

## **Code of Academic Conduct**

### **INTRODUCTION**

This Code applies to all undergraduate students based in Newcomb-Tulane College (NTC), including students pursuing degrees in majors and programs housed within the School of Liberal Arts, the School of Science and Engineering, the School of Architecture, the School of Public Health and Tropical Medicine, and the A.B. Freeman School of Business; but not the School of Professional Advancement (SoPA), which has its own Code of Academic Conduct and Honor Board system.

The integrity of the Newcomb-Tulane College is based on the absolute honesty of the entire community in all academic endeavors. As part of the Tulane University community, undergraduate students have certain responsibilities regarding work that forms the basis for the evaluation of their academic achievement. Students are expected to be familiar with these responsibilities at all times. No member of the university community should tolerate any form of academic dishonesty because the scholarly community of the university depends on the willingness of both instructors and students to uphold the Code of Academic Conduct. When a violation of the Code of Academic Conduct is observed it is the duty of every member of the academic community who has evidence of the violation to take action. Students should take steps to uphold the Code by reporting any suspected offense to the instructor or the Faculty Chair of the Honor Board. Students should under no circumstances tolerate any form of academic dishonesty. Students may report alleged violations directly to faculty members. Students may also report them anonymously through the “Report a Concern” portal maintained and monitored by the Office of Student Conduct.

In all work submitted for academic credit, students are expected to represent themselves honestly. The presence of a student’s name on any work, including group papers or projects, submitted in completion of an academic assignment is considered to be an assurance that the work and ideas are the result of the student’s own intellectual effort, stated in their own words, and produced independently, unless clear and explicit acknowledgment of the sources for the work and ideas is included (with the use of quotation marks when quoting someone else’s words). This principle applies to papers, tests, homework assignments, artistic productions, laboratory reports, computer programs, and other assignments.

All new students should familiarize themselves with this Code. Lack of familiarity with the code or with the precise application of its principles to any specific instance is not an excuse for noncompliance with it.

### **ARTICLE I: DEFINITIONS**

The terms below are used throughout this document and are defined as follows:

1. “Appellate Panel” means any person or persons from the Honor Board authorized by the Associate Dean to consider an appeal of an Honor Board hearing panel's determination or from the sanctions imposed in a particular situation.
2. “Chairperson” means the chair of an Honor Board hearing panel. The Chairperson must be an officer of the honor board.
3. “Code” means this Code of Academic Conduct.
4. “Dean” means the Dean of the Newcomb-Tulane College.
5. “College” means the Newcomb-Tulane College of Tulane University.
6. “College Official” means any person employed by the College to perform administrative or professional responsibilities.
7. “Complainant” is the person who submits a charge alleging that a student violated the Code. In most cases, complainants should be instructors of record or directors of academic programs, rather than graduate teaching assistants or other students.
8. “Faculty Chair of the Honor Board” refers to the faculty member appointed by the Dean, with guidance and approval of the Senior Associate Dean, to serve in this capacity, and as chair of the Committee on Academic Integrity. This faculty member advises the Senior Associate Dean on reported cases.
9. “Honor Board” means those persons who may from time to time be asked to serve on an Honor Board panel.
10. “Honor Board Hearing Panel” means any person or persons authorized by the Faculty Chair of the Honor Board to determine in a particular situation whether a student has violated the Code and to recommend sanctions that may be imposed when a rules violation has been committed.
11. “Instructor” means any person who conducts classroom or teaching activities for Tulane University, or who is otherwise considered by the university to be a member of its faculty.
12. “Member of the University Community” means any person who is a student, instructor, College Official, or any other person employed by Tulane University. A person’s status shall be determined by the Senior Associate Dean of the College.
13. “Newcomb-Tulane College records” refers to the records of Code violations in Tulane’s systems. Newcomb-Tulane College keeps records of cases involving findings of

responsibility, including administrative disposition. The College's record keeping procedures will be performed with due diligence and in compliance with the law and best practices in the field.

14. "Permanent records" refers to sanctions that are noted on student transcripts: expulsions, degree rescissions and a "WF" appear on a student's transcript permanently.
15. "Preponderance of the evidence" refers to the evidentiary standard of proof required for the Honor Board to determine responsibility in a case. Under this standard, the burden of proof is met when the party with the burden (i.e., the complainant) convinces the fact finder (i.e., the Honor Board) that there is a greater than 50% chance that the claim is true.
16. "Respondent" is the student accused of academic misconduct.
17. "Schools" means the School of Liberal Arts, the School of Science and Engineering, the School of Tropical Health and Public Medicine, and the A.B. Freeman School of Business.
18. "Senior Associate Dean" refers to the Senior Associate Dean of Academic Affairs of Newcomb-Tulane College, the College official authorized by the Dean of Newcomb-Tulane College to coordinate Honor Board proceedings.
19. "Student" means all persons enrolled at the College pursuing undergraduate degrees. Persons who withdraw after allegedly violating the Code or who have been notified of their acceptance for admission are considered "students."
20. "In Writing" means communications made in written letters, in email notifications, and in other electronic communications delivered to relevant email addresses of students, faculty, administrators, and staff members.

## ARTICLE II: CODE AUTHORITY

1. The Faculty Chair of the Honor Board shall determine the composition of Honor Board hearing panels and appellate panels.
2. The Faculty Chair of the Honor Board shall develop procedures for the conduct of Honor Board hearing panels and appellate panel hearings that are not inconsistent with provisions of the Code.
3. Decisions made by the Faculty Chair of the Honor Board shall be final, pending the normal appeal process.

4. Allegations of harassment shall be addressed through Tulane University's harassment policy.
5. Student members of the Honor Board shall work with the Faculty Chair of the Honor Board to provide training to Honor Board members.

### ARTICLE III: PROSCRIBED CONDUCT

#### 1. Jurisdiction of the Code

The Code shall apply to academic conduct of each student from the time of application for admission through the actual awarding of a degree, even though academic conduct may occur before classes begin or after classes end, as well as during the academic year and even if the academic conduct is not discovered until after a degree is awarded. The Code shall apply to a student's academic conduct even if the student withdraws from school while a disciplinary matter is pending.

#### 2. Violations of the Code

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in this Code. The following are defined as violations:

- a. Cheating—Giving, receiving, or using, or attempting to give, receive, or use unauthorized assistance, information, or study aids in academic work, or preventing or attempting to prevent another from using authorized assistance, information, or study aids.
- b. Consulting with any persons other than the course instructor and teaching assistants regarding a take-home examination between the time the exam is distributed and the time it is submitted by the student for grading. Students should assume any exam is closed book; they may not consult books, notes, or any other reference material unless explicitly permitted to do so by the instructor of the course. Students must also take exams in settings determined or approved by the course instructor and/or the Center for Student Accessibility.
- c. Unless explicitly allowed by the instructor, electronic devices (such as cell phones, notebooks, calculators, etc.) are not allowed to be out of backpacks or purses during quizzes and exams. These electronic devices must be packed away and turned off. Any student who is caught with one of these devices during an exam, test, or quiz will be reported for the Honor Code violation of cheating.

- d. Plagiarism—Unacknowledged or falsely acknowledged presentation of another person’s ideas, expressions, or original research as one’s own work, in rough or working drafts as well as in final drafts. Such an act often gives the reader the impression that the student has written or thought something that they have in fact borrowed from another. Any paraphrasing or quotation must be appropriately acknowledged, and published materials appropriately cited. Plagiarism also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

Students and faculty may wish to consult “Acknowledging Sources in Academic Work,” a copy of which may be obtained in the Newcomb-Tulane College Dean’s Office or the Center for Academic Advising, for more information on documenting sources; they may also want to consult the Howard-Tilton Memorial Library guide to issues related to acknowledgment, citation, and plagiarism.

- e. Fabrication—Submission of contrived or altered information in any academic exercise.
- f. False Information—Furnishing false information to any University official, instructor, or Tulane University office relating to any academic assignment or issue.
- g. Unauthorized collaboration — Collaboration not explicitly allowed by the instructor to obtain credit for examinations or course assignments.
- h. Multiple submissions—Presentation of a paper or other work for credit in two or more distinct courses without prior approval by all instructors.
- i. Sabotage—Destroying or damaging another student’s work, or otherwise preventing such work from receiving fair graded assessment.
- j. Unfair advantage—Any behavior disallowed by an instructor that gives an advantage over other fellow students in an academic exercise.
- k. Facilitation of academic dishonesty—Knowingly helping or attempting to help another student violate any provision of the code.
- l. Tampering with academic records—Misrepresenting, tampering with, or attempting to tamper with any portion of a student's academic record.

- m. Improper disclosure—Failure of an honor board member or participant in an honor board hearing to maintain strict confidentiality concerning the identity of respondents.

#### ARTICLE IV: RESPONSIBILITIES

##### 1. Instructors

Each instructor should be familiar with the principles and procedures of the Code. They should report suspected violations so that, for example, repeat offenders can be detected. Each instructor shall also appear and testify when called upon to do so by the Honor Board, and should discuss cases and concerns, as needed, with the Faculty Chair of the Honor Board.

Instructors should foster in their classes an environment that encourages adherence to the principles of honesty and integrity. Instructor should give specific directions concerning the nature of examinations and assignments, stating, for example, when collaboration is permissible, when students may consult sources in “open-book” exams, and the conditions and settings in which exams can be taken.

##### 2. Students

Students must familiarize themselves with the Code of Academic Conduct, and they must conduct themselves in accordance with the Code.

#### ARTICLE V: INITIAL PROCESSES FOR REPORTED VIOLATIONS

##### 1. Initial Review

Once alleged violations of the Code have been reported, the Faculty Chair of the Honor Board shall review the written charges to confirm that the charges being made fall within the scope of this Code, and that documents have been prepared according to its provisions. This review should be conducted promptly, generally within 5 working days (within the fall or spring terms of the academic year, not including weekends and university holidays) of receipt of the charge and supporting documents.

Documents necessary for review may include a course syllabus, relevant test or assignment, written communication between complainant and respondent, written testimony of witnesses, and any other relevant documentation of the alleged violation.

If, in the considered opinion of the Faculty Chair of the Honor Board, the charge is improper and should not be taken to a hearing, that decision shall be communicated to the complainant, who retains the right to have the decision reviewed by the Senior Associate Dean.

## 2. Copy of the Charges

If the Initial Review finds that a violation of the Code is suspected, the Faculty Chair of the Honor Board will provide the respondent with a copy of the formal charge in writing: the nature and occasion of the alleged violation, the name of the complainant, copies of the documents pertinent to the allegation, and a copy of or link to the Code, within five (5) working days or as soon as practical. This material will be sent to the respondent's Tulane email address.

## 3. Administrative Disposition

If the respondent(s) in the reported case(s) inform(s) the Faculty Chair of the Honor Board that they plan to accept responsibility, the respondent may waive the hearing. The sanctions will be determined by the Faculty Chair of the Honor Board, and may include a WF for major offenses, a lowering of the grade, a letter of reprimand and/or educational requirements. Honor board probation may be added to these penalties. The respondent must also sign a statement acknowledging the violation and the penalty, and in the case of a Code violation involving multiple students, the signed statement will become part of the record in the hearing for any of the other students who do not accept responsibility.

A respondent may be offered this option only if they have no prior convictions and if the violation, in the opinion of the Faculty Chair of the Honor Board, would not be likely to result in suspension, expulsion or degree rescission if the student were to appear before a hearing panel. Administrative disposition of the case will appear in Newcomb-Tulane College records as a violation of the Code. When a WF is assigned, it is noted on the respondent's transcript and is calculated into the GPA.

## 4. Respondent's Review

The respondent will be allowed five (5) working days (within the fall or spring terms of the academic year, not including weekends and university holidays) to decide if they wish to accept responsibility or appear before a Hearing Panel. The respondent is not allowed to withdraw from the course in which they have been charged with an Honor Code violation until the case has been resolved.

## 5. Right to an Advisor

The respondent has the right to be assisted by an advisor selected from a list of faculty and other College Officials as appointed by the Faculty Chair of the Honor Board, at any point after which a student is accused of a violation, including preparation for an honor board hearing. The Faculty Chair of the Honor Board will provide the respondent with a list of potential advisors. The advisor may not have an attorney-

client relationship with the person advised. The respondent is responsible for presenting their own information relevant to the case, and therefore, an advisor is not permitted to speak or to participate directly in any Honor Board hearing. A student who selects an advisor should ensure that the advisor's schedule allows attendance at the scheduled date and time of the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.

#### 6. University Breaks

Timelines for Honor Board proceedings, including communications from the Faculty Chair of the Honor Board, and Honor Board hearings, are suspended when the university is closed for holidays and recesses, including fall break, winter break, spring break, and summer. During these periods, complainants may make allegations, but the normal timeline for adjudication is suspended until classes resume.

#### 7. Study Abroad

Cases in which students are accused of violations while they are studying abroad will be adjudicated upon return to campus. Students found responsible and sanctioned with Honor Board probation before they are scheduled to go abroad may not be allowed to study abroad while they are on probation, even if they have already been accepted into a study abroad program.

#### 8. University Closures

When normal university operations are suspended for emergencies, adjudication of Honor Board cases will proceed, although timelines may necessarily be extended. In such circumstances, discussions and hearings may be conducted electronically or by phone or may be postponed until they can be conducted on campus.

### ARTICLE VI: HONOR BOARD HEARINGS

#### 1. Purpose of Hearings

The purpose of the hearing is to provide the complainant and respondent with an opportunity to be heard and to supply the Honor Board hearing panel with the relevant information necessary to reach a decision. It should be noted that a hearing is not a legal procedure and as such, 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 Board proceedings. Polygraph tests are not admissible as evidence.

#### 2. Burden of Proof



The complainant and NTC bears the burden of proof of alleged violations of the Code. Honor board members shall make decisions about alleged violations based on the principle of “preponderance of the evidence.”

### 3. Hearing Date

The Honor Board will make every effort to process cases in a timely manner. The Faculty Chair of the Honor Board will convene an Honor Board hearing panel to review the charges brought against the student. Effort will be made to convene that hearing within a reasonable time, generally fifteen (15) working days (within the fall or spring term of an academic year, not including weekends and university holidays) of the Respondent’s Review.

### 4. End-of-the-Semester Offenses

If the offense is reported at the end of the semester, the hearing normally will be postponed until the start of the next semester. If the respondent requests a hearing at the end of a semester and an officer and a sufficient number of Honor Board members with appropriate representation from the student’s school are unavailable to hear a case, the Faculty Chair of the Honor Board may form an *ad hoc* panel composed of two instructor members (one from the student’s school) and three students. If the case must be heard by an *ad hoc* panel, it should be heard as soon as possible, generally within fourteen (14) working days after the end of final exams when feasible. If more than one student is accused in the same case and at least one of the respondents desires to postpone the hearing, it shall be deferred until the beginning of the next semester, unless any of the respondents is expected to be graduated before the hearing is to take place or will be on a study abroad program in the following semester.

### 5. Failure to Appear

If a respondent, having been notified, does not appear before an Honor Board hearing panel, the information in support of the charges shall be presented and the hearing shall proceed. The respondent may send written testimony to be included in lieu of appearing. There shall be no penalty for not appearing at an Honor Board hearing.

If the complainant cannot appear at the hearing, they must send a proxy or be available by phone. The burden of proof is on the complainant. If the complainant is unreachable at the hearing, the hearing may be canceled or rescheduled.

### 6. Testimony

If a person is called before an Honor Board hearing panel, the person is obligated to be completely honest. It is the responsibility of every member of the university to ensure that the principles of the Code are upheld and that procedures are properly

followed. Testimony given at any Honor Board hearing that indicates the possibility of additional Honor Board violations can become the basis for additional Honor Board proceedings.

## 7. Witnesses

The Faculty Chair of the Honor Board shall consult with the complainant and the respondent, if necessary, to ascertain what witnesses should be called in the hearing.

## 8. Procedures for Honor Board Hearing Panel

- a. Honor Board hearings shall be conducted in private.
  - b. Honor Board panels shall consist of two undergraduate students and one faculty member, and a student officer of the Honor Board shall preside over each hearing panel. The Faculty Chair of the Honor Board shall notify all parties of the date and time of the hearing.
  - c. Evidence: Relevant documentary evidence and written statements may be accepted as information for consideration by an Honor Board hearing panel at the discretion of the officer. Relevant evidence submitted regarding the charge should be shared with the parties and the Hearing Board within a reasonable time before the hearing.
  - d. All procedural questions are subject to the reasonable discretion and final decision of the officer of the Honor Board hearing panel. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Code proceedings.
- a. At the beginning of the hearing, the officer shall read the charges against the respondent. Normally the complainant will give testimony first, followed by supporting witnesses, followed by the respondent and supporting witnesses, and then by other witnesses, if any. Any of the preceding may be recalled for further testimony if clarification is necessary. The officer shall inform the respondent and any witnesses of the following before testimony begins:
    - i. False testimony given in a hearing is a violation of the Code of Academic Conduct.
    - ii. All testimony given in an Honor Board hearing is to be held in the strictest confidence.
    - iii. All witnesses must be called to give substantive testimony rather than to serve as character witnesses.

- e. The respondent may make a statement before the Honor Board, examine or dispute any evidence, make no statement, or decline to respond to any questions.
- f. The complainant, the respondent, and any witnesses will be brought before the hearing panel independently of one another to give testimony.
- g. After hearing evidence and witnesses in the case, the panel will vote to determine responsibility, based on the preponderance of evidence, that the respondent violated the Code (i.e., that the alleged violation is more likely than not to have occurred, or *vice versa*); a majority is necessary. All members vote, and abstentions will be counted as votes of not responsible. No member of the panel will be allowed to vote unless they have been present to hear the evidence in the case.
- h. The officer shall submit a written report of the hearing to the Faculty Chair of the Honor Board promptly, generally within five (5) working days after the hearing.
- i. If the respondent is judged not responsible, there will be no report of the case on their permanent record or in Newcomb-Tulane College records.
- j. If the respondent is found responsible of violating the Code, the Honor Board hearing panel will recommend sanctions to the Faculty Chair of the Honor Board.
- k. The history of violations or alleged violations of the Code by a respondent is not relevant to determining responsibility in a new case. Honor Board members will be presented with information about past violations only after they have voted on responsibility, and this information is used only for the purposes of sanctioning students who are found responsible for repeat violations.

## 9. Sanctions

Sanctions for violations of the Code are imposed on the basis of the infraction and any history of repeated violations by the student. In general, sanctions for academic misconduct should be greater than the consequences of not having completed the relevant test or assignment. The appropriate sanctions may be determined by the Faculty Chair of the Honor Board for students who are found responsible or who accept responsibility through administrative disposition. Sanctions may ~~They~~ include:

- a. Letter of reprimand, which includes a written warning giving the student notice that any subsequent Code violations may carry more serious sanctions.
- b. Educational requirements, which may require the completion of projects, programs, or other such requirements designed for student development purposes.

- c. Lowering of a grade to zero for an assignment or test or lowering of the final grade; the Honor Board may stipulate that if a student chooses to withdraw from a course after receiving a grade sanction for a violation of the Code, the student's record will reflect a grade of "WF" for the course in which the sanction was assessed.
- d. A grade of "WF" in a course.
- e. Honor Board Probation, signifying that a student is not in good academic standing for a specified length of time, often for one or two semesters. The student may remain at Tulane University, but may be required to satisfy specified conditions or requirements, or report regularly to a designated administrator. Honor Board Probation spans a proscribed period of time during which a student is prohibited from 1) studying abroad, 2) serving as an officer in a student organization, 3) participating in any activity in which the student represents the University, including athletics or other competitive teams, 4) transferring credit from another institution, 5) pledging in a Greek organization, and 6) graduating from the university. As long as a student has no other honor board violations during the period of Honor Board Probation, there is no record of this probation on the student's permanent record, and the student will return to academic good standing.
- f. Suspension, in which the student must leave the University for a definite or indefinite period. A student may eventually return if applicable conditions are satisfied.
- g. Expulsion from the University, in which a student is removed from the Tulane University community permanently. The expulsion is noted on the student's transcript.
- h. Admission to or a degree or certificate awarded by ~~the~~ Newcomb-Tulane College or any School within Tulane University may be revoked for violation of the Code.
- i. More than one of the sanctions listed above may be imposed for any single violation.

Students should be aware that infractions of the Code of Academic Conduct may ~~usually~~ warrant a grade of a "WF" for the course and Honor Board probation of one or more ~~two~~ semesters even for a first offense. A conviction for a second offense warrants, and typically results in, suspension or expulsion from the University. In addition, the University reserves the right to withhold institutional support from a student's application for graduate or professional school if violations of the Code are noted in the student's academic record.

#### 10. The Review of the Hearing Panel's Recommendation

The Faculty Chair of the Honor Board shall review pertinent materials, including the report of hearing and supporting documentation. If they disagree with the recommended sanction, they must provide the panel with notice and written reasons for disagreement. The Faculty Chair of the Honor Board having reviewed the report of the hearing and supporting documentation, shall promptly notify in writing the respondent, the complainant, and the chair of the hearing panel of their decision (generally, within three (3) working days after receipt of the hearing panel's report).

#### 11. Cases involving Simultaneous Student and Academic Conduct

When a case involves a student who is accused of violating both the Code of Academic Conduct and the Code of Student Conduct, alleged academic violations will be adjudicated only once the Student Conduct process has concluded.

#### 12. School of Professional Advancement

Cases involving students enrolled in the School of Professional Advancement (SoPA) will be adjudicated by SoPA. If NTC students taking courses through SoPA are accused of academic misconduct in SoPA courses, those cases will be adjudicated by NTC. If SoPA students taking NTC courses are accused of academic misconduct, those cases will be adjudicated by SoPA. In cases involving respondents from both NTC and SoPA, cases for individual respondents will be adjudicated by the schools in which those respondents are enrolled. If there are cases in which it is unclear whether the jurisdiction resides within SoPA or NTC, the Faculty Chair of the Honor Board or the Senior Associate Dean for Academic Affairs will consult with the relevant assistant dean(s) of SoPA to determine whether those cases will be adjudicated by SoPA or by NTC.

#### 13. Contingency Plans

If normal campus life and activity are suspended for public emergencies and contingencies, the Honor Board will still advocate "best practices" for promoting awareness of academic integrity, will still receive and process reports of alleged academic misconduct, and will still, as needed, conduct Honor Board hearings and appellate panels through videoconferencing, conference calls, and digital communications. Videoconferencing may also be utilized for Honor Board hearings when faculty and students are on campus in normal circumstances if it is necessary to do so. Videoconferencing may also be utilized for Honor Board hearings if those hearings involve complainants, respondents, witnesses, or other participants who are no longer affiliated with the university.

## ARTICLE VII: COMPOSITION AND JURISDICTION OF THE HONOR BOARD AND HEARING PANELS

### 1. Composition of the Honor Board

The Honor Board is composed of persons selected by the procedure below who may from time to time be asked to serve on Honor Board panels. The Honor Board shall consist of approximately forty (40) students and thirty (30) instructor members from the Schools. It shall be the goal of the Faculty Chair of the Honor Board to select representation proportional to enrollment from the College and the Schools whenever possible. The size of the pool of members can be increased or decreased at the discretion of the Faculty Chair of the Honor Board or the Senior Associate Dean for Academic Affairs. The Faculty Chair of the Honor Board shall have the right to remove any member of the Honor Board or the Senior Associate Dean for Academic Affairs.

### 2. Selecting New Members and Officers of the Honor Board

#### a. Selection of Students

- i. New student members of the Honor Board shall be chosen as needed; these students shall serve until graduation, interruption of residency, or until resigning their positions. The Honor Board will strive to achieve approximate representation across student classes and schools.
- ii. No student who has been convicted of a violation of the Code may serve on the honor board.

#### b. Selection of Student Officers

- i. Seniors and juniors who have served on honor board panels may serve as officers. The officers of the honor board may convene the Honor Board to review procedures, to conduct training, and to conduct other official business.

#### c. Selection of Instructor Members

- i. Instructor members of the Honor Board shall be chosen by their schools, and they will serve three-year, renewable terms.

### 3. Composition of Honor Board Hearing Panels

Panels shall be constituted from five (3) members of the Honor Board—two students and one instructor whenever possible. One of the two students must be an officer of

the board. It is preferable for an Honor Board panel to have at least one faculty member from the same school as the respondent, if possible. The panel shall hear cases and determine the responsibility of the respondent(s), and shall recommend appropriate penalties for implementation by the Faculty Chair of the Honor Board.

#### 4. Honor Board Hearing Panel Procedure

The Honor Board shall determine the rules of procedure for its hearing panels, subject to the approval of the Faculty Chair of the Honor Board or the Senior Associate Dean for Academic Affairs.

#### 5. Honor Board Hearing Panel Voting Rights

Students and instructors are voting members of the Honor Board hearing panel, and each member has one (1) vote.

### ARTICLE VIII: RECORD-KEEPING

#### 1. Records

- a. The Senior Associate Dean shall maintain a record of Honor Board determinations. The record shall include a copy of evidence submitted to the hearing panel, the report of the officer of the hearing panel to the Faculty Chair of the Honor Board, and the final actions taken in cases by the NTC Dean's Office.

### ARTICLE IX: APPEALS

Any student found responsible for violating this Code has a right to appeal the determination and/or consequences delivered for, and only for, specific reasons set forth below.

#### 1. Appeal Process

- a. A respondent may appeal a decision of the Faculty Chair of the Honor Board on the grounds of procedural error, new evidence, disproportionate sanction, or any combination of the three. Dissatisfaction with the results of a hearing is not itself a valid basis for appeal. Appeals are also not an occasion to engage in contempt of the process, administrators, or students who participated in Code process.
  - i. **Procedural error** is defined as material deviation from procedures that substantially impacted determinations of responsibility or sanctions applied.

- ii. **New evidence** is defined as new and substantial evidence that has appeared that could have not reasonably been discovered before the determination of responsibility was made.
  - iii. **Disproportionate Sanctions** are where sanctions are grossly disproportionate to the findings of responsibility.
- b. A respondent who wishes to request an appeal of a decision of the Honor Board hearing panel may do so by notifying in writing the Senior Associate Dean within five (5) working days after being notified of the decision, except when the appeal is on the basis of new evidence, in which case more time may be granted by the Senior Associate Dean.
  - c. The respondent must submit an appeal document, consisting of a plain, concise, and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. The appeal must be sent to Senior Associate Dean via email, who will acknowledge receipt of the written appeal.

## 2. Appellate Panel

- a. In accordance with the Constitution of Newcomb-Tulane College, appellate panels shall be composed of three (3) faculty members of the NTC Committee for Academic Integrity.
- b. No member who heard the original case may serve on the appellate panel.

## 3. Appellate Board Hearing Procedures

- a. The appellate board will assess the written appeal to determine whether the appeal is timely filed and, if so, whether the appeal is properly framed based on the permissible grounds. If they determine that the appeal does not properly fit within one of the three specific grounds for appeal, the appeal will be denied.
- b. If the appeal is properly filed, the appellate panel may offer impacted individuals the opportunity to review the written appeal and offer their perspectives in writing to the appellate panel. Typically, such responses must be submitted to the appellate panel within three (3) working days from being provided the appeal, but the appellate panel may extend this time at its discretion. If multiple individuals appeal, the appeal documents from each party will be considered together in one appeal process.
- c. In all appeals, the appellate panel will presume that decisions were made reasonably and appropriately, unless there is compelling information to the



contrary. Appeals are not intended to be a rehearing of the matter. Most appeals consist of a review of the written documentation or record of the original hearing and pertinent documentation regarding the grounds for appeal. The appellate panel may speak to any impacted individuals, as appropriate.

- d. All information presented or discussed at an appellate panel hearing shall be confidential.

#### 4. Appellate Decision

- a. Depending on the nature of the requested appeal(s), the appellate panel may, by majority vote:
  - i. Affirm the determination of responsibility or the sanctions in whole or in part;
  - ii. Alter the determination of responsibility or the sanctions in whole or in part;
  - iii. Return the matter to a hearing panel with instructions to reconvene to cure a procedural error or reconsider the consequences delivered. No situation will ever be remanded for reconsideration more than once.

The appellate panel will transmit to the Senior Associate Dean a written decision generally within fifteen (15) working days from the date of the submission of all appeal documents. Appeal decisions are final with the exception of matters that are remanded for further consideration.

The Senior Associate Dean will notify in writing the respondent and the complainant of the outcome of the appeal.

#### 5. Records

All materials distributed during the appellate hearing shall be collected by the chair who shall deposit one copy of the materials in the Newcomb-Tulane College files. A copy of the report of the appellate panel and the action of the Senior Associate Dean shall be included in the records of the Honor Board.

#### 6. Attending Classes During the Appellate Processes

Except when a student has interim measures that prevent them from appearing on campus, students may continue to attend classes during the appeal process. In the most serious cases, involving expulsion from the University, if the original verdict is upheld under appeal, then no academic credit can be earned for the semester in which the student was notified of the expulsion, nor for any further semester into which the appeal process might continue.

## 7. Students Exonerated

Students exonerated as the result of the appeals process will have the original Honor Board verdict removed from their college record, and any institutional financial aid that had been withdrawn as a result of the conviction will be retroactively reinstated.

## ARTICLE X: AMENDMENTS AND REVISIONS

These regulations may be amended or revised with the approval of the Undergraduate Student Government and the faculty of Newcomb-Tulane College.