

GRADUATE STUDENT ACADEMIC HONOR CODE

Graduate School of Arts and Science School of Divinity Wake Forest University

Part 1: The Honor Code

ARTICLE I. Preamble and Purpose.

The purpose of this Honor Code is to provide guidance for student conduct with respect to academic pursuits.

The Code applies to all students enrolled at Graduate School of Arts and Sciences and at the Divinity School of Wake Forest University. All forms of academic work performed by any graduate student enrolled on a part-time or full-time basis shall be subject to the stipulations of the Graduate Honor Code. Such work includes, but is not limited to, course work, lab work, thesis or dissertation work, research, and teaching. Upon acceptance for admission to the Graduate School of Arts and Sciences or the Divinity School, entering students will be informed of the Code. It is the responsibility of new students to be adequately informed of key provisions, including, but not limited to, the affirmative duty, the scope and limits of the Honor Code, and the names of the current officers. New students shall be required to sign a statement indicating that they were present for the informational session and that they agree to comply with the terms of the Honor Code. Changes in the Honor Code will be published and distributed to students upon adoption. Students are charged with notice of, and are bound by, this Code. Copies of the Code are available from the offices of the Dean of the Graduate School of Arts and Sciences and of the Dean of the Divinity School. For students in the Graduate School, final decisions on sanctions due to violations of the Code rest with the Dean of the Graduate School. For students in the Divinity School, final decisions on sanctions due to violations of the Code rest with the Dean of the Divinity School.

The Code applies only to alleged misconduct identified in Article III or Article IV which occurs in academic pursuits or within the university community. Other misconduct within the university community but covered by other policies remains the full responsibility of the faculty, and the administrations of the appropriate graduate program.

ARTICLE II. The Code.

We conduct our academic endeavors with honor, integrity and professionalism. We do our own work, credit the work of others, and provide the full truth about our work.

ARTICLE III. Scope and Jurisdiction.

Section 1. Honor Council Original Jurisdiction

The Honor Council shall have original jurisdiction to hear and to determine charges of lying, cheating, stealing, vandalism, research misconduct, or failure to report an honor Code violation by any graduate student in his or her academic pursuits or within the university community.

Section 2. Faculty Retention of Jurisdiction

All disputes will be handled by the Graduate School Honor Council except in instances where the cases cannot be addressed by the Honor Council in a timely manner, such as between academic terms. In this situation the Graduate School administration and the program faculty will have jurisdiction over the handling of the misconduct case.

ARTICLE IV. Duty to Report an Honor Code Violation.

A student, faculty member or staff member that reports an Honor Code violation is referred to as the Reporter. The individual accused of an Honor Code violation is referred to as the Respondent.

Any faculty or staff member may report an Honor Code violation to the Chairperson or Secretary of the Honor Council.

Students who have knowledge of, have witnessed or reasonably believe that they have witnessed an Honor Code violation have the duty to report the questionable occurrence to the Chairperson or the Secretary of the Honor Council within a reasonable time, not to exceed five academic days (as defined in Article IX). The report should include the name of the Reporter and the Respondent, the date on which the report is submitted, the date of the violation of the Code, the charge and description of the purported violation, and the names of other witnesses.

If the Chairperson or Secretary cannot be reached to make a report, students in the Graduate School should report to the Dean of the Graduate School. Similarly, if the Chairperson or Secretary cannot be reached to make a report, students in the Divinity School should report to the Dean of the Divinity School. If the report is made after five academic days, it will not be an Honor Code violation for the reporting student if the appropriate Dean determines that special circumstances existed that prevented the report from being given within the five day time period. "Appropriate Dean" refers to the Dean from the same program (the Graduate School of Arts and Sciences or the Divinity School) as the Respondent.

The willful failure of any student to comply with these affirmative duties shall be a violation of the Code. Failure or refusal to testify before the Honor Council is also a violation of the Code. No person shall be compelled to be a witness against himself or herself, or to testify against his or her spouse.

Part 2: The Hearing, Sanctions and Appeals Procedures

ARTICLE V. Pre-Hearing Procedures.

When a report on an Honor Code violation is received, the Chairperson shall convene, in a timely manner, a Pre-hearing Sub-committee composed of the Chairperson, the Secretary, a faculty member from the Honor Council and a student from the Honor Council. Members of the Pre-hearing Sub-committee selected from the Honor Council may not be from the same department as the Reporter or Respondent. The sub-committee will consider the report and decide whether the accusation falls under the prohibited conduct described in Article III, Section 1. If it does not, this decision will be conveyed promptly in writing by the Secretary to the Reporter, the appropriate Dean and the members of the Pre-hearing Sub-committee. No further action will be taken. The Chairperson will destroy the report and any accompanying records.

If the Pre-hearing Sub-committee determines that the accusation does include acts that may constitute a violation of the Honor Code, then a written specification of the violation(s) charged shall be prepared by the Secretary and provided to the Respondent promptly with copies to the Reporter, the Dean of the school in which the Respondent is enrolled, the members of the Pre-hearing Sub-committee, the Respondent's Academic Advisor, and the Program Director of the Respondent's department. This written notification shall include the date, time and place of a hearing that will take place no sooner than 5 and no later than 10 academic days of the date of notification as well as full notice of the rights to which the Respondent is entitled. The faculty member on the Pre-hearing Sub-Committee will serve as Solicitor during the Hearing.

ARTICLE VI. Hearing Procedures.

Section 1. Name and Purpose

The Hearing will be an administrative, not a legal, proceeding. Its purpose is to arrive at the truth.

Section 2. Time and Place of Hearing

The Honor Council shall conduct its Hearing no sooner than five academic days after the Chairperson's receipt of the Pre-Hearing Sub-committee conclusion that such a Hearing is warranted. The time and/or place of the Honor Council Hearing may, with reason, be changed by a majority vote of the Honor Council members making up the Panel. The Honor Council should endeavor to conduct the Hearing as soon as practicable and the Hearing need not be held on an academic day. The Solicitor and the Respondent shall meet no less than twenty-four (24) hours prior to the Hearing to exchange witness lists. At that time the Respondent will also notify the Chairperson if he or she will appoint a representative (as defined in Article VII) for the Panel Hearing. The Honor Council Hearing shall be closed to the public.

Section 3. Hearing Procedures

The Panel for the Hearing will consist of four (4) faculty members [two (2) from the Reynolda campus and two (2) from the Bowman Gray campus] and four (4) student members [two (2) from each campus] of the Honor Council. The Hearing shall be conducted by the Chairperson of the Honor Council (who will not vote). The Secretary of the Honor Council shall not vote except in the case of a tie. The Solicitor does not vote.

The Chairperson and the Secretary shall make the selection of the Panel no later than forty-eight (48) hours before the beginning of the Hearing. Panel members shall not be from the same department as the Respondent or the Reporter. The members of the Panel will be supplied with the written report against the Respondent when they are notified of their selection for the Panel. Should the Chairperson or the Secretary be unable to attend a Hearing or if the Chairperson and/or Secretary are from the same department as the Reporter or Respondent, the Panel shall select an appropriate member of the Honor Council to serve in the Chairperson's or Secretary's absence for the duration of the Hearing.

Should any member of the Panel upon hearing the report and learning the identity of the Respondent, conclude that he or she cannot render an impartial decision; it shall be his or her duty to notify the Chairperson and withdraw. In the event of a withdrawal, a new jury member will be chosen by the Chairperson.

The Secretary of the Honor Council will make a summary record of the Hearing. An audio recording, video recording, or comparable recording will be made of the Hearing. This recording will be available to the Panel during their deliberations, to the Secretary in preparing the summary report, to the Dean for review of the Sanction or during the appeals process, and to the Respondent if he or she requests an appeal. The recording will become a part of the sealed file to be kept by the Dean, and the entire file will be destroyed one year after the student graduates or withdraws from the program.

Section 4. Chairperson's Duties

1. The Chairperson of the Honor Council shall preside at all Honor Council meetings and Hearings.
2. The Chairperson shall insure that the Respondent has been made aware of his or her rights.

4. The Chairperson may require any person disrupting the orderly proceedings of a Hearing to leave.
5. The Chairperson shall have the right to declare a recess at any point in the Hearing.
6. The Chairperson shall inform the Panel, the Reporter and all others present at the Hearing that they shall not divulge any information about the accusation or the Hearing.

Section 5. Secretary's Duties

1. The Secretary of the Honor Council will notify in writing the members of the Pre-hearing Sub-committee, the Dean of the Graduate School and the Reporter that an accusation did not fall under the prohibited conduct.
2. The Secretary will supply to the Respondent a written specification of offenses(s); the time, date and place of the hearing; and the rights of the Respondent within 48 hours after the Pre-hearing Sub-committee finds that an accusation does fall under prohibited conduct. Copies of this written specification will also be given to the Reporter, the Dean of the Graduate School, the members of the Pre-hearing Sub-committee, the Respondent's Academic Advisor, and the Program Director of the Respondent's department.
3. The Secretary will make a summary record of the Hearing.
4. The Secretary will cast the deciding vote in the case of a tie vote in the Panel Hearing and in the Sanctions Hearing.

Section 6. Solicitor's Duties

1. The Solicitor will begin questioning the Reporter, the Respondent and any witnesses as appropriate.
2. The Solicitor may make a closing statement at the end of questioning, summarizing the evidence in support of the charge of an Honor Code violation.

Section 7. Conduct of the Hearing

The Chairperson shall call the Hearing to order by reminding the Respondent and all witnesses that they are honor bound to tell the truth before the Council. Any witness who is not bound by the Honor Code will be sworn in before he or she testifies. The Honor Council will create and maintain an appropriate oath and affirmation.

The Hearing shall be limited in scope to a determination of whether an honor code violation has taken place.

The Secretary shall read the written specifications to the Panel. If the Respondent admits to the charge(s) and stipulates to the facts as written in the charges, then the Panel will only consider the question of sanctions, in a Sanctions Hearing.

If the Respondent does not admit to the charges, questioning will begin. The Reporter and any other witnesses shall be questioned by the Solicitor regarding the charge(s). At the conclusion of the questioning of each witness called by the Solicitor in support of the charge, the Secretary and each member of the Panel shall be given the privilege of asking questions. Then, the Respondent or a representative chosen by the Respondent may ask additional questions. Questioning shall proceed until all parties are satisfied that the witnesses can furnish no further relevant information.

Section 8. The Respondent's Rebuttal

At the conclusion of the evidence in support of the charges, the Respondent or the Respondent's representative may present evidence rebutting the charges of an Honor Code violation. At the conclusion of the testimony of each witness called by the Respondent, the Solicitor, the Secretary and each member of the Panel shall be given the privilege of asking questions. Questioning shall proceed until all parties are satisfied that the witnesses can furnish no further relevant information.

Section 9. Summary Statements

A summary statement may be given by the Respondent or the Respondent's representative. A summary statement may be given by the Solicitor.

Section 10. Panel Duties

The Chairperson shall instruct the Panel as to the charge and the factors to be considered during the deliberation over the violation of the Code. Upon the conclusion of such instructions the Chairperson shall adjourn this phase of the Hearing. The Panel shall promptly conduct its deliberations in private and reach a decision of its findings.

Confirming a violation of the Code shall require a simple majority vote that the charge(s) are proved. An abstaining vote is not a vote confirming the violation. In the case of a tie the Secretary shall vote. If there are not at least four (4) votes finding a violation of the Honor Code, then the charges are not supported. In determining whether there was a violation of the Code, it shall be improper to consider extraneous matters.

Upon reaching their findings, the Panel shall inform the Chairperson in writing. The findings shall be reported by the Chairperson to both the Reporter and the Respondent. The Chairperson will then dismiss the Panel by reminding each member that he or she is forbidden to divulge any information about the Hearing.

Section 11. The Sanction Hearing

If the Panel finds that there was a violation of the Code, the Chairperson shall reconvene the Panel for a Sanction Hearing with the Respondent present. This hearing should take place within a reasonable amount of time and should be held in private. First, the Solicitor may present facts, evidence, and arguments as to the sanction(s) being sought. Second, the Respondent or the Respondent's representative may present mitigating facts, evidence and arguments. At the conclusion of the arguments the Chairperson shall adjourn the Panel to deliberate the sanctions to be recommended for imposition. The Panel shall promptly conduct its deliberations in private and shall reach a decision.

Recommendations of a particular sanction shall require a simple majority in favor of the sanction. In the case of a tie, the Secretary shall vote. If a Panel is able to agree upon a particular sanction, they must recommend that sanction. If a Panel is unable to agree upon a particular sanction, then the selection of the sanction shall be made by the Dean of the School in which the Respondent is enrolled. A Panel may not recommend that no sanction be imposed. If a decision as to a particular sanction is reached, the Panel shall announce its finding to the Chairperson. Before releasing the Panel, the Chairperson shall remind the members of the Panel that they are forbidden to divulge information about the findings or sanctions without the written approval of the Respondent.

Section 12. Notifications of Findings

The finding of the Panel regarding the findings and recommended sanctions shall be conveyed immediately to the Respondent by the Chairperson of the Honor Council. The findings and

recommended sanctions shall be reported to the Dean of the School in which the Respondent is enrolled along with a report of alleged exceptional circumstances, in a timely manner. All copies of the record, findings and recommendations shall be transferred to the appropriate Dean for retention.

Section 13. Appeals Procedure.

A student found in violation of the Honor Code may appeal the decision or the sanction of the Panel to the Secretary of the Graduate Council. Written notice of appeal from the Respondent or his/her representative shall be given to the Secretary of the Graduate Council within 10 academic days after the Sanction Hearing. The Graduate Council consists of 6 elected faculty members from the Reynolda campus, 6 elected faculty members from the Bowman Gray campus and two Graduate Student Representatives. The Dean and Associate Dean of the Graduate school are *ex-officio* members of the Graduate Council and will not take part in the appeals procedure. The Dean of the Divinity School is not a member of the Graduate Council.

The Graduate Council will be provided with a copy of the written specifications of the charge, the summary records kept by the Honor Council Secretary during the hearing, and the written appeal of the Respondent. The Graduate Council will meet in a timely manner to consider the decision of the Hearing and the appropriateness of the suggested sanction. The Graduate Council will decide whether to support the findings and sanctions of the Honor Council or whether to recommend changes. A written notice of their decision will be given to the Dean of the School in which the Respondent is enrolled by the Secretary of the Graduate Council in a timely manner.

Section 14. Final Disposition

The Dean of the School in which the Respondent is enrolled shall consider the findings of the Panel Hearing, the recommended sanction, the recommendations of the Graduate Council in the case of a Respondent's appeal and any alleged exceptional circumstances and shall either approve or alter the recommended sanction. The office of the appropriate Dean shall have the responsibility of processing and supervising the imposition of sanction. The decision of the Dean shall be final.

Section 15. Sanctions

The sanctions which the Panel shall recommend in the case of a Honor Code violation and which the appropriate Dean will consider will ordinarily be selected from the following (more than one of the sanctions may be imposed when deemed appropriate.):

- a. **Notice and Censure:** A written reprimand that continuation of conduct in violation of the Honor Code may be cause for more severe disciplinary sanctions. This may include a warning or more severe disciplinary sanction in the event of the determination of a subsequent violation within a stated period of time.
- b. **Restitution:** Reimbursement for defacement, damage to, or misappropriation of property, whether that of the University, any member of the University community, or any guest or visitor of the University.
- c. **Suspension:** Exclusion from classes and other privileges and activities with forfeiture of academic credit as set forth in the notice of suspension from the office of the appropriate Dean. Sanctions for the Honor Code violation of cheating shall ordinarily include a recommended F or failing grade in the course involved and authorized withdrawals in the student's other courses, regardless of the semester that the offense was committed. If a suspension for a definite time is more than one semester, the suspension shall begin immediately and shall be served in consecutive semesters.

- d. **Expulsion:** Termination of student status, with readmission subject to the approval of the program faculty and Dean of the School in which the Respondent is enrolled. No petition for readmission may be considered before the expiration of one calendar year from the date of expulsion. Sanctions for the Honor Code violation of cheating shall ordinarily include a recommended F or failing grade in the course involved and authorized withdrawals in the student's other courses, regardless of the time in the semester that the offense was committed.

ARTICLE VII. Rights of the Respondent

The Respondent shall have the following rights:

1. A right to have the charges against him or her submitted in writing and to receive the written charges before the beginning of the hearing.
2. A right to a copy of procedures established by the Honor Code for the hearing of alleged Honor Code violations. This shall be given to him or her at the same time as the notice of the charge or charges.
3. A right to separate hearings where two or more students are reported to have participated in a joint violation. If none of those reported jointly of an alleged offense request separate hearings, they may have joint or separate hearings as the Pre-hearing Subcommittee determines.
4. A right to know the nature of the evidence and, when practical, to examine the evidence before the hearing.
5. A right to appoint a Representative to question witnesses, to give the summary statement and to be present at the Sanctions hearing. The Representative will be a faculty member, staff member or student from the Wake Forest University Graduate School or Divinity School. Legal counsel can attend the hearing and advise the Respondent, but may not participate in the hearing.
6. A right to summon witnesses and to testify on his or her own behalf, but the number of character witnesses, if any, may be reasonably limited by the Chairman of the Honor Council.
7. A right to meet with the witnesses, and to question them during the Hearing.
8. A right not to be compelled to testify against himself or herself.
9. The Respondent's spouse cannot be compelled to testify against him or her.
10. A right to present evidence of extenuating circumstances.
11. A right not to be tried for one offense, and convicted of another, e.g., lying before the Council, without the same opportunity to defend against the other charge.
12. A right to make a summary statement to the Panel.
13. Until the Hearing and Appeals processes are complete, the Respondent has the right to participate in any University function except the following: participating in graduation

exercises, receiving a degree, or receiving academic credit for courses taken during the semester in which the violation is alleged to have occurred.

ARTICLE VIII. Organization of Honor Council

Section 1. Membership and Election

The membership and election of the Honor Council shall be determined as follows:

- a. The Honor Council shall be comprised of sixteen (16) faculty members, eight (8) each from the Bowman Gray and Reynolda campuses and one (1) student from each department or program of the Graduate School of Arts and Sciences and of the Divinity school.
- b. Faculty members of the Honor Council will be appointed by the Dean of the Graduate School and the Dean of the Divinity School, as appropriate. Appointments are effective September 15th of each calendar year. Members of the Graduate Council may not be appointed to the Honor Council.
- c. Student members of the Honor Council are appointed by the director of each program, department or school, one (1) from each department or program of the Graduate School and one (1) from the Divinity School. Appointments are effective September 15th of each calendar year. Graduate Student Association chairs and representatives may not be appointed to the Honor Council.
- d. A student appointed to the Honor Council serves a one year term. A faculty person appointed to the Honor Council serves a two year term. Students and faculty may be appointed for up to three consecutive terms.

Section 2. Election of Officers

After appointment of new members, the Honor Council shall elect one (1) faculty member to serve as Chairperson and one (1) student member to serve as Secretary through September 14th of the following calendar year. The Chair and the Secretary should not be from the same department.

Section 3. Pre-hearing Sub-committee Selection

The Pre-hearing Sub-committee will consist of the Chairperson, the Secretary, one (1) faculty member of the Honor Council and one (1) student member of the Honor Council, The Chairman and Secretary will choose these two members, ensuring equal representation of the two campuses and ensuring that the two chosen members to do not come from the same department or program as the Reporter or the Respondent. The faculty member of the Honor Council shall act as Solicitor.

Section 4. Hearing Panel Selection

The Panel will be comprised of the four (4) faculty members and 4 student members of the Honor Council chosen by the Chairperson and the Secretary. The faculty members and students will be chosen to ensure equal representation between the two campuses and to ensure that no member of the Panel is from the same department or program as the Reporter and the Respondent. If the Reporter and/or the Respondent are from the Divinity School, no member of the panel will be from the Divinity School. To assure fairness to the Respondent and to equalize the burden of members of the Honor Council, ordinarily members chosen to serve on a Panel will be removed from the pool for the remainder of the calendar year, unless all council members have served, at which time all members will be returned to the list of potential jurors.

Section 5. Maintaining Readiness

Members of the Honor Council accept the duty of developing and maintaining their understanding of the Honor Code.

Article IX. Miscellaneous.

“Appropriate Dean” refers to the Dean from the same program (the Graduate School of Arts and Sciences or the Divinity School) as the Respondent.

An academic day is a day on which regularly scheduled classes are held, not including summer sessions.

Research misconduct is covered by two on-line documents for the Reynolda campus (<http://www.wfu.edu/rsp/compliance.html> WFU Policy on Scientific Misconduct) and for the Bowman Gray campus (http://www.wfubmc.edu/or/pp_man.html Operations and Policy Handbook). While these policies are written for scientific research misconduct, for the purposes of this document, the policies apply to research misconduct in any field.

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