

(Passed by Faculty Senate at the June 13, 2006 meeting)
Honor System
Investigation and Adjudication Procedures
(Formerly Honor System Bylaws)

Kansas State University has an Honor System based on personal integrity, which is presumed to be sufficient assurance in academic matters that one's work is performed honestly and without unauthorized assistance. All full and part-time students enrolled in undergraduate and graduate courses on-campus, off-campus, and via distance learning, by registration in those courses, acknowledge the jurisdiction of the Honor System.

A. Purpose

The Investigation and Adjudication Procedures have been developed for the purpose of administering the Kansas State University Honor System. As set out in Article X of the Honor System Constitution, the Investigation and Adjudication Procedures were approved by the Honor Council, Student Senate, and Faculty Senate in 2006 and are subsequently subject to periodic review by those three governance bodies at 5 year intervals beginning in 2010. Interim revisions to the Investigation and Adjudication Procedures may be made upon approval by a 2/3 vote of the Honor Council and upon approval by the Provost. The Investigation and Adjudication Procedures must be posted at the Honor System website (<http://www.k-state.edu/honor>) and updated regularly.

B. Reporting Honor Pledge Violations

Faculty and students report violations of the Honor Pledge to the Honor System Director by filling out the Honor System Violation Report form available at <http://www.k-state.edu/honor/faculty/reportform.html>. When the report is made by a student, the Director will consult with the faculty member who is the instructor of the course about filing an Honor Pledge Violation Report.

Faculty members are urged to report the alleged violation to the Office of the Honor System when:

- a. the faculty member alleges a violation and imposes an academic sanction, (An academic sanction is any action that would lower a student's grade on an assignment.)
- or b. the faculty member alleges a violation and requests an investigation. The case investigation concludes once a decision has been made as to whether there is sufficient information to proceed to the adjudication stage.

Faculty members who allege an Honor Pledge violation need not report an alleged violation to the Office of the Honor System when:

- a. a faculty member alleges a violation and issues a warning but imposes no academic sanction;
- or b. a faculty member alleges a violation, issues a warning, provides the student an opportunity to correct the transgression, but imposes no academic sanction;
- or c. a faculty member alleges a violation, issues a warning, provides an

opportunity for the student to redo the assignment or take the exam again, but imposes no academic sanction.

Honor Pledge Violation reports shall be submitted to the Honor System Director within twenty (20) class days of the violation or of the discovery of the violation. In certain situations, it is acceptable for a verbal notification to be given within the notification period. This situation might occur when a faculty member is conducting an internal investigation. A written report must follow the verbal report within a reasonable amount of time.

Faculty members have two options for filing an Honor Pledge Violation Report. Option One allows the faculty member to conduct her/his own investigation and identify the specific sanction for the violation. In this situation, Alleged Violators may contest only the allegation. If they do so, the case is turned over to the Honor System for investigation and adjudication. Option Two allows the faculty member to turn the case directly over to the Honor System for investigation and adjudication. The faculty member may recommend a sanction. Alleged Violators may contest the allegation and propose an alternate sanction during the adjudication phase, but the Honor System Hearing Panel makes the final determination of the sanction.

Once a report has been filed by the faculty member, hereafter referred to as the Faculty Reporter, the Director notifies the Alleged Violator(s) of the allegation, of the right to review the Violation report, and of the right to contest the allegation. The Faculty Reporter and the Alleged Violator are encouraged to resolve the issue prior to proceeding to the investigation process. If the issue is resolved, a report of the agreed upon resolution is filed with the Office of the Honor System. If the matter is not resolved, the Director initiates a case investigation.

C. Investigating Honor Pledge Violations

When the Director initiates a case investigation, the Associate Director appoints a member of the Honor Council or the Honesty & Integrity Peer Educators (HIPE) to serve as an Advisor to the Alleged Violator during the investigation and adjudication process, if the violation proceeds to adjudication. The Alleged Violator may at any time appoint someone else to serve as his/her Advisor, by notifying the Director.

The Faculty Reporter may, in consultation with the Director, withdraw the allegation at any time during the investigation process. Such withdrawal will cause the investigation to be terminated. In the event that a report is withdrawn, the Director shall ensure that all documentation is sealed and retained in the Office of the Honor System.

The Director appoints two members of the Honor Council (one faculty and one student) to serve as Case Investigators. If the Alleged Violator is a graduate student, the student Case Investigator is a graduate student and the faculty Case Investigator is a member of the Graduate Faculty.

The Director arranges for the Case Investigators to meet separately with the Faculty Reporter and the Alleged Violator to review the Violation Report and other relevant information to determine if it appears an Honor Pledge violation has occurred. If needed, the Director arranges a meeting between the Case Investigators and any witness(es) as part of the investigative process.

During the course of the investigation the Alleged Violator is advised not to contact the Faculty Reporter to discuss aspects of the case. In the same manner, the Faculty Reporter is advised not to discuss the case with the Alleged Violator. Normal academic contact is permitted, however. In the event that the Director feels the need to protect the Faculty Reporter, Alleged Violator, or any

witnesses involved in the investigation, the Director may take appropriate steps to protect the integrity of the process.

The Case Investigators submit a report to the Director that concludes whether there IS or IS NOT sufficient information to proceed to an adjudication hearing. If the Case Investigators conclude that there IS NOT sufficient information to proceed to a hearing, the Director notifies the Alleged Violator and the Faculty Reporter that no further action will be taken. The records are sealed and retained in the Office of the Honor System. If the Case Investigators conclude that there IS sufficient information to proceed to a hearing, the Director informs the Alleged Violator and the Faculty Reporter and appoints an Honor Council Hearing Panel.

D. Adjudicating Honor Pledge Violations

When an Honor Pledge violation has proceeded to the adjudication stage, the Director appoints a panel of six members drawn from the membership of the Honor Council. Each panel consists of five voting members and one non-voting chairperson. If the Alleged Violator is a graduate student, student members of the hearing panel are graduate students and faculty members are members of the Graduate Faculty. The Director appoints the chair, alternating in successive cases between a faculty member and a student member of the Honor Council. Voting membership of hearing panels consists of three students and two faculty members.

Hearing panels are normally convened within ten class days of the conclusion of the investigation. During the summer as well as January, May and August Intersessions, the Director may postpone Honor Council hearings until the beginning of the subsequent fall or spring semester. At the request of the Alleged Violator, the Director can convene a Special Hearing Panel whose make-up may deviate from that prescribed in this document in order to facilitate resolution of an alleged violation delayed by either Intersessions or the summer. Those notified of the date, time, and place of the hearing are the Alleged Violator and the HIPE Advisor, the Faculty Reporter, the Case Investigators, and any witnesses.

In preparation for the hearing, the Director prepares copies of all necessary documentation required by the Hearing Panelists, Faculty Reporter, and/or Alleged Violator. A copy of the Case Investigation Report and supporting documentation will be made available to the Alleged Violator and Faculty Reporter at least three (3) class days prior to the hearing date. The Alleged Violator will sign a record of notification acknowledging that he/she received the information and will honor expectations of confidentiality.

Alleged violations filed under this policy are confidential and should not be disclosed to anyone who does not have a need to know. The University cannot guarantee absolute confidentiality because the University is obligated to investigate complaints. Supervisors and administrators are obligated to keep complaints confidential and protect the privacy of all parties to the extent possible consistent with preventing future acts of academic dishonesty, providing a remedy to persons injured and allowing Alleged Violators to reply to a complaint if any disciplinary action is anticipated. Alleged Violators as well as student witnesses are similarly bound by this expectation of confidentiality. Complaint information may be disclosed to state or federal anti-discrimination agencies for investigations and during litigation.

At the hearing, the Alleged Violator represents himself/herself. During the hearing, the Alleged Violator may consult as necessary with his/her Advisor. Voluntary failure by the Alleged Violator to appear before the Hearing Panel neither halts nor interrupts the proceedings.

The Director prepares the hearing panel script to be followed during the hearing. The script includes a specific sequence for introducing information by each of the involved parties. The Faculty Reporter, Alleged Violator, and Case Investigators are to inform the Director of any witnesses to be introduced during the hearing at least 3 class days prior to the scheduled hearing. The script is read by the Hearing Panel Chair.

The Hearing Panel Chair accepts for consideration all information that reasonable persons would accept as having evidentiary value during hearing panel proceedings. Character witnesses and personal references are not permitted. Formal rules of evidence are not applied.

Whether an Honor Pledge Violation occurred is determined by a simple majority of the five voting members on the Hearing Panel.

The decision of the Honor Council Hearing Panel is reported to the Director, who then notifies in writing the Alleged Violator, Faculty Reporter, the Faculty Reporter's Department Chair or Head, and (in the event there is a sanction of XF) the Dean of the Faculty Reporter's and Violator's College of the Hearing Panel's decision. In a case involving a graduate student the Director will notify the above individuals as well as the Dean of the Graduate School and the student's Graduate Program Coordinator. If the hearing Panel determines that a violation of the Honor Pledge occurred, it imposes or upholds the appropriate sanction.

All hearings are recorded and kept as part of the permanent record of the adjudication procedures. Records are confidential and subject to applicable privacy laws. Records are made available to authorized parties upon the determination of the Director.

E. Sanctions

The standard sanction for an Honor Pledge violation shall be the assignment of an XF on the student's transcript. The XF denotes failure in the course due to academic dishonesty – an Honor Pledge violation. If a sanction includes an XF, the Director shall contact the Registrar's office and authorize the grade of XF when:

- the Violator does not contest the allegation, or
- the case has been adjudicated, the hearing panel has issued a sanction, and the Violator chooses not to appeal the Hearing Panel's decision, or
- the time period for contesting the violation has expired and the Violator has failed to contact the Director.

When the appeals process is initiated immediately following the hearing, the Director shall postpone the grade change until such time as the appeals process is resolved.

If a sanction includes the requirement that the Violator complete the Development and Integrity course, described at the Honor System web site <ksu.edu/honor>, the Faculty Reporter records an Incomplete for the course grade. If the Violator fails to successfully complete the Development and Integrity course in two semesters, then the Associate Director authorizes the Registrar to change the Incomplete to an XF. If the Violator successfully completes the Development and Integrity course, then the Associate Director contacts the Faculty Reporter who then replaces the Incomplete with the final grade earned in the course.

The Hearing Panel may deviate from the XF grade sanction and consider any of the following sanctions for violations of the Honor Pledge:

- A failing grade for the assignment in connection with which the violation of the Honor Pledge occurred
- A requirement to complete the Development and Integrity course prior to receiving a final grade in the class in which the Honor Pledge violation occurred
- Recommendation to the Provost that the student be suspended from the University
- Recommendation to the Provost that the student be expelled from the University
- Other appropriate educational sanction such as community service

In the event that an Honor Pledge Violation report cannot be resolved prior to the end of a semester, the Faculty Reporter records an Incomplete until such time as the alleged violation is resolved. The Honor System Director will make every effort to resolve these conflicts prior to the end of the semester but does have the right to postpone the Investigation and Adjudication process during Intersessions and summer semesters.

F. Appeal of a Hearing Panel Decision

Appeals are to be based on procedural irregularities or substantial new information. Appeals based on procedural irregularities must be presented in writing to the Director within 15 days of an Honor Council Hearing Panel decision. Appeals based on substantial new information must be presented in writing to the Director within one year from the date of an Honor Council Hearing Panel decision. The Director determines whether an appeal based on substantial new information or procedural irregularities might have impacted the investigation or adjudication procedure. Following this determination, the Director may:

1. reconvene the Hearing Panel to hear new information, or
2. appoint a new Hearing Panel and conduct a new hearing, or
3. appoint new Case Investigators and a new Hearing Panel, or
4. take such other action as the Director feels appropriate.

The Director then notifies the Faculty Reporter and Alleged Violator in writing of the decision and the process to be followed.

G. Conflict of Interest

Members of the Honor Council involved in the investigation or adjudication procedures of a case will immediately notify the Director of any conflicts of interest. The Director may remove an Honor Council member from the investigation and adjudication process if sufficient information exists to support a conflict of interest.