

## **Honor Committee Constitution**

*We, the students of the University of Virginia, in order to maintain the Honor System of the University and preserve the community of trust which that System fosters, and in recognition of the need to define formally the role of the Honor Committee as an integral part of that System, do hereby establish this Constitution of the University of Virginia.*

### **Article I. Purpose and Derivation of Authority.**

The Honor Committee, acting with the authority which has been delegated to it by the Board of Visitors, shall embody the interests and attitudes of the current student generation of the University of Virginia in performing those functions necessary and proper to uphold and to promote the Honor System.

### **Article II. Powers.**

The Honor Committee shall:

Determine and publicize what constitutes, in the view of the current student generation of the University, an honor violation;

Hear through honor panels appeals from accusations of honor violations;

Exclude permanently from student status University students found to have committed honor violations;

Record honor violations and announce the disposition of honor accusations, including the issues argued before the panel to which the accusation was appealed and their resolution, but not including the name of any student or other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty;

Establish programs, policies, and guidelines for the operation and maintenance of the Honor System;

Establish rules of procedure for appeals from honor accusations and from the findings of honor panels; and

Inform present and prospective students and faculty of the philosophy and operation of the Honor System.

### **Article III. Structure.**

*Section 1:* The Honor Committee shall consist of two elected representative members from each school of the University and three additional representative members elected from the College of Arts & Sciences as determined by each School's Constitution. Each member shall have one vote.

*Section 2:* The Honor Committee, by a majority vote, shall elect from among its members a chairman and four vice-chairmen. The chairman shall preside at all meetings of the Honor Committee, and a vice-chairman shall preside at his request and/or in his absence. The officers shall also perform other duties the Honor Committee may from time to time assign to them.

*Section 3:* The Honor Committee may provide for the selection of such other officers as it may deem appropriate and assign to them such duties as it may deem appropriate: Provided, however, that one officer shall always be responsible for keeping the records of the Honor Committee.

*Section 4:* Honor Committee officers may be removed from their positions as Honor Committee officers by two-thirds vote of the entire Committee.

*Section 5:* Any elected officer of a school shall be eligible to sit on honor panels in accordance with such rules as the Honor Committee may establish.

*Section 6:* A quorum shall consist of two thirds of the Honor Committee. Meetings may be called by the Chairman or by request of three of its members.

*Section 7:* Except as otherwise provided in this constitution or bylaws adopted under it, meetings shall be conducted in accordance with the latest edition of Robert's Rules of Order.

### **Article IV. Election and Removal.**

*Section 1.* Honor Committee elections shall be conducted at least seven weeks before University Spring commencement exercises each year. Those elected shall take office the first Monday in April.

*Section 2.* Unless otherwise provided in a school's constitution, an Honor Committee member may be recalled by a majority of those voting in a recall election in his school within a reasonable time after its receipt of a recall petition signed by at least ten percent of the students in the school.

*Section 3.* Unless otherwise provided in a school's constitution, a vacancy shall be filled by another election within a reasonable time.

*Section 4.* The University Board of Elections or its successor body shall have the power to regulate Honor Committee elections.

## **Article V. Rights of the Accused.**

*Section 1.* Every student accused of an honor violation shall have the right:

To appeal the accusation to an impartial panel, that panel to consist, at his election, of either elected school officers only or both elected school officers and student jurors, or student jurors only who are not elected school officers. Where charges against two or more students will be heard at the same trial, the panel shall be of the kind agreed upon by such students and, lacking such agreement, shall consist of both elected school officers and student jurors.

*(a) Panel of Elected Officers:*

There shall be at least seven panel members and whenever possible, there shall be two elected officers from the school of the accused and one from each of the remaining schools.

*(b) Panel of Both Elected School Officers and Student Jurors:*

There shall be at least two panel members from the school of the accused, at least eight and not more than twelve panel members, and three elected officers on a panel of less than eleven members, three or four elected officers on an eleven-member panel, and four elected officers on a twelve-member panel.

*(c) Panel of Student Jurors Only:*

There shall be at least two members from the school of the accused, and there shall be at least eight and not more than twelve panel members, and no panel member is to presently be a member of the Honor Committee.

To be advised in writing of the nature of the accusation;

To be informed of the nature of the evidence to be used against him;

To have all proceedings against him held publicly or privately at his election. Where charges against two or more students will be heard at the same trial, the proceedings shall be held either publicly or privately, as agreed upon by such students and, lacking such agreement, shall be held privately.

To be given a reasonable time to prepare for a hearing before the panel;

To be assisted by counsel of his choosing from the student body;

To confront and to cross-examine witnesses against him;

To present evidence and witnesses in his own defense;

To be heard in his own defense;

To refuse to testify against himself; and

*Section 2.* No student shall be found to have committed an honor violation unless:

(1) evidence against him supports, beyond a reasonable doubt, an accusation of an act of lying, cheating, or stealing that he knew or a reasonable University of Virginia student should have known might constitute an Honor Offense, to the satisfaction of at least four-fifths of the panel hearing his appeal; and

(2) the act is significant, i.e. open tolerance of such act would be inconsistent with the Community of Trust, to the satisfaction of at least a majority of the panel.

The panel shall take one vote on the criteria of act and knowledge, and, if necessary, a separate and subsequent vote on the criterion of significance.

This amendment shall apply to all accusations rendered by the Honor Committee after March 4, 1997.

*Section 3.* Every student found to have committed an honor violation shall have access to a record of the proceedings against him and may appeal the panel's finding on the basis of new evidence affecting that finding or of a denial of a full and fair hearing in accordance with this constitution.

*Section 4.* All records of the proceedings against a student not found to have committed an honor violation shall be destroyed.

*Section 5.* Notwithstanding any other provisions in this constitution, a student leaving the University upon accusation shall be deemed to have admitted the honor violation.

*Section 6.* A student who has been reported for an honor violation shall have the right, within one week of being informed of the report by the Honor Committee, to file an Informed Retraction admitting guilt and waiving all other rights guaranteed under this constitution. A student filing an Informed Retraction shall be excluded for two full semesters from student status, and shall subsequently be permitted to return to the University, provided that the student has not previously filed an Informed Retraction.

## **Article VI. By-Laws.**

Honor Committee by-laws shall be consistent with this constitution and shall be adopted by a majority vote of the Honor Committee.

## **Article VII. Self-Governance.**

*Section 1.* Every second year, the Honor Committee shall, in accordance with its most fundamental purpose, convene a popular assembly open to the general student body with the following aims: to facilitate discussion on the state of the Honor System; to ascertain the

pressing concerns of the community; and to generate potential measures to be put before the student body for consideration.

*Section 2.* Should a majority of voting students vote affirmatively on a non-binding question of opinion pertaining to the Honor System in a University-wide election, the Honor Committee shall enact a response within the timeframe of one year.

### **Article VIII. Amendments.**

Amendments to this Constitution shall be proposed (a) by a vote of two-thirds of the entire Honor Committee, or (b) by a petition of meeting the requirements, including the form of the petition and all signature requirements, set by the University Board of Elections (or any successor organization, hereinafter, the "UBE"), from time to time. In either case, proposed amendments take effect, if at all, upon ratification by three-fifths of those students voting in a referendum election, provided that at least ten percent (10%) of the entire eligible voting population has voted in favor of such amendments. The validity and deadlines for receipt of petitions and signatures, election dates, vote counts, and other matters relating to the process and administration of elections, shall be determined by the UBE.

### **Article IX. Ratification.**

*Section 1.* This constitution shall take effect on March 21, 1977, if ratified by three-fifths of those students voting in a referendum election to be held February 22 and 23, 1977.

*Section 2.* Honor Committee members elected on February 22 and 23, 1977, or in subsequent run-off elections, shall take office on March 21, 1977, and shall serve until the expiration of the regular 1977-78 term in accordance with Article IV, Section 1, above.

*Section 3.* The Honor Committee shall bring its existing literature, rules, and by-laws into conformity with this constitution.

