

THE UNDERGRADUATE STUDENT
ACADEMIC CODE OF HONOR
HANDBOOK

University of Notre Dame
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I. INTRODUCTION

The University of Notre Dame provides “an environment of teaching and learning that fosters the development of its students with those disciplined habits of mind, body, and spirit, which characterize and educate skilled and free human beings.”¹ Part of the mission of the University is also to nurture in each student a sense of moral responsibility. In turn, the Academic Code of Honor represents a valuable educational tool for guiding both faculty and students in their efforts to create a sense of community and for expressing the values that are at the core of a Catholic university. As members of an academic and spiritual community, we work together to answer difficult questions, often collaborating to answer these questions, to solve problems, and to communicate effectively the knowledge we acquire through inquiry. This document calls attention to the responsibilities we have to one another in being faithful in our attempts to represent others’ views, and it helps us to understand the responsibilities we have toward one another, students and faculty alike, as we try to uphold the moral standards of our community.

II. PLEDGE TO ABIDE BY THE HONOR CODE

As a member of the Notre Dame community, I will not participate in or tolerate academic dishonesty.

III. UNIVERSITY COMMITTEE ON THE ACADEMIC CODE OF HONOR

The University Committee on the Academic Code of Honor, as commissioned in 1987 by the University Academic Council, is responsible for assisting in the education of the Notre Dame community about the Academic Code of Honor, discussing on a periodic basis procedural questions which may have arisen in past cases and how these can best be resolved for future cases, reviewing standard penalties invoked for certain kinds of violations so that consistency and fairness may be maintained, proposing revisions to this *handbook* and generally promoting high standards of moral integrity in academics

A. Membership

The membership of the University Committee on the Academic Code of Honor (which will be henceforth referred to simply as the University Code of Honor Committee) consists of students, a member of the Provost’s Office and faculty members from the four undergraduate colleges. The committee is co-chaired by a student and a faculty member who is an administrator from the Provost’s Office. Its composition is as follows:

¹ From the Mission Statement of the University of Notre Dame.

- 1) The faculty co-chair is an Associate Provost designated by the Provost. The Associate Provost may designate another faculty member to take his or her place in committee meetings, and to assist with the work of the committee.
- 2) The Student Co-Chair is selected in the Spring semester by an absolute majority of the University Code of Honor Committee to serve a one-year term in this position in the following academic year. The committee should select a student who has shown excellence in moral character, the conscientious exercise of responsibilities and the capacity for leadership. In addition to co-chairing the University Code of Honor Committee, the Student Co-Chair will have a broad range of responsibilities for assisting in the orientation and education of his or her fellow students in the honor code and for providing leadership in its implementation.
- 3) The deans of the Business, Engineering and Science Colleges each designates one faculty representative from their respective colleges. The dean of the Arts and Letters College designates two faculty representatives who will represent the College of Arts and Letters and the School of Architecture. An associate or assistant dean may be particularly appropriate for this role, but the position is not restricted to them; the deans of Business, Engineering and Science may select any faculty member of his or her college, and the dean of Arts and Letters may select any faculty member of his or her college or of the School of Architecture. To ensure continuity of membership, the term of the faculty representative should be no less than three years, and their terms will be staggered.
- 4) One student representative from each of the Colleges of Business, Engineering and Science and two students from either the College of Arts and Letters or the School of Architecture will serve on the committee. They are appointed by the respective deans of the colleges with appropriate student consultation.

The total number of committee members, then, is twelve, with an equal number of students and faculty.

The Associate Provost Co-Chair of the committee may appoint a faculty member (preferably one of the five faculty representatives) to serve as Faculty Honor Code Officer, who is to assist the Associate Provost in all matters related to the Honor Code, especially as they relate to the faculty. A Faculty Honor Code Officer who is not one of the five faculty representatives serves as a non-voting participant in committee meetings.

B. Responsibilities

The responsibilities of the University Code of Honor Committee are the following.

- 1) At regular meetings the committee will, while protecting the anonymity of students involved in any particular case, review past honor code hearings. It will discuss any procedural questions or difficulties which may have arisen and examine the penalties invoked for the kinds of violations encountered. The purpose of these meetings will be to attain a clear, common understanding of the Code and its application, so that committee members can assist in ensuring consistent, fair and efficient implementation of the procedures of the Academic Code of Honor in any future cases.
- 2) Periodically the committee will propose revisions of the Academic Code of Honor to the Academic Council.
- 3) Each of the five faculty representatives on this committee may, if he or she wishes, sit in on any department or college Honesty Committee hearing. In addition, the chair of an honesty committee may request that a faculty representative be present at a hearing if the chair believes such presence would be helpful to the committee's work. (See IV.A below.)
- 4) Each member of the committee may be approached for consultation or advice about the Code of Honor by any member of the Notre Dame community.
- 5) The committee may undertake any other initiatives it deems useful to promote knowledge of and adherence to the Academic Code of Honor on campus.

The Office of the Provost maintains the current membership roster of the committee

IV. STUDENT RESPONSIBILITIES UNDER THE ACADEMIC CODE OF HONOR

It is the responsibility of the community of students and faculty to strive to assure honorable behavior in academic work.

A. Education

- 1) A student has a responsibility to become familiar with the Academic Code of Honor and appreciate the reasoning behind it, such as the emphasis placed on a moral as well as an academic education, personal integrity and community responsibility.
- 2) As a precondition for admission to the University, students must sign a pledge to the community to uphold the Academic Code of Honor in all academic affairs at the University of Notre Dame.
- 3) Students should familiarize themselves with the directives given by the instructor in each class concerning what is and is not permitted, especially in matters of group projects, lab reports, and the attribution of research to sources (footnoting), including the Internet.

B. Personal Academic Behavior

The pledge to uphold the Academic Code of Honor includes an understanding that a student's submitted work, graded or ungraded – examinations, draft copies, papers, homework assignments, extra credit work, etc. – must be his or her own. The following serves as a guide for helping students think about what faculty expect:

- 1) All work submitted for a course is accepted as a student's own work, unless otherwise understood and approved by the instructor.
- 2) Students may not, without proper citation and approval of the instructor, submit work that has been copied, wholly or partially, from another student's paper, notebook, or exam. Nor may students without proper citation submit work which has been copied, wholly or partially, from a book, article, essay, newspaper, the internet or any other written or printed or media source whether or not the material in question is copyrighted.
- 3) Written work that paraphrases any written or printed media material without acknowledgment may not be submitted for a course. Ideas from books and essays may be incorporated in students' work as starting points, governing issues, illustrations, and the like, but in each case the source must be cited.
- 4) Any on-line materials students use to gather information for a paper are also governed by rules about plagiarism, so students need to cite electronic sources as well as printed and other sources.

- 5) A student may not turn in the same work for two or more different courses he or she is taking in an academic term unless each professor involved has authorized students to do so in advance.
- 6) Students may not submit for one course any work that has been used to fulfill the requirements of another course previously taken at this or any other school without obtaining permission of the current professor in advance.
- 7) Students must be aware that honor code violations are not limited to the actions prohibited in the guidelines above. Any kind of dishonesty related to academics is a violation. Other examples of academic dishonesty, apart from giving or receiving unauthorized aid as described by the instructor in each course, include but are not limited to listing false reasons for taking a make-up examination, falsifying data and failing to take responsible action as required in section IV.D below.

C. Working With Other Students

Working on material with other students is of great pedagogical value, and the Honor Code should not be construed as discouraging such work. Unless such consultation is forbidden by an instructor, students may work with other students on assignments and present ideas and even written work to their peers for comment and criticism. Each student, however, should be guided by the following:

- 1) If an instructor explicitly permits or forbids certain sorts of work with other students, such work is permissible or forbidden as the instructor indicates. An instructor's explicit guidelines take precedence in determining whether certain actions are permissible.
- 2) It is a presupposition that ideas and expressions in a submitted paper or report originate from the writer unless otherwise indicated. Consequently, if ideas or expressions in written work originate from another, whether the person is an author or fellow student, that source should be cited in an endnote or footnote. If an idea or form of words arises from the common effort of two or more students in conversation, this fact should be cited.
- 3) If a student is unclear about whether certain forms of consultation or common work are acceptable or what the standards for citation are, the student is responsible for consulting his or her instructor.

D. Responsible Actions

Each student, as an integral member of the academic community, must make the ethical and moral commitment not to act dishonestly and not to tolerate academic dishonesty on the part of other students. If aware of a likely Academic Code of Honor violation, a student must take responsible action.

If the conduct involves a personal violation of the Academic Code of Honor, the student shall report him or herself to the instructor of the course or to a member of the Honesty Committee of the department or college in which the course is taught.

If a student witnesses a violation of the honor code or otherwise has reason to believe that a violation has occurred, the student may use discretion to choose among several possible courses of action. These possible actions include:

- 1) Talking with anyone suspected of violating the Academic Code of Honor and urging the person to report himself or herself to the instructor of the course or to submit a written report to a member of the Honesty Committee of the department or college in which the course is taught. If an observed act merits action under the Academic Code of Honor and the suspected student does not take what is believed to be the appropriate steps, then, as a further obligation, the student suspecting a violation must initiate formal procedures by speaking to the instructor of the course or by submitting a written report of the allegation to a member of the appropriate Honesty Committee.
- 2) Discussing the observed action(s) with the instructor of the course, not naming those involved, to obtain guidance and determine if, in fact, an observed act merits action under the Academic Code of Honor.
- 3) Reporting detection of possible dishonesty directly to the instructor of the course.
- 4) Submitting a written report regarding possible dishonesty to a member of the appropriate Honesty Committee of the department or college which offers the course. If the student reporting a suspected violation of another wishes to remain anonymous to the student under suspicion, the Honesty Committee will honor that request, if at all feasible, during the initial inquiry prior to a hearing. If these procedures result in a hearing, the student reporting the suspected violation necessarily becomes known to the student under suspicion.

E. Student Co-Chair of the University Code of Honor Committee

The Student Co-Chair of the University Code of Honor Committee will assist in orienting new students to the honor code, and promoting knowledge of and adherence to the honor code among all students.

F. Participation on Honesty Committees

Students also participate in investigating and determining responsibility in Academic Code of Honor cases by serving on departmental or college Honesty Committees. The chair of an individual department or the dean of the college requests these students to serve in these positions.

V. Faculty and Teaching Assistant Responsibilities Under the Academic Code of Honor

A. Education of Faculty

- 1) All members of the University faculty are required to become aware of the policies and procedures as outlined under the Academic Code of Honor and contained in the Academic Code of Honor Handbook.
- 2) The faculty representatives to the University Academic Code of Honor Committee from each college, working with the dean, is responsible for developing a procedure to introduce new faculty to the Academic Code of Honor. The orientation procedures should, when possible, be done prior to faculty activities in the classroom. The faculty member in charge of a particular course is responsible for educating and establishing guidelines for the teaching assistants in the course.

B. Communicating Standards to Students

- 1) Faculty are expected to explain the conditions under which students are to share their work, for example, outlines that can form the basis of an exam or paper, take-home exams, lab reports, and in-class examinations. Faculty should also offer guidelines when asking students to work in teams or groups, for example when inviting students to collaborate on problem sets, develop computer programs, and the like – either inside or outside of class.
- 2) Faculty are encouraged to distribute a handout with information about what constitutes plagiarism when assigning writing in their courses, keeping in mind that our goal is to teach students how to use and document sources appropriately. Learning to do so is part of a long on-going process.
- 3) In the event that students have not learned the conventions of documentation in early drafts of their work, faculty are encouraged to give students the opportunity to revise their work until any plagiarized material is eliminated.
- 4) Faculty are encouraged to take note of the principles articulated in section III.A.2-3 above, to re-enforce these principles in their discussions of the honor code with students, and to explain how these principles apply to the work in their class.

C Academic Environment

- 1) Each faculty member will strive to establish an environment in order to evaluate students in a fair and reasonable manner. The purpose of the Academic Code of Honor is not to test the students' ability to perform in a highly competitive and stressful environment, but to help them develop habits of moral character.
- 2) Both students and faculty share in responsibility for maintaining the above 'fair and reasonable' learning environment. Faculty members may be present in classrooms during examinations, fostering an environment which does not create opportunities for dishonest action.

D. Responsible Actions

- 1) Anyone with the responsibility to teach or assist in a course will not tolerate dishonesty.
- 2) If aware of a situation in which dishonest behavior may have occurred, faculty must take one of the following actions:
 - a. Discuss the situation with the student(s) suspected of violating the Code if the faculty member or teaching assistant feels that such a discussion might aid in evaluating the situation. If this discussion results in the decision that the initial suspicion was unjustified, no additional action need be taken. If there is still a reason to suspect dishonesty, regardless of the intent or severity, one of the following two courses of action must be taken.

(i) If a student admits to having violated the Code, and if that student and the instructor can agree on an appropriate punishment, the instructor will send to the Associate Provost an Honor Code Violation Report indicating the nature of the violation and the agreed-upon penalty. In determining an appropriate punishment, faculty and students are to be guided by the criteria used by honesty committees in assigning penalties (see VII.D below); the faculty member may also consult with the chair of the relevant Honesty Committee or with a member of the University Code of Honor Committee. Both the instructor and the student are required to sign the Honor Code Violation Report.

Upon receiving an Honor Code Violation Report, the Associate Provost, in consultation with a faculty representative on the University Code of Honor Committee from the relevant college, confirms that the penalty is consistent with those assessed in similar cases in the department. Only if there is clear and compelling evidence of fundamental unfairness will the Associate Provost nullify the Report and require the case to be heard by the relevant Honesty Committee. The Associate

Provost must notify the faculty member and the student within seven calendar days of the date of receipt of the Report of a decision to nullify the Report. An instructor who has not been informed in writing of such nullification within seven calendar days is then to impose the penalty described in the Report.

A student, having signed an Honor Code Violation Report, has seven calendar days from the date of the student's execution of the Report to revoke the agreement delineated in the Report. To revoke the agreement, the student must in writing so inform the Associate Provost, who will notify the faculty member of the revocation and direct the faculty member to report the suspected offense to the chair of the relevant Honesty Committee, which then must hear the case. After seven calendar days, the agreement becomes irrevocable. No student may withdraw from a course in which he or she has signed an Honor Code Violation Report unless the student has revoked the agreement delineated in the Report and has been found not to have violated the Honor Code by the Honesty Committee.

If either the Honor Code Violation Report is nullified or the student revokes the agreement delineated in the Report, the Honesty Committee will not be informed of the agreement, and the admission by the student of the Honor Code Violation cannot be used as evidence in the hearing of the Honesty Committee.

(ii) If a student denies having violated the Code, or if the instructor and that student cannot agree on an appropriate penalty, or if either the student or the instructor declines to sign an Honor Code Violation Report, the faculty member or teaching assistant must report the suspected offense in writing to the Honesty Committee of the department or college offering the course.

- b. Submit, in writing, a formal report describing the suspected offense directly to the Honesty Committee of the department or college offering the course.
- 3) Faculty are obliged to follow one of these procedures in all cases where they believe an honor code violation may have occurred. Students have the right to a fair and complete inquiry into any alleged violation of the honor code. No faculty member or teaching assistant may penalize a student for suspected dishonest behavior unless the student either

has agreed to that penalty in a signed Honor Code Violation Report or has been assigned such a penalty as a result of an Honesty Committee hearing.

VI. HONESTY COMMITTEES

A. Composition of Honesty Committees

A college or school may set up honesty committees at either the departmental or college level. The dean shall see that appropriate structures are established. Thus two options are available:

- 1) **Departmental Honesty Committee:**
Each department within the college establishes a standing Departmental Honesty Committee. The department chair appoints one faculty member from the department as chair of the Honesty Committee, a second faculty member from the department to serve on the committee and normally three students (one of whom may be a graduate student) to serve on the Committee.
- 2) **College Honesty Committee:**
A single standing honesty committee is established for a college or school, and is called the College Honesty Committee. The dean appoints a faculty member from the college as chair of the Honesty Committee, a second faculty member of the college to serve on the committee, and normally three students (one of whom may be a graduate student) to serve on the Committee.

To bring greater continuity and consistency to Honesty Committee deliberations and decisions over the years, it is recommended that one or more student members of the Committee each year not be in their final year of studies at Notre Dame. If a graduate student is included, the appointment of an undergraduate senior and an underclassman may be optimal. A dean or department chair may, with the approval of the Associate Provost who co-chairs the University Code of Honor Committee, compose the college or department committee, respectively, in a manner other than that described above, provided that the committee is chaired by a faculty member of the college and the majority of its members are students.

B. Publication of Honesty Committee Membership

In order for the Academic Code of Honor to function, both students and faculty must know the membership of the Honesty Committee to whom they can report instances of alleged academic dishonesty.

- 1) If Honesty Committees are established at the departmental level, the department chair bears the responsibility for publicizing the names of committee members in an appropriate fashion, for example, by posting them in the departmental offices or on the department's web site. The department chair also notifies the dean of the college and all faculty members in the department of the committee's membership.
- 2) If an Honesty Committee is established at the college level, the dean bears the responsibility for publicizing the names of committee members in an appropriate fashion, for example by posting them in the offices of the college and its departments or on the web site of the college and departments. The dean also notifies all department chairs and all faculty members in the college of the committee's membership.

C. Role of Faculty Representatives of the University Code of Honor Committee

- 1) The role of Faculty Representatives in a college is to assist Departmental or College Honesty Committees in their work and to serve as a liaison between these committees and the University Code of Honor Committee. Consequently, the Faculty Representative may sit in as a non-voting observer on any Honesty Committee hearings in the college that she or he wishes. Moreover, in any case in which the chair of the Honesty Committee deems it helpful, he or she may ask the Faculty Representative to sit in to provide counsel or assistance.
- 2) The School of Architecture should consider the Faculty Representatives of the College of Arts and Letters its Faculty Representatives in its Honesty Committee procedures.

VII. PROCEDURES FOR RESPONDING TO AN ALLEGED VIOLATION OF THE HONOR CODE

A. Preliminary Inquiry Into Whether a Hearing Is Warranted

- 1) Upon receiving a written report concerning a possible violation of the Code of Honor, the chair of the relevant Honesty Committee appoints a faculty member (who may be him or herself) of the Honesty Committee to make a preliminary inquiry into whether a hearing is needed.

- a. The first stage in the preliminary inquiry might include, for example, an interview of the person submitting the report and any other identified witnesses and/or a review of any documents submitted in support of the allegation.
 - b. Before a hearing can be held, the member of the committee assigned to conduct the preliminary inquiry must inform the student that a report of a suspected honor code violation has been filed. At this point, the student should be provided with sufficient information to understand the nature of the report. (This information generally will not include the name of the reporting party if that party is a student.) The student will also be asked if he or she has any information that might help the committee in determining whether or not a hearing is warranted.
- 2) The chair of the Honesty Committee, in consultation with the faculty member assigned to investigate the report (if this person is different from the chair), has the authority to decide whether there is sufficient evidence to warrant an Honesty Committee hearing. A hearing is warranted whenever there is reason to believe that academic dishonesty (whether major or minor) might have occurred. After reviewing the case, the chair of the Honesty Committee has two options:
 - a. He or she may decide that there is not sufficient evidence of major or minor academic dishonesty to warrant a hearing. If the chair reaches this decision, he or she shall so notify the student suspected of a violation, the instructor and the reporting student(s) (if any), and shall destroy all records related to the case.
 - b. The chair may decide that a hearing would be warranted. If the report of a possible violation was submitted by anyone other than the instructor in the course, the chair informs the instructor both of the report and of the evidence and asks the instructor if he or she wishes to contact the student to see if the case can be settled via an Honor Code Violation Report (see V.D. above). If the instructor declines to do so, the chair will then write a letter to the student(s) suspected of the violation. The letter shall describe the possible violation, state the known evidence (including witnesses and documents involved, if any), and state the time and place of the hearing. The letter shall also inform the student(s) under suspicion that he or she can bring to the hearing members of the University community for support and/or to serve as witnesses.
- 3) Honesty Committees ordinarily do not meet during the final examination period. However, if the student suspected of a violation is a graduating

student during his or her final semester, the Honesty Committee must make every reasonable effort to meet prior to graduation.

B. Recusal of an Honesty Committee Member

- 1) If a suspected honor code violation is brought before an honesty committee, and a member of the committee is involved as one bringing the suspicion forward, or as one suspected of a violation, or as a witness, that person must recuse him or herself from the committee for that case. If any member of the honesty committee has a relationship with someone involved in the case which may compromise his or her objectivity, he or she may recuse him or herself.
- 2) In the event of a recusal, it is the responsibility of the chair of the honesty committee to ensure that the committee is appropriately constituted to give a fair hearing, and that it meets the conditions that the committee is chaired by a faculty member and the majority of its members are students. (See VI.A.1 & 2 above.) The chair of the committee may appoint new members to the committee to consider the case in question.
- 3) If it is the chair of the honesty committee who recuses him or herself, a second faculty member on the committee has the responsibility both of ensuring that the committee is appropriately constituted and, if necessary, of appointing new members. If there is more than one faculty member in addition to the chair on the committee, the chair of the department (in the case of a Departmental Honesty Committee) or the dean of the college (in the case of a College Honesty Committee) determines which faculty member will assume this responsibility. This faculty member will then also chair the honesty committee proceedings concerning the case in question.
- 4) If both the chair and all other faculty members on an honesty committee recuse themselves, the chair of the department (in the case of a Departmental Honesty Committee) or the dean of the college (in the case of a College Honesty Committee) has the responsibility of appointing new faculty members to the committee (one as chair of the committee) to consider the case in question.

C. Honesty Committee Hearing Procedures

A hearing regarding a violation of the Academic Code of Honor is intended to give the student(s) suspected of a violation an opportunity to be heard.

- 1) Except for the required notifications, as set forth throughout this policy, all Honesty Committee proceedings are to be strictly confidential and information regarding such proceedings is to be disclosed only as set

forth in this policy on a legitimate need-to-know basis, and as required by law. If a parent or guardian of the student under suspicion inquires about the suspected violation, the chair of the Honesty Committee may describe the general nature of the suspected violation and the procedures defined in this *Honor Code Handbook*. However, the chair should not engage in a detailed discussion of the evidence and should never reveal the names of parties who reported the suspected violation or who are possible witnesses.

- 2) The Honesty Committee will attempt to protect the identity of a student reporting an act of dishonesty, if desired, during the investigation process. However, if a hearing results, the student reporting a violation of the honor code must attend and participate in the proceedings.
- 3) Before the hearing, committee members other than the member assigned to the initial inquiry (see VII.A.1 above) should not discuss the allegation or the evidence with the student suspected of the violation.
- 4) If a student has questions about the Academic Code of Honor and the procedures of the hearing, he or she should contact the Student Honor Code Officer or another member of the University Code of Honor Committee who is not involved in the adjudication of the student's case. Neither the Student Officer nor any member of the University Code of Honor Committee should discuss the evidence against the student under suspicion nor make any recommendation about how the student should respond to the suspicion of a violation, but should only discuss the procedures and principles of the Academic Code of Honor.
- 5) Minutes of the hearing are to be kept by one of the committee members and signed by each committee member. The hearings are administrative and concern internal University affairs; accordingly, the hearings are informal and are not subject to formal rules of civil procedure or evidence. The hearings are not open to the public, nor does the student under suspicion (or any other individual involved) have the right to legal counsel at the hearing.
- 6) Once the hearing is scheduled, the student suspected of violating the Code of Honor may request permission from the chair of the honesty committee to reschedule the hearing. The chair alone can grant such a request based on extraordinary circumstances. The student may bring members of the University community (e.g., a fellow student, rector, or faculty member, but not a parent) to the hearing if he or she so desires for support and/or to serve as witnesses. If the student suspected of violating the Code of Honor does not attend his or her hearing, the committee may either postpone the hearing or hold the hearing without the student and determine the case using the evidence before the committee. The student's absence and surrounding circumstances may be a relevant factor to the committee in reaching its decision.

Once the hearing is scheduled, the individual who reported the possible violation may request permission from the chair of the honesty committee to reschedule the hearing. The chair alone can grant such a request based on extraordinary circumstances. If the individual who reported the possible violation informs the chair that he or she will be unable to be present at a hearing, the chair of the committee should inform the student(s) suspected of a violation in advance of the hearing and should endeavor to provide the student(s) and committee members an opportunity, should either desire it, to question the reporting party prior to or during the hearing (e.g., via a conference call). At least two committee members should be present during any prior questioning of the reporting party, and the conversation should be recorded and played in its entirety at the hearing. If the individual who reported the possible Code of Honor violation does not attend the hearing and has not informed the chair that he or she will not be present, the committee may, at its discretion, either postpone the hearing or hold the hearing and determine the case using the evidence before the committee. The committee may also decide to dismiss the case because of the absence of the reporting party.

- 7) The chair of the Honesty Committee should open the hearing by briefly presenting the allegations. Next, the instructor of the course and/or any other individual(s) reporting the allegations are to present their evidence of the alleged violation. The student suspected of a violation may question the instructor or other witnesses concerning the evidence, as may the Committee members. This student may then present his or her own witnesses, including his or her own testimony, and any other evidence. The Committee members may then question the student under suspicion and any of the other witnesses who are present.
- 8) At the end of this process, the instructor and all other witnesses are excused. At this point the student has the opportunity to respond further to the charges if he or she desires by making a statement to the Committee members. The student is then asked to leave, and the Committee members deliberate.
- 9) After deliberation, the Committee decides, by a majority vote, whether the evidence supports a finding that the student under suspicion violated the honor code or whether the evidence does not support such a finding, in which case the charges are dismissed.
- 10) If it is found that the evidence does not support a finding that a violation has occurred, the chair of the Committee notifies the student and the instructor in writing of this decision. This notification should, if possible, be sent within one week of the hearing.
- 11) In a case in which it is found that the evidence does not support a finding that a violation has occurred, the chair of the Honesty Committee sends all records of the case to the Faculty Representative of the University Code of Honor Committee in the college. In addition,

the chair comments to the Faculty Representative, either orally or in writing, on any problematic feature of the case, or any feature which merits the attention of the University Code of Honor Committee. Upon receiving these records and the chair's comments, the Faculty Representative writes a brief case report which excludes the names of any student suspected of a violation or involved in any way as a witness in the case and conceals their identity as far as possible. The purpose of this case report is to assist the University Code of Honor Committee in its efforts to improve the Academic Code of Honor and its implementation, and it should include information such as the general nature of the suspected offense, the vote of the committee, the reasons for the committee's finding that evidence does not support the conclusion that a violation has occurred, and any features which merit the attention of the University Code of Honor Committee. The Faculty Representative sends this report to the relevant Associate Provost, and destroys all other records related to the case.

D. Assignment of Penalties

If a student is found to have violated the honor code, the committee must decide on the penalty. These judgments are left to the discretion of the Honesty Committee, and this handbook does not attempt to offer an algorithm for deciding these questions. However, the committee should be guided by the following broad distinction between offenses and penalties.

- 1) A minor offense is a less serious violation which normally carries the penalty of zero credit for the work with respect to which the violation occurred. Such an offense has some of the following characteristics: the dishonesty involved a more limited portion of the work submitted; it would not have considerably increased the student's grade in the course; and the student did not engage in extensive premeditation and planning prior to the act.
- 2) A major offense is a more serious violation which normally carries the penalty of an 'F' in the course. Such an offense is one which has some of the following characteristics: the dishonesty involved a substantial portion of the work submitted; it would have considerably increased the student's grade in the course; and there is evidence of fairly extensive premeditation and planning prior to the act.
- 3) The Committee may decide the offense was flagrant, which is a violation of an unusually grave nature, and in this case it may recommend suspension or dismissal of the student. A flagrant offense would be one which has all the characteristics of a major violation listed above (VII.D.2), plus further features which makes the offense more grave. For example, the student may have convinced a substantial number of classmates to participate in serious acts of dishonesty and

led them in this endeavor; or the Committee may discover that the student engaged in several serious acts of dishonesty in the course in question, or serious acts of dishonesty in a number of courses.

The committee, when it assigns a penalty, may also consider as a mitigating factor the degree to which the student was honest and forthcoming regarding the violation, or any other evidence of sincere contrition. The Honesty Committee should take into account penalties invoked in previous cases of a similar nature, and may find it helpful to consult the Faculty Representative of the University Code of Honor Committee for this information.

E. Notification of the Decision and the Appeal Process for Major or Minor Offenses

- 1) If the committee decides a student is guilty of a major or minor offense and assigns a penalty, the chair of the Honesty Committee notifies the student in writing of the committee's decision and of the penalty. The letter will explain the appeal process and make clear that a second violation of the Academic Code of Honor will normally result in suspension or dismissal from the University.
- 2) The student has the right to appeal the decision and/or the penalty to the dean of the college or school in which the offense occurred. Grounds for appeal are limited to: evidence discovered after the Honesty Committee Hearing which is relevant to the judgment that a violation has occurred or to the evaluation of its gravity; the presence of a procedural defect in the preliminary investigation or honesty committee hearing; or evidence of personal bias on the part of members of the Honesty Committee that likely influenced the committee's decision that a violation has occurred or its assignment of a penalty.
- 3) A student wishing to appeal must do so no later than seven days from the date notification of the decision and penalty was sent by the Committee. This deadline may be extended only by the dean of the college or school in which the offense occurred, at his or her sole discretion.
- 4) If the student does not appeal within the time specified by the committee, and has not been granted an extension by the dean, the committee's chair then notifies the instructor of the course of the decision and the penalty. The instructor of the course will execute the penalty that the Honesty Committee has determined to be appropriate. The chair then sends to the relevant Associate Provost's office all documents relevant to the case.

- 5) To initiate an appeal, the student must provide a detailed written statement of the reasons for the appeal both to the dean of the college or school in which the offense occurred and to the chair of the Honesty Committee. Upon receipt of such notice, the chair sends all documents concerning the case to the appropriate dean.
- 6) The student has the right to appear before the dean to discuss his or her appeal.
- 7) It is up to the dean's discretion alone whether to allow witnesses or other parties to attend this appeal meeting, and whether to undertake any further inquiries to decide the appeal. The dean should not conduct a new hearing on the original allegation, but should undertake only those inquiries he or she deems necessary to decide among the options below. However, before taking any of the first four options below, the dean is required to speak with the chair of the Honesty Committee to understand fully the Committee's reasons for its original decision and to discuss the dean's reasons for considering a change in that decision.
- 8) The dean deciding the appeal has five options:
 - a. The dean may overrule the finding of the Honesty Committee that a violation occurred and may dismiss the charge against the student in its entirety. In this case, the charges are dismissed and the dean shall notify the student, the instructor, and the chair of the Honesty Committee of his or her decision and rationale. The dean then sends all records of the case to the Faculty Representative of the University Code of Honor Committee in the college, and comments upon any features of the case which may merit the attention of the University Code of Honor Committee. The Faculty Representative then writes a report as described above in VII.C.11, sends the report to the Associate Provost's Office, and destroys all other records related to the case.
 - b. The dean, either because of new evidence or procedural defect, may remand the case to the original Honesty Committee for a new hearing or other follow-up. In such case, the dean shall notify the student of his or her decision and inform the student of the next step to be taken by the Honesty Committee on remand.
 - c. If the dean decides that there is evidence that personal bias may have affected the original Committee's decision, he or she may constitute a new Honesty Committee to consider the alleged violation. In this case, the dean notifies the student and the chair of the original Honesty Committee. The dean may constitute the new Honesty Committee in any way which she or he deems appropriate, provided that it includes both faculty and student representation. The hearing of the new Honesty Committee

proceeds as described above in VII.C&D, except that the preliminary investigation may be dispensed with.

- d. The dean may agree with the decision but not with the penalty imposed by the Honesty Committee, and may decrease the severity of the penalty. In this case, the dean shall notify the instructor of the course of the decision and the penalty, and the instructor shall execute the penalty if applicable. The dean shall then forward all records to the Associate Provost who co-chairs the University Code of Honor Committee.
 - e. The dean may agree with the decision and the penalty, and affirm the decision in all respects. In such case, the dean shall notify the instructor of the course of the decision and the penalty, and the instructor shall execute the penalty. The dean shall then forward all records to the Associate Provost who co-chairs the University Code of Honor Committee.
- 9) If the semester's grade will be submitted before the necessary hearing procedures and appeals are completed, the instructor must request that the dean of the college in which the course is taught issue the student an 'X' grade for the course.
 - 10) A finding of guilt with regard to a particular course will void any earlier withdrawal from this course.

F. Notification of Decision and Appeal Process for a Flagrant Offense

- 1) If the Committee decides the offense is a flagrant one which merits suspension or dismissal, it proceeds automatically on appeal to the dean. The chair informs the dean of the Committee's decision, and sends all records of the case to the dean.
- 2) The chair of the Honesty Committee notifies the student in writing of the Committee's decision and of the recommended penalty. The letter should state that the case has been sent to the dean on appeal and it should explain the appeal procedure.
- 3) The student has the right to appear before the dean to discuss the appeal, and the case proceeds as described in VII.E.6-10 above. The dean has all the options present in any appeal, as set forth in VII.E.8 above.
- 4) If the dean agrees with the Committee's decision and penalty, all records of the case are sent with the dean's recommendation to the Associate Provost, and the case proceeds as described in VII.G.3-6 below.

G. Records of Violations & Repeated Violations

- 1) All documents related to a violation are kept in the Office of the Associate Provost who chairs the University Code of Honor Committee. That office will retain such records for seven years after the student's graduation and will reveal their contents to others only with the written approval of the student or if required by law. (This does not apply to a "case report" of cases in which it is not found that a violation has occurred. [See VII.C.11 above.] These may be kept for as long as the University Code of Honor Committee deems them useful.)
- 2) When the above office receives a report that an honor code violation has been established, that office checks honor code files to determine if the student has a previous violation. If the student has a prior offense, the Associate Provost assigns a further penalty for the repeated offense. The standard penalty for a repeated offense is suspension or dismissal from the University.
 - a. Suspension is separation from the University for at least one semester. The student is eligible to apply for readmission to Notre Dame, but readmission is not automatic.
 - b. Dismissal is permanent separation from the University with no opportunity to apply for readmission.
- 3) It is the responsibility of the Associate Provost to notify the student, the dean of the College in which the violation occurred, the dean of the College in which the student is enrolled (if this differs from the former) and the Registrar of the suspension or dismissal of a student.
- 4) In order to be readmitted to the University, a suspended student must submit an application for readmission. Readmission must be approved by the Associate Provost who co-chairs the University Code of Honor Committee and the dean of the College to which the student wishes to be admitted.
- 5) In any case involving dismissal from the University, the student has the right to a review of the case by the Office of the President of the University. A student may request a review of any aspect of the case for any reason. A written request for a review, identifying all issues to be reviewed by the Office of the President and giving the reasons for requesting a review, must be submitted to the Associate Provost's Office within three business days of being notified of the decision. Decisions of the Office of the President will be based on a review of the written file and are final.
- 6) In the case of suspension for an honor code violation, a student's transcript will read 'Honor Code Suspension'; in the case of dismissal, it will read 'Honor Code Dismissal'.

H. Required Recusals

- 1) If a dean has been involved as an instructor or as a witness in an honesty committee hearing, any appeal of the committee's decision is to be handled by the Provost of the University. In such an appeal, the Provost has all the responsibilities and options usually assigned to deans as outlined above in VII.E and F.
- 2) If anyone in the Office of the President has been involved as an instructor or as a witness in an honesty committee hearing, a student facing dismissal from the university as a result of that hearing has the right to a review of the case by the Provost of the University. In such a review, the Provost has all the responsibilities and options usually assigned to the Office of the President as outlined above in VII.G.5.

The Undergraduate Student Academic Code of Honor Handbook was approved by Academic Council on April 20, 2005. It evolved from the Academic Code of Honor Handbook, first published in 1989 and revised in 1991, 1993, 1997 and 2002. Sections of the 1991 version were adapted from the Academic Honor Code Manual published in 1966.

