

# Academic Judicial Council Bylaws

## PREAMBLE

### **The Academic Honor Code**

Enrollment in Hood College is dependent upon a student's willingness to act with honor and to promote and encourage appropriate behavior in others.

### **The Academic Honor System**

The Honor System is designed to support an ethical way of life and to encourage independence, responsibility, integrity, and honesty. Faculty, staff, and administration trust students to exercise democracy in upholding the Academic Honor Code. The Honor System affords students the opportunity for un-proctored and take-home exams. Students work with faculty, staff, and administration to uphold this system and evaluate it annually.

### **Academic Judicial System**

The components of the academic judicial system, comprised of the Academic Judicial Council (AJC), are set forth in the Hood College Student Government Association (HCSGA) Constitution and the Student Handbook.

### **Purpose**

The purpose of AJC shall be to 1) adjudicate serious and/or continual violations of the Academic Honor Code and 2) to consider appeals of faculty sanctions and of automatic (3<sup>rd</sup> violation) suspension from the College. Any student violating the Honor Code regulations of Hood College shall have the right to appear before a duly constituted AJC.

## **I. Academic Honor Pledge**

All academic work shall carry a signed pledge that shall read: "I pledge that I have neither given nor received unauthorized aid on this (exam, quiz, assignment, paper, etc.)."

## **II. Academic Judicial Council (AJC)**

### **1. Membership**

- a. **Chairperson.** The Chairperson of the AJC, who shall be non-voting except in the case of a tie, shall be the Dean of Faculty. The chair shall:
  - i) Select and call upon Student and Faculty Members for each proceeding; such selection may be based on any method, including scheduling constraints, provided the method used is not prejudicial to the parties involved in the case.
  - ii) Schedule AJC hearings and issue official written notifications of an AJC hearing to parties involved and preside over all meetings and hearings of the AJC;
  - iii) inform the accuser and accused of their rights as outlined in these bylaws;
  - iv) ensure that all cases heard by the AJC are handled expeditiously and according to prescribed procedures;
  - v) Issue official written notification of AJC decisions to accused students
  - vi) Maintain the official records of AJC hearings and Honor Code decisions
  - vii) Forward to the Provost all records of a hearing when cases heard by the AJC are being appealed.
  - viii) Educate the Hood community about the Honor System.
- b. **Student Members.** A pool of up to ten (10) full-time undergraduate students in good academic standing shall be appointed members of AJC each fall by the Chair who shall solicit interest from eligible members of the student body.

- i) A sufficient number of Student Members (at least enough to meet quorum) will be called upon for each proceeding (hearing or direct sanctioning), by the Chair. The Student Members called on for a specific proceeding shall be voting members for that proceeding.
  - ii) If vacancies should occur in the pool of Student Members, or if vacancies exist after appointments have been made within the above process, the Chair may appoint eligible students to the vacancies by any reasonable and expeditious method available.
- c. **Faculty Delegates.** Two (2) Faculty Delegates elected by and from the faculty to serve in alternating two-year terms, shall be voting members of AJC;

## 2. Responsibilities of the Members

### *Members of the Council:*

- a. must remain in good academic standing while they serve on the AJC (applicable to Student Members).
- b. pledge to maintain confidentiality of any hearing, violation of which is grounds for immediate removal from the pool of representatives and administrative Code of Conduct judicial action by the Dean of Students (or designee);
- c. must impartially evaluate evidence, deliberate, and decide cases in all assigned cases.
- d. may not serve as advocate to any accused or accuser involved in a hearing while they are members of the pool of representatives;
- e. may not serve as a member of Board of Appeals, Conduct Hearing Board, and/or another judicial body at Hood College.
- f. must attend the training programs developed for them by the Chair to acquaint them with the procedures of AJC and Board of Appeals.
- g. shall have reasonable availability to hear cases throughout the year.

## 3. Jurisdiction

### a. Faculty Jurisdiction

- i) Faculty may independently handle instances where students commit violations in their class.
- ii) Faculty must submit the outcomes of all situations that they handle independently to the AJC Chair for recordkeeping purposes.
- iii) Students who commit multiple or egregious offenses will have a hearing by the AJC.

### b. AJC

AJC is vested with broad jurisdiction over Academic Honor Code matters referred by the faculty, appealed by the accused after a faculty member's independent decision, and referred by the Provost, Dean of the Faculty, or Dean of Students. Examples of Academic Honor Code matters include, but are not limited to:

- i) plagiarizing (presenting another's ideas or works as your own)
- ii) Using any electronic means (including, but not limited to text messaging, social media, and email) to provide unauthorized aid or otherwise compromise the integrity of an examination or assignment
- iii) duplicating previously submitted work without the prior approval of the instructors involved
- iv) giving, receiving, or bringing unauthorized aid or materials, as defined by the instructor, into the exam environment
- v) failing to hand in all written exam materials at the end of an exam
- vi) communicating during an exam, including verbal communication, written communication and use of electronic devices
- vii) taking an exam in an unauthorized location
- viii) leaving the exam environment, except in cases of emergency or with authorization from professor or proctor
- ix) giving or receiving unauthorized peer aid, on assignments and/or completing individual assignments in a group setting, without the approval of the instructor, such that each student is not solely responsible for his or her own work
- x) failing to write the Academic Honor Pledge on works submitted for academic credit
- xi) cases referred by the Provost, Dean of Faculty, or Dean of Students

### III. Responsibility

Students are responsible for educating themselves on the Academic Honor Code and for making sure they understand instructors' definitions of unauthorized aid. Students are encouraged to report violations to the faculty member of record for the course or work involved. The instructor of a course must provide all students with effective instructions regarding what constitutes "unauthorized aid." However, students are individually responsible to seek clarification from an instructor when instructions are unclear. Faculty members are encouraged to take specific measures to create an academic environment that discourages violations and sets the parameters for appropriate academic setting.

### IV. Procedures and Definitions

If any person believes he or she has witnessed or committed a violation, that person should speak to the faculty member of record, an administrator, or a staff person within one (1) week. This person shall be considered the "reporter" of the violation. Administrators and staff who receive such reports shall involve the faculty member of record. A student accused of a violation shall be considered the "accused" (even when self-reporting a violation).

1. When it has been determined by the Chair that the violation will be handled through hearing by AJC, the accused student and the faculty member involved must submit an account of the alleged violation to the AJC Chair. The reporter of the violation, if different than the faculty member of record and/or accused, may also be asked to submit a report, at the Chair's discretion.
  - a. The reports should be brief, relevant, and provide a description of the incident in question.
2. All parties involved must maintain absolute confidentiality within the guidelines of Hood policy and the law.

### V. AJC Hearings

#### 1. Hearing Procedures

##### a. Pre-Hearing Procedures

The AJC Chair shall formulate the charges to be brought against the accused student and schedule a hearing of the Council at a time that does not conflict with the class schedule (including for-credit internships) of the accused and the faculty member of record. Hearings need not be rescheduled due to non-academic commitments of the accused. The AJC Chair will notify the parties involved at least three (3) academic days before the hearing of the specifics of the hearing (i.e.: time, date, location, rights, and responsibilities). The faculty member of record and the accused may choose to have a member of the Hood community, specifically, a faculty member, staff member, or student, serve as an advocate. The advocate may not speak to the Council during the hearing, but may be provided the opportunity to speak on behalf of the student at the close of the hearing.

##### b. During the Hearing

- i) The accused and faculty member of record will be expected to appear in person (or virtually) at the hearing. The absence of either party may result in the hearing being held in absence of that party. Parties may also present witnesses with direct knowledge of alleged violation who may testify only to their direct knowledge of the alleged violation; character witnesses are not permitted. The Council will review written statements, question the parties and witnesses present, provide opportunity for the faculty of record and accused to question each other and any witnesses, and hear a final statement from the accused and the faculty of record present.
- ii) Questions of clarification, relevance/admissibility of any evidence presented, and procedure from either party and/or Council members may be considered and decided by the Chair.
- iii) Cases may be continued to the following academic semester due to time constraints at the end of the current term.

##### iv) Procedures for Decision Making

1. After the evidence has been presented, the Council shall deliberate in private and shall decide if the accused is in violation of the Academic Honor Code by a preponderance of the evidence. Only members of the Council present at the

hearing shall be entitled to vote. A majority vote from the voting members present at a hearing of the Council shall be necessary for deciding the case.

2. If the accused is found to be in violation of the Academic Honor Code, the Council shall recommend, by majority vote one (1) or a combination of the following sanctions to the Chair:
  - a) Uphold the faculty member's sanction (if applicable)
  - b) Loss of credit or reduced grade for the piece of work.
  - c) Loss of credit or reduced grade in the academic course in which the offense occurred.
  - d) Suspension from the College for a specified period of time.
  - e) Expulsion from the College.
  - f) Other sanctions, relevant to the violation, deemed appropriate by the Council.
3. Once a decision has been reached, the accused and the faculty of record shall be verbally informed of the decision and recommended sanction(s), if any, and any appropriate appeals process.

**c. After the Hearing**

- i) The Chair shall review the decision and sanction recommendations. (S)he may reverse a finding that a violation occurred if, upon review, it is determined that a preponderance of the evidence does not support the violation; the Chair may not reverse a finding that no violation occurred. The Chair may alter, remove, add, or replace sanctions recommended by the Council if necessary to maintain consistency with similar cases.
- ii) A formal notification of the decision and any applicable sanctions of the hearing will be provided to the accused within three (3) academic days following the hearing, by the Chair.
- iii) A copy of the decision and sanctions shall be sent to the faculty of record and the accused student within three (3) academic days after a hearing.
- iv) A record of the case shall be kept on file by the AJC Chair for seven (7) years after the student graduates or leaves the College. Access to such files is determined by College records guidelines and applicable law; generally access is granted to:
  1. AJC Chair
  2. Provost
  3. Dean of Students (as the custodian of judicial records)
  4. President of Hood College

**d. Failure to Fulfill a Sanction**

Failure to fulfill all the specifications an assigned sanction may result in more severe sanctions up to, and including, expulsion at the discretion of the appropriate judicial body or administrator, as determined by current College practice.

- e. Appeal Process** The accused student may appeal an AJC decision in the manner described (and along the timeline indicated) in the Academic Honor Code section (Appendix B) of the Student Handbook. Any sanction(s) automatically go into effect immediately after the timeline for appeal expires. AJC decisions that result from an appeal (of a faculty member's decision) by the accused may be considered final; Hood does not guarantee leave to appeal a case more than once.

**VI. AMENDMENT**

These bylaws will be reviewed by AJC as often as necessary and may be amended by a two-thirds majority vote of the entire active (vacant positions excluded) membership of AJC. Such amendment will be communicated to Hood College Student Government Association and Faculty Senate in a timely manner. The Chair and/or Provost may temporarily amend these bylaws when necessary for compliance with published policy and/or the law. Such temporary amendment will be communicated to AJC members promptly and shall remain in effect until such time as it is ratified by a two-thirds majority of AJC or until an alternative amendment addressing the concern is approved by AJC.

**VII. QUORUM AND RECUSAL**

Any member of AJC may recuse him or herself from a particular case when he or she is unable to impartially hear and decide the case by informing the Chair in writing. Such recusal shall not prevent AJC from deciding the case provided the applicable quorum is met.

1. **Hearings.** Quorum for Hearings is one (1) Faculty Delegate, three (3) Student Members, the AJC Chair.
2. **Business.** Occasionally the Council may meet to discuss business, such as amendment of these bylaws. Quorum for such meetings of AJC is two-thirds of the entire active (vacancies excluded) membership of AJC.