

PART 1: THE HONOR CODE

ARTICLE I. Preamble and Purpose

The purpose of this Graduate Honor Code (*hereinafter "the Code" or "the Honor Code"*) is to provide guidance for student conduct with respect to academic pursuits.

The Code applies to all students enrolled in the Wake Forest University Graduate School of Arts and Sciences or 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 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 the Code, including all key provisions, such as, but not limited to, the affirmative duty to report offenses, 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 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 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. Policies pertaining to other misconduct within the University community continue to apply, and the faculty and the administrations of the appropriate graduate program are responsible for enforcement of such other policies (*See Article IX for a definition of "appropriate"*).

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 Graduate School Honor Council (*hereinafter "the Honor Council"*) shall have original jurisdiction to hear and to determine charges of lying, cheating, stealing, vandalism, deception, research misconduct, or failure to report an Honor Code violation by any Graduate School or Divinity School student in his or her academic pursuits or within the University community. *These terms should be construed to have their ordinary, non-legal meaning.*

Section 2. Faculty Retention of Jurisdiction

All disputes will be handled by the 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 or Divinity School administration and the relevant 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 or suspected violation to the Chairperson or Secretary of the Honor Council *or, in the event such persons cannot be reached, to the Dean of the Graduate School or Divinity School as appropriate. The Chairperson or Secretary should inform the relevant Dean that a violation has been reported, although no action on the part of the Dean is needed at this time.* Students who have knowledge of, have witnessed or reasonably believe that they have witnessed *or have knowledge of an Honor Code violation* should report the violation or suspected violation 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). This 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 the description of the purported violations, and the names of other witnesses. If the Chairperson or Secretary cannot be reached to make a report, then the student should report to the *appropriate* Dean. The report may also be filed at a later date if the appropriate Dean determines that special circumstances existed that prevented the report from being filed within the five-day time period. The failure of any student to comply with this affirmative duty to report (except in the circumstances referred to above) shall be a violation of the Code. Refusal to testify before the Honor Council, or failure to do so without good cause, is also a violation of the Code; however, 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 of an Honor Code violation or suspected violation is received, the Chairperson of the Honor Council shall convene, in a timely manner, a Pre-hearing Subcommittee composed of the Chairperson, the Secretary, *one (1)* a faculty member from the Honor Council and *two (2)* students from the Honor Council. Members of the Pre-hearing Sub-committee may not be from the same department as the Reporter or Respondent; *if the Chairperson or the Secretary is from the Reporter or Respondent's department, a member of the Honor Council will be asked to serve in that person's role for the pre-hearing and hearing procedures for the particular case.* The Sub-committee will consider the report and all members contribute to the *make a decision* as to 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 Chairperson. 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 an act or acts that may constitute a violation of the Honor Code, then a written report of the violation(s) as charged shall be prepared by the Secretary and provided to the Respondent promptly with copies to the Reporter, *the appropriate Dean*, the members of the Prehearing Sub-committee, the Respondent's Academic Advisor, and the Respondent's Program Director of the Respondent's department. This written report shall include the date, time and place of a hearing that will take place no sooner than five and no later than *14* academic days from the date of notification, as well as a full description of the Respondent's hearing rights.

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. Hearing Procedures

The Panel for the Hearing will consist of the Chairperson, the Secretary and four (4) additional faculty members and four (4) student members of the Honor Council with the numbers of student and faculty members from the two campuses being as similar as possible. *The Chairperson shall appoint one of the faculty members as Solicitor who will coordinate the exchange of information between the Reporter, the Respondent and the student and faculty members of the Honor Council before and at the Hearing.* The Hearing shall be conducted by the Chairperson (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.

Section 3. Time and Place of Hearing

The Honor Council shall conduct its Hearing *between five and 14* academic days after the Chairperson's receipt of the Pre-Hearing Sub-committee's 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 members of 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 *and clarify the kinds of evidence to be presented. If a witness(es) is (are) to be involved at the Hearing, this should be mentioned at this meeting; a "witness" is someone who viewed or otherwise acquired information relevant to the alleged Honor Code violation.* At that time the Respondent will also notify the Solicitor if he or she will have a representative (as defined in Article VII) for the Hearing. The Honor Council Hearing shall be closed to the public. 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 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 role for the duration of the Hearing. Should any member of the Panel conclude, upon reviewing the report and learning the identity of the Respondent, that he or she cannot render an impartial decision, then he or she shall notify the Chairperson and withdraw. In the event of a withdrawal, a new Panel 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 *appropriate* 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 file to be kept by the *appropriate* 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 may require any person disrupting the orderly proceedings of a Hearing to leave.
3. The Chairperson shall have the right to declare a recess at any point in the Hearing.

4. 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.
5. *The Chairperson shall appoint a faculty member serving on the Honor Council to serve as the Solicitor for each Hearing.*

Section 5. Secretary's Duties

1. The Secretary of the Honor Council will notify in writing the Chairperson, the Dean of the Graduate School or Dean of the Divinity School and the Reporter of the Prehearing Sub-committee's decision about whether an alleged offense or offenses falls within the Honor Code's prohibited conduct.
2. The Secretary will provide to the Respondent a written report of the alleged offense(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 allegation or allegations does fall prohibited conduct. Copies of this written specification will also be given to the Chairperson, the Reporter, the *appropriate* Dean, the members of the Pre-hearing Sub-committee, the Respondent's Academic Advisor, and the Respondent's Program Director.
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 coordinate the exchange of information between the Reporter, the Respondent and the members of the Hearing Panel.*
2. The Solicitor will begin questioning the Reporter, the Respondent and any witnesses as appropriate.
3. 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. *All sources of evidence that may reasonably be supplied and are likely to be helpful in establishing the veracity of the claim should be brought to such a hearing, with materials being distributed beforehand to the extent possible. The Chairperson shall have the authority to limit evidence (in any form) that, in the opinion of the Chairperson, did not serve the purpose of justice or whose relevance to the issues in the matter is minimal or redundant.* The Secretary shall read the written report to the Panel. If the Respondent admits to the charge(s) and stipulates to the facts as written in the report, then the Panel will only consider the question of sanctions, in a Sanctions Hearing. If the Respondent does not admit to the charges, *presentation of evidence* and 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, the Secretary and each member of the Panel shall be given the opportunity to ask 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, including witness testimony, 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 on the charge(s). 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 on the charge(s). A decision that a violation of the Code has occurred shall require a simple majority vote by the Panel that the charge(s) have been *proven by a preponderance of the evidence*. 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 charge(s) are not supported have not been proven. In determining whether there was a violation of the Code, it shall be improper to consider extraneous matters the Panel should only consider evidence and testimony that was presented at the Hearing. Upon reaching their findings, decision, the Panel shall inform the Chairperson in writing. The findings decision shall then be reported by the Chairperson to 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 *as soon as possible; it may be held directly following the Hearing but must take place within five days*, 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 imposed. The Panel shall promptly conduct its deliberations in private and shall reach a decision.

Recommendations *Decisions regarding* a particular sanction shall require a simple majority vote 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, it 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 *appropriate* Dean. A Panel may not recommend decide that no sanction be imposed. If *Once* 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's regarding the findings and recommended sanctions decision on the sanctions to be imposed shall be promptly conveyed to the Respondent by the Chairperson of the Honor Council. The findings and recommended sanctions shall be reported to the *appropriate* Dean in a timely manner. All copies of the record, findings and recommendations shall be transferred to

the *appropriate* Dean for retention *in accordance with applicable Graduate School of Divinity School policies*.

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 Deans 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 report 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 Honor Council's decision 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 *appropriate* Dean by the Secretary of the Graduate Council in a timely manner.

Section 14. Final Disposition

The *appropriate* Dean shall consider the findings *and sanctions* of the Hearing Panel, the recommended sanction, and the recommendations of the Graduate Council in the case of a Respondent's appeal and any alleged exceptional circumstances and shall *make a decision to accept or alter either the findings and or the sanctions*. 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 *may be imposed* 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, any guest or visitor of the University *or any third party*.
- 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 Dean of the Graduate School. 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 the *appropriate* Dean. 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 jointly in a violation. If none of those accused of joint participation request separate hearings, they may have a joint hearing or separate hearings as the Pre-hearing Sub-committee 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 a summary statement at the Hearing 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. Legal counsel can attend the hearing and advise the Respondent, but may not participate in the hearing. *Law students are not permitted to assist the Respondent or to 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, *subject to limitation by the Chairperson of the Honor Council.*
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, *subject to limitation by the Chairperson of the Honor Council.*
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. Until the Hearing and Appeals processes are complete, the Respondent has the right 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, or other activities specifically prohibited by the appropriate Dean.

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.
- b. Faculty members of the Honor Council will be appointed by the *appropriate* Dean. Appointments are effective August 1st 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 chair or program director of each department or program, one (1) from each department or program. Appointments are effective August 1st 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 as a whole shall elect one (1) faculty member to serve as Chairperson, one (1) *faculty person* to serve as Secretary through July 31 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 *two (2)* student members of the Honor Council, The Chairman and Secretary will choose these three members, ensuring as equal a representation of the two campuses *as possible* and ensuring that the members to do not come from the same department or program as the Reporter or the Respondent. A faculty member of the Honor Council shall act as Solicitor.

Section 4. Hearing Panel Selection

The Panel will be comprised of the three (3) faculty members and four (4) student members of the Honor Council chosen by the Chairperson and the Secretary. The faculty members and students will be chosen to ensure as equal a representation between the two campuses as possible and to ensure that no member of the Panel is from the same department or program as the Reporter and the Respondent. 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 charged with the primary responsibility for overseeing the program in which the Respondent is enrolled. 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.

Adoption date: August 1, 2006
Revised version approved by Graduate Council: November 17, 2008
Approved by Graduate Faculty: November 24, 2008.