

Multiple Sanction Honor Systems

Report and Recommendations

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The Honor Committee

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Overview:

The purpose of this report is to provide summarized information on just under 40 honor systems at peer schools for the purposes of comparing, among other things, the sanctioning system and its effect on the climate, culture, and effectiveness of honor at each institution. We will first provide background as to the purpose of writing this report; we will next provide (brief) summaries of the honor systems we have researched; we will then group these systems under shared characteristics for easy comparison, listing the pros and cons as we see them; finally, we will put forward what we believe to be the best three options for instituting a multiple-sanction Honor System at the University of Virginia.

Background

The Referenda

In the spring of 2015, two constitutional amendments and one non-binding question of student opinion were placed on the ballot in the University elections as part of a package of three referenda. These proposals were written by two Honor Support Officers acting independently as students concerned about the state of the Honor System. The first constitutional amendment would require the Honor Committee to convene a bi-annual assembly to receive student input on how to improve the Honor System. The second amendment would require the Honor Committee to devise constitutional amendments in response to non-binding questions of student opinion, should a majority of the voting body vote affirmatively on the question put forward. The third referendum, a poll, asked the student body whether the Honor Committee should consider implementing a multiple-sanction system.

The first two constitutional amendments passed the 60% threshold necessary to become part of the official constitution of the Honor Committee, and the third question of student opinion received 51% support from the student body. Following the popularly-received interpretation of these three referenda, the Honor Committee now believes that it is tasked with the responsibility of creating a multiple-sanction proposal in the form of a constitutional amendment that the student body will vote on in the spring of 2016. Our belief that we are tasked with this responsibility stems from the successful passage of the second constitutional amendment in conjunction with the response to the non-binding question of student opinion, which were designed to work in concert to compel the Honor Committee to propose a multiple sanction system.

Current sanctioning regime

Under the by-laws that came into effect on August 1, 2015, the Honor System's penalty for students who are found guilty of committing an Honor Offense at a hearing is permanent dismissal from the University. Student panelists are tasked with the sole responsibility of determining the guilt of the student; they do not decide what sanction the student shall receive. Because the criteria of an Honor Offense are Act, Knowledge, and Significance, these panelists are allowed to exercise their discretion in making this decision, particularly through the criterion of Significance—that is, they must decide whether the alleged infraction is “significant” enough to warrant the formal designation of being an “Honor Offense.” The knowledge that the sanction for such a finding is permanent dismissal from the University inevitably influences this judgment.

Although the only sanction at a hearing is permanent dismissal, it is inaccurate to call the Honor System a “single-sanction” system under the current by-laws, for some students who are formally recognized as having committed an Honor Offense may receive lesser sanctions and remain at the University. The Conscientious Retraction allows students who self-report to make amends with the affected parties and, in turn, receive no sanction at all from the Honor Committee. There is no limit to the number of Conscientious Retractions a student may make during his or her time at the University. The Informed Retraction allows students who admit to having committed an Honor Offense after being reported to leave the University for two-semesters and then return without a permanent mark on their record. Unlike the Conscientious Retraction, the Informed Retraction can only be invoked once during a student's time at the University. Additionally, the Informed Retraction is only an option during the investigation phase of an Honor report. Once an Investigative Panel has chosen to formally accuse a student, the only option for the student is a hearing.

Peer institutions

The following summaries (listed alphabetically) should serve to inform readers of the types of honor systems currently in place at other universities. The list was created solely by investigating those schools that were

known at the time of the writing of this report to have relatively robust honor systems; certainly, more could have been investigated. Our guiding philosophy was to sample broadly so as to gain a better understanding of how other institutions run adjudicate academy dishonesty and student misconduct. In the end, the Committee must create our own multiple sanction proposal and, if necessary, depart from the existing arrangements. These summaries should therefore not be seen as an exhaustive list of the possibilities available to us.

Brigham Young University

The BYU Honor Code encompasses a range of student conduct, including the dress code and sexual ethics. The Honor Code Office (HCO) conducts the investigations, and all relevant evidence is included (they don't have many procedural and/or due process protections in this regard). Occasionally the Dean of Students' Office may assume primary responsibility for investigating the alleged offense. Students reported for an Honor Code violation are encouraged to respond in writing to the allegations, and, if necessary, provide evidence attesting to their innocence. At the conclusion of the investigation, the HCO determines the appropriate sanction (if necessary): "No Action, Counsel and Education, Referral (to a responsible person or agency—e.g., reconciliation process), Warning, Probation, Suspension Withheld, Suspension, and Dismissal. The HCO (or the Dean of Students' Office) will then prepare a decision letter which will include a brief summary of the provisions of the Honor Code alleged to have been violated, the findings of the investigation and conclusions, the recommended action and, if applicable, any related conditions for reinstatement in good standing and information regarding the student's right to pursue an administrative review." Notable characteristic: faculty are also held to the standards of the Honor Code.

California Institute of Technology

The major theme of the system is "No member of the Caltech community shall take unfair advantage of any other member of the Caltech community," though the Board of Control itself only handles academic offenses (there is a conduct board with administrators and students that handle other offenses). Caltech's system is also driven by student engagement and relationships (the school is about 1,000 students) and the Board of Control is student-run and elected from mostly dorms with a couple off-campus reps with little (but some) administrative oversight. Their sanctions come in two parts: "nullifying the unfair advantage" (get a zero on the assignment, for example) and "protecting the community" (so additional action like conversations with Board members up to indefinite leave of absence). The sanctions, as the Chair said, can be pretty lenient, which he thinks increase reporting and accountability. The Board investigates and sits on hearings, and at a hearing, they discuss conviction, nullification and protection, then explain their decision.

Christopher Newport University

Student-run with the trained Student Honor Council (application, interview and appointment process). First, a student meets with a Conduct Officer to determine responsibility and impose an appropriate sanction. A hearing occurs if the Conduct Officer requests it or if the student appeals the suspension or dismissal verdict. An Honor Council hears violations of the Student Code of Conduct (majority rules), and a Hearing Panel hears Honor System violations (must be unanimous). They have a similar advocate for the community/accused structure at a hearing, but the advocate for the student cannot speak, can only advise the student on university policy. The findings (responsibility and sanctions) are forwarded to an associate dean as a recommendation.

College of Charleston

College of Charleston has an Honor Code and a Code of Conduct. The authority is delegated to the Vice President for Student Affairs and the Dean of Students. In their investigation process, the student meets

with a Student Affairs Official, they decide if there is a “reasonable basis for allegation,” and then the student gets a chance to “admit the violation” or “contest the charges”. If they admit the violation, then they can choose to be sanctioned by the Honor Board (one faculty, one staff, three students), an Administrator or a panel, the VPSA approves the sanction. If they contest the violation, then there is a hearing, a decision and approval from the VPSA. The burden of proof is a preponderance of evidence. They cover lying, cheating and stealing as well as attempted cheating and stealing, but their Student Conduct (UJC equivalent) handles other dishonest acts and law things. Their violations fall into three classes: premeditation/intent to deceive (XF, suspension or expulsion), failure to comply with directions/some intent to deceive (XF, probation, some suspension), and miscommunication in classroom (written warning, resubmission, research); then there are a number of additional sanctions like warnings, fines, apologies, residence probation/suspension/expulsion, withholding degree, etc. A student can have the XF notation indicating academic dishonesty if they give “testimony of dishonesty during freshman orientation or other organized Honor Board events.”

Dartmouth College

Interesting note – they can charge a student with lying on an admission application! Mixed student, faculty and administrator composition on the Committee on Standards. They mandate unproctored exams, and the Honor Code also places a lot of responsibility on the faculty by mandating unproctored exams and asking them to trust students fully. When a student is reported, the Judicial Affairs Office conducts the investigation and decides “seriousness”. If deemed minor, the student goes to an informal hearing and sanctions (or not guilty) are determined by an administrator. If it is deemed serious, the student can admit it (within 5 days) and go to an informal hearing, but if they deny it, goes to a hearing in front of the Committee on Standards. They recommend sanctions to the Chair of the COS, and the sanction is referred to the Dean for review. There is also an appeals process. Suspensions are their most common sanction (56%).

Davidson College

The Honor Council is made up entirely of students, and they come from every year at the University (adding more each semester, so there are 12 seniors, 9 juniors, 6 sophomores and 3 freshmen in total), and they are the panelists on every hearing. Their equivalent of Advocates are elected as well, and they have a similar philosophy in that they are not adversarial. Every report goes through the Dean of Students Office, and the student, once notified, admits or denies guilt, and, at this point, the case is handed to the student-run Honor Council. If student denies it, the case is investigated by students and there is a hearing for guilt and next for sanction. If they admit guilt, there is just a hearing for sanction. The most common sanction they give is called “the F & 3” where the student fails that class and is withdrawn from every other class they are enrolled in that semester, and they are suspended for the rest of the semester. Davidson really prides itself on its student-led honor system, and this philosophy carries over into their sanctioning policy. In the interview with the Chair, he emphasized that the flexible sanctioning system worked because the student body trusts them to apply a sanction that each student would support. In addition, they have a non-tolerance clause.

Duke University

Duke’s system covers all offenses, from instances of lying, cheating, and stealing to hazing, stalking, disruption, bridge painting, noise and smoking. The sanctions range from expulsion to educational programs (the most common is a written assignment, next is a residence hall warning and finally, an alcohol eCheckup). The Office of Student Conduct completes the investigations and refers (or drops) cases where they see fit - to mediation, arbitration, or, most commonly, an administrative hearing. If the case is serious,

or if the student/group denies responsibility, the case can be forwarded to the Undergraduate Conduct Board (three students, two faculty on a panel). Duke also sees a HUGE volume of cases (read: 841) which is partly because they see all instances of misconduct, not just honor related. Duke has a non-toleration clause.

George Mason University

George Mason University's honor system deals solely with academic offenses. Right after a report is made, the professor, student and a staff member from the Office of Academic Integrity meet. The student can "accept responsibility" or dispute the charges with an administrative review of the evidence or a hearing panel (four Honor Committee members (out of a pool of 100 elected members!!) -including faculty or administration). The sanctions range from oral reprimand to recommendation of suspension or expulsion, but most sanctions are determined by the reporting professor and are academic in nature. Note that there is not much of an investigation period, just both parties submitting evidence.

Georgetown

This system is mostly run by faculty and covers offenses academic integrity and a bit beyond, though mostly academic in nature. The sanctions, however, are quite interesting - letter of reprimand, letter of censure, transcript notation and suspension or dismissal - nothing in between a notation and suspension. Investigations are also run by an assigned faculty member; they speak with the student, faculty member and collect evidence (no subpoena power either). Once it is investigated, the investigator can recommend a hearing (and two other options - maybe one is dropping it). The hearing panel must consist of five people, at least one student, one member from the dean's office and one faculty member. They have separate hearings for guilt and sanction, and like stated above, they only have five possible sanctions.

Georgia Institute of Technology

When a case is reported, there are two paths going forward. A professor can choose "Faculty Conference Resolution" which is similar to mediation - they meet with the student and mutually agree on a resolution (the outcome is reported to the Office of Student Integrity - OSI). The second is that a faculty member can submit a report to the OSI and it will be heard by a "Student Conduct Administrator" (an internal administrative investigation/hearing process) or the "Student Honor Committee" (more student involvement, but still overwhelmingly faculty). The burden of proof is a preponderance of evidence/more likely than not.

Hampden Sydney

Right off the bat, the Hampden-Sydney honor system invokes the ideal of "an honorable gentleman" as stated in their "Code of Conduct" (covering things like UJC, but includes "lewd behavior", "firearms, fireworks, explosives", and "any misbehavior violating the spirit of the Code"), this first part is followed by the Honor Code stating that students will not "lie, cheat or steal, nor tolerate those who do". Reports relating to the Code of Conduct go through the Chairman of the Student Court and the Dean of Students, and their sanctions can be anything including admonition, reprimand, probation, suspension, expulsion, withdrawal of privileges, work assignments on campus, community service and more. Reports relating to the Honor Code go through the President of the Student Government and are heard by a student panel. There are only two sanctions - suspension or expulsion. In addition, they fail the course and must withdraw from their other courses. Like UVA, no mark appears on the student's transcript. The student newspaper publishes public summary-esque descriptions.

Haverford College

At the very beginning, there are three avenues for a potential report - an academic (think: cheating) trial, a

social (think: discrimination, racism, being disrespectful) trial or another judicial process outside of the Honor, but that is determined by the Honor Council. There is no formal investigation process, only the gathering of statements before the jury convenes for the first time. Instead, both parties bring relevant evidence to the trial. The composition of a jury: five members of the Honor Council, and five student community members - four members of the ten must identify as female and four must identify as male, finally, three must identify as a student of color. The jury aims to “find resolutions that achieve the goals of education, accountability, and restoration”. During the trial, the opposing parties present their side of the story, the panel asks questions and the confronting parties can ask each other questions. They have separate trials for guilt and for sanction (they call this the circumstantial portion the the sanction is a “resolution”, where the student explains what was going on in his or her life at the time). They also have a non-toleration clause. Their system is ratified annually.

Johns Hopkins University

Only an informal interview was conducted, but, according to a student member of the Ethics Board, the system is mostly driven by the administration. Overall, however, this student member really stressed that the philosophy of the system is based on the research-centered philosophy of the Johns Hopkins - you can't go into academia if you're dishonest or cheat. Reports are taken by deans, and the deans meet with the reported students, usually three times. The students are provided ample time to admit to the honor offense, and if they do, the dean gives them a sanction. If they admit to the offense the day of trial, the panel looks favorable on that decision with a lesser punishment. The hearing has a panel of three students and three faculty members, but if it is a large case, the number of student panelists is reduced to one.

Notre Dame

First of all, it's called the “Honesty Committee”. When a report is filed, the student can immediately admit or deny. If the student admits, an “Honor Code Violation Report” is submitted, and if they deny, it continues to the Honesty Committee for investigation and evaluation. The Chair decides if there will be a hearing, and it's a majority vote for guilt. The two sanctioning options listed are “zero-credit on assignment, failure in course” for first time offenses and for second time offenses, automatic expulsion. There is a non-tolerance policy.

Oberlin College

The Student Honor Committee (SHC) and a Faculty Honor Committee (FHC) which has the power to approve or deny the SHC's decisions at a hearing. They have an optional advisor role, but it can be anyone - student, administrator, staff or faculty. Their investigation process is quite informal - the opposing parties submit evidence until they are satisfied with the amount provided, and the evidence for a trial is discussed in a pre-trial meeting. Most of the time, according to the interviewee, the student admits to the offense right there and no further investigation occurs. Their sanctions include formal warning, education programs, failing grades, suspension, or dismissal (which only occurs for students with a previous record in the Honor System and is very rare). First violations never result in “external” sanctions (suspension, marking on transcript, etc.), and essays and community service are most common. In addition, they have a non-toleration clause, and professors are required to leave the room during exams.

Sewanee (University of the South)

Sewanee's honor code covers acts of lying, cheating, and stealing, and the honor system is administered and run by elected Honor Council members, with a Chair, Vice-Chair, and Secretary comprising the Executive Committee. The system prizes timeliness: reports must be made within 120 hours of witnessing an offense, and a hearing must take place within 120 hours of formal notice being given to the student. Sewanee

operates on a multiple-sanction honor system: for academic offenses, the ordinary sanction is a two-semester leave of absence from Sewanee, which can be reduced if the student is a first year, if the student is truthful throughout the investigation, or if the violation is not as flagrant. Non-academic violations can receive the sanction of probation if the student requests it and the Council approves it by a 2/3 vote. Committing an honor violation while on probation invokes a 2-semester leave of absence.

Stanford University

Stanford's Honor Code is "an undertaking of the students, individually and collectively", and it encourages students to be "active" in its upkeep as well as professors to have unproctored exams. It seems like a purely academic honor system. Typically, for the first offense, the sanction is a "one-quarter suspension from the University and 40 hours of community service" as well as "No Pass" or "No Credit" for the course from that faculty member. For repeat offenders or multiple instances of cheating, the standard penalty is "a three-quarter suspension and 40 or more hours of community service". Stanford offers the Early Resolution Option if the student wants to waive the right to a hearing and accept the charges and the sanction. The student can change his or her mind if he or she wants a hearing. If the student goes through with a hearing, the panel is made up of 4 students, 1 faculty, 1 staff who are randomly selected from a pool of those who signed up and were trained. The panel considers precedent when considering sanction, they choose from the sanction from the Penalty Code and approved by the Dean of Students/Provost.

Texas A&M

The Aggie Honor System Office offers two routes for reporters - they can check a box stating that they'll handle the violation autonomously or "forward the case to the Honor Council". If the reporter handles the case autonomously, and if the student denies the violation or sanction or both or if the student doesn't respond, the AHSO will get involved and set up meetings, possibly ending in an appeal hearing. If the reporter decides to forward the case, then it is impartially (think: pursuit of the truth) investigated by one student and one faculty Honor Council member and goes to a hearing with an Honor Council panel of two students and two faculty members where they decide responsibility. First the panel decides responsibility, then they decide sanctions. Sanctions depend on whether or not it is the first offense and can range from a zero on the assignment to Honor probation to mandatory educational supplements to upperclassmen not being able to receive honors at graduation to suspension and, rarely, expulsion. Also, their education efforts are pretty strong - more than two dozen resource fairs and they used education as a sanction nearly a hundred times resulting in only one student coming back through the system.

U.S. Air Force Academy

The USAF Academy, like most military academies, prioritizes a system of "confrontation" in which cadets are encouraged to confront suspected violators of the Honor Code (not to lie, cheat or steal) before reporting them. If a report is made, then an investigation commences into the alleged violation. If the cadet in question admits to the act, then the case is forwarded directly to a sanctioning panel to determine the sanction. If the cadet contests the allegation, then the case goes to a non-adversarial hearing and then, if guilty, to a sanctioning panel. The presumed sanction is disenrollment from the Academy, but the USAF Academy is in fact a multiple-sanction honor system, as the presumptive sanction of expulsion can be revised to Honor Probation (rehabilitative program) or Honor Readmission (prolonged suspension, available to older students) based on a number of factors, including truthfulness of the cadet and egregiousness of the offense.

U.S. Naval Academy

Known as the “Honor Concept,” the honor code at the U.S. Naval Academy covers actions of lying, cheating, and stealing. The system has a heavy emphasis on personal confrontation, informal mediation, and counseling. Midshipmen are encouraged to confront their peers they suspect of having committed an honor violation. If the confronted individual admits to the offense, and there does not seem to be any “deeper moral flaw” (i.e., it was a minor or simple mistake), then the confronting midshipman engages in some informal counseling and the matter is settled. If there seems to be a greater violation at stake, the confronting midshipman can recommend formal counseling from the Formal Company Counseling Board, which can agree that only counseling is necessary or forward the case to the Brigade Honor Board. All reports from faculty go directly to the FCCB. The Brigade Honor Board conducts investigations into offenses and holds administrative hearings where the guilt of the student is decided. If the student is found guilty, the case is forwarded to the Superintendent for sanctioning, which may include expulsion.

United States Merchant Marine Academy

Like many of the service academies, the U.S. Merchant Marine Academy encourages its midshipmen to confront peers on suspected honor code violations—this is known as “Informal Action,” and it mirrors the conscientious retraction except for that it does not ever enter the formal honor process. If either party is unsatisfied with the resolution reached through this informal phase, the case can proceed to Formal Action, in which the Honor Review Board can launch a full investigation and, if necessary, hold a hearing for the accused. At the hearing, the Honor Board will decide the guilt of the accused and recommend a sanction to the Superintendent. The USMMA operates a multiple-sanction system, with a typical first-time offense being punished with a one-year suspension. Two-time offenders are expelled, and lesser sanctions can include extra duty, restriction, and participation in an honor remediation program.

University of Maryland - College Park

The University of Maryland has a University Student Judiciary Committee that handles all student conduct-related offenses, with the Student Honor Council adjudicating casing of academic dishonesty. Students are allowed one “self-referral” (similar to CR) while at UMD, with little to no sanction imposed—they are merely required to take an academic integrity seminar. Otherwise, reported students may admit to the offense and go through Informal Resolution, typically receiving the sanction of an “XF” marking on their transcript (failure due to academic honesty violation). Students who contest the charges go to an Honor Board hearing and, if convicted, received a recommendation of sanction from the Honor Board. The “typical” sanction is an XF in the course with the academic integrity seminar; multiple offenders are suspended; and students are rarely, if ever, expelled. This makes UMD a multiple sanction honor system.

University of Michigan

The University of Michigan almost completely lacks student involvement in the honor process. Each school has its own honor code and standards of academic conduct, but the School for Literature, Arts and Sciences (LSA) is most synonymous with the system at U.Va. Reports are made to Office of the Assistant Dean of Education, and the Assistant Dean meets with the reported student, evaluates all evidence, and determines the guilt of the student and appropriate sanction on a standard of “more likely than not.” Accordingly, the system is a multiple-sanction honor system in which the available sanctions include a written reprimand, a letter of apology, community service, probation (with transcript notations), suspension, and expulsion. The goal of the system is described as explicitly educational, and so suspension and expulsion are rarely used, especially for first-time offenders.

University of North Carolina

The Honor System at UNC is divided into three branches: the Attorney General's staff (receive reports, investigate offenses, represent and/or prosecute students), the Honor Court (appointed by Student Body President and ratified by Student Congress, hears all cases and acts as jury), and Honor System Outreach, which acts to educate the student body and faculty on the Honor System and its ideals. The guilty of the student and appropriate sanction are both determined by the same Honor Court members during the same hearing. UNC has a multiple sanction honor system, so there are a number of available sanctions, divided by category. The gravity of the offense, the value of learning through the experience, the importance of equitable treatment, the instructor's recommendations, and the student's personal circumstances may all be considered in deciding the sanction. Categories include the following: Academic Sanctions (i.e. failing grade), Conduct Sanctions (drug/alcohol probation, community service, etc.), Other (loss of privileges, loss of ability to attend athletic events), and Penalties of Record (suspension, expulsion, etc.).

University of Pennsylvania

The honor system at UPenn lacks a great deal of student governance. Cases of academic integrity are handled by the Office of Student Conduct, which works with the University Honor Council (students) to run hearings and administer sanctions. The UHC acts mostly as a hearing panel (with faculty members) to recommend sanctions to the OSC, which makes the final decision. The Disciplinary Hearing Officer (faculty member) presides over all hearings, and the Disciplinary Appellate Officer (also faculty) determines sanctions. The system is primarily rehabilitative, with an emphasis on follow-up and providing resources to prevent second offenses; it is a multiple sanction honor system. Available sanctions include a warning, academic probation, a mark on the transcript, suspensions of varying severity, and (rarely) expulsion.

Vanderbilt University

The Honor Council at Vanderbilt acts as both investigative body, the hearing body, and the legislative body of the Honor System. If a student admits guilty during the investigative process, s/he has the right to request a Small Panel Hearing, which has the sole task of determining the sanction to impose. Otherwise, the student may contest guilt at a Large Panel Hearing, composed of the President of the Honor Council, selected members, and a non-voting member of the Board of Faculty Advisors. Vanderbilt has a multiple sanction honor system. The available sanctions are reprimand, failure in course, suspension, and expulsion, with the presumptive penalty for a first-time offense being failure in the course. This sanction may be reduced to a reprimand and/or failure on the assignment, at the discretion of the panel. The minimum penalty for a second-time offense is failure in the course and suspension of at least one semester, and expulsion is the mandatory penalty for third-time offenses. The Small Panel may assign sanctions only up to failure in the course and one-semester suspension.

Virginia Commonwealth University (VCU)

The Honor System is maintained by the Office of Student Conduct and Academic Integrity, and it is overseen by an Honor Council that consists of undergraduate students, graduate students, faculty, and staff from the office. Once a case is reported, a staff member from the OSCAI investigates the report and decides guilt/sanction, unless under the following circumstances: "...if the accused is on Honor Probation, there are multiple possible violations or if the Academic Integrity Officer determines that the possible violation could warrant a sanction of Suspension, Expulsion or Revocation." If so, a hearing is convened by the Honor Council to determine guilt and sanction. As VCU is a multiple-sanction honor system, the available sanctions include the following: Honor probation, community service, grade and/or course sanctions, suspension, and expulsion.

Virginia Military Institute

The website giving information about VMI's Honor System states this explicitly: "It is inconsistent with a code of personal honor for there to be exhaustive written rules as the sole basis of determining honorable conduct. Hence, there are but few absolute rules for the administration of the Honor System." If a student is found to have violated the Honor Code (not to lie, cheat, or steal) by the Honor Court, he is permanently dismissed from the Institute. Thus, VMI is one of the few peer institutions reviewed that maintains a single-sanction policy.

Virginia Tech

The Virginia Tech Honor System is also student run, although there is more administrative and faculty oversight than at U.Va. Once a student is reported, s/he has the opportunity to submit a statement and relevant evidence (or to not contest the charges), in which case a panel of randomly selected students, one faculty members, and one Associate Justice (trained Honor member) review the documents and decide on guilt and sanctions. The sanctioning system—a multiple sanction honor system—relies on classifying an act into one of six classes. For example, all cheating/plagiarism cases start as Class II offenses, but can be lessened to a Class I offense (for example, if the student is in his or her first semester) or increased to a Class III or IV offense (multiple offender, particular egregious cheating, etc.). The associated sanctions are as follows: "Class I - Honor System probation and education, recommended zero grade on the assignment or on any grade affected by the offense, 25 hours of university service. Class II - Honor System probation and education, recommended double-weighted zero grade on the assignment or on any grade affected by the offense, 50 hours of university service. Class III - Honor System probation and education, recommended double-weighted zero grade on the assignment or on any grade affected by the offense, 75 hours of university service. Class IV - Honor System probation and education, recommended double-weighted zero grade on the assignment or on any grade affected by the offense, one term suspension (excluding summer) by Honor System Review Board action. Class V - Honor System probation and education, F grade in the course (F by Honor System Review Board action), either one or two terms of suspension (excluding summer). Class VI - F grade in the course (F by Honor System Review Board action), permanent dismissal from the university."

Washington & Lee

Also a student-run system, the W&L Honor System is presided over by an Executive Committee of President, Vice-President, and Secretary as well as two representatives from sophomore, junior, and senior classes, one freshman representative, and one representative from each law school class. They are assisted by Honor Advocates, who do the investigatory work as well as support students going through the process. "Dishonorable conduct" is purposefully not clearly defined, although it is traditionally understood to be acts of lying, cheating, and stealing. Once an investigation is complete, there is a closed Executive Committee hearing with ten members of the committee, including at least two from the student's school. If the members find the student guilty of the alleged offense, the student may either leave the university or appeal to a Student Body Hearing. At a Student Body Hearing, open to the entire student body, 12 randomly selected student jurors decide the case between the Executive Committee and the Accused Student. If eight of the jurors vote that the student is guilty, the student is again asked to leave. W&L is thus considered a single sanction honor system.

William & Mary

The W&M Honor System is divided amongst the six Honor Councils: (1) the undergraduate student body and the graduate schools of (2) Arts and Sciences, (3) Business, (4) Education, (5) Law, and (6) Marine Science. There is also an Honor System Advisory Committee composed of both students and faculty that oversees amendments to the Honor System. If a student or faculty members suspects an Honor violation,

s/he is expected to confront the student and allow him or her to offer an explanation. If the explanation is insufficient or not forthcoming, the Reporter may report the offense. The Respondent then has 24 hours to report to the Honor Council or resign from W&M. Once the student reports him- or herself, the investigation process begins. If the case proceeds to a hearing, there will be two separate hearings: 1. Judgment Hearing: the question of whether the student committed the Honor Offense in question is decided by members of the student's Honor Council. 2. Sanctions Hearing: the appropriate sanction, if the student is found guilty, is subsequently decided; the student's past disciplinary record and testimony of the student's character are allowed at this hearing. William & Mary maintains a multiple sanction system: "Warning (lowest sanction, rarely used, no consequences), probation (elevated warning, functionally makes it worse if another offense occurs later), probation with loss of privileges (probation + a ban on doing extracurricular activities, not allowed to participate in any campus events for period of sanction), suspension (separation from the school for designated period of time), indefinite suspension (separation from school for designated period of time plus a reinstatement hearing before returning at which point the council can choose to extend the period of separation), and permanent dismissal."

Possible Multiple Sanction Systems

1. Mediation

One way to introduce an additional sanction to the current regime without changing the single sanction at hearing would be by designing a "mediation" stage immediately following the report of an Honor offense. A number of schools—especially the military academies—have a mediation stage of sorts in their honor systems.

What this stage looks like: Once we receive a report, we immediately notify the reported student. The student, reporter, and a member of the Honor Committee or a support officer sit down together to discuss the report. The conversation is "unscripted," i.e., the purpose is to bring together the reporter and the student to hash out conflicting details. If, during the course of the conversation, the student admits to committing an honor offense, the three parties discuss appropriate sanctions. If the student does not admit to committing an offense during this conversation, a normal investigation commences. Since this stage occurs *after* report, the sanctions will have to be more severe than simply accepting the punishment of the professor (since that's the de facto CR punishment). A promising option for the sanction: an automatic one-semester suspension from the University + whatever sanction the professor wishes to apply.

Implications for the system: Since this stage occurs at roughly the same time that the IR does, we would have to modify the role of the IR in the system. The fix could be relatively simple: instead of having an IR "period," the student would be able to take an IR at any point during the entire case process. In this way, the students who take IRs would like do so only after mediation, since a two-semester suspension will be regarded as worse than a one-semester suspension + professor sanction. Functionally, the IR would

likely be taken most often after an I-Panel has decided to formally “accuse” the student (currently, students wishing to come clean at this point in the process have no opportunity to do so other than LAG-ing). The result would be that progressively more severe sanctions are made available as the student passes up more opportunities to come clean about the honor offense. The progression is natural: CR - Mediation - IR - Single Sanction (at hearing).

Pros:

The major intuitive appeal of this system is that it makes the availability of less severe sanctions contingent on a student’s honesty, which has been the guiding principle of “sanction reform” since the introduction of the CR in the 90s. A student who is immediately honest receives no sanction (CR); a student who is honest upon immediate confrontation by the reporter/Committee receives a lighter sanction (one-semester suspension and professor sanction); a student who passes up both of these opportunities, but later in the process wishes to be honest, receives a more severe sanction (IR); and a student who is found guilty at a hearing will have passed up three opportunities to be honest, making the application of the single sanction more justifiable to those who have moral qualms.

Another benefit of this option is that it allows for some retention of our “single-sanction” language, as we can honestly still claim to have a single-sanction system once a student reaches a hearing. For some (like one of the authors of this report), we already effectively have a multi-sanction system with the CR and IR, so we should be making this language change anyway.

Cons:

The first and most obvious con of this strategy—depending on one’s views—is that it retains the single-sanction at hearing. There is therefore no opportunity for a student panel to exercise discretion in the sanctioning of a student at hearing, because at that point all other sanctioning options will have been exhausted.

Another downside may be consistency. With “mediation,” professors have more leeway in how students are sanctioned. Harsher professors will set a higher bar before they are satisfied, even if the offense is similar across disciplines. We can help to mitigate this by creating a separate “Honor Committee” sanction that is applied at mediation regardless of the professor’s preferred sanction (I’ve suggested a one-semester suspension), but it is nonetheless a worry.

Finally, this strategy may make the IR an explicitly “plea-bargain” type of sanction, because students would only logically take it if they cannot reach an agreement through mediation, and potentially only after being accused at I-panel. We may also want to think carefully about whether or not the mediation stage is inexhaustible—or whether we want it to be a “one-time deal” like the IR.

2. Classification

Modeled after Virginia Tech's honor system, a set of classifications would create multiple sanction system at a hearing. Any given case would fall into one of these classes based off of a set of predetermined criteria.

What this stage looks like: A multiple-sanction system with classified honor offenses would have to be modified around the IR, or the IR process would be eliminated. If the IR remains the same, and classification occurs at a hearing, would the sanctions assigned to all classes be objectively harsher than a two-semester leave? Or would a student opt for a hearing because he or she believes the offense warranted less than a two-semester leave of absence? The first option does not leave much room for a diversity of classifications, but the second allows for more forgiving sanctions below the IR. These sanctioning options do not represent the full spectrum, and there could be a variety of other combinations or additions to them.

It is also worth considering what the considerations are for sorting an offense (or offenses) into a particular class. Some common considerations: cooperation of the student throughout the process, egregiousness of offense, number of offenses, and number of times the student has been brought up on charges of academic dishonesty.

Here are some options for this model:

Class I - two-semester leave of absence, failing grade for the class

Class II - two-semester leave of absence, failing grade for the class, automatic withdrawal without credit for all other classes in the current semester

Class III - three-semester leave of absence, failing grade for the class, automatic withdrawal without credit for all other classes in the current semester

Class IV - expulsion

Other potential classification schemes:

Class I - failing grade for the course, formal apology letter

Class II - failing grade for the course, automatic withdrawal without credit for all other classes in the current semester, no leave of absence

Class III - failing grade for the course, automatic withdrawal without credit for all other classes in the current semester, one-semester leave of absence

The remaining classes are as above.

Questions to consider: Would cases be automatically assigned a class at the discretion of the Vice Chairs when the report is filed? Or would a class be assigned after a hearing? If the class is assigned after a hearing, who assigns the sanction? The Hearing Chair and Official Observer? The student panel? Would a class be assigned at an I-Panel?

Case flow with a class assigned at I-Panel: Report - Initial Reporter Investigation - IR Period (potentially abolished) - Student Investigation - I-Panel: accusation and classification occurs - Hearing - Verdict.

Pros:

In this method, the student panel does not need to worry about precedent with classification, just guilt. In this way, their decision-making process is similar to what they do now, because we will tell them what the sanction will be if the student is found guilty (just as we do now—except there is only one sanction). If the classification system is simple enough, the student body can understand the classification system (i.e. simple enough to quickly explained). It also has the obvious appeal of proportionality—different offenses and varying degrees of egregiousness invoke different sanctions. Finally, the element of “cooperation” or “honesty” can be incorporated into the classification system, rewarding students who are forthright in the process.

Cons:

Placing the classification after the I-Panel could cause problems for a student making a decision about the IR - it would add one more level uncertainty because the class might be undetermined at the time of the IR period. The IR is designed to be an individual decision, not based on any calculus, though that is hard to ignore in reality. It is likely under this system that the IR would have to be abolished. In addition, this system of classification does add one more step in our process, one more way our process is complicated. It's no longer an “Honor offense”; it's a “class I Honor offense” or a “class IV Honor offense”—each of which has different implications and sanctions. In the end, this makes our system more complicated and difficult to understand. Finally, this explicitly institutes a full-throated multiple sanction system. With this system in place, an uncontrite student can commit a blatant Honor offense and remain at the University.

It is also worth noting that setting up a classification system makes it much more attractive to operate on precedent, which we may not want to introduce.

3. Sanctions panel

An alternative to the classification system is to create a menu of available sanctions that a student panel could choose from, and then hold a separate “sanctions hearing” after guilt has been determined.

What this stage looks like: The IR would almost certainly be abolished if we implemented a system like this. Instead, if a student at any point admits guilt, the case will immediately go to a sanctions hearing, in which a student panel (or panel of Committee members; worth discussing) would factor in the cooperation/honesty of the student, the egregiousness of the offense, the number of offenses, the Honor history of the student, and potentially the student's year at the University in making a decision on which sanction to impose. Students who admit guilty will obviously receive a lighter sentence than those who are found guilty at a hearing. If a student proceeds to a hearing, it will focus solely on guilt; if the student is found guilty, a separate sanctions hearing will be convened to determine the appropriate sanction. This separate hearing could be the same student panel on the same evening, the same panel on a different evening, a different panel on the same evening, or a different on a different evening.

Which sanctions are available at the sanctions hearing is an important aspect to consider. They will likely be similar sanctions to the classification system above, except they will be decided only after guilt has been determined. These sanctions include: suspension, expulsion, failing grade on assignment, failing grade in course, probation/withdrawal of social privileges, withdrawal without credit from other classes, etc.

The new case flowchart would be as follows: Report - Initial Reporter Investigation - Student Investigation - I-Panel: accusation - Hearing on guilty - Verdict - Hearing on sanction - Sanction applied.

The case would move automatically to the “hearing on sanction” if the student admits guilt at any point after the report.

Pros:

As with classification, this system sets up an explicitly multi-sanction system even at hearing, which has the positive of being more “proportional” to the committed offense. In contradistinction to the classification scheme, however, this plan would put more power and discretion in the hands of the students who serve on the sanctions panel, while also giving them more information to work with when making their decision (since the sanction would be decided only at the end of the entire process). It can also incorporate the honesty/cooperation of the student in the process, providing incentives (in the form of lighter sanctions) to contrite students.

Cons:

The downside of this system in comparison to the classification system is that it adds a layer of bureaucracy/decision-making, as there will have to be a separate sanctions hearing. In addition, if the sanctions hearing occurs right after the “guilt/innocence” hearing, by the same panel, then the two votes (guilt/innocence and appropriate sanction) will influence each other in a way they don’t in other schemes. As opposed to the classification system, this system would be prone to unequal outcomes, since two different panels could reach different conclusions about appropriate sanctions in a similar cases.

4. IR Reform as Multi-Sanction/Dual Sanction System

Currently, the Informed Retraction can only be taken for one offense, with the exception of those in a “single nexus of events”. There are a few interesting ways we could reform the IR to implement a genuinely multi-sanction system:

IR covering multiple offenses: We could make the IR exhaustible (only one per student), but allow it to cover all acts in a single report. Thus, every student at U.Va. has one available “reset button,” no matter how egregious or numerous the offenses. Alternatively, we could change the standards used to define multiple offenses—to, for example, “factually related.” This would allow the IR to cover multiple offenses, within reason.

Multiple IRs: Instead of changing the standards for IRs, we could increase the number of IRs a student can take. The length of punishment would simply be cumulative. Absent change in the sanctioning power of the IR, students would simply add +1 year for every separate offense. For multiple offenses (3+), this option would essentially be equivalent to dismissal, since leaving for more than even 2 years is severe.

Other interesting elements

Non-toleration Clauses: Several schools (including Hampden-Sydney and Haverford) included non-toleration clauses in their systems.

Investigation Processes: Not a single school performed investigations into potential honor offenses the same way. A few other schools appointed trained student investigators, but the vast majority of schools appointed an administrator or a faculty member to conduct the investigation. Some schools lacked an investigation process altogether – instead opting for the submission of statements and any relevant evidence directly from the student or reporter to the Honor Committee to be presented to the jury.

Jury Composition: Just as no one investigation system was exactly the same as another, the composition of juries varied from school to school. Examples include all random student jurors, opt-in (volunteer, trained) jurors, mixed panels with random students and Committee members, Committee-only juries, mixed panels with students and faculty/administrators, a group of faculty/administrators or one-on-one with a dean. The most common jury composition was a close tie between mixed panels of Committee members and faculty/administration and all Committee member panels. Most student-run honor systems required final approval from the Dean of Students or the Provost.