

March 26, 1995

TASK FORCE REPORT

on

HONOR COMMITTEE POLICIES and PROCEDURES

Philosophical foundation:

The Honor Committee is obliged to uphold the tenets of the Honor Committee constitution. As students, and as representatives of the student body, we are charged with the task of insuring that truth is pursued, and that fairness is guaranteed to all students under the scope of the Honor System. Pursuant to these responsibilities, the policies and procedures of the Honor System must be periodically reviewed to determine whether or not the current system, and its facilitators, functions both appropriately and effectively.

Introductory remarks:

Several months of effort went into the report you see before you. This report is a compilation of not only the results of the Task Force but, also, its intentions. So, be aware that some sections of this report speak in the past and the present (what the Task Force has done and what the Honor Committee, subsequently, should do) while other sections of this report speak in the future tense (what the Task Force had set out to do).

The need to develop the Task Force sprang from the controversial handling of the Christopher Leggett case over the Summer of 1994. That controversy threatened to, and in many areas did, bog the system down to a level of inefficient operation. The purpose of the Task Force was to thoroughly investigate the basis of the controversy relative to the policies and procedures of the Honor Committee; in other words, what happened, how did it happen, and how could it be prevented, if necessary, from happening in the future. The Task Force was developed as a more efficient mechanism to better deal with the issues in the hopes that the Honor Committee could then focus on the operation of the system without the constant distraction of controversy.

It would be all too easy to only look at the immediate results of the Task Force on Honor Committee Policies and Procedures. In order to present a more comprehensive and useful report we present to the full Honor Committee the initial goals of the Task Force, their resolutions, and their shortcomings. For the future benefit of the community of trust we also include our reasonings and justifications, as well as, those issues left unresolved.

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Task Force Membership:

Co-Chairs:

Rick Bell	SARC
Brian Wald	SEAS

Honor Committee Members:

Matt Franklin	SARC
Rafiq Jefferies	CLAS
Trina Jones	CLAS
Susan Kuhn	CLAS
Paige Lester	LAW
Jason Robinson	GSAS
Gerry Rosales	SCC

Support Officer Members:

Tara Lee Cline	Honor Educator
Matt Fader	Honor Advisor
Chris Holland	Honor Counsel
Amir Miodovnik	Multi-cultural Advisory Group
Steve Schaeffer	Bad Check Committee
Martha Stack	Honor Advisor
Nathan Vitan	Honor Counsel

Task Force Issues:

Scope of discussion:

The discussions of the Task Force were based on the existing documentation of the Honor Committee: the Honor Committee Constitution and its associated By-Laws. While the full contents of these guiding documents were open to discussion we identified four major issues as a result of the Summer of 1994: By-Law I.B.2 (the powers of the Executive Committee) and the concept of full review, the appeals process, Summer session operational policy, and the Honor Committee and the University structure.

Time-line for discussion:

- First Meeting** **Development of Task Force agenda:** Determination of the format for discussion, support officer participation, Task Force administration.
- Issue 1-** **By-Law I.B.2:** The powers of the full Honor Committee, the Executive Committee and the concept of full review.
- Issue 2-** **Appeals process:** A comprehensive review of the appeals process to determine whether complete guidelines exist so as to insure fairness.
- Issue 3-** **Summer session administration:** A review of the responsibilities of the Honor Committee through the Summer session.
- Issue 4-** **The Honor Committee and the University:** A review of the responsibility of the Honor Committee, both real and ideal, within the University community as a whole.
- Last Meeting** **Summary and review:** A summarization of discussion, coupled with a determination of the recommendations to be forwarded to the full Honor Committee.

The time-line for each specific issue was left open ended. The Task Force considered each issue to an adequate level of resolve before moving on to subsequent issues. This policy was held throughout our discussion with the exception being issues of the Summer session. This issue could find no particular resolve as the Task Force became divided on the issue and it was tabled for future review.

Task Force agenda:

- Purpose** Conduct a review of Honor Committee guiding documents with particular attention to areas of current contention; compile constructive inputs; present, in an appropriate format, recommendations to the full Honor Committee.
- Reporting** This Task Force reports directly to the full Honor Committee each regularly scheduled meeting during either "announcements or community concerns", or, "team reports".
- Meetings** Meetings will be scheduled weekly at a convenient day and time. The duration of these meetings should range between one and two hours (maximum!) depending on the complexity of the issue scheduled.
- Composition** (2) co-chairs acting as facilitator/moderators for the discussion.
- (7) committee members with inputs as elected representatives with broad knowledge of the workings of the honor system.
- (7) support officer members: (2) counsel, (2) advisor, (1) educator, (1) bad check, (1) MAG with inputs in areas of specialty and general knowledge of the workings of the honor system.
- Structure** As a consensus building (non-voting) body all members of the task force carry equal weight. The co-chairs, as facilitator/moderators, have certain authority in maintaining decorum and in organizing and scheduling meetings. They will also conduct the official reporting to the full committee.
- Format**
- 1- general information.
 - 2- results of previous meeting revisited for review and feedback/response of committee.
 - 3- open discussion of issue(s) on agenda.
 - 4- prioritizing of action, if any, regarding issue(s) on agenda.
 - 5- draft of recommendation for immediate action.
 - 6- deferring action to final task force report.
 - 7- presentation of agenda for issue(s) of next meeting.
- Media** Official reports of the Task Force will be via the co-chairs. Contacts with the media by Task Force members will certainly not be discouraged, only that they be responsible and prudent.

By-Law proposals:

The following By-Law changes, as written, are those accepted by vote of the full Honor Committee. The changes, in bold print, are shown in their context where applicable. Amplifying remarks follow the changes to present their reasoning and justification. These remarks are for information purposes only and are not to be considered as an integral part of the By-Laws. It is recommended, however, that these remarks be retained for future reference to facilitate their clarity.

Amend to read:

02-05-95

- I.A.1. The Honor Committee shall be responsible for taking actions needed to maintain the Honor System. **All Honor Committee actions shall be consistent with the Honor Committee Constitution.**

This amendment cites the Honor Committee Constitution as the over-arching document in all Honor Committee actions.

Delete the following:

02-05-95

- I.A.4. The Honor Committee may remove any elected officer of Honor Committee officer from office for consistent lack of attendance or participation in Honor Committee affairs, but only after other remedies have been exhausted. *Hypo?*

This was deleted from the by-laws as the Constitution gives the power to remove officers in a much broader sense and that delineation in the by-laws was unnecessary. It also posed a potential problem with the lack of clarity in the terms "elected officer" and "Honor Committee officer". These terms are currently being reviewed for better definition.

Add the following:

3-19-95

- I.A.4. The Honor Committee shall maintain original jurisdiction regarding all requests to:
1. enter legally binding agreements. This authority may be delegated to but not assumed by the Executive Committee.
 2. approve the appointments of students to support officer positions.

This addition to the By-Laws is to ensure that legally binding agreements would be entered into only with the full knowledge and support of the Honor Committee. It is intrinsically linked to section I.B.2 and the power of "full review". This is to prevent the situation that would

preclude "full review". Once legally binding agreements are entered any possible revocation of such actions (within the powers of full review), if made by the Executive Committee, could present a legal problem in a breach of contract. The delegation of this authority to the Executive Committee would be necessary in the normal operation of Honor Committee business and it would force the dialogue between the Executive Committee and the full Honor Committee as to what powers would be required or, at least, anticipated in the performance of their duties.

Amend to read:

02-05-95

- I.A.7. The Honor Committee Chair shall
- a. plan Honor Committee meetings;
 - b. report regularly to the Honor Committee on the standing committees of the Honor Committee;
 - c. be ultimately responsible for the administration of Honor committee business;
 - d. be a member of and chair the Executive Committee and attend its meetings; and
 - e. **represent the opinions and decisions of the Honor Committee.**

This amendment represents more symbolic intent than substance. It establishes the Honor Committee Chair as the spokesperson for the Honor Committee and, therefore, representative of the consensus of the full Honor Committee.

Amend to read:

2-19-95

- III.A.17.c. the dismissed may appeal to an appeal panel
1. for good cause, by giving, within **thirty (30)** calendar days of the trial, the Vice Chair for Trials
 - a. a written and signed request for an appeal; and
 - b. a written description of the ground(s) purported to constitute good cause, including specification of the rights thought to have been denied; or
 2. because of new evidence, by giving, at any time after the trial, the Vice Chair for Trials
 - a. a written and signed request for an appeal; and
 - b. a written description of the purported new evidence to be presented at the appeal.

This change to the By-Laws extended the time-frame in which to request a good cause appeal from fifteen (15) to thirty (30) calendar days to allow for adequate time in order to prepare the grounds for appeal. It was additionally felt that the stress and strain of the trial within a fifteen day time-frame could hamper an appropriate request for appeal.

Amend to read:

02-26-95

- I.B.1 The Honor Committee shall maintain **seven** standing committees; the Executive Committee, the Bad Check Committee, the Faculty Advisory Committee, the Psychological Evaluation Committee, the Standards Panel, the Diversity Task Force, **and the Grievance Panel.**

The Grievance Panel was proposed to solve two potential problems within the Honor System: the perception that the Honor Committee remains inaccessible to the general student population, and that there is no mechanism for screening out issues and grievances that would become an inefficient use of the full Honor Committee's energies.

Change to read:

02-05-95

- I.B.2. a. The Executive Committee shall consist of the Honor Committee Chair, the two Vice-Chairs, and, in a non-voting capacity, the Honor Education Coordinator and the Bad Check Committee Chair.
- b. The Executive Committee shall **perform** the Honor Committee's daily **administrative** affairs and **all duties that the Honor Committee may assign. The Executive Committee acts on behalf and with the authority of the Honor Committee in the administration of these duties.**

This change to the by-laws replaced the language "and may act for the Honor Committee whenever the Executive Committee finds it necessary". This language was felt to be too broad and did not clearly denote the Executive Committee's responsibility and authority as delegated to it from the full Honor Committee.

- c. All Executive Committee actions shall be reported regularly to the Honor Committee and shall be subject to full review by the Honor Committee, **with recourse up to and including the revocation of any actions of the Executive Committee. The power of revocation should only be exercised when the Honor Committee finds an egregious error or misuse of authority.**

This addition to this section of the by-laws attempts to clarify the concept of "full review". This language clearly defines the full Honor Committee as the final authority on actions representative of the Honor Committee.

- d. A quorum shall consist of two-thirds of the voting members of the Executive Committee. Matters resulting in tie votes in the Executive Committee shall be referred to the Honor Committee for resolution.
- e. The Executive Committee shall remain at the University through graduation and during the Summer session.

{The overall arrangement of this section of the by-laws should be revisited to read more clearly (i.e. there is no general statement of I.B.2. only the specific statements a.- e.). No core changes would be needed only a rewording that would provide a general statement to be more consistent in format relative to the rest of the by-laws.}

Add the following:

02-26-95

I.B.8 The Grievance Panel shall be composed of five Honor Committee members, one of whom shall be selected as the chair to preside over the meetings. No member of the Executive Committee shall be a member of the Grievance Panel. A panel of three members of the Grievance Panel, as selected by the Grievance Panel chair, shall consider all written grievances addressed to the full committee to determine if they merit the attention of the Honor Committee. Each impaneled member shall have one vote. A two-thirds vote shall be sufficient to send any matter on to the consideration of the full committee. No matter shall be sent on to the full committee which can still be resolved by the otherwise established procedures of the Honor System. All Grievance Panel actions shall be reported to the Honor Committee at the next meeting.

The premise of the Grievance Panel is that grievances would be forwarded to the Honor Committee, preferably in writing, for determination. It is essential to the workings of the Honor Committee that policy be implemented to establish the Grievance Panel as the official channel for processing grievances and should not be circumvented as a normal course of action. The basis for this amendment is in answer to arguments that it is the Executive Committee which controls procedural access to the full Committee and in instances where the grievances relate specifically to Executive Committee actions this access could be subverted. Additionally, the Grievance Panel would present a more efficient use of the full Honor Committee's time and energy.

Recommendations to the full Honor Committee:

The following recommendations to the full Honor Committee were received with the unanimous support of all members in attendance at the meeting of 26 February, 1995. These are only recommendation as they have no specific impact on the Honor Committee Constitution and its associated By-Laws, but, nonetheless, have significant impact on the relation between the Honor Committee and the community of trust and should, therefore, be implemented as policy.

- 1- The chairman of the Honor Committee shall provide a semesterly report to the Board of Visitors (BOV) on the state of the Honor System. This report should be forwarded to appropriate offices of the administration. These offices should include the office of: The President of the University, The Vice-President for Student Affairs, and the Dean of Students.
- 2- The establishment of a proactive relationship with the Office of the General Counsel of the University to review the existing By-Laws of the Honor Committee in order to determine their completeness and adequacy. This relationship should be maintained openly and regularly to insure the legal adequacy of subsequent By-Law changes.
- 3- Existing mechanisms of communication should be used to relay Honor Committee developments to the University faculty at regular intervals. These mechanisms could include the Faculty Senate, the University Provost, the TA/GAPS team, as well as the Honor Educators.
- 4- The consideration of area merchants should be included more in Honor Committee developments.
- 5- The forwarding of information to University alumnus as it relates to the Honor System should be explored through the University Alumni Association.

The essence of these recommendations lies in the necessary shift of the Honor Committee from, generally, a reactive posture to that of a more proactive posture. It can not be overstated that in order to affect appropriate and positive change the Honor Committee **must** become proactive in its very nature. These recommendations, if implemented, could go a long way in reversing the perception of the Honor Committee as an isolate entity that inhabits the forth floor of Newcomb Hall. It could help equally to reverse the perception of the Honor Committee, and the support officer pools, as the "Honor police". The Honor Committee must recognize that the basis of its support is not the Honor Committee constitution or the By-Laws, as these are only guiding documents. Its basis of support lies within the full membership of the community of trust. The Honor Committee is not the keeper of the Honor System, or its guardian, or its caretaker. The Honor Committee is the administrative body of the Honor System for the members of the community of trust.

Unresolved issues:

The major issues that remain for future discussion will require much more attention in order that they be resolved. These two remaining issues are:

- 1- the responsibility of the Honor Committee during the Summer session; and,
- 2- the efficiency of transition between new and old Honor Committees.

These issues seem to be fairly simple and straight forward and on the surface they may be. Initial discussions within the Task Force began to shed light on the complexity of these particular issues. As previously stated in this report, the Task Force could find no resolution in the issue of the Summer session. The debate split as to the necessity of Summer trials. The arguments are strong on both sides of the issue. The Task Force would pass on to future members of the Honor Committee the ground work laid in this discussion in the hopes that the necessary resolution could be found in the debate of these issues. Some points of contention are:

- 1- the current Constitution and By-Laws gives no clear guidance as to the obligation of the Honor Committee during the Summer session. Only the Executive Committee is expected to remain at the University during the Summer session (I.B.2.e.);
- 2- the handling of initiations against degree candidates should be as expeditious as possible. It would be unrealistic to expect a degree candidate to patiently wait through the months of the Summer session to have their case heard in the following Fall;
- 3- the logistics of holding Summer trials, particularly when the full Honor Committee is not in session, only adds an additional level of complexity to the process;
- 4- the Honor System would promote an inconsistent level of efficiency by operating at a different level during the Summer session, vice the normal academic year.

The transition between new and old Honor Committee has received appropriate attention during the 1995-96 Committee transition. The 1994-95 Honor Committee wisely formed a sub-committee to address the issue of their own transition to the incoming members. Future Honor Committees should give appropriate attention to this critical time in the administration of the Honor System. The fact that the transition occurs so close to the end of the semester and the beginning of the unresolved issues of the Summer session only amplify the importance of an efficient Honor Committee transition.

Summary remarks:

The Honor System, as we currently know it, has certainly grown in complexity since its origins over a century and a half ago. While the ideals of honorable behavior are not all that complicated, unfortunately, the administration of those ideals have tendencies in that direction.

This Honor Committee term has been one constantly marred by controversy and scrutiny, and though it often seemed as if no forward progress could be made we must recognize our positive results. In the face of this controversy Committee members, support officers and concerned members of the community of trust came together in the Task Force on Honor Committee Policies and Procedures to identify the problems, debate them openly, and to propose appropriate solutions to the full Honor Committee. The Task Force provided a sense of progress on the issues when it seemed that the Honor System had come to an abrupt halt. The format of the Task Force should serve well as an example of how the Honor System can deal with complicated, and even controversial, issues.

In concluding this report the summation of a bulk of the controversy surrounding the Honor System can be distilled to a solitary factor; ineffective communication. Many of the problems that developed from the handling of the Leggett trial stemmed from ineffective communication within the Honor Committee. The ensuing controversy that erupted afterwards stemmed from ineffective, and sometimes inappropriate, communication inside, as well as outside, the Honor Committee. The resulting imposition by the Board of Visitor, while seemingly appropriate given the circumstances, stemmed from a lack of effective communication between the Honor Committee and the University administration. It certainly was not the case that people weren't trying to communicate, simply attending an Honor Committee meeting or reading the student newspapers during this time-frame would support this statement. There was plenty of talking going on, but there was not much in the way of effective communication.

The Task Force has made great strides towards effective communication within the community of trust. Every recommendation of the Task Force to the full Honor Committee, including the By-Law changes, encourages more effective communications at all levels of the Honor System. It is only through the ensuing dialogue, particularly in the proactive posture, that any meaningful progress can be made.

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(Task Force Co-Chairs)
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