

# Students' Rights and Responsibilities

## I. The Honor System Charter

*The General Faculty voted to approve the following revised Honor System Charter on May 21, 2008.*

### A. Purpose

The Honor System provides a framework for academic work at Oberlin College and for the establishment of a Student Honor Committee (SHC). The SHC promotes an Honor System where students form part of the Oberlin College community of scholars. As peers, the SHC allows for the student body to be accountable to each other based on the principles of academic integrity. The SHC ensures that trust and academic freedom are maintained for the scholarly pursuits of the Oberlin College community.

The purpose of the system is to maintain a high standard of academic integrity in all curricular work, to respect students' ability to adhere to this standard, and to encourage further development of this ability through the efforts of faculty, administration, and students. The Honor System embraces the Honor Code and the system administering it.

The Honor Code provides the foundation for the intellectual freedom that is encouraged and shared by all members of the academic community and embodies the belief that true academic freedom and discourse can only exist within a framework of honesty, integrity, and responsibility. With the privilege of pursuing an Oberlin education comes the responsibility of supporting both the expectations and the spirit of the Honor Code. This requires each individual to respect all fellow members of the Oberlin community and to vigorously support the protected nature of intellectual property. Oberlin fosters and promotes a strong commitment to open and thoughtful intellectual discourse within the context of the principles defined by the Honor System. It is expected that the core values inherent to the Honor Code will be adopted, upheld and adhered to by all members of the Oberlin College community. Based on this presumption, professors do not proctor exams, but trust that students adhere to the Honor Code.

Students bear the responsibility of ensuring the maintenance of academic freedom in the community and report possible infractions potentially harming the community. Students are required to utilize principled and sound judgment regarding all interactions within the academic enterprise and to abide by the regulations set forth below.

The Honor Code: Oberlin College students are on their honor to uphold a high degree of academic integrity. All work that students submit is expected to be of their own creation and give proper credit to the ideas and work of others. When students write and sign the Honor Pledge, they are affirming that they have not cheated, plagiarized, fabricated, or falsified information, nor assisted others in these actions.

Honor Pledge: "I have adhered to the Honor Code in this assignment."

The default assumption covering all academic exercises is that students are required to do their own work only utilizing the help and resources considered appropriate for each academic exercise, including sources of assistance routinely offered by the college to students, such as reference librarians and writing tutors. Notwithstanding, in all cases, the professor in a specific course may further restrict or expand what resources are approved or not approved for use in a particular course or assignment.

## B. Definition of Terms

### 1. ROLES

**a. Advisor:** a student, administrator, staff person, or faculty member who is currently a part of the Oberlin College community who agrees to provide guidance and support for a respondent or complainant. Advisors may not be parents of the complainant or respondent and may not act as legal counsel. Advisors may join a respondent or complainant during any meeting related to the investigation or hearing of a case. During hearings the advisor does not have speaking privileges and may not serve as an advocate on behalf of the complainant or respondent; however the advisor may confer with the respondent or complainant, offer support, and give advice, write notes to, or whisper a suggestion to the respondent or complainant on procedural matters. Ultimately, the advisor is present to provide moral support and to listen carefully on behalf of the respondent or complainant. Advisors are often able to make recommendations to the respondent about questions to ask, appropriate tone to use, and to help clarify information.

**b. Complainant:** the student, administrator, staff person or faculty member bringing a charge against someone under the Honor Code.

**c. Coordinator of the Student Honor Committee (also SHC Coordinator):** the person responsible for receiving reports of violations, assigning case managers, keeping a record of cases under investigation and scheduled for hearings, and managing correspondence with the Faculty Honor Committee, Honor System Liaison, and the relevant deans.

**d. Cochair(s) of the Student Honor Committee:** the individuals designated by the SHC to facilitate meetings of the entire committee and who work collaboratively with the coordinator to make sure that committee members are carrying out the mission of the Honor System.

**e. Honor System Liaison:** the person designated by the Dean of Students to provide guidance and

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administrative support to the Student Honor Committee. The Honor System Liaison maintains a set of tracking files containing both names and case numbers, is an ex-officio member of the Faculty Honor Committee, facilitates communications with other administrative offices, and answers questions when classes are not in session or when the SHC Coordinator is not available. The Honor System Liaison coordinates events to bring the constituents of the System together once or twice a year. In addition, the Honor System Liaison works collaboratively with the SHC to recruit and train members, to sponsor the fall orientation program for new students, and to ensure that a panel is available to hear cases during senior week.

**f. Respondent:** the person against whom a charge is brought under the Honor Code.

**g. Relevant Dean:** the dean of the college or the conservatory, or both, depending on where the student is enrolled.

**h. Secretary/Treasurer:** the person who works collaboratively to make sure that meeting minutes are recorded, assists the coordinator with correspondence and scheduling as needed, prepares the annual budget and meets with the Student Finance Committee as needed. Ordinarily, the secretary/treasurer is an underclass student serving as an apprentice to the coordinator.

**i. Witness:** an individual who is consulted by the SHC and who participates in a hearing to provide expert, factual, or circumstantial information related to the charge(s).

## 2. CONCEPTS

**a.** A business day ordinarily refers to a weekday (Monday through Friday) excluding college recognized holidays during those weeks when classes are in session. Mondays through Fridays during fall and spring break, winter shut down, winter term, or summer vacation (hereafter, "recess periods") are normally not considered "business days." However, recess periods do not stay timelines for a respondent to submit requests for appeal to the relevant deans and to the President or the president's designee, pursuant to Sections F. 7. c. and e.

**b.** A charge is a written notice to a student of an alleged or potential violation of the Honor Code brought to the SHC for investigation.

**c.** Cheating occurs when students do not do their own work in an academic exercise or assignment. Examples of cheating include, but are not limited to:

- (1) Copying from another student's examination.
- (2) Allowing a student to copy from another student's examination.

(3) Using outside materials on an examination that are not authorized for use during the examination.

(4) Preparing or obtaining notes to take into a closed-book examination, for example writing on the hand or desk, preparing a crib sheet, or storing information in any other format for use and retrieval during the examination.

(5) Collaborating on a project that was intended to be completed individually.

(6) Using written notes or information, or electronic devices, such as a personal data device, laptop computer, cellular phone, or calculator in an unauthorized manner to store, share, and/or retrieve information during an examination.

**d. Plagiarism:** The appropriation of the work or ideas of another schola—whether written or not—without acknowledgement, or the failure to correctly identify the source, constitutes plagiarism regardless of whether it is done consciously or inadvertently. A lack of knowledge of the standards of academic citation is not an excuse for inadequate or improper citation. Students should consult with a professor, librarian, or writing tutor if they are unsure about their citations or the proper format.

Plagiarism may take many forms. In its most blatant form, entire phrases, sentences, or paragraphs are used verbatim, without quotation marks or the appropriate citation. It is also plagiarism to paraphrase the work of another without attribution or to take a written passage and alter a few words in an effort to make the writing one's own. Moreover, the use of another's idea that cannot reasonably be regarded as common knowledge is plagiarism. Non-textual images such as drawings, graphs, and maps are also subject to plagiarism as are the experiments, computer programs, musical compositions, and websites of others.

Because footnoting and bibliographical conventions differ significantly between disciplines, students should consult with their professors regarding the conventions of academic footnoting and bibliographical documentation expected in a particular course. Standard published sources used as guides to citation style include:

Gibaldi, Joseph. *MLA Handbook for Writers of Research Papers*, 6th ed., 2003.

McMillan, Vicky. *Writing Papers in the Biological Sciences*, 2001.

Turabian, Kate. *A Manual for Writers of Term Papers, Theses, and Dissertations*, 6th ed., 1996.

*Publication Manual of the American Psychological Association*, 5th ed., 2001.

*The Chicago Manual of Style*, 15th ed., 2003.

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Oberlin College maintains a website with useful information concerning the appropriate use of sources as well as acceptable footnote and bibliographical style. This site is at: [www.oberlin.edu/library/research/reference.html](http://www.oberlin.edu/library/research/reference.html).

**e. Fabrication:** Fabrication occurs when a student consciously manufactures or manipulates information to support curricular and co-curricular work. Some examples of fabrication are:

- (1) Falsifying citations, for example by citing information from a nonexistent reference.
- (2) Manipulating or manufacturing data to support research.
- (3) Taking another student's examination, completing another student's academic exercise, or writing another student's paper.
- (4) Listing sources in the bibliography that were not used in the academic exercise.
- (5) Engaging another individual (whether a part of the college community or from outside of the college community) to complete the student's examination, to complete the student's academic exercise, or to write the student's paper.

**f. Multiple Submissions:** The same work may not be submitted to more than one course without the prior approval of all instructors involved. Reasonable portions of a student's previous work on the topic may be used, but the extent of the work must be acknowledged.

**g. Other Acts:** Students who misrepresent academic information to college officials, for example by falsifying grades, forging college documents, transcripts, records, recommendations, certificates, diplomas, degrees, or signatures, have violated the Honor Code. Destroying, hiding, and improperly removing or retaining library materials with the intent of denying others access to those materials also are violations of the Honor Code.

## C. Scope

The Honor Code applies to all academic work, including but not limited to examinations, quizzes, audiovisual works, presentations, projects (including winter-term projects), papers, recitals, exercises, artistic works, theses and laboratory assignments. Because Oberlin College is an educational institution, this code also applies to any cocurricular work, exercise, or documents that affect the educational experience. Violations of the Honor Code include cheating, plagiarism, fabrication, multiple submissions, and other acts as defined above in section B.2.b-f. (When there is a lack of clarity about whether a case falls under the jurisdiction of the Judicial or Honor System, the Chair of the Student Honor Committee and/or the Honor System Liaison will consult with the Dean of Students who will determine jurisdiction.)

## D. The Function and Administration of the Honor System

**1.** The Student Honor Committee (SHC) shall supervise the Oberlin College Honor System. The student body of Oberlin College, with the approval of the General Faculty, originated and adopted the Honor System, which places with students full responsibility for academic integrity. The administration of the Honor System requires the collective and individual cooperation of the entire college community. Oberlin's Honor System is designed to protect students' academic freedom.

**2.** Students and faculty members shall be responsible for eliminating conditions conducive to violations of the Code; such conditions shall either be discussed by the students and faculty members involved or be reported directly to the SHC.

**3.** Students, faculty members, and administrators have specific obligations under the Honor Code. These are outlined below:

**a.** Students should be prepared for all academic exercises. This will reduce the motivation to violate the Honor Code or to cheat. Students should take steps to ensure that other students cannot violate the Honor Code or cheat from them. Additionally all students must:

- (1) Not condone cheating on the part of others.
- (2) Refuse to assist others in fraudulent acts, efforts to violate the Honor Code, or cheating.
- (3) Ask the professor for clarification if they do not understand how the Honor Code pertains to any given assignment. In the absence of explicit instructions from the professor, students should presume that all work must be their own and that they may only utilize help and resources that are routinely offered by the college to students such as reference librarians and tutors.
- (4) Students must inform the SHC or the professor if they have knowledge of or have observed an infraction of the Honor Code. Failure to report a violation may constitute a violation of the Honor Code of its own accord.
- (5) Students are expected to comply with the Honor System. (Failure to cooperate with the Honor System procedures may result in a failure to comply charge, filed through the Judicial System.)

**b.** Instructors are expected to make explicit on their syllabi or by some other means of communication how the Honor System operates with respect to the particular work arrangements in their courses. In addition, all instructors must:

- (1) Leave the room during examinations and

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quizzes after giving out the test and answering questions, except in cases when technical or specialized circumstances require the instructor's presence. The instructor may exercise discretion in deciding to remain or return for a short period of time as a resource, but under no conditions shall the instructor proctor an exam or quiz.

(2) Contact the SHC regarding suspected infractions of the Honor Code.

**c.** Instructors are urged to review the Honor Code and pledge statements prior to any quiz or examination, and to regularly review how these statements apply to specific assignments.

**4.** At the end of each curricular exercise students who believe they have adhered to the Honor Code shall write in full and sign the Honor Pledge: "I have adhered to the Honor Code in this assignment." If a student does not follow the appropriate procedure, faculty members have the option of withholding the grade until the student writes the Honor Pledge correctly. Once such an oversight has been corrected, within a reasonable time, the faculty members may not penalize the students for it. Students in certain situations may also be asked to write and sign the pledge in association with co-curricular exercises. (For example, completing a written sanction for an Honor Code or a Code of Conduct violation.)

## E. Authority within the Honor System

**1.** One of the primary responsibilities of the Student and Faculty Honor Committees is to educate the student body and faculty about the purpose, scope, and spirit of the Honor System.

**a.** The SHC will identify one to three members who will return for Orientation to introduce new students to the Honor System.

**b.** The Student and Faculty Honor Committees will create, maintain, and circulate annually to faculty an up-to-date resource publication that conveys to faculty members how the Honor System might be applied in various situations.

**c.** The Faculty Honor Committee will appoint a representative to provide an introduction to, or refresher about, the Honor System during the annual fall orientations for new faculty and for faculty advisors.

**d.** The SHC will work to create educational programming as time permits.

**2.** The Student and Faculty Honor Committees shall maintain an open channel of communication between the Honor Committees and the larger campus community.

**a.** The SHC shall submit a summary (with name[s] and other identifiable information withheld) to the

*Oberlin Review* at the start of each semester of cases from the previous semester.

**b.** At least once during each academic year, the SHC shall hold an open meeting in order to report on its work.

**c.** The General Faculty Honor Committee shall submit a summary (with name[s] and other identifiable information withheld) to the General Faculty at the start of each semester of cases completed from the previous semester.

**3.** The Dean of Students shall:

**a.** Ensure that there is appropriate administrative support to the SHC.

**b.** Provide an appropriate workspace for the SHC.

**c.** Provide a venue for SHC to hear cases.

**d.** Assist the SHC in its efforts to re-staff.

**e.** Facilitate a meeting at least once a year between the Dean of Students (or his or her designee) and the SHC as a means of offering support and advice.

**4.** Membership

**a.** Ordinarily, the SHC shall consist of 15 members with 11 being the absolute minimum. Members must be full-time students currently enrolled at Oberlin College. Reasonable efforts will be made to ensure that there will be at least one sophomore, one conservatory student, three men, and three women among the members of the SHC.

**b.** Students will be appointed to serve two-year, renewable terms to begin July 1 and conclude June 30. Requests to renew membership will be ratified by the Student Senate.

**c.** A quorum is defined as the majority of appointed members.

**d.** Members may be removed from the SHC by a two-thirds majority vote of a quorum of appointed SHC members.

**e.** The SHC shall have officers for an academic year, including one paid coordinator, one or two chair(s), and a secretary/treasurer, to be selected at the end of the second semester. The outgoing coordinator will provide the Dean of Students (or his or her designee) with a written report announcing the future membership and officers of the SHC within five business days of the selection of the officers.

**f.** During the spring semester, the Student Senate and the SHC shall seek open applications from the student body for membership on the committee. A standing interview committee composed of three SHC members and three student senators will be appointed at the beginning of each academic year. A current SHC chair and the Student Senate Membership Coordinator (or designee) will fill two

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of the six seats on this committee. The interview committee will interview new applicants and will present recommendations for new members—based upon a minimum vote of four to approve—to the Student Senate for ratification. (In the event that three senators are not available at the time scheduled for interviews, applicants can interview with both groups separately. The SHC portion of the committee will record its interviews for use by the senate. In this circumstance, the senate portion of the committee is not required to record the interview.)

**g.** When active membership falls below 15 members, the chair or cochairs of SHC must notify the Student Senate and the Dean of Students (or his or her designee). Then the interview committee shall be reactivated to return the membership to 15 or more. Should the membership fall below 11 then new Honor System hearings will not be scheduled until the membership is returned to 11. The SHC or Student Senate can request that the interview committee reopen the interview process at any time the committee has open seats.

**h.** Newly appointed members will participate in training that should be provided prior to serving on a hearing panel. However, in the event that there is a need to cover a hearing, not having participated in training shall not be an impediment to service on a panel. Training may include assisting returning members with investigations and observing a hearing without actively participating or voting during deliberations.

## F. Procedures of the Honor System

The SHC shall act in all cases of alleged violation of the Honor Code as described in section (A); this function is to be exercised with reference to the good of both the individual and the whole community, according to the procedures described below.

The Student Honor Committee administers the Honor System and therefore its work is normally conducted when the college is in session. Timelines spelled out in this document with respect to SHC functions (e.g., SHC investigations and hearings) are subject to delays that may occur due to fall or spring recesses, winter shutdown, winter term, and summer vacation (hereafter “recess periods”). While the SHC may read and respond to e-mail and other correspondence during recess periods, ordinarily, it is not possible to provide for the investigation or adjudication of cases during these periods. Individuals reporting suspected violations are encouraged to submit the reports and supporting documentary information as close to the time of the incident as possible even if it is not reasonable for the case to be investigated during a recess

period. This will allow the information to be documented contemporaneous with the alleged incident.

### 1. FILING A COMPLAINT

All members of the Oberlin College community are required to report potential violations of the Honor Code when they suspect one has occurred.

Students should report potential violations either to their professor or to the SHC. Professors are to report directly to the SHC, although they may consult with the departmental chair or a member of the FHC prior to making a report in order to verify or test the validity of their suspicion. In situations where a member of the community feels that there may be retribution for reporting the potential violation, the individual may remain anonymous by reporting through the professor. However, all community members are strongly encouraged to be witnesses at cases they have reported through a professor.

**a.** Students who have violated or who believe they have witnessed the violation of the Honor Code may report the potential violation directly to any member of the SHC at any time. The student may do so by completing and submitting the standard Honor System Complaint Filing form via e-mail to [ohonor@oberlin.edu](mailto:ohonor@oberlin.edu) or via campus mail to Wilder Information Desk, Box 22. The form is available for download at [www.oberlin.edu/stuorg/shc/](http://www.oberlin.edu/stuorg/shc/).

**b.** A faculty member, administrator, or staff member suspecting a violation of the code has occurred is responsible for contacting the person or persons suspected of the violation in an effort to seek any clarifying information. If, after that conversation, the faculty member believes that a potential violation has taken place, then the faculty member is urged to ask the student or students to self-report to the SHC. Within two business days of asking the student(s) to self-report, the faculty member must report the incident to the SHC regardless of whether the person(s) suspected of the violation has (have) self-reported.

Submit completed forms via e-mail to [ohonor@oberlin.edu](mailto:ohonor@oberlin.edu) or via campus mail to Wilder Information Desk, Box 22. The Honor System Complaint Filing form is available for download at [www.oberlin.edu/stuorg/shc/](http://www.oberlin.edu/stuorg/shc/).

**c.** Faculty Informal Resolution Option: The SHC extends the option for faculty to request consent from the SHC to resolve an incident informally when the faculty member believes that the suspected violation is minor, and if the alleged violator accepts responsibility for the violation. The SHC reserves the right to review each request to determine whether it views the potential violation as a minor one and to verify that the student being reported has no prior reports. The SHC has the sole discretion

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to determine whether an incident may be resolved informally. (For more information about the process see sections F. 2. b.(1) and F. 4. e. below.)

In this instance, faculty should also complete and submit the standard Honor System Complaint Filing Form via e-mail to [ohonor@oberlin.edu](mailto:ohonor@oberlin.edu) or via campus mail to Wilder Information Desk, Box 22. The form is available for download at [www.oberlin.edu/stuorg/shc/](http://www.oberlin.edu/stuorg/shc/).

**d.** A student or faculty member observing or having information pertaining to a faculty member not fulfilling his or her obligations under the Honor System is responsible for reporting this to the Faculty Honor Committee (FHC). Such reports will be reviewed by the Faculty Honor Committee and referred to the relevant dean for consideration.

## To report a suspected violation of the honor code, or to ask questions about how the honor system functions, contact:

Student Honor Committee  
Wilder Hall Suite 105  
Student Union Box 22  
(440) 775-8462  
[ohonor@oberlin.edu](mailto:ohonor@oberlin.edu)

2011-12 Officers  
Coordinator - Issac Katz  
Cochairs - Harriette Carrington,  
Dimitri Macris  
Secretary - Fajer Saeed  
Treasurer - Dimitri Macris

Honor System Liaison:  
Kimberly Jackson Davidson,  
Associate Dean of Students

## 2. INVESTIGATION OF COMPLAINTS

**a.** The SHC reserves the right to gather all information pertinent to the case. In the process of gathering information, privacy shall be maintained to the extent reasonably possible.

**b.** When an alleged violation is brought to the SHC, the committee shall take necessary steps to inform the respondent and inquire into all factors deemed pertinent to the case.

(1) Upon receipt of an alleged violation of the Honor Code, one or two members of SHC shall be appointed Case Managers. However, In the event that a professor has requested an informal resolution (see section F. 2. c. above):

i. The committee will review the request. Approval requires a two-thirds majority vote of a quorum of the appointed committee as defined in section E. Authority in the System: 4. c. and 4. d.

ii. If the request is granted, the professor will meet with the student and a member of the SHC to discuss the incident and

to determine an appropriate educational intervention.

iii. The faculty shall report to the SHC on the result of the educational intervention.

iv. When a faculty member reports that a student has not complied with the decision reached through informal resolution, the SHC reserves the right to investigate the matter and hold a formal hearing regarding the initial report.

**c.** All documents deemed relevant to the case will be made available to the panel, respondent, and complainant through the Office of the Dean of Students during the business week prior to the scheduled hearing. All panel members must review these documents prior to the hearing.

## 3. THE HEARING

**a.** The Case Managers of the honor panel shall schedule a time with the respondent (and the complainant if necessary) in order for the panel to hear the case. The time constraints of the respondent and complainant will be taken into consideration. One of the case managers will chair the hearing. While the respondent and complainant are each permitted to have an individual advisor who is a member of the Oberlin College community present at the hearing, the case managers are not obliged to schedule the hearing around the availability of the advisor(s). If an advisor is absent the hearing will proceed.

**b.** The respondent and complainant may offer the committee written statements of their positions. Such statement must be submitted at least three business days before the scheduled hearing date.

**c.** The respondent maintains the right to request the complainant to be present during the hearing, though not necessarily in the room at the same time as the respondent is present. The respondent must declare to case managers the desire to have the complainant present at least five business days prior to the hearing. Following that declaration the case managers will determine the feasibility of the request and accept or deny the request.

**d.** A hearing panel will be comprised of five members drawn from the SHC membership. Members of the committee who have conflicting interests in a case should withdraw from the process when the case is first brought to the attention of the committee. The respondent also maintains the right to object in writing to proposed members of the Honor Committee serving on the respondent's hearing panel. The respondent must provide an explanation for

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each objection. The written objection(s) must be submitted to the case manager(s) within one (1) business day of the respondent's initial meeting with the case manager(s). Case managers retain the discretion to decide whether to grant or deny the request.

**Note:** In the event of an emergency, or if a single member of a hearing panel is absent at the time of a scheduled hearing, the chair of the panel may extend to the respondent the opportunity to have the case heard with only four members present. Permission must also be obtained in writing prior to the hearing commencing.

**e.** Committee members shall maintain privacy to the extent reasonably possible. Under no circumstances shall any person with knowledge of the case (faculty, administrator, or student) reveal information that would identify the complainant or the respondent. However, the SHC will customarily recommend, but cannot require the complainant to identify him or herself to the respondent.

**f.** The respondent is expected to appear at the scheduled hearing. However, in the case of the respondent's absence, the hearing may proceed. In the case of a documented emergency, however, the hearing may be rescheduled at the discretion of the case managers. In such cases, and where possible, the respondent must notify the panel in advance. In addition, a failure by the respondent to appear at the hearing without documented emergency may result in a Failure to Comply charge filed through the Judicial System.

**g.** All information upon which a decision may be based must be introduced at the formal hearing. The committee is sometimes forced to review material that involves plagiarism or copying. The committee recognizes that in some instances the material may be too technical or in other ways too difficult for the committee to judge whether a violation of the honor code has occurred. The committee reserves the right to bring in consultants or present written statements from consultants from the college community who might be experts in the field or who have some training in determining the original author of a work.

**h.** The committee reserves the right to call other witnesses that it feels will help in the process of gathering information. The presence of a witness may take the form of a physical appearance or a written statement, determined at the discretion of the case managers. Character witnesses are not permitted. The case managers may permit witnesses to withhold their identity from the respondent for reasons the case managers find acceptable.

**i.** All hearings will be audio recorded.

**j.** The hearing shall ordinarily consist of, but is not limited to, the following:

(1) At the start of the hearing, the case managers shall introduce the case and all people present shall state their names and other pertinent information.

(2) All documents previously made available to the respondent, complainant, and panel members are brought before the entire group at this time.

(3) If a complainant is present, he or she will present his or her position in the case. The case managers will introduce relevant information at their discretion.

(4) The respondent will present his or her position in the case, and the case managers will introduce relevant information at their discretion.

(5) The panel will question the respondent, and then the complainant for further clarification as needed.

(6) The respondent and complainant may ask questions of each other through the case managers. (If both are not present in the room together, questions may be presented for the panel to be asked when the other party is present. If the complainant is exempt from the hearing and the respondent has some questions prior to the hearing, then the respondent should contact the case managers with the questions at least three days prior to the hearing.)

(7) Witnesses who have been approved by the case manager(s) are allowed to testify and to be questioned by the panel. The complainant and the respondent may question the witnesses through the case managers.

(8) The case managers will inquire whether the respondent understands the events of the hearing that has just taken place and will allow the respondent a reasonable chance to voice any final questions, thoughts, or statements.

## 4. DELIBERATIONS

**a.** The panel meets in an executive session within one business day of the hearing to render a decision.

**b.** Ideally, panelists will arrive at a decision by consensus. A supermajority of four panelists is minimally required to vote that the respondent is in violation of the Honor Code. After a finding of responsibility, a simple majority vote is needed in order to approve sanctions.

**c.** The Standard of Proof: a respondent shall be found responsible when the information available to

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the board at the hearing leads the panel to believe that it is more likely than not that the alleged violation(s) occurred.

- d.** The committee will be guided (though not bound) by recommended minimum sanctions in order to help ensure equity among cases.
- e.** If there is an informal resolution in the respondent's Honor System record, that resolution may be taken into account during sanctioning. The SHC reserves the right to treat a new incident as a second violation when determining sanctions. (For more information about the process see sections F. 2. b.(1) and F. 2. c. above.)
- f.** From time to time students face charges in more than one college disciplinary system at the same time. Because the Honor and Judicial Systems maintain distinct records, the Dean of Students or (the designee) is authorized to seek information regarding findings and sanctions in current or prior cases that may require administrative coordination among the systems so that each system's sanctions may be fully and effectively enforced.

## 5. NOTIFICATION OF DECISION AND SANCTIONS

- a.** After a hearing panel reaches a decision, the decision and its explanation will be sent to the Faculty Honor Committee for review; all involved parties will take precautions to protect student privacy in this process.
- b.** If the Faculty Honor Committee requests clarification or reconsideration of the decision, this process will normally occur within five business days of the request.
- c.** Once the Faculty Honor Committee has approved the decision, the Chair of the Faculty Honor Committee will inform the relevant dean in writing. This notice will ordinarily be copied to the SHC. The SHC will then provide the relevant dean with the respondent's and complainant's names and other necessary information. The relevant dean will send a letter notifying the respondent of the decision. The letter will be copied to the complainant (if permitted by applicable law), the SHC, and the Honor System Liaison.
- d.** If the relevant dean does not agree with the recommendation of the SHC as approved by the Faculty Honor Committee, or if the Faculty Honor Committee and SHC are unable to reach an agreement, then the relevant dean will have authority to determine a finding or sanction. However, in such cases the relevant dean must meet with the Faculty Honor Committee and the SHC to hear their views before making any ruling. Every reasonable effort must be made to reach an agreement among the SHC, the Faculty

Honor Committee, and the relevant dean. When the sanctions for an offense include suspension or dismissal, the relevant dean may only deviate from the recommendations of the SHC or the Faculty Honor Committee if the relevant dean determines the proposed sanctions to be grossly disproportionate to the offense. If the relevant dean exercises the authority to impose a sanction, then any appeal is to be handled by the relevant dean of the other division.

- e.** This process of approval and notification will customarily occur in a time frame such that the respondent will be notified of the decision within 15 business days after the hearing.

Exceptions: Decision letters generated as a result of hearings held during the last two to three weeks of the fall semester may be mailed to OCMR boxes during the first two to three weeks of the spring semester if the respondent is enrolled for the spring semester. If the respondent is not enrolled during the spring semester for any reason, the letter may be mailed to the last permanent address on file with the registrar, or to an alternate address that the respondent provides to the SHC at or before the hearing. Decision letters generated as a result of hearings held during the last two to three weeks of the spring semester will be mailed to the last permanent address on file with the Registrar, or to an alternate address that the respondent provides to the SHC at or before the hearing. (According to section V. Y. Mailroom Regulations, students are expected to pick up mail daily.)

- f.** Failure to retrieve one's mail is not an excuse for not completing a sanction. Individuals who do not complete sanctions for this reason may face a Failure to Comply charge with the Judicial System.

- g.** The respondent and complainant may contact the case managers for any available explanation of the decision.

- h.** All letters, regardless of the decision, shall be kept for the case files of the SHC.

## 6. SANCTIONS FOR HONOR CODE VIOLATIONS

- a.** In the case of a violation of the Honor Code, a notation of honor probation shall be made on the violator's internal record. Sanctions that may be considered by the SHC include, but are not limited to:

- (1) A formal reprimand and warning.
- (2) Reflective paper and/or revision of the work in question.
- (3) Educational Service
- (4) The loss, limitation, or restriction of certain nonessential rights in the college,

# Students' Rights and Responsibilities (cont.)

such as participation in extracurricular activities or representing the college off campus.

(5) A recommendation that the instructor issue a failing grade, or no grade at all, for the assignment. Ultimately, the instructor maintains the right to assign a failing grade for the assignment or the course.

(6) Withholding the diploma of a graduating senior until the completion of the sanctions.

(7) Prohibiting participation by a graduating senior in the commencement ceremony.

(8) Suspension. The rights and privileges of being a student at Oberlin College may be suspended for a specific period of time, the minimum of which will be to the end of the current semester. The student must leave the campus and may return at the end of the period of suspension without petitioning for readmission. However, the returning student must go through a reinstatement process that is initiated through the Office of the Registrar. The following will normally accompany this sanction of suspension:

- i. Parental Notification.
- ii. Restriction from college property for the duration of suspension. The Office of Safety and Security will ordinarily enforce this restriction by issuing a no trespass letter to the suspended individual and by adding the individual's name to the trespass list it maintains.
- iii. Students who are suspended are expected to vacate their college residence within two business days of notification being delivered to the campus mailroom by the SHC. It is the student's responsibility to consult with the Department of Residential Education to clarify any questions about its guidelines for properly vacating a housing unit.

The sanction of suspension will be a part of a student's permanent disciplinary record, and part of the student's academic record and transcript for the term of suspension. In the event a student withdraws from the college prior to the end of the term of suspension, the penalty will remain on both the permanent academic and disciplinary records.

**Normally, suspended students may not earn credits toward their Oberlin degree until after they have been reinstated at Oberlin College... Under special circumstances, a suspended**

**student may be permitted to transfer a maximum of six credits for academic work done at another school—during the period of suspension—toward his or her Oberlin degree. However, the student must receive permission in advance of taking coursework at another school, and must make arrangements for the transfer of credit prior to enrolling in the courses to be transferred. Students seeking transfer credit must apply in writing to the Dean of Studies providing the following information: title and description of each course; number of credit hours; name and location of institution; an explanation of how each course fits into the student's Oberlin program; why it is more appropriate to the course(s) while suspended than upon return to Oberlin.**

For more detailed information consult with staff in the Office of the Dean of Studies, Peters 205, (440) 775-8540.

(9) Dismissal: The permanent termination of student and degree-candidate status at Oberlin College. This sanction may be imposed only in the most serious of cases, or when a student has been suspended previously and commits another offense determined to constitute grounds for imposition of a second suspension. This sanction will permanently remain on a student's academic record.

- b. The above sanctions may be assigned individually or in combination at the discretion of the SHC.
- c. In the case of a first offense the administrative notation of honor probation may not appear on the violator's official transcript, held in the Office of the Registrar, but will be released with other academic or disciplinary information upon the violator's written request, but only when the SHC notes in its decision letter that the findings and sanctions are meant for "external report."
- d. Failure to comply with the sanctions imposed by the committee shall result in a Failure to Comply complaint filed with the Oberlin College Judicial System. In the event that such a complaint is filed, the content of the case file including correspondence between committee members and the respondent may be offered to the Judicial Coordinator as documentary information.

# Students' Rights and Responsibilities (cont.)

**e.** In the case of a second violation, the committee is urged to adopt a sanction of suspension, or dismissal. In the case of a graduating senior, suspension may be substituted by refusing to allow the violator to participate in commencement exercises and/or delaying by a semester or more the awarding of an Oberlin degree.

**f.** If a degree is withheld or a student is suspended or dismissed as a result of being found responsible for an Honor Code violation, the sanction will be retained as part of the permanent Honor System record held in the Office of the Dean of Students. In addition, the sanctions shall be recorded on the respondent's official transcript and reflect that the sanction is the result of an Honor Code violation for the term of the sanction. After the term of the sanction has been fulfilled, normally the notation will be removed from the transcript; however, all suspensions will remain a part of the individual's permanent Honor System record. As noted in 6.a. above, if a student who has been suspended withdraws from Oberlin College before the term of suspension ends, then the notation of suspension shall remain on the individual's transcript permanently. The Office of the Dean of Students shall release this information with other academic or disciplinary information upon the violator's written request.

**g.** If, in response to a second offense, the Student Honor Committee imposes sanctions other than those urged in section 6.a., the sanctions will only be recorded on the individual's Honor System record. Such sanctions shall be released with other academic or disciplinary information upon the individual's written request for up to seven years following the notification of the findings of the original hearing panel.

## 7. APPEAL

**a.** Appeals may be granted for four reasons:

- (1) A mishandling of the case from a procedural standpoint.
- (2) A sanction grossly disproportionate to the violation(s).
- (3) New information not reasonably available at the time of the hearing.
- (4) A decision made in the absence of a respondent who missed the original hearing because of a documented emergency that could not reasonably be reported prior to the scheduled hearing.

**b.** Only respondents have the right to appeal.

**c.** The respondent may appeal in writing to the Dean of the College or of the Conservatory within 10 business days after the student has been notified of the decision via registered campus mail (or registered U.S. mail during a recess period and the letter is mailed to an off-campus address.) The letter to the dean from the respondent must indicate which of the four reasons above is pertinent and give a clear rationale explaining why the appeal should be granted. The letter must be submitted under the cover of the appeal request form mailed to the respondent with the final decision letter.

**Note:** The date that the letter is delivered to the campus mailroom will begin the 10 business day appeal period. It is the responsibility of the respondent per college policy to check the personal OCMR box on a regular basis during times when classes are in session (see section V. Y. Mailroom Regulations.) The respondent is responsible for presenting the claim slip to mailroom staff in order to obtain the decision letter. Failure to claim a decision letter may result in a Failure to Comply complaint filed with the Judicial System. When school is not in session the default address is the most recent permanent address on file with the Registrar, unless the respondent provides the case manager(s) a preferred mailing address at or before the hearing. Respondents are required to complete and submit their appeal within 10 business days. recess periods do not stay the appeal submission deadline.

**d.** Upon receiving an appeal letter the relevant dean has the authority to uphold, reduce or increase the sanctions imposed. Prior to rendering a decision in response to an appeal the relevant dean (or the relevant dean's designee) will review the case file and investigate to determine whether the appeal is substantive. The relevant dean shall give deference to the recommendations made by the Student Honor Committee and approved by the Faculty Honor Committee when responding to appeals. Deviations from prescribed procedures will not necessarily invalidate a decision or proceeding, unless the relevant dean determines that significant prejudice to the respondent may result from a decision to uphold the recommendation of the Student Honor Committee as approved by the Faculty Honor Committee. When the sanctions for an offense include suspension or dismissal, the sanctions may only be reduced when the relevant dean (following consultation with representatives of the hearing panel and the Faculty Honor Committee who recommended the original decision) determines the sanctions to be grossly disproportionate to the offense.

# Students' Rights and Responsibilities (cont.)

**e.** The relevant dean is urged to communicate the appeal decision to the respondent, complainant, and the SHC within 10 business days, together with a brief rationale. Recess periods generally should not delay the response deadline.

**f.** In the event that the relevant dean upholds the recommendation of the Student Honor Committee, an ultimate appeal may be made to the President of the College (or the President's designee) in writing within 10 business days of the relevant dean's decision. Recess periods do not stay the appeal submission deadline. The president's decision (or that of the president's designee) is final.

## 8. RECORDS

It is the policy of the college not to release copies of disciplinary records, Honor System records and proceedings, judicial case files, or investigative files to students or to third parties, unless required by law. Records are available for the student's inspection in the Office of the Dean of Students upon submission of a signed written authorization form. (For more information regarding access to Honor System records please see the full colleg records policy; Student Records section, AA. 5. a. and b.)

**a.** The full official record of the case including the respondent's name shall be kept on file in the Office of the Dean of Students. These files will be accessible to the Student Honor Committee, the Dean of Students, the Honor System Liaison, and the divisional deans and their designees only as is consistent with applicable law and the college's policy on student records or other applicable college regulations pertaining to student privacy. The divisional deans, the Dean of Students and the Honor System Liaison to support the administrative efforts of these officers may maintain an abridged working record of cases containing the respondent's name and case number.

**b.** Honor System records will be maintained separately from the records of other college disciplinary systems such as the Judicial System. However, as noted in section F.4.f. of this Charter the Dean of Students or designee is authorized to review information regarding findings and sanctions in current or prior cases that may require administrative coordination among the systems so that each system's sanctions may be fully and effectively enforced.

**c.** When the SHC is satisfied that the sanctions for a first offense have been fulfilled, the notation of probation shall remain on the violator's Honor System record held in the Office of the Dean of Students. It shall be noted that the action was taken as a result of a first violation of the Honor Code. When the decision letter for a case contains

the designation "for external report," the file will be maintained permanently. If the letter does not indicate that the decision is for external report, then the file along with any audio recordings associated with it will be destroyed seven years following the notification of the findings of the original hearing panel in accord with section 8.b. above.

**d.** When a respondent has a diploma withheld, the sanction is noted on the transcript during the time of the sanction. It shall be noted on the respondent's transcript that the "diploma or degree is being withheld pending a disciplinary process." The honor system file will be maintained permanently.

**e.** If the notation of a penalty is to be retained permanently on the student's Honor System record in the Office of the Dean of Students (as provided under section d. above), the record of the case likewise shall be kept permanently. Otherwise this record (including any associated audio recordings) shall be destroyed seven years following the notification of the findings of the original hearing panel.

**f.** When a respondent is suspended, the respondent's transcript shall normally reflect a notation of "Honor Code suspension" during the term of suspension, until the respondent is eligible to be reinstated. See section F. 6. a.(8) for more detail. Notations of dismissal that result from Honor System proceedings will remain on the transcript permanently, and the Honor System file will be maintained permanently.

**g.** The Student Honor Committee Coordinator shall maintain, update annually, and provide to the Honor System Liaison in the Office of the Dean of Students a database including at least the names of respondents, charges, committee findings, and sanctions imposed. The database will be used to help the Dean of Students (or the dean's designee) to complete dean certification forms and letters in response to a written request of a respondent.

## G. Revisions and Modifications

**1.** The Honor System Charter may be amended by a two-thirds vote of the committee, subject to the approval of the student governing body, the Student Life Committee, and the General Faculty (or the General Faculty Council.)

**2.** The Honor System will be reviewed every year ending in 3, 6, and 9 using a process approved by the Dean of Students. The SHC is encouraged to conduct an informal review each year to determine whether minor amendments are needed.