves and to one another. “An honest heart” is “the first blessing,” said Thomas Jefferson, and “a knowing head is the second” (Letter to Peter Carr, Aug 19, 1785, in Merrill Peterson, ed., *The Portable Thomas Jefferson*). Thus, the Honor Code, which establishes standards of principled conduct, is central to our educational enterprise. I implore every faculty member and student to reaffirm and support the Code and to promote simple honesty as a defining characteristic of our campus.

Sincerely yours,

Timothy G. O'Rourke, Ph.D.

## Section I: Philosophy

As a liberal arts university, Virginia Wesleyan is committed to values of citizenship and social responsibility that are fundamental to a community of scholars. People who join this academic community agree to maintain academic honesty and, therefore, not to cheat, lie, falsify data or commit plagiarism or academic theft.

The purpose of the Honor Code at Virginia Wesleyan University is to foster an environment of learning based upon trustworthiness and willingness to assume personal responsibility for honorable behavior. Responsibility for safeguarding honor and trust belongs to the entire academic community; therefore, students need to assume increasing measures of accountability for honorable behavior in themselves and others as they advance academically.

Students enter an institution with a variety of experiences and values concerning academic honesty; it may take time for them to develop the personal responsibility essential to a community founded on trust. A liberal arts education develops each student's ability to think and act with integrity. Students and faculty need to consider how honor and trust shape the life of an academic community. Consequently, the attitudes and beliefs embodied in such a code are part of the education of undergraduate students. Faculty, staff, and students need to assume leadership for integrating the intent of this code, over time, into individual courses and our entire academic program.

Practical steps to build effective levels of trust and responsibility include classroom discussions of the Honor Code. In the presentation of papers and projects, students and faculty need to be clear with each other about expectations and methods of documentation. Faculty should explain appropriate use of source materials; students should make sure that they understand their professors' expectations and that they protect the University's resource materials. Honor and trust will grow in such an environment.

## Section II: Violations Defined

**Cheating** is the deliberate submission of work for a grade or credit that is not one's own or that violates professors' implied or stated instructions concerning the type and amount of aid permitted. The student who gives prohibited aid shall be considered as responsible as the student who receives it.

- Copying answers from a fellow student during a test is cheating.
- The use of testing materials or papers from past semesters as study guides is cheating unless such practice is explicitly permitted by the professor.
- The use of unauthorized notes or tapes during testing is cheating. Use of cellular telephones, MP3 or similar players, calculators, or laptop computers during an examination, unless expressly authorized by the faculty member, is prohibited.
- Obtaining or giving unauthorized information about the content of a test is cheating.

**Plagiarism** is the oral and/or written presentation of words, facts, or ideas belonging to another source without proper acknowledgment.

**Lying** means making a statement that one knows is false with the intent to deceive a fellow member of the university community in relation to academic matters. Falsifying personal or university documents by mutilation, addition, or deletion is lying.

**Academic Theft** is the removal, hiding, or mutilation of academic materials, including library resources, computer software, and laboratory equipment, thereby depriving others of opportunities to use such materials.

**Falsifying Data** is the deliberate fabrication or misrepresentation of research data and results.

## Section III: Responsibilities And Rights

### Students

Every VWU student has the following responsibilities:

- To request that a course instructor review a concern he/she has regarding an act he/she observed.
- To request that a course instructor investigate a questionable action by another student.
- To request that the Provost investigate a questionable action by another student.
- To confront another student observed violating the Honor Code.
- To appear before the Honor Council if requested to do so.

A student accused of violating the Honor Code has the following rights and is responsible for exercising those rights:

- To be presumed innocent until proven guilty.
- To have a written statement of the charges.
- To have written notice of the date, time, and place of his/her hearing.
- To refer matters involving a violation of the Honor Code immediately to the Honor Council if the student feels that the situation cannot be resolved between the faculty member and him/her.<sup>1</sup>
- To request in writing a continuance be granted for good cause.
- To have an advocate from the university community.
- To have a neutral body—the Honor Council—hear and consider the evidence.
- To obtain witnesses in his/her behalf.
- To question witnesses.
- To testify in his/her behalf.
- To have an explanation in writing of the reasons for the decision reached.
- To be free from any penalty if exonerated.

For online students unable to attend a hearing or meeting on campus, video conferencing or other methods of communication will be considered by the committee.

<sup>1</sup>The Provost notes the following clarification: In the case of a first offense for which a faculty member has imposed a Level 1 penalty, the right of a student to take a matter to the Honor Council is limited to the question whether a violation of the Honor Code has occurred. The faculty member retains the right to impose whatever grade she or he deems appropriate for the assignment and the course. See also p. 7, "Level 1" Penalty.

## **Faculty**

Every VWU faculty member has the following rights and responsibilities:

- To resolve violations of the Honor Code by private discussion with the student(s) in question, after first contacting the Provost to determine whether the student has a previous offense, and to report actions taken to the Provost
- To refer matters involving a violation of the Honor Code immediately to the Honor Council if the faculty member feels the situation cannot be resolved between the student and the professor.
- To provide a written statement of the charges for the Chairperson of the Honor Council.
- To have a written notice of the date, time, and place of any hearing in which he/she has an official interest.
- To testify before the Honor Council.
- To request a continuance be granted for good cause.

## **Section IV: Procedures For Dealing With Violations**

### **Procedures Leading Up to Hearing**

1. The charging party must submit a written statement of the charge identifying specifically how the Honor Code has been violated.
2. After a formal written charge has been received by the Chairperson of the Honor Council, the Chairperson and two Council members (faculty and student appointed by the Chairperson) may hold a pre-hearing review. This review determines if there is sufficient cause and evidence for a hearing.
3. If it is determined that the case shall be heard, the meeting of the Honor Council will take place as soon as possible and in no case later than one week.
4. All individuals involved will be notified in writing about the time and place of the Honor Council meeting. This notice will also instruct these individuals that the meeting will occur in their presence or absence.
5. The Chairperson of the Council will preside and three faculty members and three student members must be present.
6. In any Honor Council hearing, neither strict rules of evidence nor any right to legal counsel shall apply. The proceedings shall be conducted so as to achieve fundamental fairness and prompt resolution.
7. At the Honor Council hearing only those persons (other than the charged student's university community advocate and the Council itself) directly involved in the incident may be present. A written record will be kept of all meetings.

### **Conduct of the Hearing**

The Chairperson conducts the hearing as follows:

- The Chairperson asks parties to enter, seats them, and then explains details of the charge and the evidence presented so far.
- The Chairperson asks charging party to respond and to say what she/he wishes to say.

- The Chairperson asks accused party to respond and to say what she/he wishes to say. Accused party may make statements and/or ask questions.
- The Chairperson invites Honor Council to ask questions. The Chairperson makes sure questions are in the form of a question, non-argumentative, and relevant.
- Once everyone has had a chance to testify, ask questions, and hear all the evidence, the Chairperson asks the charging party and accused party to leave while the Council deliberates. The three students and three faculty members determine guilt or innocence, and if guilty, impose penalty.
- The Chairperson votes only to break a tie.
- The Chairperson asks parties to return and explains the Council's findings.
- The Chairperson gives an explanation of the reasons for the Council's decision and adjourns the meeting.

Within twenty-four hours after the Honor Council meeting, the Chairperson shall give an official written report on University letterhead of the Council's decision to the plaintiff(s), defendant(s), the Provost, and the Vice President for Student Affairs. This written report shall include an explanation of the reasons for the decision reached. If a Level 2 or Level 3 penalty is imposed, the Vice President for Student Affairs will be called upon to assist in the process of withdrawal from the University. Ordinarily this will occur within forty-eight hours of the decision.

If an individual is found guilty and is dismissed from the University, the evidence and records of the proceedings should be maintained permanently in the office of the Provost.

If an individual is found guilty, is suspended, and is then readmitted to the University, the evidence and records of the proceedings shall be kept in the office of the Provost and then destroyed after the graduation of the person.

If an individual is found not guilty, the evidence and records of the proceedings shall be held for two weeks and then destroyed.

The student's name, the charge, the date, and the decision in each case should be kept permanently in the office of the Provost.

## Section V: Penalties

### The Graduated Penalty System

Virginia Wesleyan University operates under a graduated penalty system. In this system there is no set penalty for each violation of the Honor Code. Once it is determined that a student has violated the Honor Code, it is first the responsibility of the individual faculty member and then the Honor Council to determine what penalty is justified in a case. The penalties consist of the following:

**Level 1:** Faculty are able to implement Level 1 penalties for purely academic violations without referring the matter to the Honor Council.

- Verbal reprimand
- Written reprimand
- Failure of assignment or test
- Failure of course<sup>2</sup>

**Any other appropriate sanction short of suspension may be recommended at Level 1, but must be approved by the Honor Council following a hearing.**

Faculty are required to check with the Provost to determine if a student has a previous offense of the Honor Code before taking action. If the student has committed a previous offense, the Provost may recommend that the faculty member refer the new violation directly to the Honor Council. All punitive actions taken by faculty must be reported to the Provost, who will keep a record of the actions taken.

**Level 2:** The presumptive sentence for the commission of a second honor offense is suspension from the University for a minimum of one semester, which, in the judgment of the Honor Council, may be the semester in which the offense occurs or the semester following the occurrence of the offense. The maximum Level 2 sentence may not exceed suspension for four semesters. A student may overcome the presumption in favor of suspension by showing mitigating circumstances, which may include, but are not limited to, the following:

- Self-reporting of the offense prior to the charge;
- Admission of, and remorse with regard to, the offense; and/or

- Lack of understanding with respect to the nature of the offense.

In the event that the Honor Council chooses not to impose suspension for a Level 2 offense, it may impose an appropriate alternative penalty or penalties, which may include, but are not limited to, the following:

- Completing a workshop on the topic related to the violation;
- Writing a paper on a topic related to the violation, citing sources;
- Completing community service hours related to the violation; and/or
- Writing and presenting a speech on the Honor Code to various audiences.

A first Honor offense may constitute a Level 2 violation if, in the judgment of the Honor Council, there were aggravating circumstances, which may include, but are not limited to, the following:

- The student knowingly engaged in a pattern of deception with regard to more than one assignment in the same class;
- The student knowingly conspired with other students to compromise the integrity of an assignment or test; and/or
- The student knowingly engaged in an act of dishonesty affecting more than one course or the campus generally.

<sup>2</sup> Page 50 in the 2018-2019 Academic Catalog states, “Students cannot evade the imposition of a course grade of F as the result of an Honor Code violation by withdrawing from the course.”

## **Honor Code Violations and Latin Honors:**

The 2018-2019 Catalog states the following: “Students guilty of violating academic honesty policies, such as through cheating or plagiarism, are not eligible for Latin honors.”

**Level 3:** The commission of a third offense constitutes a Level 3 violation for which the mandatory sentence is separation from the University and loss of credit in all courses in which the student is enrolled at the time of the violation. A second Honor offense—or, in rare instances, a first Honor offense—may constitute a Level 3 violation if, in the judgment of the Honor Council, there were aggravating circumstances, which may include, but are not limited to, the following:

- The student knowingly engaged in a pattern of deception with regard to more than one assignment in the same class;
- The student knowingly conspired with other students to compromise the integrity of an assignment or test; and/or
- The student knowingly engaged in an act of dishonesty affecting more than one course or the campus generally.

# Section VI: Procedure To Request A New Hearing Or An Appeal

## Procedure

The person requesting a new hearing or an appeal shall file a written notice with the Provost within seven days following the original hearing (weekend and holidays excluded). In the case of new evidence, however, this time period may be extended by the Chairperson.

Requests shall be dated and contain a statement of the grounds for the new hearing or appeal and the signature of the person making the request. Requests shall specify whether an appeal or a new hearing is requested.

## New Hearing

Grounds for a new hearing include the discovery of new facts that even in the exercise of due diligence were unavailable at the time of the original Honor Council hearing and which could alter the outcome.

Requests for a new hearing must include the following:

- A statement of new evidence;
- The names of those individuals who will present this evidence;
- Reasons for omission of evidence from original hearing; and
- Reasons that this evidence could contribute to a decision other than that which was originally made.

*Duties of the New Hearing and Appeals Committee in response to Request for New Hearing.* This committee will review the request and determine if the request has merit. If the committee finds the request has merit, it has the power to call for a new hearing. If a new hearing is indicated then the full Honor Council procedure will be repeated, this time to include the new evidence.

## Appeal

There are two grounds for appeal: excessive sanctions or material violation(s) of the hearing procedure.

**Excessive Sanctions.** If the appeal is based on excessive sanction, specific information must be cited indicating why the sanction is unreasonable in light of the charges.

*Duties of the New Hearing and Appeals Committee in response to a request for an appeal based on excessive sanction.* This committee will review the request for appeal and determine if the request has merit. If the New Hearing and Appeals Committee decides to consider the appeal, it has the power to:

- Uphold the original decision;
- Uphold the original decision but alter part or all of a previously imposed penalty; and/or
- Exonerate the student.

**Material Violation(s) of Procedure.** If the appeal is based on a violation(s) of hearing procedure it must include:

- Citation of specific procedures in the Honor Code that were omitted or improperly followed;
- Reason(s) why procedural error was not mentioned in the original hearing; and
- Reason(s) why correction of error can contribute to a decision other than that which was originally made.

*Duties of the New Hearing and Appeals Committee in response to a request for an appeal based on a material violation(s) of hearing procedure.* This committee will review the request to determine if the request has merit. If the New Hearing and Appeals Committee decides to consider the appeal, it has the power to:

- Determine that no material violation(s) of procedure occurred and uphold the original decision; or
- Find that material violation(s) of procedure occurred and declare the original decision void due to procedural error. In such case, the committee may, but shall not be obligated to, remand the case to the Honor Council with directions to correct violation(s) of the procedure.

# Section VII: Membership Of The Honor Council And Of The New Hearing And Appeals Committee

## Members of the 2018-2019 Honor Council

### Chairperson:

Dr. Benjamin Dobrin - 2<sup>nd</sup> year of three-year term

### Faculty:

Dr. Kevin Kittredge - 2<sup>nd</sup> year of three-year term

Dr. Vivian Teter - 3<sup>rd</sup> year of three-year term

Dr. William Pruitt - 3<sup>rd</sup> year of three-year term

### Students:

To be selected from pool.

### Student Alternates

To be selected from pool.

### Faculty Alternates:

Dr. Lisa Lyon Payne - 2<sup>nd</sup> year of three-year term

Dr. Denise Wilkinson - 2<sup>nd</sup> year of three-year term

Dr. Gabi Martorell - 3<sup>rd</sup> year of three-year term

**Chairperson:** The Honor Council Chairperson shall be a faculty member appointed for a two-year term by the Provost in consultation with the school deans and the student body president. The Chairperson shall convene and preside over all meetings of the Council. The Chairperson shall decide the outcome of all Council determinations which result in a tie.

**Faculty:** The faculty members of the Honor Council shall consist of three members and three alternates. One member and one alternate will be elected from each school within the University. Each member and each alternate shall serve a three-year term. Membership shall be staggered so that two or more faculty members do not rotate off the Council on the same year.

**Students:** The student members of the Honor Council shall consist of a pool of nine members, to be appointed by directors of Student Affairs and the President

of the University. Three of the nine members will be called upon depending on availability per case. Each member will serve a one-year term. The Provost may appoint interim student members when necessary, if regular members and alternates are unavailable to serve.

In addition to conducting hearings, the Honor Council is responsible for educating faculty, staff, and students on a yearly basis on matters regarding the Honor Code.

## **Members of the New Hearing and Appeals Committee**

The New Hearing and Appeals Committee will consist of the Provost, one faculty member to be elected in the spring semester, and the Student Government Association president.

### **Members of the 2018-2019 New Hearing and Appeals Committee**

Dr. Timothy O'Rourke, Provost  
Dr. Wayne Pollock, Faculty Representative  
Mr. Taylor "Tip" Major, SGA President

### **For additional information or clarification, contact:**

Dr. Timothy O'Rourke,  
*Provost and Vice President*

or

Dr. Keith Moore,  
*Vice President for Student Affairs*

or

Members of the Honor Council

