Luther College Honor Code

Preamble
We, the members of the student body of Luther College, believe that one of the basic functions of an institution dedicated to the Christian faith and engaged in higher education is the development of academic integrity and responsibility.

We therefore hereby resolve to uphold individually and collectively the honor of the college by doing all that is within our power to prevent any form of dishonesty in our academic work and our college life.

We manifest our conviction in this Honor Code for all students at Luther College. The Honor Code does not assure honest behavior; rather, it provides for the sharing of responsibility for enforcing honorable conduct between the instructor and the student; the student remains responsible for ensuring the integrity of his or her own behavior and for reporting to the instructor or other appropriate authorities any violation of the Honor Code of which he or she may be aware.

We also recognize that the honor of the individual person should be the concern of any Christian community and that the Honor Code is an attempt to put into practice those values or principles of conduct which are consistent with such a community. As we are part of this community by our own free will, we feel that it is our duty to hold ourselves to this high standard of integrity and responsibility.

1. Terms and Definitions
1.1 The Luther College Honor Code applies to all students, all classes, and all academic work at Luther, as well as to all academic work for which students request academic credit from Luther.

1.2 A Violation of the Honor Code can be any action or inaction of a student or a group of students which might create an unfair or undeserved academic advantage, which is intended to deceive students or faculty, or which a reasonable person would consider dishonest academic behavior.

1.2.1 Also considered violations of the Honor Code are all actions that interfere with the work of the Honor Council, including, but not limited to the destruction of evidence, the intimidation of witnesses or complainants, or retaliatory actions against witnesses or complainants.

1.2.2 Faculty can report suspected violations of academic integrity to the Honor Council Review Board or they may elect to handle the suspected violation according to Faculty Handbook policy. Should a faculty member choose not to utilize the Honor Council Review Board, he/she shall file a summary of the violation and the
outcome to both the Academic Dean’s Office and the Student Life Dean’s Office. If the faculty member elects to handle a suspected violation according to the Faculty Handbook policy, the student retains the right to an appeal using the Campus Appeals Board (see section 7.0 for information on appeals).

1.3 **Forms of Honor Code violation** are, but are not limited to:

1.3.1 **Cheating.** Intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise. The term includes, but is not limited to:

1.3.1.1 Use of any unauthorized assistance in taking quizzes, tests, or examinations.

1.3.1.2 Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments.

1.3.1.3 The acquisition, without permission, of tests or other academic material belonging to a member of the Luther College faculty or staff.

1.3.1.4 Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

1.3.2 **Fabrication.** Intentional and unauthorized falsification or invention of any information or citation in an academic exercise.

1.3.3 **Facilitating academic dishonesty.** Knowingly helping or attempting to help another to violate any provision of this Honor Code.

1.3.4 **Plagiarism.** Using or representing the words or ideas of another as one’s own in any academic exercise. The term includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

1.4 The term “**Complainant**” means any person who submits a charge alleging that a student violated this Honor Code. When a student believes that he/she has been a victim of another student’s misconduct, the student who believes he/she has been a victim will have the same rights under this Honor Code as are provided to the Complainant, even if another member of the Luther College community submitted the charge itself.

1.5 The term “**Respondent**” means any student accused of violating this Honor Code.

1.6 The following groups and officers are responsible for the promotion and enforcement of this Honor Code:

1.6.1 The **Honor Council** (HC) is the student body that promotes the Honor Code at Luther College.
1.6.2 The **Honor Code Review Board** (HCRB) is the committee of the Honor Council that conducts a Honor Code Review in cases of alleged violations of the Honor Code and decides about sanctions.

1.6.3 The **Honor Code Educational Committee** (HCEC) is the committee of the Honor Council that works with faculty and students in the education of academic integrity at Luther College.

1.6.4 The **Honor Council Chair** (HCC) is the elected chair of the HC, HCRB and HCEC.

1.6.5 The **Honor Council Vice Chair** is the elected to assist the HCC.

1.7 The **Faculty Advisor to the Honor Council** is the appointed non-voting faculty representative for the HC and HCRB.

1.8 The **Campus Appeals Board** hears any appeals for decisions of the HCRB. 1.9 All definitions in the **Code of Conduct** apply to the Honor Code as they relate to it.

### 2. Honor Council

2.1 The **Honor Council** is elected by the students of Luther College.

2.1.1 The Honor Council shall be made up of twelve students, normally five members from the Senior Class, four members from the Junior Class, three members from the Sophomore Class.

2.1.2 The First-year Class, the Sophomore Class, and the Junior Class shall each elect members to the Council (as needed) at their respective class elections held during the spring semester, to take office the following fall.

2.1.3 Members, once elected, shall continue in office until their graduation, until they leave college, choose to resign their position or are otherwise removed.

2.1.4 The Honor Council is functional as long as there can be a quorum for the HCRB. Once there is no quorum for the HCRB, the HCC requests from Student Senate to appoint members from the student body to the Honor Council until the vacant positions can be filled by a regular election.

2.1.5 The Faculty Advisor is a non-voting member of the Honor Council.

2.2 The **Officers of the Honor Council** are the Honor Council Chair and the Honor Council Secretary.

2.2.1 The Honor Council Chair is elected by and from the Honor Council for one year with no term limit.

2.2.2 The Honor Council Vice Chair is elected by and from the Honor Council for one year with no term limit.

2.2.3 Both positions will be filled by elections by and from the Honor Council at the beginning of each year and immediately as they become vacant.
2.3 The **Honor Code Review Board** is the standing committee of the Honor Council charged to conduct Honor Code Reviews in cases of alleged violations of the Honor Code.

2.3.1 The HCRB shall normally be made up of three members from the Senior Class, two members from the Junior Class, one member from the Sophomore Class.

2.3.2 The HCC always is a member of the HCRB.

2.3.3 The other members of the HCRB are elected by and from the Honor Council for one academic year with no term limits.

2.3.4 Any vacant position will be filled through election by and from the Honor Council for the remainder of the term.

2.3.5 The quorum for any Honor Code Review is five. If a regular member of the HCRB is unable to attend a meeting, another member of the Honor Council can be appointed by the HCC as temporary replacement.

2.3.6 The faculty advisor is a non-voting member of the HCRB and must be present at all Honor Code Reviews.

2.4 The **Honor Code Education Committee** is the standing committee of the Honor Council charged with educating the student body on the Honor Code.

2.4.1 The HCEC shall be made up of the remaining HC members not on the Review Board comprising of two members from the Senior class, two members from the Junior class and two members from the Sophomore class.

2.4.2 The HCC is always a member of the HCEC and chair of the committee.

2.4.3 The faculty advisor will also assist the HCEC.

2.5 Any member of the Honor Council who is found incompetent or otherwise objectionable may be removed from the membership of the Honor Council by a majority vote of the Council. Action may be instituted against such a member by a majority vote of the Honor Council or by petition signed by twenty members of the Student Body. All voting shall be by ballot.

### 3. Responsibilities

3.1 The responsibilities of the **Honor Council** are:

3.1.1 To promote the Honor Code across campus.

3.1.2 To create and conduct educational programming designed to promote academic integrity.

3.1.3 To advise and consult with faculty members and administrative officers on matters pertaining to academic integrity.

3.1.4 To elect from its members students to serve on the HCRB.
Luther College Honor Code

3.1.5 To issue an annual report to the Student Senate, the Campus Life Committee, and the Dean of the College on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.

3.1.6 To review the Honor Code for the Student Senate.

3.1.7 To create necessary bylaws for the Honor Council.

3.1.8 To assist in the design and teaching of the workshop on academic integrity and moral development (as described in Section 5).

3.2 The responsibilities of the **Honor Council Chair** are:

- 3.2.1 To organize and lead meetings of the Honor Council, the HCRB and the HCEC.
- 3.2.2 To appoint two recorders for each Honor Code Review.
- 3.2.3 To communicate with all parties during a HCRB investigation.
- 3.2.4 To oversee work of the HCEC.
- 3.2.5 To report to Student Senate about the work of the Honor Council, possible vacancies, and the review process on a regular basis.

3.3 The responsibilities of the **Honor Code Review Board** are:

- 3.3.1 To investigate alleged Honor Code violations.
- 3.3.2 To issue sanctions for Honor Code violations.
- 3.3.3 To provide written statements for the Campus Appeals Board during the appeals process.

3.4 The responsibilities of the **Honor Council Vice Chair** are:

- 3.4.1 To keep the minutes of the Honor Council meetings.
- 3.4.2 To maintain the website of the Honor Council.
- 3.4.3 To supervise and assist the HCEC where and when needed.
- 3.4.4 To lead Review Board meetings when the HCC is not available.

3.5 The responsibilities of the **Honor Code Education Committee** are:

- 3.5.1 To educate students about academic integrity and the Luther College Honor Code.
- 3.5.2 To assist the HCC in reviews of the Honor Code.
- 3.5.3 To become a temporary replacement if a regular member of the HCRB is unable to attend a meeting.

3.6 The **Honor Council Recorders** keep the records of each meeting of the HCRB and create a protocol of the investigations and deliberations.

3.7 The **Faculty Advisor** takes part in the deliberations of the HCRB but has no vote. The opinion of the Faculty Advisor is recorded.
3.8 The responsibilities of the **Campus Appeals Board** are:

3.8.1 To inform the Honor Council Chair about an appeal.

3.8.2 To consider the written statement of the Honor Council.

3.8.3 To inform the Honor Council Chair about the result of the appeals process.

---

**4. Procedures of the Review Board**

4.1 All aspects of the Honor Code Reviews are confidential and cannot be shared with anyone outside the HCRB unless the investigation or the Honor Code require it.

4.2 Any member of the Luther College community may file charges against a student for violations of the Honor Code.

4.2.1 A charge shall be prepared in writing whenever possible and directed to the Honor Council Chair or any other member of the Honor Council.

4.2.2 Any charge should be submitted as soon as possible after the event takes place, preferably within ten class days.

4.2.3 If a Complainant cannot or will not submit a written charge, the Honor Council Chair or any other member of the Honor Council will prepare a written summary of the charge presented to him/her by the Complainant.

4.2.4 A Complainant can choose to stay anonymous to the Respondent.

4.2.5 Once a charge has been filed with the Honor Council, it cannot be retracted and a full Honor Code Review has to be conducted.

4.2.6 The Complainant and Respondent of a pending case should not directly or via third parties discuss the charges. Intimidation of the Complainant or of Witnesses by the Respondent or third parties must be reported to the Honor Council immediately.

4.2.7 Any retaliatory actions against a Complainant or Witnesses by the Respondent or third parties should be reported to the Honor Council.

4.3 Once the Honor Council has been informed of a complaint, a Honor Code Review will be prepared by the Honor Council Chair.

4.3.1 If necessary, the HCC requests clarifications from the Complainant prior to the Honor Code Review.

4.3.2 The HCC will select the date, time and place for the Honor Board Review, and notify the Respondent (student alleged to have violated the Honor Code) by personal delivery, certified mail, or by encrypted electronic mail (with receipt confirmed), a minimum of three (3) class days prior to the Honor Board Review.

4.3.3 The HCC summons any student witness to the meeting who can help with the investigation. Witnesses have to appear before the HCRB or have to submit a
written statement. Not complying with a summoning can be sanctioned as a violation of the Honor Code.

4.3.4 The Respondent can choose not to appear in person but to submit a written statement.

4.3.5 If a Respondent, who has received notice as set forth in the Honor Code, does not attend the Honor Code Review and does not submit a written statement, the information in support of the charges shall be presented and considered even if the Respondent is not present.

4.3.6 If a Complainant decides not to participate in a Honor Code Review, the HCC may or may not elect to present the information in support of the charges.

4.4 For every meeting, the HCC first appoints the two recorders. The records of the HCRB shall be filed in the Student Life Office at the end of every academic year.

4.5 A quorum of five HCRB members (including the Honor Council Chair) is needed.

4.6 The sequence of an Honor Board Review is necessarily controlled by the nature of the incident to be investigated and the character of the information to be examined. It thus lies within the judgment of the HCC to fashion the most reasonable approach.

4.6.1 All procedural questions are subject to the final decision of the Chairperson of the HCRB.

4.6.2 Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Honor Code proceedings.

4.7 The Complainant, the Respondent and the HCRB may arrange for witnesses to present pertinent information to the HCRB.

4.7.1 Luther College will try to arrange the attendance of possible witnesses who are members of the Luther College community, if reasonably possible, and who are identified by the Complainant and/or Respondent at least two class days prior to the Honor Code Review.

4.7.2 Witnesses will provide information to and answer questions from the HCRB. Questions may be suggested by the Respondent and/or Complainant to be answered by each other or by other witnesses.

4.7.3 The HCRB will consider the advisability of such suggested questions and will determine, in its sole discretion, whether such questions will be posed. If so, the Chairperson of the HCRB will direct the question to the witness. Questions of whether potential information will be received shall be resolved at the discretion of the HCRB.

4.8 The Complainant and the Respondent have the right to be assisted by one advisor they choose, at their own expense.
4.8.1 The advisor serves in a support or advisory role; he/she may not be or function as an attorney.

4.8.2 The Complainant and/or the Respondent will be responsible for presenting his or her own information, and therefore, the advisor is not permitted to speak or to participate directly in the Honor Code Review. The advisor cannot directly address the HCRB or any participant/witness of the hearing.

4.8.3 A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Honor Code Review because delays will not normally be allowed due to the scheduling conflicts of an advisor.

4.9 The Complainant, Respondent and their advisors, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). Admission of any other person to the hearing shall be at the discretion of the HCRB.

4.10 If a member of the HCRB or the Faculty Advisor are directly involved with a case brought to a Honor Code Review, either as Complainants or witnesses, it is recommended that they do not take part and do not vote in the deliberations. However, they do not have to recuse themselves as long as any of the remaining members do not object.

4.11 In the investigative part of the Honor Code Review, the following steps are usually taken:

4.11.1 The HCC informs the members of the HCRB about the case and the known facts.

4.11.2 If present, the Respondent is confronted with the complaint. No information concerning the case shall be held back.

4.11.3 If present, the Respondent shall be requested to make a statement if he or she so desires, or the written statement of the Respondent will be read.

4.11.4 The Respondent can present his/her witnesses. After these witnesses provide their statements, they will be questioned by the HCRB.

4.11.5 The Respondent can request to question the Complainant or any witness. This can be done in person or in writing. The Respondent does not have the right to confront the Complainant or any witness directly or to know their identity.

4.11.6 During the hearing, Respondent, Complainant, and Witnesses can be questioned by all members of the HCRB (including the non-voting Faculty Advisor) at any time before the deliberation.

4.11.7 The Honor Council Chair closes the investigation if there is a consensus that no further questioning is needed or might be helpful.

4.12 After the investigative portion of the Honor Code Review concludes in which all pertinent information has been received, the HCRB shall determine by majority vote whether the Respondent has violated the Honor Code.
4.12.1 The HCRB’s determination shall be made on the basis of whether it is more likely than not that the Respondent violated the Honor Code.

4.12.2 All “hearsay” and “opinion” evidence shall be excluded from the final decision determined by the HCRB.

   4.12.2.1 Testimony from student witnesses will only be considered as evidence if the witnesses agree to allow the accused student to question them, either in person during a meeting or in writing.

   4.12.2.2 If student witnesses do not agree to that condition, their testimony may be used by the Honor Council as a basis for initiating an investigation, but may not be used as evidence of guilt.

4.12.3 Pertinent records, exhibits, and written statements may be accepted and considered as information for consideration by the HCRB at the discretion of the HCRB.

4.12.4 If guilt has been established, members can recommend appropriate sanctions, which will be accepted by majority vote.

4.13 If a verdict has been reached, the Honor Council Chair will inform the Complainant, the Respondent, the Dean of Student Life, and the Dean of the College through personal delivery, certified mail, or by encrypted electronic mail, within seven (7) days after the HCRB Hearing.

5. Procedures of the Educational Committee

5.1 The Honor Council Educational Committee is to help educate students about academic integrity, the Honor Code and the proper way to report Honor Code violations.

5.2 The HCEC shall design and coordinate educational opportunities throughout the academic year. Strategies may include but are not limited to working with academic advising sessions, Paideia I faculty, open forums, Orientation sessions and Residence Hall floor meetings. Additional suggestions would be posters, SPO letters, announcements, and news articles in Chips addressing the Honor Code procedures, etc.

5.3 One year prior to the three year review of the Honor Code the HCEC will conduct an internal review of the HC.

   5.3.1 The HCEC shall elect three from among its committee to serve on the internal review. It will consist of one member from the Senior class, one member from the Junior class and one member from the Sophomore class. These three students shall lead the review and present the findings to the HC, the Student Senate and the Campus Life Committee by the end of the academic year.
5.4 Every three years the HCEC will work to inform and educate the Student Body prior to reaffirming or rejecting the Honor Code in a referendum held during regular student government elections. (see section 8.2)

6. Sanctions

6.1 If a respondent has been found guilty of an Honor Code violation, the HCRB can impose one or more of the following sanctions:

6.1.1 Warning.

6.1.2 Recommendation that student be allowed to do the work again.

6.1.3 Recommendation for no credit for the work in question.

6.1.4 Recommendation to lower the grade in the course.

6.1.5 Recommendation of suspension or dismissal.

6.1.6 Barring student from participation in any campus-wide elections for a time.

6.1.7 Removing student from any campus-wide elected office for a time.

6.1.8 Requiring student to write a reflection on Academic Honesty, which will be reviewed by the Dean of the College or any other person the Dean determines.

- 6.1.8.1 The essay should be of appropriate length and is due ten days after the deadline for an appeal has expired or ten days after an appeal has been denied, whichever comes later.

- 6.1.8.2 After the essay has been accepted, the student shall meet with the Dean or any other person the Dean determines in order to discuss the essay.

- 6.1.8.3 If the essay is not submitted within the required time frame, the HCRB can recommend further sanctions.

6.1.9 Requiring student to take part in a workshop on Academic Honesty, conducted by the Honor Council. If the student misses two opportunities to successfully complete the workshop, the HCRB can recommend further sanctions.

6.2 Sanctions can be imposed even if the Respondent at the time of the decision is no longer a student at Luther.

7. Appeals Process

7.1 A decision reached by the Honor Code Review may be appealed by the Respondent(s) or Complainant(s) to the Campus Appeals Board within six (6) class days of the decision but at least one full day has passed after the HCC informed the student of the decision of the HCRB. Such appeals shall be in writing, stating the basis for the appeal, and shall be delivered to the Chairperson of the Campus Appeals Board or his/her designee.
7.2. Except as required to explain the basis of new information, an appeal shall be limited to a review of the record of the Honor Code Review, or a written summary thereof, prepared by the HCRB, and supporting documents for one or more of the following purposes:

7.2.1 To determine whether the Honor Code Review was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the Complainant a reasonable opportunity to prepare and to present information that the Honor Code was violated, and giving the Respondent a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

7.2.2 To determine whether the decision reached regarding the Respondent was based on substantial information; that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Honor Code occurred.

7.2.3 To determine whether the sanction(s) imposed were appropriate for the violation of the Honor Code which the student was found to have committed.

7.2.4 To consider new information or other relevant facts not brought out in the original hearing, sufficient to alter a decision, because such information and/or facts were not known to the person appealing at the time of the original Honor Code Review.

7.3. If an appeal is upheld by the Campus Appeals Board, the matter shall be returned to the HCRB for re-opening of the case to allow reconsideration of the original determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

7.4. If a student found guilty of violating the Honor Code finds new evidence bearing on his or her case, the Honor Council is obliged to hold a new hearing and may be directed to do so by the Campus Appeals Board.

7.5 A case shall not be reviewed by the HCRB more than two times, unless a majority of the HCRB votes in favor of another review.

8. Review, Amendments and Revisions

8.1 All revisions and amendments to this constitution shall be presented in writing to the Luther College Student Senate and its president.

8.1.1 Proposed amendments shall be posted and published in Chips for two weeks prior to the first reading before the members of the Campus Life Committee session and/or on the website of the Honor Council and the Student Senate.

8.1.2 Two-thirds of the votes cast at two consecutive meetings of this group shall be required to amend or revise this constitution.
8.2 Every third year the student body shall have an opportunity to reaffirm or reject the Honor Code in a referendum held during regular student government elections.

8.2.1 A simple majority of the votes cast will decide the referendum. A majority vote reaffirming the Honor Code will continue the Honor Code in operation until the next scheduled referendum.

8.2.1.1 Should the Honor Code be rejected by the majority of students voting, a second referendum shall be held during student government elections one year later.

8.2.1.2 If the majority of students voting again reject the Honor Code, the Honor Code shall be abolished, and responsibility for maintaining academic integrity shall immediately revert to the faculty.

8.2.1.3 If, on the other hand, the majority of students voting reaffirm the Honor Code at the second referendum, the Honor Code shall continue in force until the next regular referendum three years thereafter.

8.2.2 The referendum shall take the following form:

The Constitution under which the Honor Code functions at Luther College specifies that the Honor Code shall be referred to the student body every third year for reaffirmation or rejection. A vote to reject the Honor Code must be confirmed in a second referendum one year later before becoming effective.

In accordance with the Constitution, therefore, the following alternatives are hereby offered. Check the one which most nearly expresses your opinion. Leave the other one blank.

___ The student body of Luther College shall continue to assume responsibility for maintaining academic integrity through the Honor Code.

___ The responsibility for maintaining academic integrity shall be returned to the faculty of Luther College.

8.2.3 If a second referendum becomes necessary, it shall take the following form:

One year ago the student body of Luther College voted to reject the Honor Code. The Constitution under which the Honor Code functions at Luther College specifies that a vote to reject the Honor Code must be confirmed in a second referendum one year later before becoming effective.

In accordance with the Constitution, therefore, the following alternatives are hereby offered. Check the one which most nearly expresses your opinion. Leave the other one blank.

___ The student body of Luther College shall continue to assume responsibility for maintaining academic integrity through the Honor Code.

___ The responsibility for maintaining academic integrity shall be returned to the faculty of Luther College.